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Madienyane, Dickson

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UNIVERSITY OF THE WITWATERSRAND
GRADUATE SCHOOL OF PUBLIC & DEVELOPMENT MANAGEMENT

THE EFFECTS OF VIGILANTISM ON THE COMMUNITY OF DIEPSLOOT

DICKSON MADIENYANE

STUDENT: 580970

CONTACTS:

0726170501

dicksonmadi@gmail.com

SUPERVISOR: BRIG GEN (RET) DAMIAN DE LANGE

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M M - S

ABSTRACT

Vigilantism is a reality that is going to persist into the future for as long as crime exists. The Diepsloot community is not unique to other parts of the country like Khayelitsha, New Brighton, Gugulethu and others in resorting to mob justice. The satisfaction sourced from eliminating a criminal (s) seems to fuel the resolve around this method of justice. The scourge of crime is pretexted as the main reason behind the mob attacks which the community qualifies by the claim that the police are incapable to police crime.

The Diepsloot community knows the moral and legal restrictions around crime of this magnitude but their knowledge of police incapacity allows them to justify this horrendous act. Mob justice incidents may not be occurring daily but their spread across the calendar is an uncomfortable reality everyone should be concerned of.

The community, especially the victims, suffer permanent scars of fear and the burden on victim families is enormous. Victim families tend to grapple with permanent problem of dependants that have been incapacitated by the mob attacks. By far, victim families believe that perpetrators continue with impunity and the law-enforcement has revised intervention strategies.

Multitask teams (like churches, youth, men's forum and sport) have been formed to reach out to the community but somehow no objective needs-analysis have been conducted thus the products are right but have no consumers. The role played by the police in community projects is acknowledged but the coordination structure is too centralised to purport local ownership.

The concepts of moral regeneration and social cohesion have to find practical studies in the community of Diepsloot so as to comprehend the interest of the residents and be impactful to do paradigm shift.

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CHAPTER 1

1.1 INTRODUCTION

Diepsloot is home to over 250 000 families many of which live in shacks and scramble for survival. As a result of unemployment and congestion, the area has become a magnet for criminal elements resulting in the community organising itself to protect and eliminate criminal activities www.diepsloot.com, 2012: 1). The community organisation, later fuelled by the coming of Mapogo-a-Mathamaga, started with all the good intention of neighbourhood watch and community policing forums but later became a vehicle through which brutality was unleashed on the same community that was supposed to benefit.

Vigilantism has existed in South Africa for many years, although its nature and shape have changed over time, especially in the post-1994 democratic dispensation. The change is observable in the methods used to intimidate law-abiding elements of communities to never co-operate with law enforcement agencies or disclose perpetrators of vigilantism. As a result, the South African Police Services (SAPS) encounter difficulties in settling the challenge, whenever they commit to solve the problem. Typically, the police have been slow to respond to a call about mob justice thus allowing the perpetrators to disappear and disown the incident. SAPS have only shown commitment to quickly respond during sensationalised incidents like the xenophobic attacks of 2009 and 2010.

The researcher brings along this preconception on vigilance as a foundation of vigilantism. The word vigilance can be defined broadly to cover awareness and self-protection against unexpected eventualities whether it is crime, accidents, undue influence or material loss. Nonetheless, in this context, vigilantism has taken on new forms arising from a community and pledging to uproot household and petty crimes such as pick-pocketing, theft, common assaults, delinquency, family disputes, indifferences between persons and capital offences like murders, rapes and robberies.

The Diepsloot community has experienced incidents of vigilantism ranging from so called disciplining of delinquent community members to eliminating alleged troublesome members. Since 2007, the escalation of these incidents has brought

serious concern to the community owing to the indiscriminate approach of addressing community problems. The fears are intensifying at a rapid rate that the total loss of control over crime policing is dawning, thus posing even more threats to the community.

1.2 BACKGROUND

Vigilantism existed even in the pre-1994 era as a vehicle for organising communities and restraining residents from collaborating with the apartheid system and to stand guard and fight back whenever security agents infiltrated the community. Those who were suspected of collaborating with security agents were paraded as examples to demonstrate the fatal consequences of being a collaborator. Over time, the vigilante tendencies turned towards settling political differences amongst the oppressed. This practice remains prevalent to this day. The political intolerance cultivated fearless attacks of blacks-on-blacks whereby family relatives would be set against each other with pressures at times forcing a member to execute a relative or even a family member (Minaar, 2001: 24).

At the dawn of South African democracy, multiple challenges compelled the new administration to roll out many programmes that among others included promulgation of laws to establish new communities. As a consequence, yