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WITS SCHOOL OF GOVERNANCE
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TRUST IN INSTITUTIONS AND IMPLICATIONS FOR THE SOCIAL CONTRACT

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A research report submitted to the Faculty of Management, University of the Witwatersrand, in 50% requirement of the requirements for the degree of Master of Management (in the field of Governance).

DECLARATION

I declare that this report is my own, unaided work. It is submitted in partial fulfilment of the requirements of the degree of Master of Management Governance (in the field of Security) at the University of the Witwatersrand, Johannesburg. It has not been submitted before for any degree or examination in any other university.

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TAFADZWA GLORY NDOFIREPI

LIST OF ABBREVIATIONS

AMCU - Association of Mineworkers and Construction Union

ANC - African National Congress

CASAC - Council for the Advancement of the South African Constitution

CPA - Crime Procedures Act

CPF - Community Police Forums

HRW - Human Rights Watch

IPID - Independent Police Investigative Directorate

NDP - National Development Plan

NPA - National Prosecuting Authority

OECD- Organisation of Economic Development

SAHRC - South African Human Rights Commission

SAPS - South African Police Service

SARB - South African Reconciliation Barometer

SSR - Security Sector Reform

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CHAPTER 1. INTRODUCTION AND RESEARCH BACKGROUND

1.1 Introduction

This research explores the relationship that trust in institutions, more explicitly trust in the police, has with the social contract in South Africa. Trust in one another, in institutions, and in leaders are all essential components of social and economic improvement (Gould & Hijzen, 2017) because they encourage people to collaborate and stand in solidarity (Perry, 2021, p. 1). When people are not given equal opportunities economically, income gaps are likely because some are acquiring more than others, and this "erodes a general sense of trust" (Gould & Hijzen, 2017, p. 38). Research done by the General Social Survey for the United States "shows that trust is lower in states where inequality is high" (Alesina & La Ferrera, 2002; Rothstein & Uslaner, 2005, as cited in Gould & Hijzen, 2017, p. 38). Economic security and equality stand as some of the critical duties of the state and its institutions and as some of the fundamental anchors of the social contract between the government and its population (Perry, 2021, p. 3). When economic uncertainty spreads, as evidenced by the uncertainty that came with the COVID-19 pandemic, trust in institutions may suffer.

Where trust is stronger, there is room for state agencies to plan, implement, and deliver policies and services, at the same time strengthening the relationship between the citizens as well as their relationship with the state (Perry, 2021). Trusting that a government institution is effectively making efforts towards equality and social and economic development encourages citizens to participate in policymaking and consensually comply with those policies (Dann, July 26, 2022). Consequently, where there is inadequate social and economic development that benefits all the citizens, exclusion leads to grievances (Celiku, 2018, p. 124) against the state. This exclusion can manifest as service delivery protests, as in the case of South Africa.

The idea of the social contract, dating from the ancient era, has since shown the importance of state-citizen and citizen-citizen relationships. The founders of the idea of the social contract, Thomas Hobbes, Jean-Jacques Rousseau, and John Locke, have all had different views on the social contract.

The Hobbesian view was that the social contract is an agreement between individuals to give up some of their **rights** and freedoms in exchange for protection and security provided by a strong central authority, such as a government. His thinking was that without the social contract and a strong government, life would be "solitary, poor, nasty, brutish, and short" (Leviathan, i. xiii. 9). In this view, people are naturally selfish and violent. The only way to ensure peace and security is for individuals to give up some of their freedom to a powerful government that can enforce laws and maintain order (Leviathan, i. xiii. 9).

Rousseau believed that the social contract is an agreement made between individuals to give up some of their **natural freedom** in exchange for the protection and security provided by a government (Bertram, 2004). Moreso, he thought individuals would give up their natural freedom but gain civic freedom through being able to live under the rules that they participated in creating. For Rousseau, people were naturally free and equal, but the development of society and civilization led to the emergence of inequality and oppression. The social contract was then a way for people to come together and create a government that would protect the general will, or the collective good, of all citizens, a way for people to restore their natural freedom and equality, and that the government should serve the people, rather than the other way around (Bertram, 2004).

John Locke was of the view that the social contract is an agreement made between individuals to give up some of their natural rights in exchange for protection and security provided by a government (Calabresi & Vickery, 2015; Dienstag, 1996; Simmons, 2016). He believed that the government's power is derived from the consent of the governed and that it has an obligation to protect the natural rights of its citizens, such as life, liberty, and property. Additionally, Locke argued that the purpose of government is to protect the rights of the individual and that the people have a right to revolt if the government fails to fulfill this purpose (Simmons, 2016).

It is important to note that two aspects of the social contract theory and development focuses on the state-citizen element in contemporary societies. Within this critical element is the view of the social contract as an agreement between states and society or individuals and groups within society (McCandless, 2021b). This agreement reflects the shared rights and responsibilities of states and society or individuals and groups

within society and the essential trade-offs these engagements imply (McCandless, 2021b). Despite the different ideas of the social contract that the key founders have had, newer framing around the social contract has often neglected the vital role that citizen-citizen relationships play within the social contract (Hobden & Matisonn, 2022). Scholars that have included the role of the citizen-citizen relationship have argued that it is a contract between citizens who agree to give legitimacy and political authority to a sovereign or government for the sake of security and protection, amongst other things (Estlund, 2012; Hobden & Matisonn, 2021; Embling, 2021).

The social contract between citizens compels them to pay taxes and comply with the rules and laws, which, in most cases, they (hypothetically) agreed to in exchange for security and essential services from the government and its institutions. Resilient social contracts are driven by responsive and effective institutions that allow for citizens' engagement and participation (McCandless et al., 2018; Ndinga-Kanga, van de Merwe & Hartford, 2020). Therefore, resilient social contracts can allow citizens to comply with the state's expectations without coercion, as citizens trust their government's policies, institutions, and services.

Government institutions play a significant role in preserving the social contract. This is because the relationship between citizens and their government is based on collaboration and trust. When that trust is lost, it results in lower rates of rule and regulation compliance (OECD, 2013). Given that the police enforce compliance with the rule of law, their significance in this research is essential. The agreement that is made between citizens to give up their free will to a government for the protection of liberty, well-being, and preservation of wealth, to name a few, is in most cases entrusted to the security sector, i.e., police force and justice system, who ensure that this is done effectively. According to Embling (2021, January 31), "The cornerstones in the social contract are the police force and justice system, with safety and security being the reasons why the "contract" originally took place." A society with a low level of trust in the police is likelier to report high skepticism about the law and, in the worst case, a total collapse of law and order (Akinlabi, 2017, as cited in Bello, 2021). Safeguarding trust in government institutions, specifically through improving the effectiveness of the police, should then be one of the government's essential goals that can ultimately sustain the social contract.

In South Africa, citizens' relationships have been influenced by escalating gender-based violence and xenophobia (HRW, 2021), to name a few. For example, gender-based violence has been a cause for concern in South African communities, which led people to stand in solidarity during the COVID-19 pandemic. The lockdown measures implemented to curb the spread of the virus resulted in increased stress (Mbunge, 2020), financial insecurity, and limited access to support services, leading to increased incidents of domestic violence (Mahlangu et al., 2022). The South African government implemented measures to address this issue, including a nationwide lockdown and increased police presence, as well as the establishment of support hotlines for victims of gender-based violence. However, in June 2020, protests against gender-based violence escalated to show the issue's severity and raise awareness. This was after the murder of a 28-year-old woman whose body was found dumped in Soweto, Johannesburg. Solidarity between citizens was seen as people joined in arms to fight for justice, as more cases of women murdered under gender-based violence were discovered (Bhengu, 2020, June 15). Although the justice system took two years to bring the perpetrator to book, efforts towards this were commended (RSA Government, 2022, July 29).

With the end of the Apartheid era in 1994 in South Africa, where participation in the social contract excluded the black majority, the new government needed a social contract that addressed the country's issues of inequality and exclusion. Post-apartheid government institutions were to provide inclusive spaces that allowed for a dialogue between the state and its institutions and effective service delivery (Bassette, 2004). To date, access to essential services has been improved (Masiya, Davids & Mangai, 2019), but grievances about government institutions and their conduct have yet to see much improvement post-apartheid. Evidence from Masiya et al. (2019) shows that, indeed, an improvement in access has been noted. However, the people are not satisfied with essential services as seen through the overall mean for "satisfaction with basic services" as a whole [which] was (M=3.25; SD ±0.91)" (Masiya et al., 2019, p. 29). This shows that municipal services, although provided, are not enough for the people; hence the government still has to work on improving that.

Trust in institutions in South Africa has been declining. The decrease is associated with several issues, including corruption, inefficiency, high crime rates, and lack of accountability. The decline in trust has been evident in most sectors, with many citizens expressing dissatisfaction with the government and its ability to provide adequate basic services and address issues such as corruption and poverty.

According to a survey conducted by the Institute for Justice and Reconciliation (2019), trust in political parties and parliament reached a new low in 2019, with only 15% of respondents indicating that they had a lot of trust in political parties and 12% in parliament (Potgieter/IJR, 2019). Trust in the judiciary and the media was also relatively low, at 21% and 26%, respectively (Potgieter/IJR, 2019). In an Afrobarometer (2021) survey of trust in South Africa, low levels of trust in the public service, in general, are reported. The survey reports that "Distrust of the police is at its highest level of the past two decades, with 73% of citizens saying they trust them "just a little" or "not at all." (Afrobarometer, 2021, p. 1). This is problematic, given that the police are meant to ensure peace.

High crime rates have been reported in South Africa, with an increase in the past year. Police Minister General Bheki Cele, in his speech in Pretoria, stated that within the period 2021/2022, "contact crimes increased by 18.5%; commercial crimes increased by 19.9%; community reported serious crimes increased by 14.8%; and other serious crimes increased by 19.6%" (RSA Government Newsroom, 2022, November 23). The increase in crime makes the role and performance of the police in fighting crime questionable. High crime rates and low prosecution rates can contribute to a lack of trust in the police in several ways. When crime rates are high, and prosecution rates are low, people may perceive the police as ineffective at reducing crime and bringing criminals to justice. This can erode trust in the police, as people may feel that their safety and security are not adequately protected. Low prosecution rates can also create a perception of bias in the criminal justice system. Suppose certain groups or types of crime are consistently under-prosecuted. In that case, people may perceive that the police are not serving all community members equally, which can further erode trust in law enforcement. Although this is not the focus of this research, we must highlight this as it impacts citizens' perceptions of the state and its institutions.

When trust in the police declines, the effectiveness of their role as peacekeepers is also undermined. This is because cooperation between the police and the citizens is necessary if peace is to be maintained; hence if people no longer trust the police, they will not cooperate with them. Cooperation also facilitates crime prevention and control and increases the perception of safety (Frühling, 2012, as cited in Abril, 2022, p. 1).

This study is about the relationship between trust in the police and the strength of the social contract. This researcher seeks to explore the impact that trust in the police has on the relationship between the citizens themselves and their relationship and response to the government that they, in the first place, agreed to put into power. Having given a background to this study, the following sections within this chapter will discuss the problem statement, the research purpose, and the research questions.

1.2 Problem Statement

Scholarly debates around trust in the police have highlighted an existing problem of a lack of trust in the security sector in South Africa. Osland (2019) highlights that "the police are part of the interface between state and society and constitute a critical component of the social contract between the state and its people… people's trust in the police is related to the legitimacy of police actions and ultimately, to the effectiveness of the police" (pp. 193-194). The failure of the security sector in South Africa, specifically the police department (SAPS (South African Police Service)), to effectively curb internal security threats has led to a decrease in citizens' trust in these institutions and highlighted critical fragility in the police as an institution at a time of national crisis (Newham, 2021). Critical fragility in the police implied that as an institution it might have been facing challenges or weaknesses that could potentially affect its ability to function effectively or maintain public trust. More evidence shows an absence of a transparent approach to national security in South Africa, and the security sector's performance is dwindling, affecting the citizens' trust in it (Cilliers, 2021).

Scholarship on trust in the police service has highlighted key factors undermining trust, such as corruption (Potgieter, 2019; Mngadi, 2020; McCandless, 2021b), inefficiency (OECD, 2013; Osland, 2019), and brutality (Gumede, 2015; Human Rights Watch, 2020). Police brutality was more evident during the apartheid era when the white controlled police force took command to oppress poor black people. Although it is now

a different era, this brutality is still evident with police exercising coercion and brutality towards unarmed protestors. Evidence can be seen in the protests that took place at Wits University in 2021, where students were protesting for students with debt to be allowed to register. The police responded by "unlawfully using excessive force" (Human Rights Watch, 2021) and firing toward unarmed protestors, which led to the death of a bystander (Mlaba, 2021, April 8). Mngadi (2020, August 17) exposes the police brutality and corruption that have been more pronounced in South Africa with the global pandemic. The author argues that this "has instilled fear among marginalized citizens, while others have lost confidence in the police" (Mngadi, 2020, August 17).

More evidence of post-apartheid police brutality is seen in what is termed the "Marikana massacre" incident. The Marikana Massacre, also known as the Marikana shootings, started on August 16, 2012, when South African police opened fire on a group of striking mine workers in Marikana, a platinum mining town in the North West Province. The incident resulted in the deaths of 34 mine workers, and 78 others were injured (Farlam et al., 2015).

The police institution saw anger and criticism from the public, policy analysts, and academics, which is still ongoing. The police could not prevent an escalation of violence. This has been one key policing issue that has contributed to the low trust in the police. Roberts and Gordon (2022, March 28) argue that despite the "relatively static" levels of trust in the police between 1998 and 2010, the killing of 34 miners who were striking at Marikana resulted in a sharp decline between 2011 and 2013.

The July 2021 civil unrest in South Africa brought much attention to the country's preparedness and security sector's capabilities. This has established the groundwork for scholarly debates on the reasons for the turmoil, the role of the security sector, the action that the government took after this national disaster, and how trust has improved or decreased since the disaster (See Cilliers, 2021; Newham & Faull, 2022; Sguazzin, 2021).

Instead of the police being a pillar of security for the citizens, the decline in trust in them over time has led to citizens relying on informal ways of policing, especially in townships or high-density areas. Stuurman (2021, p. 88) poses important arguments on informal policing and shows the case of Cape Town, where she argues that

gangsterism in the city "is connected to the void created by a lack of police presence in communities across the Cape Flats." This informal policing is argued to have been allowed to expand in the late 1990s when the state was more focused on police reform. According to Stuurman (2021), during this time, resources and time were directed toward the restructuring and creation of the SAPS; hence, the focus of the police was not on effectively stopping gangsterism and informal policing. The violence that has become synonymous with South African protests risks further eroding the social contract by exacerbating the lack of trust in governmental institutions to engage peacefully (Ndinga-Kanga et al., 2020).

While the end of the apartheid was going to improve the lives of the previously excluded communities and reinforce the citizen-citizen relationships as well as citizen-state relationships, diminishing trust in the police is a cause of concern. Academics have explored issues around institutional trust, policing, and social contract conceptual frameworks across the world; however, an investigation of how trust in the police can have an impact on the social contract could add more value to existing scholarly views. Through this research's examination of the South African police, knowledge of trust in institutions and its impact on the social contract was expanded. The research paid attention to the different levels of trust in the police, which have been seen in post-apartheid South Africa, i.e., after 1994 to date, and the impact they have had on the social contract.

1.3. Research Purpose

The purpose of this research is to explore the relationship between trust in the police and the social contract in post-apartheid South Africa. The research used the social contract framing and engaged within South Africa's Security Sector Governance to examine this purpose.

1.4 Research Questions

The main research question for this study is: What is the relationship between trust in the police and the strength of the social contract in post-apartheid South Africa?

To answer this question, the study asked the following sub-questions:

- How have levels of trust in the post-apartheid South African police changed over time?

- How do levels of trust in the police influence citizens' relationship with the state?
- How do levels of trust in the police influence citizens' relationships with each other?

CHAPTER 2. LITERATURE REVIEW

The following literature review will provide a theoretical context for this research from different scholarly perspectives. In the first section, I explore the literature in other geographical locations. Birch (2016) looks at police, trust, and the social contract in the Australian context. Boateng (2018) examines how police performance influences citizens' attitudes towards them in the context of Ghana. Kidd et al. (2020) explore the social protection role of the police in strengthening or weakening the social contract in the context of the Global South. I will highlight that despite having done similar research, these studies do not look at trust in the police and implications on the social contract from the South African context. They also miss exploring trends in trust in the police overtime hence the need for this study to interrogate these issues.

The second section will explore the notion of the social contract as argued by different scholars. Within this section, I will look at social cohesion as McCandless et al. (2018) highlighted that it is vital in studying the social contract. Through this idea of social cohesion, I will argue that although it is an imperative concept for the social contract, looking at the relationship between trust in the police and the social contract will help further studies, organizations, and policymakers to design more effective policies and institutions that promote social cohesion and support the social contract.

The social contract will be further broken down into subsections 2.2.1 and 2.2.2, which look at citizens' relationship with each other and their relationship with the state. These subsections help lay out the different conceptions of the social contract as various scholars tend to overlap in their conceptual framing. I will argue that we can best use the social contract as a framework by identifying two distinct dimensions, one that recognizes the social contract through the lens of citizen-citizen relationships and another that looks at the citizen-state relationships.

The concepts of institutional trust and legitimacy will also be explored in this review of relevant literature. In section 2.3, I will highlight that although the different

scholarly views explore the role of trust in the social contract, they miss exploring whether this trust still exists or not. This study will highlight that trust is essential when analyzing the social contract because it acts as a bridge between two parties. Therefore, to understand why there is no cohesion between citizens and between citizens and the state, we need to interrogate whether the trust bridge is still evident or broken.

In conceptualizing this research's argument, it is also imperative that we look at the legislative frameworks that guide the police service as an institution. Concerning policing in South Africa, section 2.4 will highlight the issues within the 1996 Constitution of South Africa, the South African Police Service (SAPS) Act 68 of 1995, as well as the White Paper on Policing in 2016. These legislative frameworks will explore the role of the police in this social contract. I will also look at the scholarly analysis that has been done on these legislative frameworks.

The last section of this chapter will explore key incidents significant to this study, the Marikana massacre and the July 2021 Civil Unrest. I highlight the analysis of the incidents by different scholars and civil society. Overall, this research argues that despite the research that has been done, this study will take a different approach than any other study has not employed. This approach is that of analyzing the documents through the use of content analysis. Content analysis of the two reports will help to bring out how trust in the police has changed over the years and also highlight how the lack of trust in the police if any, influences the social contract in South Africa.

2.1. Similar studies on trust in the police and implications on the social contract

Birch (2016) explores trust in police and the social contract in Australia. In their study Birch (2016) examines the "well-being and resilience of police officers in the New South Wales Police Force (NSWPF)" through Rousseau's (1998, p. 15) theory (Birch, 2016, p. 1). This study is similar in examining the relationship between the police and the social contract. Birch (2016) takes a different approach from this research by looking at a specific case study, the New South Wales Police Force (NSWPF) in Australia. My approach in this research is to look at trust in the police in the whole country of South Africa.

The author's framing of the police is different from the one that I will look at in this study in that, for Birch (2016), the police are the ones at the core of his study, and the idea of trust is seen from an inward lens where trust is between the police themselves and their organization. For Birch, the police are seen as “members of a society that operates within a larger society” (Birch, 2016, p. 1). In this research, I will take a different approach and interrogate trust in the police in relation to the citizens’ perception on the police.

In addition, Birch’s (2016) study only addresses the idea of the social contract in passing. The social contract is framed from Rousseau’s (1998) theory which “requires an agreement or pact to be made between members of an organization and its associated moral body” (Birch, 2016, p. 61). My research will take a different approach by interrogating the social contract by looking at citizen-citizen and citizen-state relations.

A similar study on institutional trust and performance was done in Ghana. In this study, Boateng (2018, p. 1) examined “the effects of police performance on residents’ evaluations of their local police in Ghana.” This study is similar in that it interrogates the relationship between the performance of the police and institutional trust. In Boateng’s study, he assesses how the performance of the police influences the citizens’ attitudes towards them. Boateng (2018) makes use of the concept of police legitimacy and institutional trust to map the relationship that citizens have with the state. Although the idea of police legitimacy is vital for this study, it is only used to add value to the understanding of the role of the police but does not frame the overall research. Boateng also misses the social contract framing, which will be the primary framing in this study. He does include the idea of the state-citizen relationship but misses the citizen-citizens aspect of the social contract.

The study by Boateng (2018) is critical to interrogate because it aids in understanding some key concepts that will be elaborated on in my research. In his study, Boateng (2018) finds that performance theory is vital in explaining citizens’ behavior towards the police in all social contexts. He also finds that “citizens value police performance, and thus, their behavior toward the police is affected by how well they believe the police are performing their duties. Citizen satisfaction with police work is a positive indicator of trust in the police” (Boateng, 2018, p. 179).

These findings compliment one of the issues we will look at in our study, how trust in the police influences citizens' responses to the state and, ultimately, their relationship with it.

Another study was done by Kidd, Nycander, Tran, and Cretney (2020). In their research on 'the social contract and the role of universal social security in building trust in government,' the authors explore the social protection role of the police in strengthening or weakening the social contract (Kidd et al., 2020, p. i). They argue that in the Global South, citizens have limited trust in their government "due, in part, to the low quality of public services which undermine the social contracts and discourage people from paying taxes" (Kidd et al., 2020, p. ii). This is also true in the South African case, as we will see in the findings of this study. In as much as the authors consider the idea of trust in government, they excluded the concept of trust in the police, which will be explored in this study.

In both cases where similar studies have been conducted, the idea of evaluating trust in institutions, specifically in the police service, over time needs to be included. This has been the motivation for this study which will be done using the case of South Africa. Other scholars have also examined the social contract framing and elaborated their arguments. These will be explored in the following section highlighting the theoretical framework of this study.

2.2. Social Contract theory

The idea of social contracts has brought significant debates among various scholars. Notable social contract theorists such as Thomas Hobbes, John Locke, and Jean-Jacques Rousseau had their arguments well-established within the social contract discourse in academia. According to Thomas Hobbes, the social contract is an agreement between individuals to give up some of their rights and freedoms in exchange for protection and security provided by a strong central authority, such as a government (Leviathan, i., xiii, p. 9). Without the social contract and a strong government, Hobbes believed life would be "solitary, poor, nasty, brutish, and short" (Leviathan, i., xiii, p. 9). He thought that people are naturally selfish and violent and that the only way to ensure peace and security is for individuals to give up some of their freedom to a powerful government that can enforce laws and maintain order

(Leviathan, i., xiii, p. 9). This idea of the social contract is one of the foundations of modern political theory.

According to John Locke, the social contract is an agreement made between individuals to give up some of their natural rights in exchange for protection and security provided by a government. However, he believed that the government's power is derived from the consent of the governed and that it has an obligation to protect the natural rights of its citizens, such as life, liberty, and property (Dienstag, 1996; Simmons, 2016). He believed that if the government failed to protect these rights, the people had the right to overthrow them. Additionally, Locke believed that the purpose of government is to protect the rights of the individual and that the people have a right to revolt if the government fails to fulfill this purpose. This view of the social contract is one of the foundations of modern liberal democracy (Simmons, 2016).

For Jean-Jacques Rousseau, the social contract is an agreement made between individuals to give up some of their natural freedom in exchange for the protection and security provided by a government (Bertram, 2004). He believed that the social contract was a way for people to give up their natural freedom but gain civic freedom through being able to live under the rules that they participated in creating. He also believed that the social contract was a way for people to unite and form a government that would protect all citizens' general will or the collective good (Bertram, 2004). This idea of the social contract is one of the foundations of modern democracy.

Despite the different ideas of the social contract that the key founders have had, newer framing around the social contract has often neglected the critical role that citizen-citizen relationships play within the social contract (Hobden & Matisonn, 2022). Scholars that have included the role of the citizen-citizen relationship have argued that it is a contract between citizens who agree to give legitimacy and political authority to a sovereign or government for the sake of security and protection, amongst other things (Estlund, 2012; Hobden & Matisonn, 2021; Embling, 2021). However, scholars like Nyabola (2021, p. 1) have provided an all-inclusive definition of social contract theory,

> "Social contract theory refers to the tacit agreement between citizens to cooperate to ensure collective security and welfare, and that authorities need to provide protection and services to citizens in exchange for citizens' consent to be governed. Individuals cede some of their personal freedoms to the government in exchange for protection from some of the physical and structural violence of life outside of society. At the same time, those who govern accept limitations on the exercise of arbitrary power

The focus on the social contract between citizens has since evolved to include the state-citizen element of the social contract in contemporary societies. According to this viewpoint, the social contract is an agreement between governments and society or between people and social groupings (Kaplan, 2017; McCandless, 2018; McCandless, 2021b). The shared rights and responsibilities of governments and society, and individuals and groups within society, are represented by this agreement and the significant transactions necessitated by these interactions (McCandless, 2021b). In support of this, Adams (2018) states that in South Africa, "The NPC uses the terms social contract or social compact to refer to 'collective agreements between social partners in society about how to address major issues that require their collective contribution,' in its 2015 policy document, 'Toward a Social Compact for South Africa' (2015: 7)" (2018, p. 103). This shows how the idea of the social contract has been used within South African policies.

According to some researchers, the social contract and trust in the government or its institutions have been associated. According to Kidd et al. (2020, p. ii), the primary foundation of a robust social contract is citizens' confidence in their governments. The authors stress the importance of a solid social contract because it assures that people will pay their taxes without hesitation, preventing governments from acquiring the resources needed to supply their citizens with high-quality public services.

The idea of social cohesion has been deemed imperative in studying the social contract. In defining social cohesion, McCandless et al. (2018) state that it is the:

> Formal and informal ties and interactions, characterized by attitudes, norms, and behaviours, that bring and hold members of society (actors, groups, and institutions) together horizontally (across citizens, between groups) and vertically (in the relations between citizens/groups and the state) and across domains of i) trust and respect, ii) belonging and identity and iii) participation. (Chan et al., 2006, as cited in McCandless et al., 2018, p. 11).

Within social cohesion is the idea of levels of unity and connectedness within the society. These issues are key in studying the social contract because, with low levels of social cohesion, individuals may not be willing to give up their freedoms or cooperate with others, and the social contract may break down. According to

Ndinga-Kanga et al. (2020) as cited in Hobden and Matisonn (2022, p. 66), when a state fails to address exclusion and offer adequate services, this undermines citizen-state relationships and influences the decline in trust in government institutions. Ndinga-Kanga et al. (2020, p. 33) further state that “An unintended consequence of this declining vertical cohesion has been limited horizontal cohesion as different identity groups perceive themselves in relation to their access to state services and economic opportunities – distributed unequally across historical racial, gendered and class lines.” This highlights the importance of social cohesion within the social contract.

Social cohesion is essential in studying the social contract because it can also shed light on the relationship between the social contract and other critical social phenomena such as trust, social capital, and civic engagement and participation. In the definition of social cohesion given by McCandless et al. (2018), these social phenomena are seen as key to vertical cohesion, which is the relationship between citizens and the state.

As this literature highlights the importance of social cohesion in the social contract, this study will examine the idea of social cohesion by looking at the relationship between trust in the police and the social contract. Understanding these relationships will help further studies, organizations, and policymakers to design more effective policies and institutions that promote social cohesion and support the social contract.

The following sections will further elaborate on the citizens’ relationship between themselves, an aspect of the social contract, and the state-society relationship aspect from different scholarly perspectives. This will assist in interrogating the different conceptions of the social contract that scholars have and also make clear the lens through which this study will look at the social contract.

2.2.1 Citizens’ relationship

Mutual obligations between citizens are important instruments for ensuring safe and non-chaotic societies. In his social contract study, Shafik (2021, p. 4) argues that citizens have obligations to each other as these are ‘concentric circles.’ He further explains that parents are obliged to take care of their children; community, in the form of voluntary groups, religious associations, and neighbourhoods, are responsible for each other; within nation states, citizens have duties in which they

owe each other paying taxes and obedience to the law; and as the world, when there is a humanitarian emergency, international cohesion is deemed imperative (Shafik, 2021). According to Shafik (2021), all these tie down to mutual obligations, which ensure that the society is managed well and that every citizen contributes to the success of a peaceful society.

For other scholars, the term social contract “can be broadly understood as referring to an implicit agreement between the people to establish a new South African society founded on the values of universal suffrage, equality, inclusivity, and democracy, designed to benefit all” (Adams, 2018, p.103; Bassette, 2004). According to this perspective, various societal stakeholders come to a consensus on effectively engaging in critical issues that require cooperation. This includes problems of inequality, justice, representation, and effective participation.

Furthermore, some scholars have gone further to include the idea of horizontal social cohesion as an important element necessary for social contracts between members of society (McCandless et al., 2018; Ndinga-Kanga et al., 2019). This horizontal social cohesion is described as “the formal and informal ties and interactions, characterized by attitudes, norms, and behaviours, that bring and hold members of society (actors, groups, and institutions) together horizontally” (McCandless et al., 2018, p. 15). A key element of social trust is established, as shown in relationships and the degree to which they coexist peacefully by recognizing complementarities, embracing differences, avoiding aggressive stereotyping, amicably resolving conflicts, and efficiently sharing power (i.e., through established agreements).

2.2.2. State-society relationship

A common thread in social contract theory literature is the state's relationship with its citizens. The social contract for Kidd et al. (2020, p. 1) entails the “agreement between citizens and the government”. For this agreement to work, taxpayers pay taxes, and governments utilize the money they receive to offer public services, infrastructure, and security. A functioning, moral, and fair society is possible as long as both parties adhere to the agreement.

This pact within the contract strengthens a relationship that reflects the state's responsibility to its citizens and legitimacy. In addition, the relationship between the state and society is described as "interactions between state institutions and societal

groups to negotiate how public authority is exercised and how it can be influenced by people" (DFID, 2010, p.3; Haider & Mcloughlin, 2016, p. 3), has the potential to solidify the social contract further. The nature of the state-society relationship can significantly impact the state's credibility and institutions. Repression and violence by the state or its institutions, often result in negative experiences of citizens with the state, a legacy of mistrust, and rejection of the legitimacy of those state institutions (Haider & Mcloughlin, 2016).

Further exploration of the concept argues for the non-coerced element in the state-society relationships. Consent in state-citizen relationships refers to the idea that citizens willingly agree to abide by the laws and regulations set forth by the government (Hutchison & Johnson, 2011). This can include paying taxes, following certain social norms, and obeying court orders. For Shafik (2021, p. 2), the concept of consent is important in a democratic society, as it means that citizens have voluntarily given up some of their individual rights in exchange for the protection and benefits provided by the government. This implies a “periodic renegotiation” as circumstances are no longer the same (Shafik, 2021, p. 2). However, in non-democratic societies, citizens may lack consent, as they may be forced to comply with government laws and regulations against their will (Hutchison & Johnson, 2011).

Consensual, not coerced, citizens' compliance with state institutions and processes is vital for strong social contracts (McCandless, 2021, p.5). It is reasonable that if the government does not uphold its half of the bargain, the citizens may voice their complaints and, in the worst scenario, remove the government in favour of a better one. This is because citizens consent to governments providing protection and services; hence governments need to meet their end of the agreement. When hunger increases, crime also rises, and the social compact between the residents is shattered. In democracies, this is where the people use elections as a means of changing an incompetent government to one that will uphold the social contract effectively. However, most elections today are vulnerable to coercion, control, and manipulation. An example is one of Zimbabwe, where electoral violence has been used by the ZANU PF political party to manipulate and coerce citizens into voting for them. According to Masunungure (2014, p. 99), “the June 2008 presidential run-off election was a cold-blooded display of coercion and cost the victor any semblance of legitimacy; few outside Zanu-PF recognized the outcome, and it was this perceived

illegitimacy that necessitated the Government of National Unity (GNU) engineered by the Southern African Development Community (SADC)". Such coercion and manipulation often result in what Nyabola (2021, p. 4) terms "a break in the social contract rather than a renewal" as citizens are forced to accept the legitimacy of a government that they did not fairly and openly approve of.

2.3. The concept of trust

The concept of trust is multifaceted and extensively examined from various scholarly viewpoints. Psychologically, trust is understood as a cognitive and emotional process, wherein individuals willingly expose their vulnerability based on the anticipation that others will act benevolently and reliably, shaped by past experiences and personality traits (Mayer, Davis, & Schoorman, 1995). From a sociological perspective, Coleman's (1988) exploration of trust views it as pivotal for social cohesion, contributing to the stability of relationships and institutions as a crucial component of social capital, manifesting as both interpersonal and institutional trust. McLeod (2021) explores the philosophical view of trust from an interpersonal trust paradigm. The author defines trust as "an attitude we have towards people whom we hope will be trustworthy" (McLeod, 2021). Some scholars like Cosmides and Tooby (1992) examined the concept of trust from an evolutionary perspective. Evolutionarily, trust is seen as an adaptive mechanism, fostering cooperation and survival by facilitating mutual reliance and reducing the need for constant monitoring, linking trust to discussions on the biological underpinnings of human behavior and social evolution (Cosmides & Tooby, 1992). These perspectives collectively illuminate trust's intricate nature and its role in shaping human interactions and societies across a spectrum of disciplines. My research pays particular attention to the sociological viewpoint where interpersonal and institutional trust are discussed in more depth.

The following subsections will explore scholarly perspectives of institutional trust. The concept of legitimacy will also be unpacked from different scholars as it is also one that is important for this study as it is a cornerstone in understanding trust in institutions and the functioning of the social contract. It influences how people perceive, interact with, and cooperate with institutions, ultimately shaping the dynamics of society and governance.

2.3.1. Trust in institutions

Any relationship, notably within the national social contract, is based on trust (Kidd et al., 2020). Trust is important as it solidifies the agreement between the parties involved. In the social contract, the agreement is between the citizens themselves and between the state and its citizens. Trust is essential for this agreement to function, as individuals must trust that the government and other members of society will uphold their end of the contract and that the government will use its power in the best interests of all citizens. In return, citizens must trust that the government will protect their rights and well-being. Therefore, the ability of governments to tax their population is contingent on public trust in the government. As Kidd et al. (2020) emphasize the role of trust in the social contract, they miss exploring whether this trust still exists or not. In this study, we will highlight that trust is important when analyzing the social contract because it acts as a bridge between two parties; therefore, to understand why there is no cohesion between citizens and between citizens and the state, we need to interrogate whether the trust bridge is still evident, or it is broken.

As elaborated above in the state-society element of social contract theory, several scholars have concluded that a consensual relationship between the citizen and the state is vital for trust in institutions (Mattes & Moreno, 2017; Ndinga-Kanga et al., 2020; McCandless, 2021a). Putnam (1995) sees trust as “a key component of the social capital that enables participants to act together more effectively to pursue shared objectives” (Putnam 1995, as cited in Gould and Hijzen, 2017, p. 37). The authors emphasize the importance of social trust as a ‘glue’ (Gould and Hijzen, 2017, p. 37) that strengthens the relationship between people and aids cooperation towards their shared objectives.

Institutional trust, according to Mattes and Moreno (2017, p. 357), "constitutes a type of consent that enables the incumbents of those governmental and state entities to make choices without resorting either to force or the requirement for continual dialogue to acquire consecutive mandates." The foundation of institutional trust is the expectation that these entities will consistently deliver quality services while upholding principles of integrity. Osland (2019) asserts that "people's faith in the police is tied to the legitimacy of police activities and, in the end, to the efficacy of the police" to highlight challenges surrounding trust and legitimacy (p. 194).

In addition, McCandless (2021a) also supports this view by arguing that “trust in institutions is directly tied to consensual, not coerced, compliance” (p. 4). The author further supports her position by stating that "this is crucial in crisis contexts and in creating robust state-society social contracts" (McCandless, 2021a, p. 4). In this view, the author argues that societal compliance is deeply challenged where coercion is used. When coercion is used, it creates an environment where the ability to choose one's actions freely is limited. In such a situation, individuals may feel compelled to comply with the demands made of them even if those demands conflict with their personal beliefs or values. This can lead to societal compliance challenges as people may feel that their autonomy and agency are being violated, which can erode trust in the institutions or individuals who use coercion. It can also create a culture of fear where people become hesitant to speak out or act in ways that are at odds with the expectations imposed on them. This can have a chilling effect on freedom of expression and stifle innovation and creativity.

McCandless (2021a) gives an example of the over-militarised approaches deployed during the COVID-19 pandemic and argues that these approaches “undermine trust in the state and its institutions, particularly when they are unevenly deployed across geographical spaces” (McCandless, 2021a, p. 14). She further points out that “this suggests a social contract of coercion rather than consent (HRW 2020; McCandless and Miller 2020; Sambala et al. 2020, as cited in McCandless, 2021a, p. 14). The author's ideas clarify a connection between state-society ties, trust in institutions, and the social contract. Although McCandless (2021a) highlights the over-militarised approaches during the pandemic, the idea of how trust in the police has unfolded has not been explored. This will be included in our study of trust in the police in South Africa and its implications for the social contract.

Following McCandless et al.’s (2018) project on ‘Forging resilient social contracts’ whereby a 9-country study is done, Ndinga-Kanga et al. (2020) utilize the South African case to illustrate how the use of violence against civilians undermines trust in institutions. They argue that the violence that has come to define South African protests "risks eroding the social contract further since it exacerbates the erosion of trust in governmental institutions to engage peacefully" (Ndinga-Kanga et al., 2020, p. 32). Therefore, it is clear that compulsion is not a solution, even in times of crisis, as it undermines institutional integrity. Castijello (2015) argues that conflict

prevention initiatives include steps to strengthen the social contract, such as more receptive institutions, inclusive state-society engagement, and effective public policy, highlighting the significance of the relationship between the security sector and the social contract.

Issues of inequality and exclusion within government institutions have hampered attempts to increase or preserve the public's trust in institutions. This is because "institutional trust is built when individuals judge public institutions, the government, and/or individual political leaders as promise-keeping, efficient, fair, and honest" (OECD, 2017, p. 19). Trust will likely decline in areas where residents are dissatisfied because of widening inequality and exclusion from access to public goods and services. The chance to develop trust is further jeopardized by government institutions' inability to provide services evenly and effectively.

This argument raises a significant point on how inequality, exclusion, and corruption are related and impact institutional trust. It is posited that “inequality and exclusion stem from policy choices and are fuelled by corruption; they undermine foundations of inclusive and resilient national social contracts, e.g., trust in government and societal willingness to consent to difficult policy choices," which agrees with the effects of inequality and exclusion on trust in institutions as mentioned above (McCandless, 2021, p. 4). Other scholars support this view, as seen in Khemani’s (2020) argument that “Where corruption is perceived to be high, it follows naturally that people lack trust in public institutions, believing that public resources are being stolen for private gain” (Khemani, 2020, p. 2). Corruption within government institutions, therefore, is problematic in efforts to build citizens’ trust in institutions.

2.3.2. Legitimacy

Legitimacy, in the context of political science and governance, refers to the widespread acceptance and recognition of the authority, actions, and decisions of a government or governing institution by the population it governs (Gilley, 2006; Kernell, Jacobson, Kousser & Vavreck, 2017). Legitimacy is a crucial factor for the stability and effectiveness of a political system, as it contributes to the consent of the governed and the willingness of individuals to obey laws and follow the directives of those in power.

Legitimacy influences how people perceive, interact with, and cooperate with institutions, ultimately shaping the dynamics of society and governance (Omeje, 2008). The social contract and the state's legitimacy likely depend on strong ties with the citizenry; thus, government institutions must win support from the general population without coercion because it weakens trust. Scholars such as Khemani (2020) have highlighted that during times of crisis, institutions that are perceived as legitimate are better equipped to rally public support for difficult measures or decisions. This was more evident during the COVID-19 pandemic whereby several states had to implement 'lockdown' measures to contain the virus. Although it was difficult to rally for public support, a state's capacity to implement these measures had the likelihood of strengthening its legitimacy. Legitimacy therefore helps institutions maintain credibility and navigate challenges with the understanding that their actions are in the best interest of the society they serve.

State legitimacy and institutional trust are distinct but interconnected concepts within the realm of governance and societal relationships. State legitimacy, for scholars like Kernell, Jacobson, Kousser, and Vavreck (2017), centres on the perceived rightful authority of a government or ruling body to wield power over a given territory and populace. This perception is underpinned by the alignment of the government's actions and decisions with established legal and normative frameworks, including constitutional adherence, transparent elections, protection of citizens' rights, and the maintenance of law and order (Kernell et.al., 2017). In essence, state legitimacy hinges on the acknowledgment and acceptance of the government's rule as just and valid, consequently rendering its actions authoritative and binding (Kernell et.al., 2017).

In contrast, institutional trust is a broader notion encompassing the faith and confidence individuals or groups place in various institutions across societal domains, such as governmental entities, non-governmental organizations, corporations, religious bodies, and educational establishments (Mattes & Moreno, 2017; Ndinga-Kanga et al., 2020). This trust evolves through consistent, ethical conduct over time, cultivating the conviction that these institutions will act in the best interests of both individuals and society. Unlike state legitimacy, which is confined to the sphere of political governance, institutional trust extends its purview to encompass a diverse

array of entities, cultivated through ongoing interactions, experiential validation, and demonstrated ethical behaviour.

Some academics have emphasized the connection between police legitimacy and trust. Boateng (2018) noted that "police are perceived as legitimate when individuals willingly defer to and accept their directives without necessarily being pushed to do so" when examining institutional trust and performance in Ghana (Boateng, 2018, p. 165). As the author states, people view the police as legitimate when they believe they uphold fair and impartial procedures and treat citizens with decency and respect. Additionally, according to Fleming and McLaughlin (2010), "What the public thinks, feels, and says about the police and the attitude of citizens toward the police can, in many aspects, serve as a critical indicator of trust in the state's capacity to fulfil its part of the social contract" (p. 199).

2.4. Legislative Policy Framework for policing in South Africa

The history of policing during the apartheid era (1948-1994) has been filled with aggrieved citizens' experiences, as shown by different scholarly views (Olivier, 1995; Rauch, 2000; Keebine-Sibanda & Sibanda, 2003; Mabasa & Olutola, 2021).

An article by Olivier (1995) breaks down the different stages of change within the legislature that guided the police from 1958 during apartheid to the SAPS Act of 1995. A vivid description of the nature of policing during apartheid is given by Olivier (1995, p. 1), who states that:

> By the early 1990s, (all) the police in South Africa had acquired a reputation for brutality, corruption, and ineptitude. Police organisations were militarised, hierarchical, and ill-equipped to deal with "ordinary crime." Street-level policing was conducted in a heavy-handed style, with bias against black citizens and little respect for rights or due process. Criminal investigations were largely reliant on confessions extracted under duress, and harsh security legislation provided or tolerated various forms of coercion and torture.

This expression exposes the brutal nature of policing under the apartheid era. During this time, the police force enforced strict racial segregation policies (like the Group Areas Act of 1950) and suppressed political dissent among black South Africans. Police brutality was widespread and included the use of excessive force, torture, and arbitrary arrest and detention (Olivier, 1995). Political activists were targeted, and human rights abuses were committed with impunity (Muntingh & Dereymaeker,

2013). The infamous security branch of the police was particularly notorious for its brutal tactics.

Olivier's (1995) article is important for this study as it highlights the differences between the legislature during apartheid and after. It provides a base to understand how policing has been from a scholarly view. The conclusion that police needed the training to prepare them for implementation of the polices with the Constitution and to see themselves as service providers is crucial as in this study, we will interrogate the extent to which police have acted upon their legislative requirements in the post-apartheid era to gain back the trust of the people which had been lost during apartheid.

In the pre-constitutional era, the Criminal Procedure Act (CPA) 51 of 1977 was the standing order for the police service. It allowed them to use deadly force to arrest someone (Keebine-Sibanda & Sibanda, 2003). In their analysis of this act, Kebine-Sibanda and Sibanda (2003, p. 1) argue that :

> Section 49(2) authorised an arrester, under the protection of the defence called justifiable homicide, to kill a person who resists arrest or flees arrest. The requirements for a successful defence of justifiable homicide were that it should be proved that: (a) the accused intended to affect arrest and had the authority to do so in terms of the CPA; (b) the accused (arrestor) must have known that the deceased committed a schedule 1 offence, such as murder; (c) the accused must have attempted to arrest the deceased and the deceased must have resisted arrest or have taken flight; (d) the deceased must have been aware that an attempt was been made to arrest him; (e) the accused must have intended to kill the deceased and; (f) that there was no other practicable and reasonably effective means of arresting the deceased or preventing his flight than killing him.

Justification of homicide under this Act gave the police a lot of power which they used as the order of the day, especially towards the black majority who were mostly seen as law offenders (Legassick, 2007) as most laws, including the pass laws, were meant to suppress their freedom. The justice system often favoured those in a position of power, like the police; hence even if one were to get a chance to present themselves before the court of law and fight for justice, they would not succeed (Keebine-Sibanda & Sibanda, 2003). The end of apartheid in 1994 marked a significant shift in South African policing, with reforms promoting accountability and respect for human rights. With the end of the Apartheid era in 1994 in South Africa, where participation in the social contract excluded the black majority, the new

government needed a social contract that addressed the country's issues of inequality and exclusion.

Scholars have recently highlighted that the Constitution adopted in 1996 “symbolised a new social contract between all the people of South Africa” (Adams, 2018, pp. 103-104). Post-apartheid government institutions were to provide inclusive spaces that allowed for a dialogue between the state and its institutions and effective service delivery (Bassette, 2004). While access to services has improved significantly since Apartheid, on-the-ground access and implementation of the new inclusive policy have often been extremely slow and hampered by corruption. So, improvement but too slow. Despite the constitutional and legal framework created for SSR in South Africa under a representative democracy, it appears that the SAPS is progressively embracing militarized police practices, techniques, and culture. Burger (2012, December 6) gives the context of Marikana as an example of the use of militarised police practices and states that there was a change from “civilian to military-style ranks in April 2010” within the SAPS that might have contributed to the police conduct at the Marikana Massacre (Burger, 2012, December 6).

The following sections highlight some of the roles of the police within the 1996 *Constitution* in South Africa, the South African Police Service (SAPS) Act of 1995, as well as the White Paper on Policing in 2016. These legislative frameworks will explore the role of the police in this social contract as well as the general expectations that the state has in its institutions. Analyses of these legislative frameworks that some scholars have done will also be presented in this section.

2.4.1. Constitution of the Republic of South Africa; 1996

The *Constitution* was developed and adopted in 1996 in order to confront the legacy of apartheid, which included restructuring the security sector. Following Section 195 of the *Constitution*, institutions that offer public services must uphold and promote ethical standards, manage resources effectively, efficiently, and economically, and demonstrate public accountability, openness, and equal demographic distribution. Chapter 11 of the Constitution expands on security services, which include the defence force, police service, and intelligence service. These pillars govern the national security in South Africa. As highlighted in the previous sections, several scholars regard the Constitution in South Africa as a social contract (Bassette, 2004; Adams, 2018; Ndinga-Kanga et al., 2020).

More specifically, sections 205-208 elaborate on the police service, its political responsibilities, control, and police civilian secretariat (RSA Constitution, 1996). A national policing policy, as the country's overarching body, establishes different policies concerning each province's needs. According to the Constitution:

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

If effectively implemented, these responsibilities are intended to help ensure that crime is eradicated as everyone, including the community, would play their part. However, in practice, this has not been entirely effective. Crime is still on the rise, and national security is under threat as the police service is inefficient and mostly riddled with corrupt officials that are not accountable (Ndinga-Kanga et al., 2020).

The obligations of the 1996 Constitution and the 1995 South Africa Police Act (Act 68 of 1995) facilitated the formation of the national police for the Republic of South Africa (Mabasa & Olutola, 2021). The national police agency must be established to work in the national, provincial, and local domains of government, where appropriate, according to Section 206 of the 1996 Constitution. This section of the Constitution further states that there should be "political responsibility of a member of the Cabinet who must be responsible for policing and must determine national policing policy after consulting the provincial governments and taking into account the policing needs and priorities" (RSA Constitution, as cited in Mabasa & Olutola, 2021, p. 2). In their analysis of the Constitution, Mabasa & Olutola (2021, pp. 2-3) also state that "these core responsibilities are unanimously linked to the National Development Plan (NDP) and the SAPS Code of Conduct ensuring that "All people in South Africa safe"".

The South African Police Service (SAPS) Code of Conduct is a set of standards and principles that guide the behaviour of all police officers in the country. It is meant to ensure that everyone is treated fairly, ethically, and respectfully, regardless of race,

gender, or other personal characteristics. The Code of Conduct establishes the expectations for police behaviour. It helps to promote a safe and secure environment for all citizens by ensuring that police officers perform their duties in a responsible and professional manner. In this light, the Constitution stands to enable and support the effectiveness of the police service and also bring them to account if they violate the same law.

2.4.2 SAPS Act; 1995

Based on the Interim constitution, the South African Police Service Act, 1995 (Act No. 68 of 1995) was enacted to explicitly define the legal foundation for police reform, including the SAPS's functional strategy moving forward. Under the direction of Mr G. Fivas (SAPS National Commissioner from 1994 to 1999), the National Crime Prevention Strategy (NCPS) was also designed to steer policing operations toward lowering crime in South Africa by focusing on preventative techniques. With the appointment of Mr J.S. Selebi as the SAPS National Commissioner in the early 2000s, the National Crime Combating Strategy (NCCS) superseded the NCPS. With this change, the policing method shifted from "crime prevention" to "crime combating," which was justified based on the high crime rates (Mafologela, 2019). The SAPS seemed to have made progress in integrating reform and accepting change through the NCPS which focused on addressing the root causes of criminal behaviour and creating conditions that discouraged criminal activities in the first place. The shift in police reforms towards crime combating strategies represented a significant moment in the trajectory of SAPS transformation and may have signalled the beginning of a return to military policing methods (Mafologela, 2019).

Due to the SAPS's aggressive police strategy, there is rising public hostility, mistrust, and resentment against the SAPS. The SAPS seemed to be reverting from a partly demilitarized to a militarized police force as early as 2000, as evidenced by occasional killings, abuse of authority, and police brutality (National Planning Commission) (NPC, 2011, as cited in Mafologela, 2019, p. 2).

The South African Police Service Act (68 of 1995) establishes, organizes, regulates, and controls the South African Police Service and addresses related issues. The service's funding is solely generated from the national budget as it is meant to effectively implement its responsibilities, including crime prevention and regulation of rules and laws, to mention a few. In analyzing the Act, Mabasa and Olutola (2021, p.

3) state that “although there are provincial MECs (Member of the Executive Council) for Safety and Security, political accountability for the SAPS rests largely with the National Minister of Safety and Security (Rauch et al., 2001; SAPS, 2020)”. The National Minister of Safety and Security has the responsibility to ensure the accountability of the police service in South Africa to promote transparency, integrity, and public trust in law enforcement agencies. This is important for maintaining law and order, protecting citizens' rights, and ensuring that the police service operates within the bounds of the law and in a manner that serves the community's best interests. Holding the police accountable helps to prevent abuse of power, misconduct, and corruption. It helps to ensure that the police are effective in their duties and are held to high standards of professionalism and ethics.

In exercising their powers, the police are also bound by the Constitution's Bill of Rights, which sets out the rights of individuals and limits the powers of the state. This means that the police must act within the law and respect the rights of individuals, including the right to life, the prohibition of torture, cruel, inhuman, or degrading treatment or punishment, the right to privacy, and the right to a fair trial (RSA Dept. of Justice). In light of acting according to the Bill of Rights, it is also important to note that the police’s role is not only to enforce laws but also to serve and protect the community. This means that they should work with the community to identify and address crime-related issues and strive to maintain a positive relationship with the public, as seen through efforts towards community policing (Yesufu, 2021).

Important to the review of the SAPS Act is the Code of Conduct. As mentioned by Mabasa and Olutola (2021), this code acts as a guide for the behaviour of police officers in South Africa. Emphasis on the responsibility of the police to act on their duties in an accountable and professional manner has been given by Rauch (2000). Rauch highlights that the agenda of the ANC during the apartheid negotiations included the idea of police accountability on five fronts “to the constitution, the legislation governing the police, to the elected government, to communities, and to internationally accepted notions of police professionalism” (Rauch, 2000, p. 8). This had to be further emphasised in the SAPS Act of 1996.

In Chapter 5 of the Act, the powers, duties, and functions of different sections within the police service are explored. Section 13 of this chapter highlights the duties of

members of the police service. These duties include exercising power as required by law, executing summons, and preventing the illegal movement of goods across borders, to mention a few. However, subsection 3 (a) and (b) state that:

> (3) (a) A member who is obliged to perform an official duty, shall, with due regard to his or her powers, duties, and functions, perform such duty in a manner that is reasonable in the circumstances.
>
> (b) Where a member who performs an official duty is authorised by law to use force, he or she may use only the minimum force which is reasonable in the circumstances.

This section was an amendment of section 49 (2) of the Criminal Procedures Act (CPA), which reads:

> Where the person concerned is to be arrested for an offence referred to in Schedule 1 or is to be arrested on the ground of having committed such an offence, and the person authorised under this Act to arrest or to assist in arresting him cannot arrest him or prevent him from fleeing by other means than killing him, the killing shall be deemed to be justifiable homicide.

However, this has not been adequately applied in most cases. South African police have since resolved to 'excessive' force toward unarmed citizens, for example, the brutal killing of Andries Tatane in 2011, the Marikana 'massacre,' and the July 2021 civil unrest. When policies are only effective in theory and not in practice, state resources and time are wasted if they are not put to effective use.

Making an example of police officers whose attitudes do not align with their policing culture, methods, and ethics is essential to strict consequence management. Suppose police officers are not held accountable for their actions, either through disciplinary measures or the criminal justice system; in that case, this can contribute to a lack of trust in the police. When people see police, officers getting away with misconduct or criminal behavior, it can erode their faith in the ability of the police to uphold the law fairly and justly. An example of strict consequence management of police officers who violate the law or departmental regulations is the Independent Police Investigative Directorate (IPID). This independent body investigates complaints against the police, including allegations of abuse of power, misconduct, and corruption. Evidence from the IPID 2021/22 annual report shows that "Officers in Gauteng led the way with 984 criminal complaints lodged against them, followed by the Western Cape with 963 and KwaZulu-Natal with 628" (IPID, 2022; as cited in Da

Costa, 2022, October 8). For the SAPS to become a professional, non-militarized police force, attitudes at all levels of leadership and in politics must shift.

The police service has their mandates allocated to them in sections 205 (3) of the 1996 Constitution and Chapter 12, section 64D(e) of the South African Police Services Act 68 of 1995), in which they are meant to function in all three spheres of government effectively. In analysing this, Mabasa and Olutola (2021, p. 7) argue that "each of these public policing agencies has a disjointed approach of pursuing their mandates; they received different training, allocated disproportionate resources, and report to different command structures. This uncoordinated approach defeats the very purpose for which they were established, which summarily is crime control". As expected of them, the policing agencies (including the SAPS, Municipal Policing, and Traffic Police) act upon the requirements of the "Criminal Procedure Act 51 of 1977 (as modified) to search the offender's person or premises (section 23), arrest the criminal (section 39), and use minimal force where required (section 49)" (Mabasa & Olutola, 2021, p. 7). The role of community policing then comes into effect to support the effectiveness of the policing agencies.

Community policing

On a positive note, a more direct citizen-state engagement opportunity is highlighted in Chapter 7 of the SAPS Act. In this chapter, community police forums and boards are explored. Section 18 states that the police service should "liaise with the community through community police forums and area and provincial community police boards" to create and maintain a relationship between the community and the service, encourage interaction and cooperation in achieving the community's needs relating to policing, enhance the provision of police services and accountability, and encourage joint problem identification and solving by both parties, (SAPS Act, 1995). Maintaining public safety and successful policing depend on police agencies and the communities they serve developing strong relationships based on mutual trust.

On a global scale, scholarly views have highlighted the importance of community policing as it is a means to building resilience to crime (Dandurand, de Lugo, Madueke, & Zombre, 2022), an opportunity for greater accountability and transparency in policing (Pillay, 1998) and a means to build trust between the police and the community (Pillay, 1998; US Dept. of Justice). Community policing efforts

have been more evident in the United Kingdom, whereby Yesufu (2021, p. 3) notes their four key elements to be:

> – Police consultative groups;
> – Community police officers in communities – predominantly foot patrols, popularly referred to as the 'bobby on the beat';
> – Community involvement in crime prevention strategies, such as Neighbourhood Watch schemes;
> – Membership of special constabulary – volunteer police officers (these are called reservists in South Africa).

Community policing in South Africa was first highlighted in the Interim Constitution Act 2000 of 1993, where Community Police Forums (CPFs) were established. The objectives, as highlighted by Yesufu (2021, p. 63), of these CPFs were:

> – Promoting a partnership between the community and the service.
>
> – Supporting communication between the service and the community.
>
> – Providing effective service delivery nationwide.
>
> – Improving transparency in the service and accountability of the service to the community.
>
> – Promoting social problem identification and problem-solving by the service and the community.
>
> (www.saps.gov.za).

For Pillay (1998), the goal of community policing is to build trust between the police and the community, promote communication, and empower community members to take an active role in preventing crime. This approach is seen as one means to address the high crime rates and lack of trust in the police that have been persistent issues in South Africa. High crime rates and low prosecution rates can undermine the legitimacy of law enforcement in communities and contribute to a lack of trust in the police. This can negatively affect public safety, as people may be less likely to report crimes or cooperate with police investigations if they do not trust the police. Some key components of community policing in South Africa include community-based policing, problem-solving, and community partnerships (Pillay, 1998).

Community policing in South Africa has advanced in several ways in recent years. One of the key developments has been the increased focus on community-based policing, which emphasizes the importance of building relationships and trust between the police and the community (Yesufu, 2021). This has been achieved

through a range of initiatives, such as the establishment of community policing forums, which bring together community members and police officers to discuss local crime and safety issues, and the deployment of police officers to work in specific communities on a long-term basis.

In addition, community policing in South Africa has also seen the development of several partnerships between the police, community organizations, and other stakeholders to address crime and safety issues. This has included partnerships with faith-based organizations, youth organizations, and non-governmental organizations (SAPS, 2019, December 18). An example of an initiative to increase partnership between the police and the community through religious organisations is the "Spiritual Crime Prevention Concept" that the Maj Gen Mathonsi presented in Eastern Cape province. In this initiative, the religious groups and the SAPS agreed to partner in the fight against crime. These efforts have helped to build trust between the police and the community and have improved public safety in many areas of the country.

Piper and Anciano (2018, p. 205) argue that "the legacy of apartheid policing, where law enforcement was responsible for upholding the authoritarianism of the state, has undermined the relationship between communities and the police." With the improvement of community policing structures in South Africa comes the improvement of safety and security. Piper and Anciano (2018, p. 206) highlight this through the Hout Bay community, where "an active CPF for two decades" has existed.

In efforts to build trust between the people and the police, Pillay (1998) states that one of the main ways CPFs shape relationships of trust in South Africa is by promoting open communication and collaboration between the police and the community. By providing a regular forum for dialogue and problem-solving, CPFs create an environment where community members and the police can work together to address crime and safety issues more effectively and efficiently. In support of building trust through community policing, Dandurand et al. (2022) suggest that the local media can play an important role in facilitating social dialogue between the police and the community. This can be done through police visiting local radio stations to provide community members with a greater understanding of the role and

activities of the police and by allowing them to provide feedback on policing practices. This will help to build trust between the police and the communities they govern.

Conversely, Yesufu (2021, p. 65) highlights that "community forums will continue to experience poor attendance." The author argues that because the police in South Africa have a long history of using violence against the citizens, the citizens "have every right not to trust the police" (Yesufu, 2021, p. 65). Under the conditions described above, community policing in South Africa cannot flourish as long as socioeconomic inequities, a lack of trust, skepticism, and racial divides exist.

In agreement with Chapter 7 of the SAPS Act, the United States Department of Justice also mentions a Community Relations Services Toolkit for Policing. They argue that to gather information on crime in their communities and collaborate with the police in coming up with solutions to problems related to crime and disruption, police authorities rely on citizens' involvement (US Dept. of Justice, 2016). In a similar vein, a community's propensity to trust the police is based on whether or not they are seen as acting in accordance with community values and with the rules of procedural fairness and legitimacy.

Although the SAPS Act of 1995 has had several criticisms and debates, it is important to note that it has been effective on paper but still lacks implementation. With the rising lack of trust and confidence in the police, it is important that stringent measures be implemented effectively in areas like community policing, which are bridges for building better community-police relationships to rebuild this trust. Yesufu (2021) argues that the South African government and police must now put in a lot of effort to acquire the complete support of the citizens by outlining the ultimate goals of community policing.

2.4.3. White Paper on Policing, 2016

The 1998 White Paper on Safety and Security served as a springboard for the White Paper on Policing, which took a step toward offering a legal framework for civilian accountability that drew the police service in alignment with the rest of the public service (White Paper, 2016). This was a crucial change since it helped to define the institution's functions clearly and sought to contribute to the creation of safer neighborhoods and a decrease in crime. According to the White Paper (2016, p. 7),

“South Africa is entitled to a police service that delivers high-quality services while maintaining high standards of professional conduct and discipline and exhibits exemplary leadership and management.” The responsibility of the police to guarantee the efficient operation of the relationship between the state and its people is highlighted by this.

The White Paper (2016) identifies patterns of issues that continue to plague the internal operations of the SAPS. These problems include “issues associated with poor discipline, criminality, and corruption” (White Paper, 2016, p. 10). It also reveals that the procedures for hiring and discharging police officers need to be scrutinized and changed since they undermine the institution's overall performance. The National Development Plan's aim of a modernized and restructured judicial system with a competent and properly trained police force is also supported by this.

The effective implementation of legal frameworks in practice is essential for the smooth operation of the state. However, within the post-apartheid era, the South African context still has several lessons to learn from and a huge awakening. With citizens being more enlightened about their rights, as times go by, the state must expect a radical transformation if action is not taken in time. The transformation being referred to here is the potential negative impact or deterioration of various aspects of society and governance due to the ineffective implementation of legal frameworks. This could lead to significant disruptions in law and order, trust in institutions, social harmony, economic stability, and individual rights.

2.5. The Marikana ‘Massacre’

Important to this study is the Marikana incident that took place in 2012. The Marikana Massacre, also known as the Marikana shootings, occurred on August 16, 2012, when South African police opened fire on a group of striking mine workers in Marikana, a platinum mining town in the North West Province. The strike culminated in frustrations over ongoing socioeconomic inequality, housing, electricity, and sanitation shortages nearly two decades after apartheid ended (Adelman, 2015). The miners sought a salary increase and voiced their grievances about the hazardous working conditions and poor health and safety requirements (Adelman, 2015). The employees went on to strike, and these protests went on and continued building up over several days. Two incidents of police violence towards the miners were

reported. These incidents resulted in the deaths of 34 mine workers, and 78 others were injured (Farlam et al., 2015).

Responses from the public on the Marikana incident were filled with rage, sorrow, and disappointment (Soifer, 2012). Soifer (2012) looks at the initial reactions to the Marikana strike by interviewing people from different educational backgrounds and contexts. In her study of this strike, she asks people to elaborate on what they saw. She finds that “everyone had different stances regarding its economic, political, and social significance and implications” (Soifer, 2012, p. 30). Some respondents expressed their worry and fear for the strikers and their struggles, while others considered the implications of the strike on the police (Soifer, 2012). These responses indicated the different perceptions of different people on the incident.

A Marikana Commission of Inquiry: Report on Matters of Public, National and International Concern Arising Out of the Tragic Incidents at the Lonmin Mine in Marikana, in the North West Province, was written after the commission in which all the people involved in the incident were interrogated (Farlam et al., 2015). This commission, led by I.G. Farlam, was appointed by the President, Jacob Zuma, to investigate the incidents at Marikana. The interrogations that took place were on the conduct of Lonmin Plc, the South African Police Service (SAPS), the Association of Mineworkers and Construction Union (AMCU), their members and officials, and the National Union of Mineworkers (NUM), its members and officials (Farlam et al., 2015). According to Farlam et al. (2015, p. 4), the commission also interrogated:

> 1.5 The role played by the Department of Mineral Resources or any other government department or agency in relation to the incidents and whether this was appropriate in the circumstances, and consistent with their duties and obligations according to law.
>
> 1.6. The conduct of individuals and loose groupings in fermenting and/or otherwise promoting a situation of conflict and confrontation which may have given rise to the tragic incident, whether directly or indirectly.

Although the commission was meant to be done in four months, the date the report was meant to be submitted continued to be extended until it was finally submitted in March 2015 (Farlam et al., 2015). Proceedings during the Commission were electronically recorded and transcribed into “39 719 pages of evidence, interim and interlocutory applications, and oral argument” (Farlam, 2015, p. 16). This was done to keep all the responses and evidence safe and available for the report compilation.

The video footage of the incident, as well as testimony from witnesses, supported the commission's findings. The footage shows police shooting at the workers as they tried to flee and shooting at workers who were already lying injured on the ground. The commission also heard testimony from miners who reported being beaten and tortured by the police after their arrest.

According to Nicolson (2015, June 15), “the commission made a number of recommendations for the National Prosecuting Authority (NPA) to investigate and possibly prosecute, focusing on those who committed the killings rather than those in charge.” Despite receiving the report from the Commission, President Jacob Zuma did not give a response to the findings from the Marikana Commission.

Several scholars have analyzed the events that took place at the incident, including the behavior of the police at the incident, as well as the public's response to the matter. Other scholars analyzed the report that was done following the Commission of Inquiry.

Adelman (2015) describes the events that led to the Marikana massacre and analyzes the Marikana Commission of Inquiry. In his analysis, the author argues that the Marikana Commission of Inquiry “failed to deliver truth, accountability, and justice” (Adelman, 2015, p. 260). The reason for this argument was that “nearly three years after the massacre, Lonmin and the police have not been held to account, the industry is allowed to avoid its legal obligations, and the families of the dead have not been compensated” (Adelman, 2015, p. 260). In his argument on the role of the police, the author highlights the people's anger towards the government and its institutions as it had opted to deploy police instead of addressing Lonmin into negotiating. The Marikana massacre highlighted key issues of police accountability, competence, and transparency (Adelman, 2015, p. 245). This is because of the nature in which the police, the government, and Lonmin invented a version of the incident that accused the AMCU and the miners of inciting violence which led to the police’s response (Adelman, 2015).

A Council for the Advancement of the South African Constitution (CASAC) also did an analysis of the Marikana, which it submitted to the Marikana Commission of Inquiry (CASAC, 2013). In this analysis, the CASAC was looking at the role of the SAPS at Marikana. In their analysis of the events that unfolded, the authors argue

that the government's attitude towards the police was one of encouraging the use of 'greater force' by the SAPS (CASAC, 2013, p. 7). The CASAC pointed out that this was to have a negative impact on the public and members of the SAPS as they were left to believe that "the use of force is part of the acceptable norms of policing in South Africa" (CASAC, 2013, p. 7). In light of this observation by the CASAC, one could argue that the acceptability of the use of force had a negative effect on the respect of the rule of law.

In addition, the CASAC also provided an analysis of the public statements which were made during the Marikana massacre. They argue that these statements impacted negatively on South African society. This was because they created "an impression that SAPS is above the law and to a large extent have contributed to extremely negative relations between the police and the community" (CASAC, 2013, p. 7). The nature in which the government justified the actions of the police raised issues on the structure and accountability of the government when it comes to policing concerns.

The CASAC further analyzes the use of force during the Marikana massacre. In their analysis, the CASAC highlights that policing structures during the time were ones that were meant to serve cases like these as "a 'firearms in law enforcement' training program that was introduced early in 2011 for the training of SAPS members generally" had been promoted in the previous year (CASAC, 2013, p. 10). This is evidence that for the police, their use of force was justified as they had not followed their own crowd-control regulations but were employing what they had learned.

More analysis of the Marikana massacre has been done by Gumede (2015). In his article, the author makes an analysis of the Marikana, with the view that "the violent explosion at Marikana is an indication that ordinary South Africans are rapidly losing faith in the democratic institutions and social contract arrangements that underpin the 1994 post-apartheid South African democratic social contract" (Gumede, 2015, p. 1). This argument is of key significance in this study as it looks at the social contract framing that this study will focus on. For Gumede (2015), the new social contract in post-apartheid South Africa was to be a democratic one that fostered "new trust between the previously advantaged and the new democratic institutions" (p. 4). With the Marikana incident, the author argues that the apartheid-style police

brutality has shown that some institutions “have not entirely transformed to a human rights-based ethos under a democratic government” (Gumede, 2015, p. 8), which this new social contract had promised.

Gumede (2015, p. 8) also highlights the idea that “South Africa is a low-trust society” as there is a lack of trust between black communities and white communities dating back to the apartheid era. He argues that there is poor performance in institutions and manipulation which have resulted in “undermining the trust ordinary people have” (Gumede, 2015, p. 12). In light of this, Gumede states that the “Marikana uprising… was an indication of a lack of trust between workers and employers” (Gumede, 2015, p.13). Gumede’s study explores key important themes and issues for this study. This study will further elaborate on issues of trust in institutions in South Africa by exploring how trust in the police has evolved over time and how this evolvement, if evident, influences the social contract.

In addition, in its Annual International Report 2012, the South African Human Rights Commission (SAHRC) also investigated the Marikana massacre. In its analysis of what had been found through investigation, the SAHRC argues that “this shocking and brutal event has brought about a perspective change in the general understanding of human rights recognizing them as real, interlinking, indivisible and interdependent, as opposed to academic, separate and unrelated” (SAHRC, 2012, p. 2). This was indicative of the negative impact that the Marikana massacre had on human rights as well as on the South African state. Further explaining the massacre's effects on human rights, the SAHRC states, "While the Marikana miners were striking against the poor living and working conditions and dismal wages, their fundamental civil and political rights came under direct threat. The linkages between the miners’ socio-economic rights and their civil and political rights became evident for all to see” (SAHRC, 2021, p. 2). In their report, they also highlight that the police had used excessive force and that their actions were unjustified (SAHRC, 2012, p. 29). . The SAHRC also noted that this incident, by that time, the Marikana massacre was “considered the single most lethal use of force since the end of the apartheid era” (SAHRC, 2012, p. 29). This is imperative for our study as it highlights the aspect of police violence in the post-apartheid era. The idea that this was when the most force was used makes our study relevant. Through analysis of the Marikana massacre and the July 2021 Civil Unrests, we understand the trends in police

actions that have happened over time. We further investigate how this use of force by the police has changed and if it will ultimately affect trust in the police and influence the social contract.

Despite the analytical viewpoints that have been highlighted by scholars above, this research will further add to the analysis of the Marikana massacre by interrogating the role that the police played in the incident. In this research, I will look at how the use of violence by the police affects the citizens' attitudes towards them and how it influences the relationship between citizens and the state and between citizens themselves.

2.6. The July 2021 Civil Unrest

Another key incident important to this study is the July 2021 Civil Unrest. The unrest took place over a period of nine days in the Gauteng and KwaZulu-Natal provinces in South Africa. These riots started as protests against the imprisonment of former President Jacob Zuma and escalated to rioting and looting (Booysen, 2021, July 30). A report from the expert panel into the unrests was written in response to President Cyril Ramaphosa's request. The President highlighted that this report was "part of the critical measures we are undertaking to strengthen our security services and to prevent a recurrence of such events" (President Cyril Ramaphosa, 2021, August 5, as cited in Africa, et al., 2021, p. 3). The selected expert panel was to "lead a thorough and critical review of the preparedness and the shortcomings of the response" (Africa et al., 2021, p. 3).

The expert panel, led by Professor Sandy Africa, highlighted that the "unrest was characterised by social media mobilization leading to the shooting, destruction of property and disruption of economic activity" (Africa et al., 2021, p. 12). The aftermath of the unrest was an estimated 354 deaths and " over R50 billion lost to the economy" (Africa et al., 2021, p. 12). The Panel was also tasked to investigate the role played by the private security providers, community policing forums, organised business, and labour structures, the "effectiveness, partiality, or disinterest" of the security services, whether the security services were deployed late and reasons why they were delayed and inquire into the adequacy of the government's public communications on the security situation (Africa et al., 2021, p. 15).

The Panel was also tasked to make recommendations to the President. These recommendations were to assist the President and the government on how best they can prepare in the event of a reoccurrence. When the report was submitted to the President, the President did not give a written response to the issues and the recommendations that the Panel had given, but acknowledged the receipt of the report and authorised the release of the report to the public (ENCA, 2022, February 7).

Scholars have analysed the events of the July 2021 Civil Unrest as well as the report given by the expert Panel. An analysis by McMichael (2022, March 17) reflects on the dysfunctional bureaucracy within the SAPS, as evidenced in the report. He argues that the failure of the police to intervene, despite its many opportunities, proved its incapacity to provide “a bare minimum of public safety” (McMichael, 2022, March 17) also argues that there is a ‘paralysis’ within the government officials. In justifying his argument, the author explores how police Minister Bheki Cele and commissioner Khehla Sitole were having arguments and blaming each other. In light of this, he argues that this behaviour of officials is a paralysis that has “severe consequences for the governance of the police” (McMichael, 2022, March 17).

McMichael also argues that the report on the July 2021 Civil unrest should be viewed as alarming because it shows “how austerity and kleptocracy are creating an increasingly precarious society. The author emphasises his advocation for “social solidarity and meaningful economic interventions” (McMichael, 2022, March 17).

Vhumbunu (2021) also did an analysis of the July 2021 Civil Unrest. The article provides a reflection on the causes, consequences, and future lessons on the unrest. In exploring the lessons that can be drawn from the unrest, the author argues that “the government may need to improve the efficacy and effectiveness of the criminal justice system such that reported crimes are expeditiously and successfully investigated and prosecuted” (Vhumbunu, 2021 p. 11). In support of this argument, he highlights that enhanced police-community relations could facilitate co-existence between people with differences in society. As he argues, this could result in community members safeguarding shared public spaces from vandalism (Vhumbunu, 2021, p. 11).

Highlighting work that has been done by other authors is important for one to see what has been argued and also to evaluate others' findings against this study. Different scholars' analysis of the July 2021 civil unrest highlighted pivotal issues, including reflections on the causes, consequences, and future lessons. More evidently, scholars also highlight the idea that the police force had a 'paralysis' (McMichael, 2022, March 17). Although they address the idea of the involvement of the police, these analyses miss addressing how this had an impact on citizens' perceptions of the police and the social contract. In this research, the exploration of the July 2021 civil unrest through content analysis will help to fill the gap left by these scholars to include issues on how the unrest had an impact on trust in the police and whether they also had an influence on the social contract.

2.4. Conclusion

The literature review gave a theoretical context of this research from different scholarly perspectives. In the first section, some literature from studies that have done similar research in different geographical locations looked at the police as the core of their study, whereby trust is seen as an important issue between the police and their organization and not between them and the citizens (Birch, 2016). Other scholars looked at the citizen-state relationship by assessing how the performance of the police influences citizens' attitudes toward them (Boateng, 2018). While these researchers conducted similar research, they did not examine trust in the police and its implications for the social contract in the South African context. They missed studying patterns in trust in the police over time, highlighting the necessity for this study to investigate these concerns.

Section 2.2 explored the idea of the social contract as argued by different scholars. I examined social cohesion, which is significant in social contract research, as McCandless et al. noted (2018). I argued that, while social cohesion is an essential concept for the social contract, studying the relationship between trust in the police and the social contract will help future studies, organizations, and policymakers develop more efficient policies and institutions that improve social cohesion and support the social contract.

The concept of the social contract was further subdivided into subsections that investigated people's relationships with one another and with the state. These subsections aided in laying out the many interpretations of the social contract since

different researchers' conceptualization of the idea tends to overlap. I suggested that we may adequately use the social contract as a framework by examining two distinct dimensions, one that identifies the social contract via the prism of citizen-citizen relations and the other that examines citizen-state relations.

In this study of relevant literature, the themes of institutional trust and legitimacy were also examined. In Section 2.3, I emphasized that while several scholarly perspectives investigate the function of trust in the social contract, they fail to investigate whether or not this trust still exists. Most scholarly works looked at the link between the idea of legitimacy and coercion. This is vital in the study of the relationship between the social contract and trust in the police. I also emphasized that trust is vital when studying the social contract because it functions as a link between two entities; thus, to understand why there is no cohesiveness between citizens and between people and the state, we must ask if the trust bridge is still visible or shattered.

It was also critical to consider the legal frameworks that regulate the police service as an institution while conceptualizing this research's thesis. Regarding policing in South Africa, section 2.4 focused on legislation raised in the 1996 South African Constitution, the South African Police Service (SAPS) Act of 1995, and the 2016 White Paper on Policing. These legislative frameworks investigate the position of the police in this social compact as well as the fundamental obligations of the state's institutions. I also looked at various analyses that have been done by scholarly researchers on existing legislation. Most important to this study is the view by Olivier (1995) that police required training to equip them for the enforcement of policies in accordance with the Constitution and to regard themselves as service providers because this study will examine the extent to which police acted on their legislative requirements in the post-apartheid era to regain the trust of the people lost during apartheid.

The final section of this chapter focused on two important events relevant to this study: the Marikana massacre and the July 2021 Civil Unrest. I investigated the analyses of the incidents conducted by several researchers and civil society organizations. Ultimately, I argued that, notwithstanding the analysis, this study would use a different strategy not used by any other study indicated in the literature

review. This strategy involves analyzing the documents using content analysis. The content analysis of the two reports will serve to show how trust in the police has evolved over time, as well as how any loss of trust in the police affects the social contract in South Africa.

CHAPTER 3. METHODOLOGY

Below is an outline of the methodology that was undertaken in implementing this research.

3.1. Research Approach and Design

The research was done through a qualitative research approach. Qualitative research can be interpreted as a method that "emphasizes an inductive approach to the relationship between theory and research, in which an emphasis is placed on the generation of theories" (Bryman, 2016, p. 33). Because this research aimed to take an exploratory approach to understand the levels of trust in the police over time and their relationship to the social contract, the researcher needed to make use of a qualitative approach that allowed for the use of secondary data. Qualitative research can help people comprehend their reality and interpret the world in various ways, as a researcher can use multiple data collection tools to answer the research questions.

3.2. Data Collection Methods

3.2.1. Desktop Research

Data for this study was collected through extensive desktop research. Desk research involves making use of data from existing documents, government data, credited online journals, policy documents and reports, and online research networks. This method was most suitable for this study because it allowed for access to rich information from several documents.

For this research, I explored existing academic literature, which allowed me to get the most out of different scholarly views. I also consulted government websites for policy documents, including the SAPS Act 68 of 1995. These policy documents were mostly used for the literature review section above. Government reports and responses to issues around the topic were used to add to the analysis. The main government reports that were used were the Marikana Commission of Inquiry (Farlam et al., 2015) and the Report of the Expert Panel into the July 2021 Civil Unrest (Africa et al., 2021). The motivation for this choice was that the two incidents took place during different time periods, but both aided in our exploration of the behaviour of police over time and the responses of the public to this behaviour.

Credited digital news articles were also consulted. These data sources were useful in providing information about what is going on and helped keep track of trends in each location over time. This was useful to see how trends in trust in the police have evolved in post-apartheid South Africa.

Secondary data was essential in this study because of its many advantages. Secondary data refers to information that has already been collected by someone else or previously published and can be used by researchers for their own purposes (Bryman, 2016). This can include data from government agencies, academic researchers, or private companies. Examples of secondary data include books, articles, research reports, public records, and survey data.

Secondary data from reports was used. The reports of the Marikana Commission of Inquiry and the Report of the Expert Panel into the July 2021 Civil Unrest were consulted as the main documents for content analysis. This provided me data for answering the research questions and to see how the performance of police has played out over time and if this affected the people's trust in them.

It was also important that we look at secondary data from surveys. I consulted survey data from Afrobarometer and World Values Survey, to mention a few. Data from these sources was most appropriate because it was readily available and could be accessed at a lower cost than primary data, which would require the researcher to conduct their own data collection. It also helped to save time as the data had already been collected, cleaned, and organized.

Data from Afrobarometer, for example, was most useful in this study because it comes from a large sample size. Afrobarometer collects data from a large sample size in different countries and in different timeframes, which can provide a broader perspective of trends over time than data collected during one timeframe. The different timeframes in which data was collected were essential for providing historical data, which allowed the researcher to analyze trends, trust in institutions, and other themes like participation which are relevant for this study, over time. This data also offers an opportunity for replication since it is available for anyone to access. It can be used by other researchers to replicate studies, increasing the rigor and reliability of research findings (Bryman, 2016).

For example, survey data from Afrobarometer is important because surveys are collected directly from individuals or groups using survey methods such as questionnaires, interviews, or online surveys. In contrast, secondary data from reports are collected from various sources, including government agencies, academic institutions, private organizations, and individuals, and compiled into a report. For example, the reports that were used for content analysis were compiled with data from court proceedings, videos from the scene, and opinion pieces from private organizations like CASAC, as in the case of the Marikana Commission of Inquiry report.

The use of survey data and reports in this study helped fill in research gaps. For example, the reports provided context and background information about the two incidents and were the basis for content analysis. In contrast, the survey data from Afrobarometer and other data sources provided the trends that supported the relevant themes under study. The use of both methods also helped to triangulate the findings and increase the overall reliability of the research.

3.2.2. Content Analysis

Data from the Marikana Commission of Inquiry and the Report of the Expert Panel into the July 2021 Civil Unrest Reports, which are the main documents for analysis, were analysed through content analysis. This technique was the most suitable as it "applies significance or meaning to information collected and helps to identify patterns in the text" (Wilkinson and Birmingham, 2003, p. 68). Another significant benefit of employing content analysis is that it may compress large quantities of information into smaller categories that can be examined qualitatively and quantitatively.

In qualitative content analysis, the researcher "uncovers patterns, themes, and categories important to a social reality" (Zhang and Wildermuth, 2009, p. 5). The use of themes as content analysis units aids in identifying and understanding the illustrations of a concept. For example, in the two Reports, the participation of different stakeholders (including civil society representatives) in the commissions of inquiry aid in understanding what exactly happened without biases shadowing the conclusions that the research's findings will make. The Farlam Commission of Inquiry, for example, recorded the responses of all the different stakeholders,

including witnesses who commented on the actions of the police during the strikes. The recordings and evidence which were transcribed were not distorted; hence there was no shadowing of the conclusions that were made in the report. Similarly, using the transcribed reports also allows room for the findings in this study not to be biased.

Content analysis is a good method that answers the research questions and the knowledge gaps that have been identified. When it comes to interrogating the relationship between trust in the police and the social contract, content analysis can be a valuable tool as it allows for the analysis of large amounts of data. Given that the two documents that were analysed where large, content analysis made it easier to see the overall trends in trust in the police between the two timeframes. The coding schemes made it possible to identify patterns and trends in how trust in the police and the social contract are represented.

Content analysis also made it possible to analyse different types of documents, the Marikana report was larger in terms of the number of pages and more complex in the sense that the commission had been done over a period of three years before the report was published, and the July 2021 Civil Unrest report was shorter and done over a shorter period of time. This analysis helped the researcher to understand the perspectives of different stakeholders, such as police officers, community leaders, and members of the public. By systematically analysing large amounts of data, the content analysis helped me gain insights into the complex social dynamics that underlie trust in the police and the social contract.

Content analysis is also non-obtrusive in the sense that "researchers do not interfere into social life by witnessing or interviewing, but rather analyse existing non-interactive texts" (Hesse-Biber and Leavy, 2011, p. 288). This is due to the adaptability of content analysis, which enables research to be undertaken on and about some groups of people that might be difficult to access.

However, content analysis has been found to have shortcomings. While it may appear simple, content analysis takes time and involves extensive reading on the researcher's side. Secondly, coder interpretation can taint data, which can have a consequence on the study's dependability. While this disadvantage may be a limitation of my research, the use of both desktop research and content analysis

improved the trustworthiness of the findings. This is because the data from desktop research will support the findings in the content analysis. Finally, the content analysis does not explain why a certain event is noticed, which was not my aim in my work. The objective of this research was to examine how trust in the police has evolved by looking at two incidents where police response was required. Furthermore, these two studies demonstrate how the police response altered people's impressions of government institutions and the relationship between governments and citizens.

There are two ways of conducting content analysis, conceptual analysis, and relational analysis. Conceptual analysis “examines either the incidence or the frequency of concepts (themes/issues, words, phrases, etc.) in a text” (Wilkinson & Birmingham, 2003, p. 69-70). Relational analysis, on the other hand, “attempts to explore and identify relationships between the themes or issues. Using this more qualitative model of analysis allows researchers to establish significant relationships between words or phrases” (Wilkinson & Birmingham, 2003, p. 77). For the purpose of this research, I used relational analysis as it allows for an analysis of words in a non-numerical manner, and it is more qualitative than conceptual analysis.

This method was most appropriate for this study because it can be used to identify relationships and connections between different entities, which in this case are the relationships between trust in the police and the social contract. It is also typically applied to text data, where the focus is on analyzing relationships between concepts, themes, people, organizations, and other entities mentioned in the text, as we will see in the analysis of the two documents where we will analyze the relationships between the responses made by different organizations and people on specific issues. The goal of relational content analysis is to uncover patterns and connections between the different entities that are mentioned in order to gain a deeper understanding of the text and the relationships between the entities.

The process of relational content analysis usually involves identifying entities, coding the data to represent the relationships between entities, and then analyzing the data to uncover patterns and connections.

In this study, I made use of the eight stages in the relational analysis process explained by Wilkinson and Birmingham (2003: 72):

(1) Decide on the question

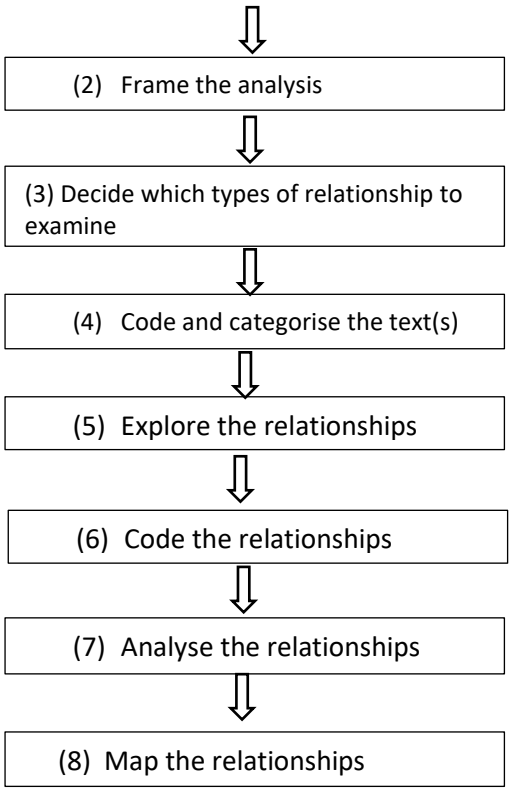


Diagram 1: Stages in the relational analysis process

Deciding on the question

This first stage requires that one decides on the research questions that they seek to explore. In this study the main research question outlined in the first chapter of this study is: What is the relationship between trust in the police and the strength of the social contract in post-apartheid South Africa? An analysis of the two reports will help to answer this question and establish how trust in the police has changed over time and how this change, if noted, has implications for the strength of the social contract. Following up on the first stage of content analysis, the second stage of 'framing the analysis' is explained in detail in the 'sampling' section.

Types of relationships examined

According to Wilkinson and Birmingham (2003), there are a number of approaches that assist in examining relationships between words and phrases, and these include affect extraction, proximity analysis, and cognitive mapping. In this study, I make use of proximity analysis as it "explores text for the presence of words and determines their proximity to other (pre-defined) words or themes" (Wilkinson and Birmingham, 2003, p. 79). This approach was best because it allowed me to infer meaning from

the proximity of words. For example, in a text search of ‘police’ and ‘trust’ within one paragraph, it was easy to establish how there is a relationship between trust and the police. The use of proximity analysis also helped in directing the text search to themes/words that are relevant to the research questions so as to cut down on time.

In this research, I used sets of words as my units of analysis. This is because the documents that I analysed were dense and had a lot of pages which would have been difficult to search through extensively; hence the use of sets of words helped to cut down on time. Paragraphs were also used as a form of coding. For example, in the case that I searched for ‘trust’ in the documents, it would generate results from specific sentences which were not enough to collect data from. I therefore opted for the results to show which paragraphs had the word ‘trust’.

Coding and categorizing the text

As previously stated, proximity analysis aided in deciding which words or concepts to code and categorize. To determine the concepts pertinent to this study, I examine the topics, themes, or concerns that will be addressed in the analysis. A number of concepts were created from the two documents that I will analyse using the computer-based text analysis software ATLAS.it. Among the words found from a basic word search of things related to this study were 'police,' 'violence,' 'trust,' 'participation,’ ‘solidarity,’ and 'security.' In these identified words, concepts like ‘police and violence,’ 'police and trust,’; ‘participation and solidarity,’; state-citizen relationships,’; and ‘government institutions’ were applied as codes. To classify the codes, I opted to categorize different responses/highlighted quotations from the respondents in the documents based on the good and negative comments that they made regarding these concepts.

Limiting the concept to its exact definition might result in a bias in the results; thus, the coding frames were expanded to encompass variations. For example, in this study, 'engagement' can be classified in the same category as 'participation and solidarity.' 'Force' is classified as 'violence,' not 'the police force' as an institution. This is because in a general word search, the term "force" is frequently used in conjunction with "police force," which is not required in this circumstance. Table 1 contains examples of concepts, their interpretations, and examples of various permutations, inferences, and spellings. This aids the researcher in scanning the

content and categorizing the words/comments in the documents as either positive or negative.

Table 1:

Frame/Concept	Definition/Description	Example
Police	The police are a structured organization of individuals authorised by a state to enforce the law, safeguard citizens' safety, health, and property, and prevent violence and civil unrest (Boateng, 2018).	Policing; policed;
State-citizen relationship	Engagements involving state institutions and social groupings determine how public authority is deployed and how society might influence it (DFID, 2010; Haider & Mcloughlin, 2016).	Social contract
Violence	“Behaviour involving physical force intended to hurt, damage, or kill someone or something” (Oxford Dictionary).	Violent; violate; harm, kill; armed;
Security sector government institutions	Organizations in a government are entrusted with creating, enforcing, and applying laws (Boateng, 2018).	SAPS; Ministry of police; justice and protection services

Exploring relationships

In this stage, relationships are explored to see whether they are linked or not. To examine the strength of the relationships between the concepts/words, I used quotations and paragraphs and scanned through them to see if they were associated with the themes of the research or not. The quotations that were associated were highlighted and later coded. Tables 2 and 3 below show the quotations that were found, quoted, and coded through the ATLAS. ti software:

Table 2: D1: Marikana Commission of Inquiry Report

Text search	**No. of paragraphs found**	**No. of paragraphs quoted**
Trust AND Police	5	4
Violence AND Police	19	11

Participate	25	11

Table 3: D2: Report of the Expert Panel into the July 2021 Civil Unrest

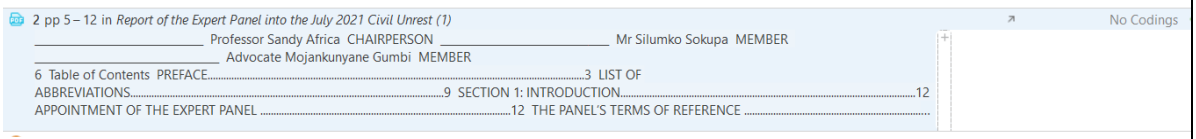
Text search	**No. of paragraphs found**	**No. of paragraphs quoted**
Trust AND Police	5	5
Police AND Violence	39	30

It is also important to note that relationships are explored "to establish whether words or concepts are related at all" (Wilkinson and Birmingham, 2003, p. 80). To further explore the relationships, I analysed the coded concepts to see whether they were related or not. Within the paragraphs that the computer-based text software-generated, I scanned through the concepts to see whether they were positively associated or negatively associated. For example, in the text search for 'violence AND police,' some paragraphs that were generated were not relevant to the research, and there was no relationship at all. Some quotations were not coded because they did not relate to what I was searching for but rather quoted a 'Table of Contents.' In such a case, there is no relationship to explore. See Box 1 below:

Box 1: Example of irrelevant quotation

D2 – Report of the Expert Panel into the July 2021 Civil Unrest:
Text search: 'Violence AND Police.'

Generated quotation:


2 pp 5 – 12 in *Report of the Expert Panel into the July 2021 Civil Unrest (1)* No Codings

Professor Sandy Africa CHAIRPERSON Mr Silumko Sokupa MEMBER

Advocate Mojankunyane Gumbi MEMBER

6 Table of Contents PREFACE....3 LIST OF ABBREVIATIONS....9 SECTION 1: INTRODUCTION....12 APPOINTMENT OF THE EXPERT PANEL....12 THE PANEL'S TERMS OF REFERENCE....

Coding the relationships

In this stage of relational analysis, the relationships explored above were coded. The paragraphs that were found through the computer-assisted software were later coded. This involved thoroughly reading through the paragraphs to see whether the concepts that were searched for, e.g., 'violence' and 'police,' were linked in a meaningful way. The ones that had a link were coded in frames related to the text search, while those

that had no link were coded by generating new frames or completely leaving them uncoded.

An example of a new frame that was generated in quotation 4, as seen below in D2, is the ‘state-citizen relationship.’ Here a text search of the words ‘violence AND police’ did not seem meaningful enough to say there was a link; instead, the quotation highlights the nature of the state-citizen relationship; hence it was coded as ‘state-citizen relationship .’

> Quotation 4: “7.37. The police should work towards rebuilding the trust of the communities and build or strengthen formal and informal relations between the communities they serve, including community leaders; 7.38. The police should work closely with other government departments at the district level to ensure that there is an integrated plan to address the socioeconomic ills that make the population vulnerable to criminal conduct; 7.39. Police officers at the station level should receive adequate training in crowd control; they should also be involved in exercises to simulate what to do under conditions of extreme violence; 7.40. The Public Order Police unit needs to be properly capacitated and equipped, and their methods and training revised to deal with large-scale operations. Is the perception that the SANDF was slow to react justified? (2:4 pp 135 – 136 in Report of the Expert Panel into the July 2021 Civil Unrest)

Coding of the texts was done through computer-assisted coding, ATLAS.ti. This was very effective in assisting with categorizing the large amount of data that is in these documents. However, it is important to note that even though it was more effective to use the software, there were some limitations that came with the process. One of the limitations was that the word cloud generated by the software allowed for too many concepts which had not been included. With this limitation also came an advantage in that it allowed the researcher to see other concepts/frames that had been missed. Making use of the word cloud for the two documents was effective in seeing how frequently some words are used in both documents, and this helped to see the main ideas highlighted and common in both documents. When I was coding with the software, what seemed more credible was coding with the two documents separated. This is because, in this research, we seek to establish how trust in the police has changed over time, so each document represents a different timeframe hence the need to code them separately. Later in the analysis of the findings, we will bring them together to see the different relationships found in the two documents, the similarities in the documents, as well as the meaning of these differences and similarities in the interrogation of trust in the police over time.

Diagram 2 below is an example of how using computer-assisted coding can generate concepts, even those that are not relevant to the study; hence it is important to code by hand. Coding by hand implies that the researcher goes on to select what codes were relevant in the study to narrow down the rigorous concepts that can be generated automatically by the computer. In the diagram, the more visible words are those that were mentioned the most in the two documents. I narrowed the word cloud to only include 'nouns' in this image.



Diagram 2: D1 and D2 Word Cloud of Concepts

Source: Generated through Atlas. ti 22 software

Overall, using Atlas.ti for content analysis of two complex documents was in some ways challenging. For complex topics, developing a well-structured coding hierarchy was challenging as it required capturing nuanced relationships and concepts while maintaining a balance between depth and breadth of the coding categories. Given that the research topic required a deep understanding of the context and background of each document, Atlas.ti could not provide a direct way to capture and visualize the multifaceted contexts that would have helped to influence the interpretation of the data. Atlas.ti on its own was not sufficient to answer the research questions. It failed to address issues like highlighting public responses to the two cases. Interviews with people who have previously engaged with the data or witnesses who were present in both cases would have helped to add more depth to the findings and support the data found through Atlas.ti. As an attempt to support the data generated through the use of Atlas.ti, I also incorporated extracts from the documents that would better explain the findings.

3.3. Sampling

In explaining sampling, it is argued that “this is the way we learn: by sampling judiciously, by looking intently with the inward eye. Then from these few that you behold, tell us what you see to be true” (Leedy, 1997, p. 189). This implies that in sampling, out of a large population, a small number can be drawn to represent the whole population. There are quite a number of sampling methods that one can employ in conducting research. These include convenience, quota, cluster, random, stratified, purposeful, and systematic sampling (McMillan and Schumacher, 2010).

Purposeful sampling was used for this study. Purposeful sampling is appropriate for this study because the rationale and strength of qualitative purposeful sampling stem from the emphasis on a thorough comprehension of particular cases that are information rich. Information-rich instances are ones from which a lot may be learned about topics that are of “central importance to the purpose of the research: thus, the term purposeful sampling” (Patton, 2015, p. 104). Instead of using research from the whole security sector in South Africa, which is rather extensive, the study only looked at the police. The police sector is the most relevant for the research under study, and it is information rich as well as illuminative.

To ‘**frame the analysis, ’** I limited the analysis sample to the two reports, i.e., the Marikana Commission of Inquiry Report and the Report of the Expert Panel into the July 2021 Civil Unrest. These were relevant in that they have issues relevant to police responses to strikes and also include issues around the social contract (i.e., horizontal cohesion and vertical cohesion). The context of the two documents, illustrates their differences, and justifies the reasons why they are the only ones being used in content analysis. For the reasons of comparative analysis, this also helped to see whether the differences or similarities between the contexts influenced any trends, shifts any patterns that answer the research’s questions.

The Marikana Commission of Inquiry Report was published in 2015, even though the Marikana massacre took place in 2012. This is good for this study as it also seeks to establish whether there has been any change or improvement in institutions over time. The Marikana report has 660 pages, and it contains responses from both interviews and investigations that were conducted with people who were witnesses and also those who were representing different stakeholders. This report is

information rich as it gives a picture of what took place during the ‘Marikana incident’ from a different point of view. This helps us to explore the different insights related to this study, which include (but are not limited to), how the people responded to police intervention, how the police justified their actions, and how this affected the people’s perceptions of the government and its institutions.

Conversely, the Report of the Expert Panel on the July 2021 Civil Unrest was published in 2021, a few months after the occurrence in July, and has 154 pages. This report was done in a short time as it served to respond to the call by President Cyril Ramaphosa to have a report that assists in evaluating what happened and offers recommendations on how to deal with similar incidents in the future.

The two documents are relevant to this study and were selected because they report on significant incidents that happened in South Africa where the police and the citizens clashed. An internet search was done for significant incidents that happened in South Africa that involved the police and the citizens between 2012 and 2022. I chose these time frames so as to see incidents that took place in post-apartheid South Africa and understand how trust in the police has evolved over time and how the relationship between the people and the government has also evolved. Both documents were also selected because they were easily accessible and had several issues that are related to the concepts that this study seeks to explore.

3.4. Reliability

I used the Atlas. ti software as my computer-assisted qualitative data analysis software (CAQDAS) because of the credibility that it gives qualitative research, as stated by Feilding and Lee (1998, cited in Opie, 2004). Elsewhere, Richards and Richards’ (1995, cited in Opie 2004) concurred and stated that CAQDAS is an important means of validating qualitative research. This is due to the fact that the computer can keep track of analytical procedures that can be replicated at any time better than people. The use of the ATLAS. ti software assisted in storing data. All the data was safely stored in one place, and I could access it repeatedly.

As defined by McMillan and Schumacher (2010), reliability is “the extent to which measures are free from error” (p. 179). In content analysis, much can go wrong in the coding of data in terms of defining categories. If category definitions are not clear and exhaustive, the research questions may not be fully answered. To achieve an

acceptable level of reliability, I consulted documents and data sources that were collected through extensive desktop research. These worked as support documents to justify and show evidence of the issues that were identified in the documents that were used for content analysis.

3.5 Ethics

Given that the data for this research was collected through an extensive desk research of archival material, and online databases, respect was given to the participants that contributed to the opinion surveys from the online databases and interviews that were transcribed in the reports used for content analysis that were consulted. I acknowledged and honored the role of the participants in the research process by properly citing the original source, accurately representing their contributions, and recognizing their efforts in generating the data that I am now using for my research. All the directly quoted responses from interviews were adequately referenced. All copyrights were acknowledged, and the safety of information was guaranteed. An ethical waiver was granted as the research did not have participants. I made use of public sources that were readily available for public use.

CHAPTER 4. RESEARCH FINDINGS AND ANALYSIS

The research findings and the analysis of the data are presented in this chapter. The first section explores the research findings that derive from content analysis. The flow of the research findings in the sections thereafter is guided by some of the themes that emanate from the literature review, theoretical approach, and content analysis. The themes will guide the structure of the research findings in a logical manner and also for ease of interpretation. Findings in this chapter also make use of some quotations generated from the analysis of the content in documents like the Marikana Commission of Inquiry and the Report of the Expert Panel into the July 2021 Civil Unrest Reports.

4.1. Findings from content analysis

Relational analysis of data in the two documents was conducted to establish the relationships that exist within the coded themes. In the following sections, data will

be presented based on the co-occurrence of themes in both documents. This will help to highlight the relationships found between the concepts clearly.

4.1.1 Relationship between trust in the police and use of force by the police

In the two documents used for this analysis, a number of quotations with the words 'trust,' 'police,' and 'violence' are evident. To evaluate the relationship between these themes, the coding categories that were created are tested for their co-occurrence and proximity in the same paragraphs. Sankey diagrams can be used to visualize relationships between different concepts or groups of data. The diagram can be used to show how one concept is broken down into multiple sub-concepts or how different concepts are related to one another. The width of the arrows in the diagram can be used to represent the strength or importance of the relationship between the concepts, with wider arrows indicating a stronger relationship.

For example, the Sankey diagram below shows a visual representation of the link between trust in the police and violence in the two documents. The width of the arrows represents the relative quantity of quotations that were generated in both documents. For example, the width of the concepts 'violence and police' when linked to the arrow toward the Report of the Expert Panel into the July 2021 Civil Unrest is thinner than that of the same concepts when linked to the arrow toward the Marikana Commission of Inquiry Report. This represents that the number of quotations coded under 'violence and police' was lesser in the Report of the Expert Panel into the July 2021 Civil Unrest as compared to those in the Marikana Commission of Inquiry Report.



Diagram 3: D1 and D2 - Trust, police, violence linkage

Source: Generated through the Atlas. ti 22 software (2022).

D1: Marikana Commission of Inquiry Report

In the D1, there were a few quotations whereby ‘trust’ and ‘police’ were used in the same paragraph. An example of a quotation where ‘trust’ and ‘police’ are used in this document is:

> Quotation 4: “The following was said: “Comrades, we will support you, my brothers. We will be with you because we are a trusted organisation at all times that will remain trustworthy to you that will never lie to you...As AMCU we have come to support you, as the national organiser has said, that we will be with you in everything.” … he pleaded with them to leave the koppie, telling them they would be killed by the police…” (1:4 Farlam et al., 2015, p 505).

As seen in the paragraph above, the issue of trust is mentioned in relation to a representative body for mine workers, the AMCU. One would interpret the meaning of this quotation to be that the involvement of the AMCU implied that they could be trusted to serve the people effectively. People might trust unions more than government institutions, as during apartheid, unions were at the forefront of the fight for workers' rights and political freedom, leading many people to view them as more trustworthy than government institutions (Uys & Holtzhausen, 2016). Unions have also been seen to be more effective in negotiating for and protecting workers' rights, leading many people to view them as a more reliable source of support than government institutions. In addition, unions are typically made up of ordinary workers, making them seem more in touch with the needs of ordinary people than government institutions, which may appear more distant and detached. These factors may have contributed to a general perception that the AMCU could be trusted because they had represented themselves as trusted by saying so and also mentioning that they had “come to support them,” which was what the miners needed, people who would support them and not be against them (Farlam et al., 2015, p. 505).

The warning that the AMCU gave to the miners is evidence that the behaviour of the police, here seen as ‘violent’ in “killed by the police,” was one that could not be trusted as there was already an expectation of the possibility of violence from the police.

In addition, the words ‘violence’ and ‘police’ in this document can be found in 17 paragraph quotations. For example:

> Quotation 17 argues that: “He was confronted by the fact that one of the strikers threatened in his presence to finish the police coming from the homelands and that despite his assertion that AMCU renounces violence, he did nothing to correct or stop the strikers from threatening violence. He failed to answer the question” (D1, 2015, p. 501).

This quotation justifies the relationship between police and violence. It is also evidence that when citizens’ needs are not met, violence can be expected to arise. The respondent who was under cross-examination had been a witness to a threat that was being given to the police but is said not to have acted on it.

In relation to police violence, the idea of force is mentioned in the report several times. Force was employed by the police in two incidents where deaths were recorded. In the report, we see force being used more evidently in the second incident when the protest further escalated to being violent:

> The Police members encircled the area [a high bushy area where the protesters were after being driven from their stronghold] and attempted to force the protesters out by means of water cannons, rubber bullets, and stun grenades. The Police advance to arrest the armed protesters resulting in Police officers having to again employ force to defend themselves at close quarters. This resulted in 13 more protester deaths, with 15 more wounded in the second incident (Farlam et al., 2015, p. 394).

The use of lethal force by the police was shocking to the protesters and the public. This is because the police used a militaristic force on people who had non-lethal weaponry, which they were unlikely to use given that they knew and saw that the police were more armed. The police that had been deployed had been trained and armed to deal with ‘medium’ and ‘high risk’ situations, which in this case, the protesters were not (Bruce, 2012, p. 15).

In this case of police violence, the relationship between power dynamics and trust comes into play. When a group in a position of power uses its influence, resources, or authority to assert its will over a less powerful opponent, it can create a perception of injustice or oppression. This can damage trust not only between the two groups but also between the more powerful group and the wider community or society. The police who were deployed to Marikana were in a better position of power compared to the protestors. They were representatives of the state and had access to resources that they could use to disperse the people. If the police had intervened peacefully, the protests would possibly not have erupted into violent ones.

D2: Report of the Expert Panel into the July 2021 Civil Unrest

In D2, the co-occurrence of ‘trust and police’ is seen in 13 quotations. A higher number is seen in the document that is more recent (2021) as compared to the one from 2015, where the seems to be no relationship highlighted. This might imply that when the July Unrest incident took place, issues around trust in the police had now been given more attention. An example of the relationship between trust and police, as evident in D2, is seen in Quotation 4:

> “7.37. The police should work towards rebuilding the trust of the communities and build or strengthen formal and informal relations between the communities they serve, including community leaders” (D2, 2021, p. 135).

This quotation highlights the importance of building trust between state institutions and the citizens and shows a link between police and trust.

Furthermore, ‘violence’ and ‘police’ are noted in 11 quotations. An example is seen in quotation 11:

> “2.23. There is no doubt that the police had insufficient capacity to stop the violence. The riots happened simultaneously in areas that are distant from each other. They took a form generally unfamiliar to the police, where large crowds descended on shopping malls and warehouses, to loot…” (2:11 pp 43 – 44 in Report of the Expert Panel into the July 2021 Civil Unrest).

The above quotation highlights the violence that took place during this time. Other themes are also shown in this paragraph, as the lack of capacity of the police is also exposed. The idea that the police did not manage to know and prevent the violent riots before they happened highlights key issues about the state of the security sector in South Africa. The South African police have been facing numerous challenges over the years, such as understaffing (Piper and Anciano, p. 204), limited resources, inadequate training, and high levels of corruption. These issues have been widely reported on by various sources, including media, NGOs, and government reports.

For example, a report by the Institute for Security Studies (ISS) in 2020 highlights that the South African Police Service (SAPS) is facing a number of challenges, including limited resources, inadequate training, and a lack of accountability (Burger & Mbanyele, 2020, February 25). The report also highlights the high levels of crime and violence in the country, which puts additional pressure on the police (Burger & Mbanyele, 2020, February 25). It is, therefore, likely that the South African police's inability to prevent the July 2021 unrest is related to the broader issues facing the

security sector in the country, including limited resources, lack of capacity, inadequate training, and high levels of corruption. The riots would have been curbed if there had been enough intel and response from the security sector as a whole (McMichael, 2022, March 17).

In relation to police violence, the police were seen in an ambivalent way during the July 2021 civil unrest. In the report, the idea of the use of force by the police is mentioned in a more positive note. When responding to the Commission, the National Police Commissioner states that:

> The instigators of the violence knew the police situation well. He said they must have known the police set-up and limited resource capacity. It is to the credit of the police that there were not many accounts of them having used excessive force, but this should not serve as an excuse (Africa et al., 2022, p. 45).

This response shows that there were not many accounts where the police were found using violent force towards the protesters, but it is not disputing that there was some force that they employed. There was a difference in the type of force or amount of force that was used by the police in both cases. Police during the Marikana massacre were dealing with violent protestors in a confined area which was the Lonmin Mine. For that reason, they were likely to use force towards the miners. The incapacity of the police at Marikana which might have been due to the lack of training as Soifer (2012) highlights, led to police violence.

In the case of the police during the July 2021 Civil Unrest the riots and looting were happening in various areas at the same time. The size of the crowds was growing rapidly as time went by which “made it impossible for the police deployed to prevent the looting” (July 2021 Civil Unrest Report, 2022, p. 44). Although there was a lack of capacity of the police to curb the violence, the report also highlights that “there were members from across social groups involved: young and old, mothers with babies, and the police were in a dilemma about the degree of force they should use” (July 2021 Civil Unrest Report, 2022, p. 44). Therefore, this could possibly be the reason why they could not use as much force to contain the situation. The police's absence in some areas and their inability to control the situation in some areas during the July 2021 unrest led to them being criticised for failure to control the situation.

Furthermore, it is important to acknowledge the different nature of the two cases. During the Marikana incident, there was an issue of policing a strike whereas the July Civil Unrest incident was an issue of policing rolling insurgence. The police in both cases needed different types of skills to contain the situations. Policing a strike involves managing a specific labor-related protest or work stoppage, usually involving negotiations between workers and employers as in the case of the Lonmin Mine. The police therefore required specialised training in conflict resolution and an understanding of labour rights and laws. However, evidence from public participants who were interviewed after the Marikana incident showed that the police lacked training. Soifer (2012, p. 39) states that “According to Mrs. van der Merwe, the South African police are currently not trained very well: “In the past, pre-1994, the police were very well-trained. I have this feeling that police are currently very incompetent in general. Again, there are exceptions, but in general I think they… also lack integrity”. This response also highlights factors like integrity that impact trust levels. Trust is built when people believe that a person's actions align with their stated intentions, and integrity plays a crucial role in establishing that alignment. Therefore the police’s lack of integrity could have possibly affected the people’s trust in them.

Policing rolling civil unrest, on the other hand, deals with broader, ongoing civil disturbances that may involve a range of issues and protests, which in the case of the July 2021 Civil Unrest resulted in looting. Although there might have been political motives that drove the insurgence, there was an expectation for the police to quickly adapt their strategies to maintain control while respecting citizens’ rights. The public’s response to the slow or lack of response in other areas was one that showed frustrations towards the police. Businesses specifically showed that they were not happy with the police as it is stated in the report that “The business delegations did not mince their words in asking us to communicate their frustration” (July 2021 Civil Unrest Report, 2022, p. 79). This might have undermined trust as the business owners highlighted that they did not perceive the police as reliable.

4.1.2. Public participation and solidarity vs. trust in the police

Public participation is an important driver of trust in any government institution. The legitimacy of institutions is bolstered through democratic participation, as the active involvement of citizens in the decision-making processes of these institutions fosters

trust. Public participation in a strike or civil unrest can possibly reflect a lack of trust in an institution. The act of striking or participating in civil unrest demonstrates that they feel their voices are not being heard through regular channels of communication and engagement. In reviewing the two documents under content analysis, a common theme of participation and solidarity was noted. Both cases under study involved citizens coming forward against institutions for the sake of service delivery; hence a coding scheme was made. This also assisted this research in its exploration of how trust in institutions impacts the social contract. A visual presentation of the frequency of quotations coded under 'trust and police' and 'participation and solidarity' is shown below.



Diagram 4: D1-D2: Participation and solidarity vs. Trust

Source: Generated through the Atlas. ti 22 software (2022)

D1: Marikana Commission of Inquiry Report

In D1, the theme of participation and solidarity is coded to include quotations that do not mention the words themselves. Quotation 25, as seen below, showed what participation and the lack of meant to the rest of the miners who were working at Lonmin. Participating in the strike might have implied that one was in support of the cause and was affected by the issues that aggrieved the miners. Refusing to participate in the strike could have implied that one was not affected by the concerns that others were facing, or they simply did not want to engage in the strike. The unwillingness of some of the miners to participate cost them their lives as evidenced in the quotation below. This exposes how participation and solidarity can also involve issues that endanger.

> Quotation 25: “[11] In addition to the killings to which Mr. Pretorius refers, it is in my view relevant to mention that it is common cause that two persons who appear to have reported for work at the Karee shaft on the evening of 12 August 2012 and thus have indicated an unwillingness to join in the unprotected strike in which strikers were participating were murdered. It is thus clear that a reasonable possibility exists that some of the strikers were prepared to go to the lengths of murdering their colleagues in order to enforce the unprotected strike.” (1:25 p. 572 in Marikana Commission of Inquiry-report- 2015)

A fragile solidarity between the miners is seen at Marikana as there was a possibility of some kind of coercion taking place. There was a dark side to the unity between the miners, which is seen in the killings that were done to other miners who opted not to participate in the strikes.

> Quotation 5: “He was asked why he participated in this brutal killing of Mr. Langa with the others, and he said that they wanted to send a message to the people who were not aware of the strike, that there is a strike. They killed him so that others would come and join them and support the strike… They had a meeting where Mambushe said to them they were going to meet the police and they should not all talk with the police, and only three persons should speak to the police because if they all did, they would be afraid…He said they selected them because they believed and trusted in them” (1:5 pp 620 – 623 in Marikana Commission of Inquiry-report- 2015).

In quotation five above, the issue of interpersonal trust is further noted as the people chose representatives to speak to the police on their behalf. The miners presented a united front to the police. The idea of trust between the police and the strikers is seen where it is mentioned that the strikers sent a few people because they did not want the police to be “afraid” (1:5 pp 620 – 623 in Marikana Commission of Inquiry-report- 2015). Sending representatives to engage with the police during a strike might imply a level of trust, as it shows a belief that open dialogue can lead to positive outcomes and that both sides are willing to work together to find a resolution. However, the police did not give the mine workers any reason to believe that they could trust the police to help in a situation where citizens are struggling to trust each other. Failures of the social contract are seen in several directions here. The social contract was undermined as people would often have an expectation on the state to protect them yet in this case, the police could not help the miners that were being coerced into participating in the strike.

D2: Report of the Expert Panel into the July 2021 Civil Unrest

The linkage between the themes of participation and solidarity and trust in institutions is also noted in the report. In this report, five quotations are highlighted,

showing a link between the two concepts. Evidence is found in the paragraph on quotation 9:

> "2.2. In most of the affected shopping malls we visited the managers of the malls informed us of how they watched their regular customers, who used to be frequent, friendly visitors to the management offices become part of the ravaging mobs. They sat down with them after the violence subsided to try and make sense of it. They could not get clear answers from them on why this happened. 2.3. There was also a sense of deep bewilderment at the absence of the police at a time when communities needed them most. In most areas the police became spectators as one mall after another was destroyed; as one truck after another was torched; as people came back day after day to finish looting whatever was left from the previous day" (2:9 pp 35 – 36 in Report of the Expert Panel into the July 2021 Civil Unrest).

In this quotation, the inefficiency of the police is exposed as they had given up on trying to control the people. The bewilderment of the managers of the mall may suggest that their trust in the police had declined due to this ineffectiveness of the police. If the police are seen as inefficient, it can lead to a loss of trust as people may feel that they are not effectively addressing crime or other issues in the community or that they are not accountable for their actions. This can also lead to feelings of confusion and frustration among the public, which can ultimately undermine the trust in the police. The issue of solidarity can also be seen as one that is complex. General citizen solidarity between communities during the July Civil Unrest was fragile because looting was an indication of breaking into the personal trust of business owners. The riots did not aid in addressing the socioeconomic issues but worsened the economy as the losses that businesses had were, in turn, going to affect the country as a whole and exacerbate the rates of poverty.

Quotation 21 below also shows evidence of a link between solidarity and trust in the police. Here trust in the police had been lost as the businesses opted to "rely on private security" (p. 75) rather than the police. Despite this being the role of the police, the business people also stood in solidarity to fight for their businesses. The solidarity of business owners was a consequence of feeling like the police were not going to protect them but it also meant that they were protecting their group from the other group (of looters). This was not good for overall solidarity. In this case, the police's roles of maintaining public safety, upholding social order, and enforcing the law were found lacking. The failures of the social contract are also seen here as noted during the Marikana incident.

Quotation 21: “Businesses had to rely on private security providers to secure their properties, but the damage still was extensive. In many instances, members of communities had come forward to protect businesses against the violence and looting and assist with clean-up operations…” (2:21 pp 75 – 76 in Report of the Expert Panel into the July 2021 Civil Unrest).

Overall, the findings from the content analysis of the two documents highlighted key issues that are important to this study, trust in the police overtime and the implications on the social contract. There are some differences and similarities that were seen in the two documents. To start with the differences, the main differences were that the two documents were from two different timeframes and different contexts. The Marikana incident started as an organizational protest with the miners demanding a wage increase, and it later escalated to involve the state, the police, and the Lonmin company. Conversely, the July 2021 Civil Unrest started in the KZN area as a political motive and an attack on the state’s justice system as the supporters of former President Jacob Zuma demanded his release, and later escalated to a socioeconomic issue both in the KZN and Gauteng provinces.

Another difference is that in the Marikana report, trust was mentioned in relation to a representative body of mine workers, the AMCU, which had tried to convince the miners that it could be trusted, whilst, in the July 2021 Civil Unrest report, it was mentioned in relation to the police in that the police are recommended to create a relationship between themselves and the communities they govern.

The difference between the level of preparedness of the police in both cases is also highlighted in the findings. In the Marikana Report, the police might have been better prepared to act on any threat that was exerted towards them because the strike took place in a confined area. The fact that when they were deployed, they had water cannons and stun grenades ready to be made use of showed their level of preparedness. Bruce (2012, p. 7) argues about the level of preparedness of these police as they “included paramilitary units trained and armed in order to be able to deal with ‘medium’ and ‘high risk’ situations such as hostage situations.” This implies that they were ready despite the minimum threat that the protestors posed. Although the preparedness is good for the rapport of the police service as an institution, this was reflective of the institution’s perception of citizens. The use of force is also indicative of the incapacity of the police as they failed to act professionally. They might not have valued their relationship with the community the same way they

valued delivering on their duties. This could undermine trust in the police and, ultimately, the citizen-state relationships.

Conversely, the police deployed for the July 2021 Civil Unrest might have been less prepared for the protests. The response by the National Commissioner exposed the level of preparedness of the police as he mentioned that they had limited resource capacity (Africa et al., 2022, p. 45). While acknowledging the differences in the contexts between the two cases, it is also important to note that from the perspective of the citizens, there could have been an expectation of better police conduct in both cases. Almost ten years after the Marikana incident, the police service as an institution is found wanting. Instead of having prepared to handle a bigger threat to the state and the economy, the police service is found incapacitated. In relation to preparedness to protect the community, the police were also found unprepared and hence inciting more reasons for the citizens not to trust them. This deterioration of trust in the police and lack of preparedness can also ultimately affect the citizen-state relationships.

The similarities between the two documents were that they showed elements of participation and solidarity which contribute to levels of trust between citizens and trust in institutions. In the Marikana incident, the miners united for the same cause, which was economical. In Marikana the miners' strike was in solidarity as this stemmed from shared grievances and a common goal. However, the solidarity of the miners is one that was fragile as there was some form of coercion and intimidation that was used for the miners to cooperate in the strike. This might have contributed to the erosion of trust between the miners. In strikes, the police as the first point of call for the citizens was expected to support the people and assist them to strike 'peacefully'. The police's failure to contain the strike in a peaceful way and respond positively might have destroyed some level of trust in the police.

Similarly, the July 2021 Civil Unrest also saw the solidarity of the people as several communities came together to defend businesses from the looting. Moffat (2021, August 20) highlights that "residents and business owners of Eldorado Park, a community in Gauteng, united to prevent the looting from spreading to their community. Infrastructure was protected by approximately 150 community members by forming a human shield around properties and they managed to successfully safeguard the business district". This unity of the community to protect businesses

might have strengthened the citizen-citizen relationships of one group and undermined its relationship with the other group of looters. As highlighted in the findings, this might have been an indication of a fragile solidarity.

The bewilderment of the managers and business owners towards the police as well as their customers during the July 2021 civil unrest could be indicative of their loss of trust in both the police and the other citizens. The business owners expected the police to hold their end of the social contract by controlling the situation and helping them protect their businesses. They also expected their customers to hold their end of the social contract by resisting the urge to damage and loot their properties. This shows that a lack of trust can undermine both the citizen-citizen relationships as well as the citizen-state relationships.

In both cases, we see an expectation of the use of force by the police toward the protesters. In the Marikana report, it is highlighted that the miners were encouraged by the AMCU to disperse because the police would kill them (Farlam et al., 2015). This showed that the AMCU might have seen more incidents where protesters were killed by police, and they also had knowledge of the level of preparedness of the police. The way the other miners also encouraged their fellow miners, not to all talk to the police might have been that they did not want to provoke the police by intimidating them with their numbers because they knew the danger that came with intimidating the police (Farlam et al., 2015, pp 620 – 623).

Overall, the findings from the content analysis of the two documents highlighted that the lack of trust in the police has the potential to undermine the social contract between the citizens and also between the citizens and the state.

The police in both incidents were a representative of the state, a force that held more power compared to its ‘opponent’. They were supposed to act as representatives of the state that were to uphold the state's role in the social contract by following the legislature that guides them in the Constitution. In Chapter 11, section 205 of the Constitution, the police service's roles are clearly stated to be “to prevent, combat and investigate crime, to maintain public order, to protect and secure the inhabitants of the Republic and their property, and to uphold and enforce the law” (RSA Constitution, 1996). They did not protect the citizens from each other, as in the case of Marikana, the miners killed each other, nor did they act to maintain public order,

as in the case of the July 2021 unrest, where they failed to contain the looting and the protests. Their failure to act effectively on their roles undermined trust, affected their relationship with the citizens, the state's relationship with the citizens, as well as influenced the citizens' relationship with each other. The following sections will elaborate further on the issues that were identified through content analysis. This data collected through extensive desk research and consultation of key databases related to this study will add to the depth of the findings. The data in this section will give supporting evidence to the findings in the documents and also highlight other issues that might have been left in the findings above.

4.2. Citizens' relationship

In this section, I present themes that have emerged from the research findings that are in relation to citizens' relationships with each other. This section seeks to explore the findings that build up to answer the research question: How do levels of trust in the police influence citizens' social contract with each other? Citizens' relationship is important for the social contract. This is because citizens need to recognize each other as equals and equal, with interests that ought to be respected. These horizontal relationships are essential as they ensure that "interactions among members of society [actors, groups, organizations, institutions] are characterized by a set of attitudes and norms that includes trust, a sense of belonging and the willingness to participate and help, as well as their behavioral manifestations" (Chan et al. 2006, 290). This helps to secure a solid foundation for a resilient social contract. The research findings to follow show how these relationships have played out over time. This section will address interpersonal trust, public participation, and solidarity and give reflections on citizens' relationships by showing the trends.

4.2.1. Interpersonal trust

Interpersonal trust is an essential component of evaluating citizens' relationships with each other. Several scholars have provided definitions of interpersonal trust. For the OECD, "interpersonal trust relates to the results expected of the interaction between individuals, other than friends and relatives, within a given community at a specific moment of time" (OECD, 2017a, p.18). Similarly, interpersonal trust, also termed social trust by Mattes and Moreno (2017), is seen to entail a "horizontal, interpersonal form of trust that entails an expectation of reliance that individuals in a community have towards each other on the basis of shared norms, mutual

reciprocity, and cooperative behaviour" (Mattes & Moreno, 2017, p.357). In these definitions, the common ground is that this trust is built upon a willingness to interact and cooperate can be noted.

Several studies were conducted to evaluate how trust between members of society has evolved. In this research, I looked at the data presented by Afrobarometer on the South African case. Only three rounds of data, i.e., R1 (2000); R3 (2006); R5 (2011), have the question on 'General Trust.' The participants in this study are asked, "Generally speaking, would you say that most people can be trusted or that you can't be too careful in dealing with people?" (Afrobarometer Online, 2022). Figure 1 below shows the trends in the responses that the participants give over time.

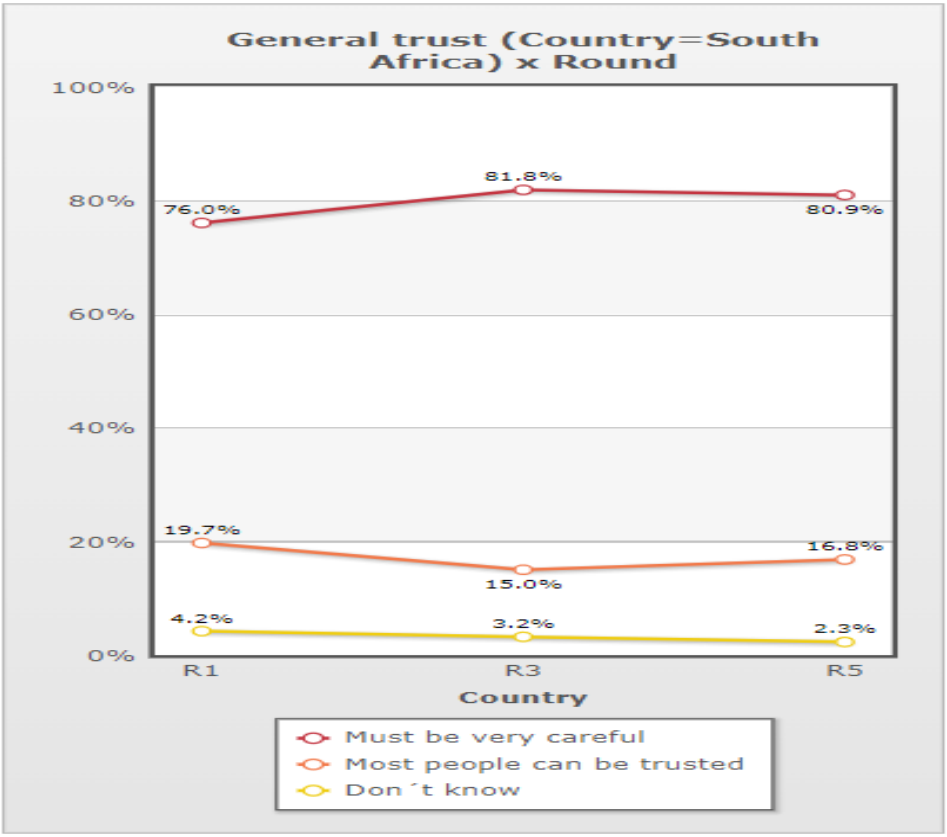


Figure 1: General trust in South Africa

Source: Afrobarometer Online Analysis (2022). Overall, rounds of data were collected between the year 2000 and 2011, specifically R1 = (2000); R3 = (2006); R5 = (2011)

As seen above in Figure 1, generally, people in South Africa did not trust each other. However, the higher percentage of people saying 'must be very careful' as seen in the period 2000 can be accounted to the idea that it was just soon after apartheid hence trust between citizens was still building up.

More findings on interpersonal trust were seen in a comparison between three countries during the year 2020 in Southern Africa, i.e., South Africa, Namibia, and Zimbabwe. Through an analysis of data from the Welcome Global Monitor (2020, as cited in Our World in Data), I find that South African citizens trust each other the least (47.7%) as compared to people in Zimbabwe (67%) and Namibia (52.2%). See Figure 2 below:

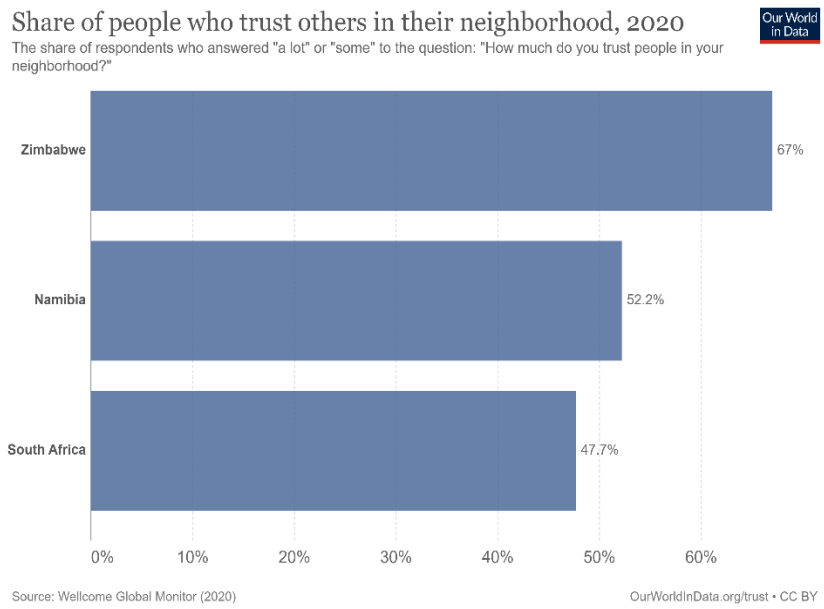


Figure 2: Interpersonal trust in South Africa, Namibia, and Zimbabwe
Source: Welcome Global Monitor (2020 as cited in Our World in Data)

To explain why there are low levels of interpersonal trust in South Africa as compared to other countries in Southern Africa, Mmotlane, Struwig, and Roberts (2009) argue that,

> "The persisting social inequalities that characterize South Africa and the challenges that remain in relation to crime reduction, political corruption, and municipal performance, perhaps it is ultimately unsurprising that citizens continue to voice scepticism about the extent to which we can trust in others" (Mmotlane et al., 2009, p. 5).

It is important to acknowledge that in communities where there is a lack of trust among citizens, this can extend to a lack of trust in the police as well. Suspicion and fear of collaboration can hinder effective communication between law enforcement and the public, making it challenging for the police to gather information or prevent crime. This can be seen on the aftermath of the July 2021 Civil Unrests where the police were following up with hope of recovering what had been looted. Some people

cooperated with the police and told them who had been part of the looting while others refused to cooperate (Seleka, 22 July 2021).

Interpersonal trust can also be evaluated by looking at citizens' cooperation in selecting community leaders. Leaders between citizens are chosen based on a number of factors. These may include merit, reliability, and trust to mention a few. In the content analysis of the Marikana Commission of Enquiry Report (2015), the text search 'trust AND police' generated several quotations and paragraphs. In one of the paragraphs quoted, interpersonal trust is evident. In this account, 'Mr. X' explained what happened at Marikana and indicated that the strikers chose representatives that were going to speak to the police "because they believed and trusted them" (Mr. X, interviewee, as cited in Marikana Commission of Inquiry, 2015, p. 621). Even though the strikers were on the verge of conducting a negotiation in the midst of violence, their trust in each other and in their leaders allowed them to stand in solidarity for the sake of their mission which was a common goal for all the strikers.

For Ortiz-Ospina and Roser (2016), interpersonal trust can be correlated with religious affiliation and upbringing. Evidence of this has been seen in the South African context as people show that their trust in others would be altered by their religious affiliation. Figure 3 below shows percentages of people who responded to the question: 'Trust people from other religions'. In the Afrobarometer Round 8 (2019/2021) survey of the extent to which people trust others from a different religion, 31.1 % of the respondents say that they trust people from other religions 'just a little' while 23,1% of the respondents say, 'not at all.'

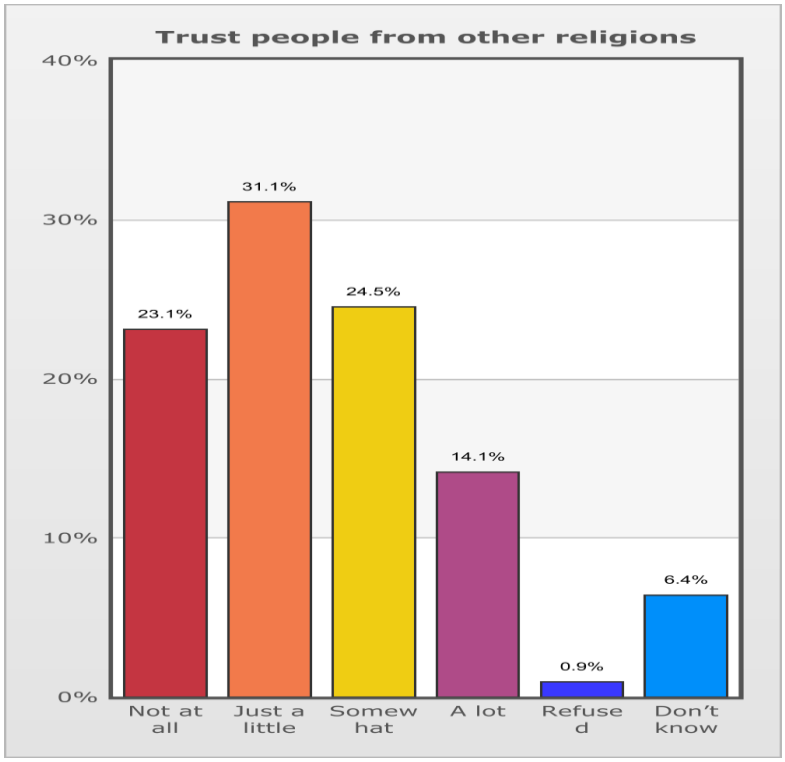


Figure 3: Trust in people from other religions

Source: Afrobarometer Online Database (2022) during the period 2019 to 2020.

4.2.2. Public participation and solidarity

Citizens' participation in their community is essential for sustaining their relationship and, ultimately, the social contract between citizens. The degree to which people and organizations have the opportunity (equally and fairly) to access and engage in social, political, and civic life - i.e., an individual or group's engagement in community activities in one's school, community or on a larger political scale is important. Citizens' and groups' perspectives are not only heard but also reflected in official policy and practice outcomes as a result of such engagement.

The findings in this research show how participation is essential for citizens' relationships. In the analysis of the Marikana Commission of Inquiry Report (mentioned as D1 here forth) and the Expert Panel into the July 2021 Civil Unrest (D2), the social contract between citizens is contested in several instances. Some quotations generated through the basic search are coded under 'participation and solidarity.' In quotation 1:20, seen below, employees that did not want to participate in the strikes were intimidated by the strikers. This shows that interpersonal trust was broken as the other strikers were expecting others to stand in solidarity with them.

Citizens' relationships were also shaken as those who did not want to participate were seen as rivals even though their reasons for not participating were justified.

> Quotation 1:20: "Mr. Blou said that after the strikers had dispersed, they received information later that afternoon that they wanted to target employees that were not participating in the strike. He had been informed of incidents at Rowland Shaft of employees being intimidated and where security officers had to intervene to protect these employees" (Farlam et al., 2015, p. 459).

Citizens' relationships can also be broken when participation and solidarity clash with morality. When the actions of citizens clash with their sense of morality, it can cause a breakdown in their relationship with the community. This can happen if citizens feel that their participation in a particular community or group is in conflict with their personal values or beliefs. For example, if a citizen feels that a particular community or group is engaging in actions that are unjust or immoral, they may choose to withdraw their participation or support. This can also happen if citizens feel that the actions of a community or group are in conflict with the principles of solidarity and mutual aid, which are often considered to be important for building strong, cohesive communities. In such cases, it can lead to a sense of alienation and mistrust between citizens and their community and can make it difficult for them to work together effectively.

In this research, a clash is noted during the July 2021 civil unrest. In the analysis of the Expert Panel into the July 2021 Civil Unrest Report, I noted that if socioeconomic grievances are not addressed, citizens can turn on each other and not see the reason to respect and protect each other. Quotation 2:9 shows us how the relationship between citizens was broken. The managers in stores were shocked by how their regular customers had become "part of the ravaging mobs" (Report on Expert Panel into the July 2021 Civil Unrest, 2021, p. 35). Although the looters stood in solidarity for the sake of fighting for the cause, they did not realize the damage that they were also creating to their fellow citizens. In the same quotation, it is noted that the absence of the police contributed to the disintegration of the citizens' relationship as it is highlighted that "there was also a sense of deep bewilderment at the absence of the police at a time when communities needed them most" (Report on Expert Panel into the July 2021 Civil Unrest, 2021, p. 36).

Civil society members participate when the environment is enabling. The data for this research shows that where there is an enabling environment, citizens might

participate for the common good. Afrobarometer rounds from 2000 to 2021 show trends in South Africa in which people attended community meetings. The participants in the Afrobarometer are asked the questions: “For each of these, please tell me whether you, personally, have done any of these things during the past year. Was this often, several times, or once or twice?: Would you do this if you had the chance? Attended a community meeting”. The responses are recorded in concept of below:

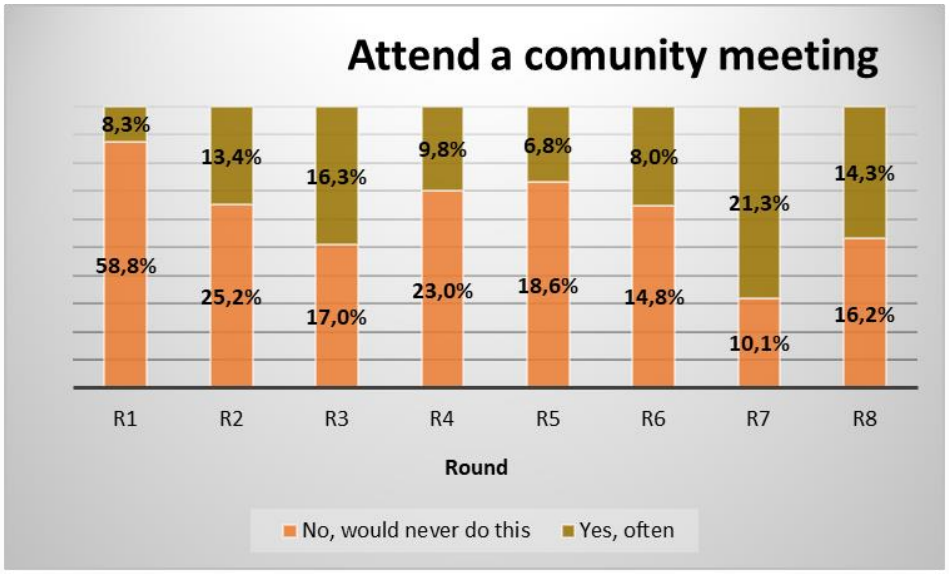


Figure 4: South Africa - Citizens' participation in community meetings R1=2000, R2=2002, R3=2006, R4=2008, R5=2011, R6=2015, R7=2018, R8=2021.

Source: Afrobarometer online data analysis.

The data above shows that relatively, people who are likely to attend community meetings are less than those who say they would participate. In the year 2000, the highest percentage of people who would never attend a community meeting is recorded as seen by 58.8%. Between 2000 and 2006, a decline in the percentage of people who would not attend is seen. In the case of those who would attend, the highest percentage is recorded in 2018 with 21.3 % of the people saying they would attend a community meeting.

In an enabling environment, as mentioned above, attending community meetings can have several positive effects on citizens' relations with each other. Community meetings provide an opportunity for citizens to communicate and interact with each other. They can share their opinions, concerns, and suggestions, which can help to build trust and understanding among community members. When citizens come

together to attend community meetings, they can work together to solve common problems that affect the community. This collaborative approach can foster a sense of unity and promote a shared sense of responsibility for the well-being of the community. Within a social contract between citizens, this relationship is reinforced by community meetings because they enable community members to know their role and also have an opportunity to understand others' concerns.

Attending community meetings can empower citizens by giving them a voice in local decision-making (Andani & Naidu, 2013). This includes having a voice in issues that involve them and the state, issues that would enhance the social contract with the state. When citizens feel that their opinions and ideas are valued, they are more likely to feel invested in the community and work to make it a better place. Having seen in the literature review that community policing is fostered by cooperation and collaboration between the police and the community, it is important that citizens attend community meetings so that they can also engage with the police when present and ultimately get to communicate and build trust between the police and the citizens (Pillay, 1998).

By attending community meetings, citizens become more aware of local issues and can learn about opportunities to get involved in local government and other community organizations. This can lead to increased civic engagement and a greater sense of connection to the community (Andani & Naidu, 2013). Overall, attending community meetings can help to strengthen relationships among citizens as well as with the state, build a stronger sense of community, and promote active citizenship.

4.2.3. Reflections on citizens' relationship (progress and trends)

As seen in the previous section, citizens' relationships are built on trust, participation, and solidarity. These drivers of citizens' relationships are essential for policymaking as the government can have insight into which issues will help the people to ensure that their relationship is strengthened. Good relations between citizens are essential for peacekeeping which ultimately assists government institutions in delivering public services effectively. In the Afrobarometer survey on South Africa's civic engagement, the researchers highlight actions that citizens sometimes take. One of the actions that they ask is whether, in the past year, people had gotten together with others to raise an issue. Figure 5 below shows people's responses to this question in all the

'rounds' in which the question was asked. In this diagram, trends in citizens who agree to join others to raise an issue over time are observed. The 'Afrobarometer Rounds' represent the different timeframes in which the data was collected. There has been a decline in the number of people who said 'yes'.

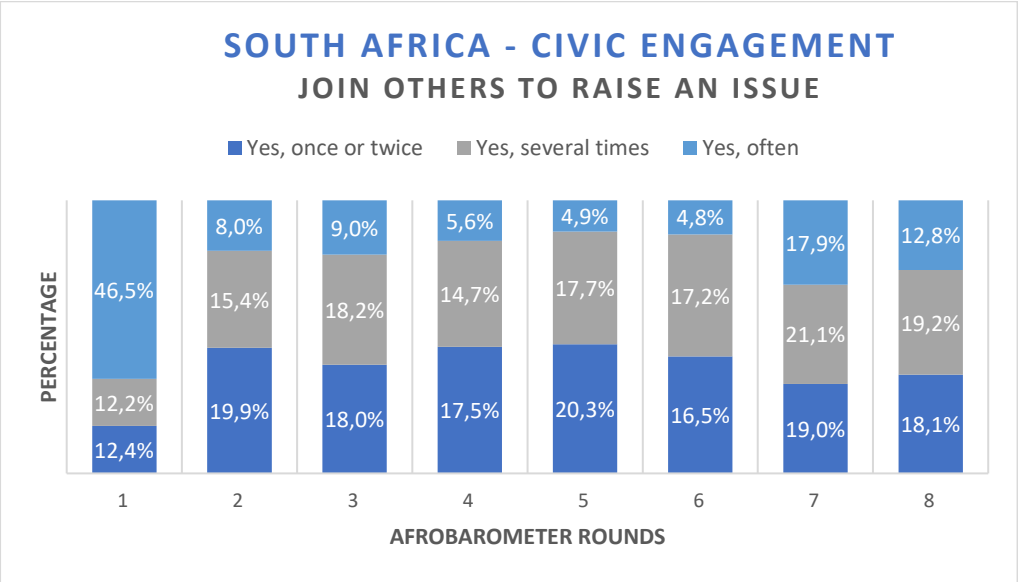


Figure 5: Civic engagement in South Africa. R1=2000, R2=2002, R3=2006, R4=2008, R5=2011, R6=2015, R7=2018, R8=2021.

Source: Data generated from the Afrobarometer Online Database (2022).

When Afrobarometer data was collected in the period between 1999 and 2001 (R1), a total of 71.1% of the respondents agreed that they would join others to raise an issue. However, over time, the number of people who agreed decreased to 50,1%, as seen in the period between 2019 and 2021 (R8). This decline might be due to several issues. A possible reason for the change in the civic engagement of people is that the period 1999-2000 was just after the apartheid era; hence, citizens that had been previously excluded during apartheid felt the need to engage in raising their concerns to the newly elected government as the platform allowed them to (Moller, 1998). Just after apartheid, the new government in South Africa had promised to be more attentive to the needs of the previously excluded. This allowed the people to communicate their grievances, hopeful that their concerns would be addressed.

In the period 2019 to 2021, the decline in participation of citizens might be due to COVID-19. Covid-19 has had a significant impact on communities around the world, including South Africa. The pandemic has disrupted many aspects of daily life,

including civic engagement (Pinxteren & Colivin, 2020, October 20). Due to health concerns and social distancing measures, in-person events and gatherings have been cancelled or postponed, leading to a decrease in the level of civic engagement in some communities (Pinxteren & Colivin, 2020, October 20). Additionally, the economic impact of the pandemic has put a strain on people's lives and reduced their capacity to participate in community activities. However, it's important to note that the reasons for low civic engagement are likely to be complex and multi-faceted, and the pandemic is just one of many factors that may be contributing.

4.3. State-citizen relationship

As highlighted in Chapter 3, the social contract can also imply a hypothetical agreement (Harris, 1992, p. 678) between the state and its citizens, whereby the citizens agree to legitimize the state and comply with the rules and regulations that the state puts in place, and the state obliges to delivery of public services. Diagram 5 below depicts this relationship.



Diagram 5: A simple depiction of the social contract

Source: Kidd et al. (2020, p. 1).

In this section, I present themes that have emerged from the research findings that are in relation to the state-citizen relationship. As highlighted in the literature review section, the relationship that the state has with its citizens is vital as it reinforces the credibility of the state and its institutions. The sections that follow show evidence of public perceptions of government institutions and government responses to citizens'

grievances. These themes are important to this study as they help to highlight what affects the relationship between the South African government and its citizens. They are also essential as they help us establish how trust in the police impacts this relationship.

4.3.1. Public perceptions of government institutions

Public perceptions of the government have been on the negative side. In general, it is inevitable that civil society will trust government institutions that function efficiently and despise institutions that function poorly. As evidenced in the Marikana Commission of Inquiry and the Expert Panel into the July 2021 Civil Unrest reports, the little to no response that government institutions have been giving to the people's grievances has further strained the relationship between the state and its citizens. As shown by the July 2021 Civil Unrest Report (2021),

> "The testimonies we received from civil society organizations and the countless media reports indicate that the people felt abandoned by the State during the violence or that the police were simply not up to the task of protecting the public. Even the police admit that they were hopelessly outnumbered and outmanoeuvred and could not keep pace with the fast-moving, dynamic, and dangerous conditions" (p. 133).

This shows how grieved the citizens were by the late response from the state. The police's incapacity to handle the situation also shows how there is a need for better preparedness of the security sector as a whole in the case of a reoccurrence of events.

Moreover, public perceptions of government institutions are also seen in people's confidence in the institutions. The South African Reconciliation Barometer (SARB) (2021) collected data through public opinion surveys and face-to-face interviews with respondents in nine provinces in South Africa. This data had a sample of 2400 people and is reflective of the adult population as a whole (Moosa/SARB, 2021). In the diagram below, we see how confident people are in different institutions. According to SARB, "respondents were asked: 'Please indicate how much confidence you have in each of the following institutions, or haven't you heard enough to say'" (Moosa/SARB, 2021, p. 32).

FIGURE 13: Confidence in institutions, SARB 2021[61]

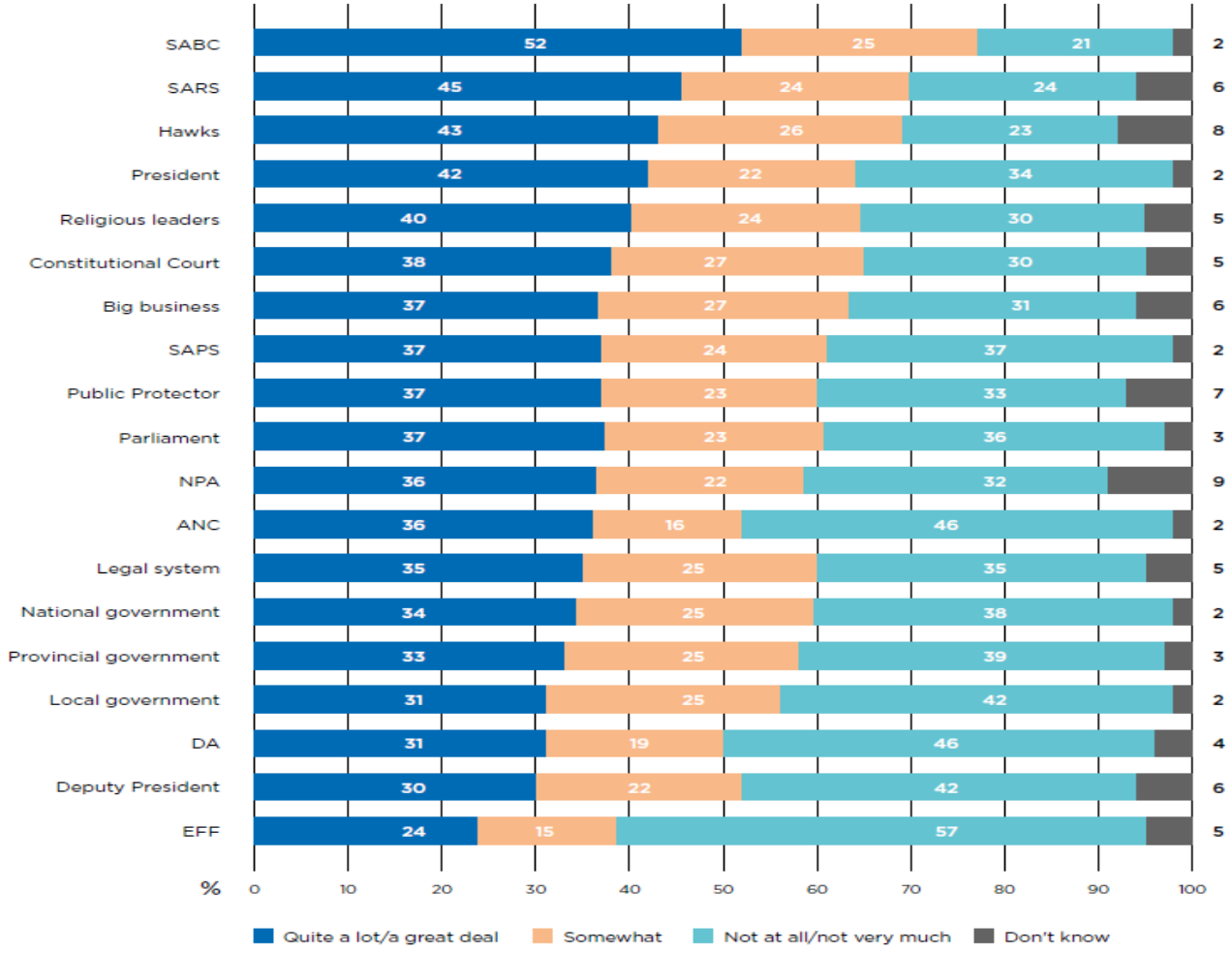


Figure 5: Confidence in institutions (%)

Source: Moosa/SARB (2021, p. 32).

The findings here are that in 2021, an average of 33% of the respondents had confidence in the three spheres of government ‘quite a lot/great deal’. This percentage is lower compared to the average of 40% of the people who said they do not have confidence in the three spheres of government. The three tiers of government should work together in unison in an impact-oriented way for higher performance and accountability for coherent service delivery and development outcomes. The low confidence in the three spheres of government can be accounted for by their lack of cooperation with each other, and this affects the social contract between citizens and the state (Steytler, Fessha & Kirkby, 2006). Citizens have high expectations of their local governments because they see them as their representatives, who should fully represent their interests in forums for

intergovernmental relations and bear responsibility for any shortcomings of the provincial and national governments in providing services.

Further evidence of the decline in the public's confidence and trust in the police is given by Roberts and Gordon (2022). In Figure 6 below, the authors used data from the Human Sciences Research Council (HSRC) to provide data on the trends in police confidence from the period 1998 to 2021 in South Africa. The data shows that trust levels have remained relatively low over this period. Not once during this 23-year interval did more than half the adult public say that they trusted the police. It would seem that the issue of low trust in the police is not new.

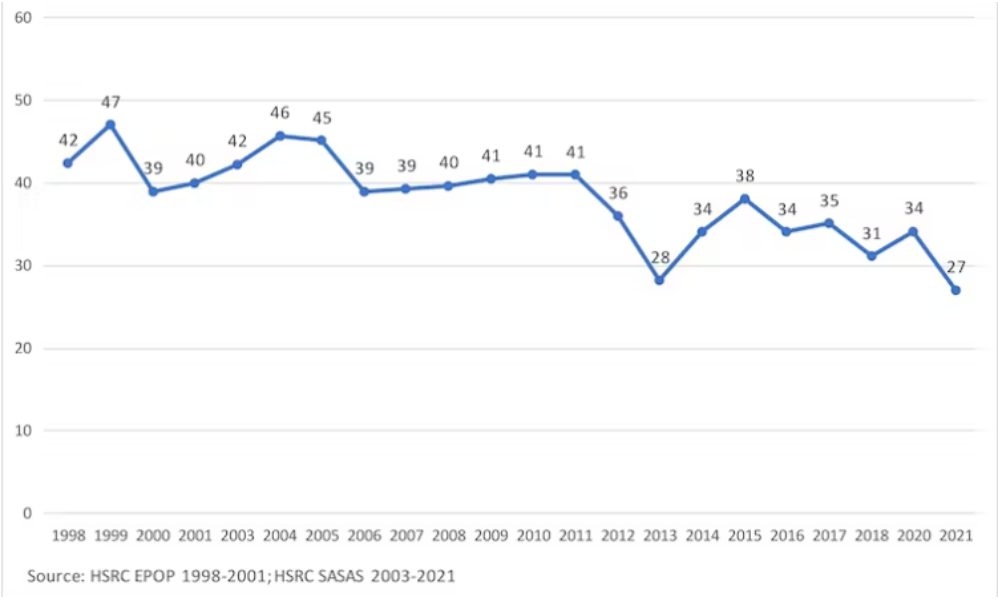


Figure 6: Confidence in the police (%trust/strongly trust)
Source: Roberts and Gordon (March 28, 2022)

In this data, we see that between 1998 to 2010, the average level of trust in the police was relatively static. It ranged between 39% and 42% in all but a few years. This was followed by a sharp decline between 2011 and 2013, following the killing by police of 34 striking miners at Marikana, in August 2012. By 2015, the confidence had almost returned to the 2011 level. The period from 2016 to 2020 was characterised by modest fluctuation between 31% and 35%. In 2021 public trust in the police declined to a low 27%. This appears to be linked to the July 2021 social unrest.

4.3.2. Government responses to grievances

The government's responses to grievances are important for this study. This is because when the government is responsive to people's concerns, the people are likely to trust the government and its institutions, which in turn fosters a resilient social contract. Evidence from the outcomes of content analysis demonstrated that the South African government's reaction to grievances is low. An improvement in people's living conditions, especially those who are poor, suggests that the government is performing well. However, evidence of the South African government's performance in improving the living standards of the poor shows that improvement has declined recently compared to previous years (OECD, 2022, September 25). The OECD highlights that "The South African government's decisive response to the pandemic helped to limit its socio-economic impact. After a rebound of almost 5% in 2021, GDP growth is seen slowing to 1.8% in 2022 and 1.3% in 2023, and inflation is projected at 6.3% this year, with risks remaining from future COVID-19 outbreaks and from the global repercussions of the war in Ukraine" (OECD, 2022, September 25).

To establish the central governance performance in South Africa, respondents are asked in an Afrobarometer survey how badly the current government is handling the improvement of the living standards of the poor (Afrobarometer, 2022). A high percentage of people who say 'very/fairly badly' in the diagram indicates low improvement and vice versa. Data was collected between the periods 2010 and 2021. As seen in Diagram 6 below, over the years, most respondents said they think that the government is handling improvement in living standards of the poor 'very/fairly badly'. In 2021, only a total of 11,2 % of the respondents said the government is improving the standards of the poor (Afrobarometer, 2022).

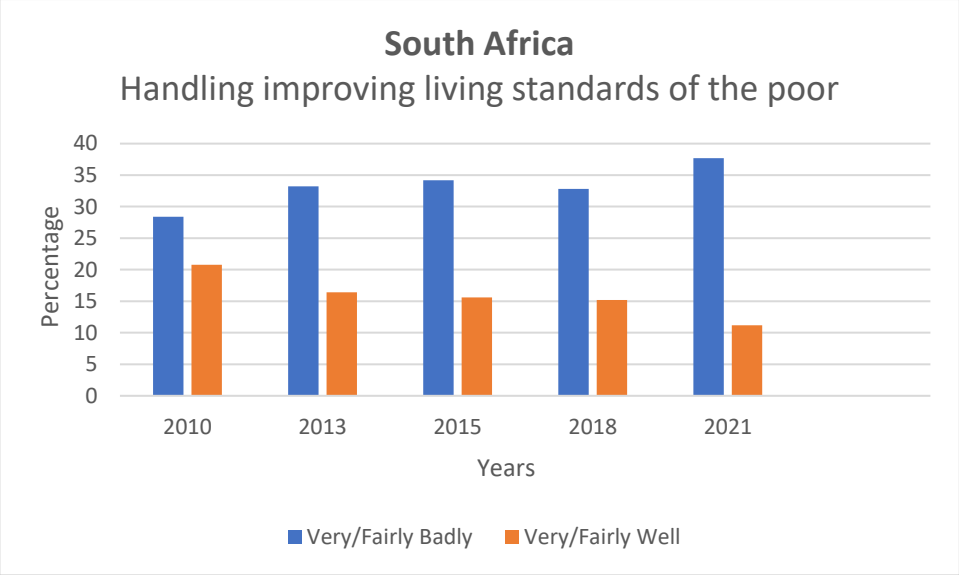


Diagram 6: Handling improving living standards of the poor in South Africa 2010-2021

Source: Created with data from Afrobarometer (2022).

4.4. Trust in institutions and legitimacy

As established by the evidence above, government performance might influence trust in government institutions, as does the decision-making procedure. It holds the ability to minimize risky behavior and establish satisfactory expectations about the long-term repercussions of public policy, be it at the individual level (e.g., pensions) or through encouraging the common good. Evidence on trust in institutions and legitimacy in South Africa will be broken down into the different sections below. This research will begin by looking at evidence of trust in institutions in general, then go on to look at public perceptions of government legitimacy, and lastly, show evidence of how trust in the police has unfolded over time in South Africa.

4.4.1. Trust in institutions

Trust in institutions is paramount to effective citizen-state relationships. As the OECD argued, “institutional trust is built when individuals judge public institutions, the government, and/or individual political leaders as promise-keeping, efficient, fair, and honest” (OECD, 2017, p. 19). In this research, the findings are shown through data from Afrobarometer (2021), as shown in the diagram below. Afrobarometer “led by the Institute for Justice and Reconciliation and Plus 94 Research, interviewed 1,600 adults South Africans in May-June 2021. A sample of this size yields country-level results with a margin of error of +/-2.5 percentage points at a 95% confidence level.

Previous surveys were conducted in South Africa in 2000, 2002, 2006, 2008, 2011, 2015, and 2018" (Afrobarometer, 2021, p. 2). To get the findings below, the participants were asked, "How much do you trust each of the following, or haven't you heard enough about them to say? (% who say "somewhat" or "a lot")" (Afrobarometer, 2021, p. 2).

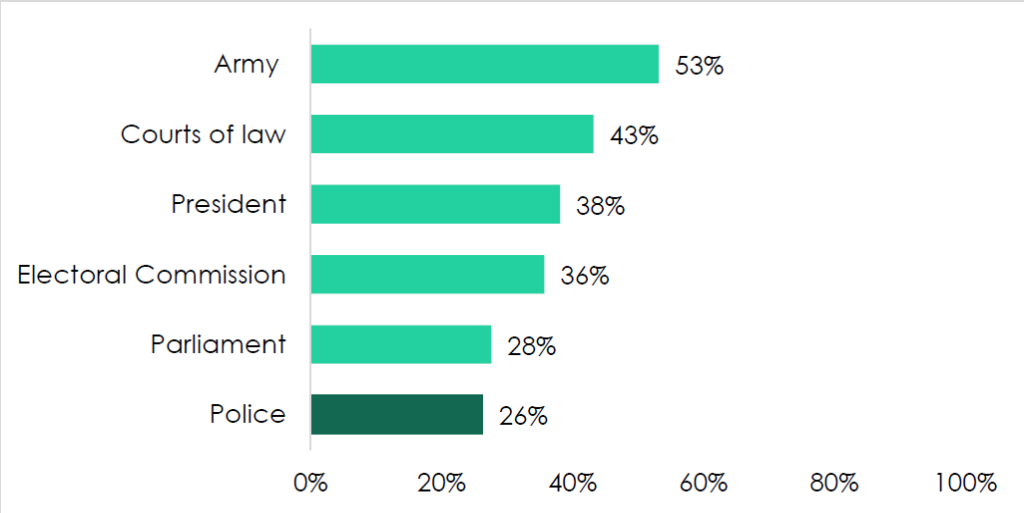


Diagram 7: Trust in South African Public Institutions (%)

Source: Afrobarometer (2021, p. 2).

The diagram shows the extent to which different public institutions are trusted. Trends over time show that trust in institutions is low, as evidenced in the data shown by the SARB in the sections above.

4.4.2. Perceptions of government legitimacy

Trust and legitimacy are interconnected and significant to issues that involve citizen-state relationships. As research findings on this unfold in the following sections, they will highlight that the growth of the state's ability to balance competing interests and respond to citizens' demands has the capacity to enhance legitimacy. According to Haider and McLoughlin (2016), "State legitimacy is a key aspect of state-society relations. State repression and violence, which occurs in many conflict-affected contexts, result in negative experiences of citizens with the state, a legacy of mistrust, and rejection of the legitimacy of state institutions. In situations of fragility, the inability or unwillingness of states to provide for the welfare of citizens and to improve standards of living has also undermined trust between the state and society and legitimacy" (2016, p. 5). This shows that in cases where citizens are not

protected by institutions like the police, their perceptions of the government are negative.

Voter can be a contributing indicator of people's trust in their governments. . When citizens have confidence in the democratic process, their participation in voting may increase as they believe that their votes can bring about meaningful change. When there is a dip in voter turnout, it can suggest that a significant portion of the population either does not have confidence in the election process or does not believe that their vote will make a difference. Diagram 8 below contains data that was generated from Afrobarometer online data. It shows the trends in voter turnouts in South Africa during the period 1994-2019. As seen in the diagram below, with the first democratic elections in 1994, a higher voter turnout was recorded in 1999 (89,3%) and the lowest in 2019 (66.1%).

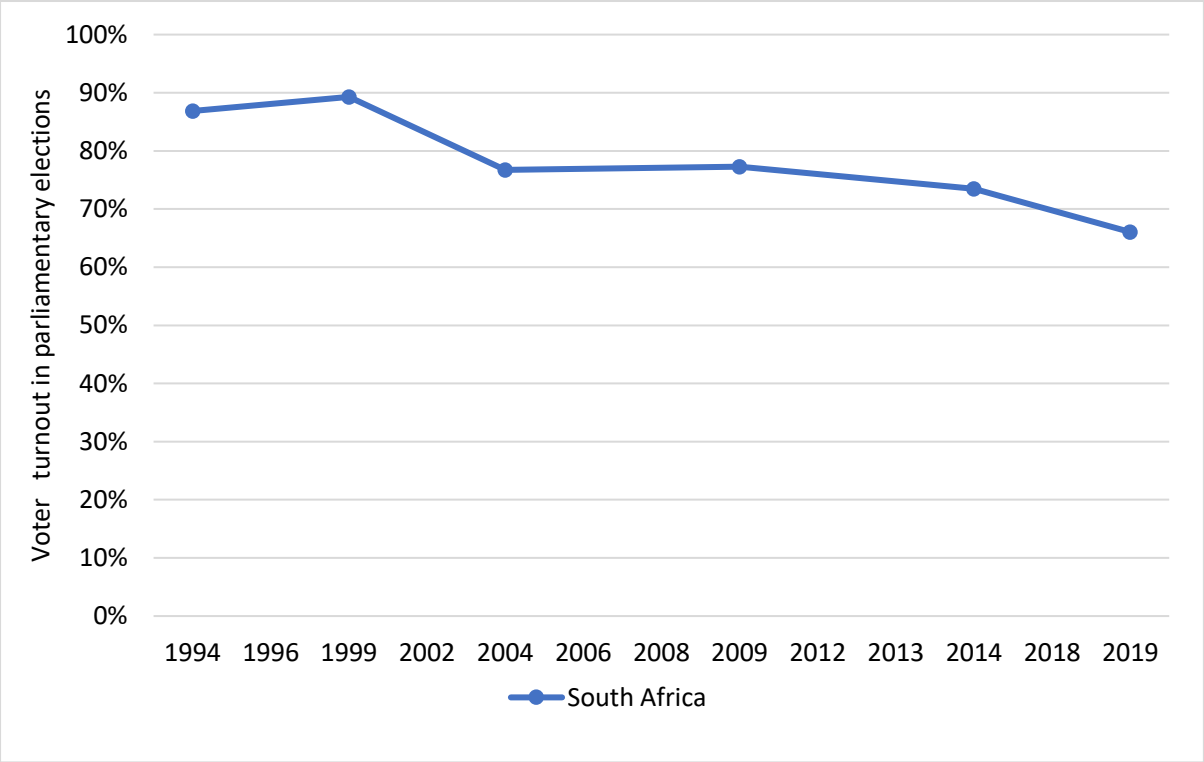


Diagram 8: Voter turnout in South Africa
Source: Generated through Afrobarometer online database (2022)

The higher voter turnout recorded in 1994 might be accounted to the fact that these were the first democratic elections that allowed the previously excluded to vote. This could be suggestive that the democratic elections allowed for the voice of the people to be heard. If the majority of people had not participated in the election, it could

have suggested that they did not feel invested in the political process or that they did not have confidence in the ability of their government to address their concerns.

4.4.3. Trust in the police

An effective criminal justice system is supported by its citizens' trust. The police, as the criminal justice system's principal point of interaction with the general public, must retain strong public confidence if the system is to implement its mandate effectively. This will improve the police's efficacy and legitimize police operations. Evidence from the content analysis of the Marikana massacre and the July 2021 civil unrest brought to light the nature of the South African police.

In the Report on the Expert Panel into the July Unrest (2021), they find that "The differences in opinion between the Minister of Police and the National Commissioner about whether the Police did enough to prevent the violence shows that there is no agreement on the capacity of SAPS at the very top. This is a matter of great concern" (2021, p. 133). This exposed the nature of government institutions in South Africa, as it suggests that they cannot be relied on. The OECD (2017) argues that reliability is of paramount importance in institutional trust. The lack of accountability between the people at the top of the hierarchy would make one question the trustworthiness of the police service.

Corruption amongst SAPS is one of the factors that impact trust levels. This is because when police officers engage in unethical practices, it raises doubts about their ability to serve the community fairly. Public perceptions on the corrupt nature of the police might influence how they react to the police and law enforcement. In the South African context, research entities like Corruption Watch have analysed corruption trends in South Africa. In 2012, South Africa was ranked in the 69th place out of 146 countries by Transparency International's Corruption Index (2012). In 2022, ten years later, it is ranked in the 72nd place out of 180 countries (Transparency International, 2022). Although the high corruption rank might be due to other factors, corruption by the police also contributes to the high numbers. Corruption Watch (2022, p. 3) highlighted that "in the public sector, the majority of complaints relate to corruption in national government, local government, policing, basic education, state-owned enterprises, construction, traffic and licensing". Policing contributes 11% of those complaints. These complaints about police

corruption might indicate that the public believes the police are not living up to their role as guardians of the law. This lack of trust can have consequences for the relationship between law enforcement and the communities they serve.

Moreover, trends in the corrupt nature of police officials have contributed to the decrease in the public's trust in the police as an institution. As argued by Afrobarometer (2021), "more than half (55%) of South Africans believe that "most" or "all" police officials are involved in corruption, the worst assessment recorded over the past decade. In addition, 36% think that "some" police officials are corrupt" (p.1). Negative perceptions of corruption in the police can significantly diminish trust in the police. When people perceive the police as corrupt, they may become more sceptical of their actions and motives, and they may be less likely to cooperate with them, report crimes, or seek help when they need it. This can have far-reaching consequences for public safety and the effectiveness of law enforcement. It is important for the police to maintain a high level of integrity and transparency in their actions to foster trust and build strong relationships with the community. This evidence highlights the reasons why people's trust in the police has declined in South Africa. The diagram below is a representation of the extent to which people have perceived the police to be corrupt over the years.

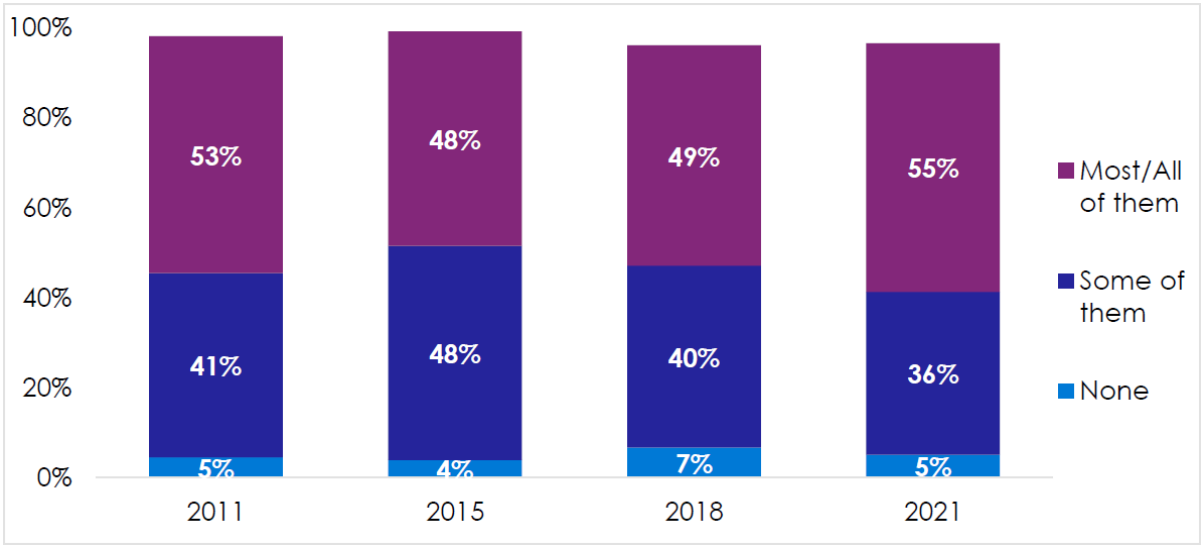


Diagram 9: Perceptions of police corruption in South Africa: 2011-2021
Source: Afrobarometer (2021)

Although this suggests is that corruption has played a role in the slow diminishing of trust, the data presented in this chapter provides evidence for the case that the

Marikana incident and the July 2020 Civil Unrest have also played a significant role in diminishing trust in the police.

Further evidence of the overall perceptions of trust in the police is shown in the diagram below. Here a fluctuation in perceptions of trust in the South African police over time is noted. The highest record of 73% of the respondents saying they trust the police 'not at all/just a little' is of great concern. This is because the public's amount of trust in the police will undoubtedly be reflected in the extent to which individuals are prepared to collaborate with or support the police during investigations (Boateng, 2018). When citizens draw back in cooperating with the police, crime will be on the rise and ultimately uncontrollable. This may also result in the recurrence of civil unrest, like the riots in 2021.

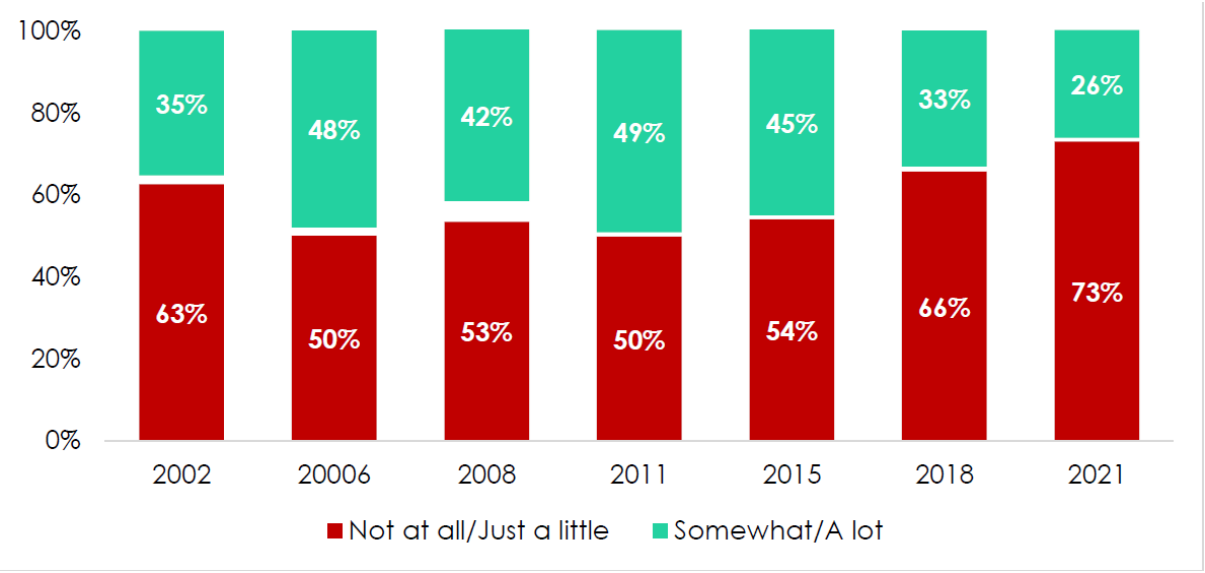


Diagram 10: Public perceptions of trust in the police in South Africa: 2002-2021
Source: Afrobarometer (2021)

Despite the decline in trust in the police in South Africa over time, it is also important to note the positive findings that exist. Violence for a political cause has been evident as seen in most of the protest actions in South Africa (including the cases analyzed in the research's content analysis); however, Moosa (2021) highlights that "the share of South Africans who have used force or violence for a political cause was at its lowest (7%) in 2021, decreasing from its peak of 12% in 2017" (p. 35). The decline in violence is accounted to the COVID-19 restrictions on gatherings which were enforced by the police who were deployed in their numbers to ensure people's

adherence to these restrictions (Moosa, 2021). Although violent policing was implemented during the lockdown, it is likely that the police's role during the pandemic also contributed to the 26% of the respondents who said they trusted the police 'somewhat/a lot' in the above diagram.

CHAPTER 5. KEY LESSONS AND RECOMMENDATIONS

Several issues have been highlighted in the previous chapters. Key to these issues is the relationship between trust in institutions and social contact. In this chapter, the researcher concludes the research by reflecting on the key lessons and arguments that the findings exposed. Thematic discussions will be used so as to explore whether the research questions were effectively answered through the findings.

5.1. Institutional trust, the role of the police and the social contract

The findings highlighted that trust and legitimacy are interconnected and significant to issues that involve citizen-state relationships. Although evidence of police legitimacy has often been explored within the ethical responsibility of the police, it is important also to note that they have a duty to give directives, preserve the peace, and uphold the rules and regulations (Gau, Corsaro, Stewart, & Brunson, 2012). Citizens regard the government institutions, including the police, as trustworthy and legitimate as long as provided the citizens willingly submit to and accept police orders without being coerced into doing so. Although evidence on the role of the police has been one that uses force, one should not neglect their role as a law enforcer.

Public trust and confidence in government institutions and the police were established to be diminishing in South Africa. This can contribute to the citizens' failure to meet their side of the social contract. A police force that is not considered trustworthy is unlikely to gain legitimacy in the eyes of the public; hence that will result in coercion being exercised. When a police force is seen as untrustworthy, it undermines its legitimacy and erodes public support for its actions. The public may view its actions as arbitrary, unjust, or motivated by personal interests rather than the common good. This can lead to a breakdown in the relationship between the police and the community and make it more difficult for the police to perform their duties

effectively. In addition, it can also lead to an increase in crime and social unrest, as the public may be less likely to cooperate with the police and more likely to engage in illegal or disruptive activities. Therefore, for a police force to be considered legitimate and effective, it is important that it be seen as trustworthy and that its actions be perceived as fair and just.

The level of trust in the police in South Africa has likely been impacted by their actions during the COVID-19 pandemic. Reports of excessive force and police brutality during lockdown enforcement have led to public outcry and calls for accountability (Human Rights Watch, 2021). This has eroded trust in the police among some sections of the population. However, it's worth noting that opinions on the police and their actions during the pandemic are likely to vary greatly depending on individual experiences and perspectives. Some people may still have trust in the police and believe that they are doing their best to enforce lockdown regulations and maintain order, while others may have lost trust in the police as a result of their actions during the pandemic. Overall, the relationship between the police and the public in South Africa is complex and multifaceted, and the impact of the COVID-19 pandemic on trust in the police is likely to be a significant issue that will continue to be explored in the coming years.

The Marikana massacre and the July 2021 Civil Unrest were historic moments in the public's trust in the police. They demonstrated, in two different situations and timeframes, that a lack of trust in the police has the potential to damage the social contract between citizens as well as between people and the state. When a party in a stronger position joins in a conflict or fights against an opponent in a lesser position of strength or with little to no power, trust is surely lost. This has had impact on trust in South African police. This is because their aggressive demeanour and use of physical force may be perceived as unreasonable, if not abusive, undermining trust and confidence in them. It also had an impact on citizen-citizen as well as citizen-state relations. Overall, the findings from these two distinct contexts demonstrated that preserving trust involves a careful balance of authority, responsibility, and respect. The police in both incidents were a representative of the state. It was meant to preserve the state's side of the contract by effectively acting upon their roles of maintaining peace, protecting the citizens from harm and their rights, and ensuring respect for the law. But their failure to act efficiently and justly damaged the state's

relationship with the citizens, as well as the citizens' relationships with one another. Since the police have direct interaction with the public, a collaborative relationship between the police and the public is required, one that is supported by good governance and service delivery across all government institutions. People regard the police as legitimate when they feel they adopt equal and objective rules and treat people with respect and dignity (Bradford, Murphy, & Jackson, 2014; Mazerolle et al., 2013).

Moreover, the findings highlight a probability of parallel policing structures where police capacity is lacking. In support of this, Haider and Mcloughin (2016) argue that “in addition to withdrawing from citizenship, citizens may also respond to or cope with violence by establishing parallel governance or security structures. These can further weaken the legitimacy of state institutions and exacerbate intergroup divisions where such parallel structures cater solely to specific groups” (p. 10). In South Africa, there is a need for close monitoring of the emergence of such structures. Moreso, gang formation in some parts of the country is slowly growing, and this might jeopardize the resilience of a social contract between citizens themselves as well as a social contract between citizens and the state (Stuurman, 2021).

5.2. Recommendations

Key lessons that have been highlighted above have elaborated the link between trust in the police and the social contract. In this section, suggestions for policymakers and for further study are given. From the findings, we see a focus on issues of lack of training and preparation, and a generalised lack of trust. The diminishing trust in the police can have severe consequences for the social contract and can ultimately lead to a breakdown of law and order. Therefore, it is crucial for the government to take measures to restore trust in the police.

The outcomes of the Marikana Massacre as well as the July 2021 Civil Unrest suggest need for more training in different elements of the role of the police. This should be a priority of the Security Service as a whole. Witnesses and public responses to the two cases highlighted that there was an inability of the police to effectively manage the two incidents. This might suggest that there is need to increase the training on police conduct and emphasize deterrence from using over-

militarised procedures of conflict resolution. Better training of the police might strengthen the reliability of the police and ultimately restore the social contract.

The study also highlighted issues of transparency and accountability that have implications on the social contract. The findings showed that in both incidents, the Marikana Massacre and the July 2021 Civil Unrest, high officials failed to account for the police conduct, further weakening the public's trust in institutions. To restore trust in the police, the government should ensure that police officers are held accountable for their actions and that investigations are carried out fairly and impartially. Although this has been done, it is to a lower extent as seen in the findings. Evidence on the rise in more cases of police taking bribes and being corrupt shows that there is still more work that needs to be done to ensure transparency and accountability.

The report revealed that the role of community policing was absent in both incidents of the Marikana Massacre and the July 2021 Civil Unrests. It also highlighted that relationships between citizens were quite fragile and this might have impacted community policing. This shows that although community policing is mentioned in the South African legislature, the implementation of CPFs has not been strong enough. Therefore, this study recommends that the state plays its part in the social contract by ensuring that all government institutions are functional. This can potentially increase citizen-state relations as well as citizen-citizen relationships.

The study also highlighted that when socioeconomic issues exacerbate, the social contract is likely to be eroded. The grievances that started the Marikana strike were economical in nature so were those from the July 2021 riots. The outcome of this was the use of violent force which the government should address systemic issues such as poverty, inequality, and social exclusion, which can contribute to the breakdown of trust in the police. By addressing these issues, the government can create a more equitable society and reduce the likelihood of police misconduct. Despite this being a process that is long term, it is essential that we emphasize its importance and also ensure its effective implementation.

In summary, to restore trust in the police and forge a resilient social contract, the government should increase transparency and accountability, improve training, encourage community policing, and address systemic issues. By taking these

measures, the government can help build trust and restore the social contract between the police and the community.

Despite the importance of recommendations for policy, it is also essential that we include recommendations for further study. The study sought to explore the nature of trust in the police over time in post-apartheid South Africa. The interrogation of two cases where police behaviour was seen to influence citizens' attitudes towards the police did shed light on the nature of trust. However, exploration of more cases in other time frames would have provided more depth to the analysis and adequate responses to the research questions. In light of this view, further studies that will look at trust in institutions over time should consider adding more cases to interrogate.

This research also made use of content analysis and extensive desktop analysis as methods for data collection and analysis. Although some valuable data was collected through these methods, further studies could consider making use of interviews or questionnaires to collect more data and provide room for different data analysis tools and methods. This will give more evidence on the extent to which citizens trust the police and also aid in better understanding the relationship that citizens have with the state through their perceptions of the state.

The case of South Africa was used in interrogating trust in institutions and its implications on the social contract. Further studies on the topic can be done in different geographical locations. As case studies increase and vary, scholarship on the issues related to trust and the social contract will also broaden. Findings from other cases might also aid in the development of new theories. Given the broad nature of interrogating trust in institutions over time, further studies can investigate trust by making a comparison of two different country cases.

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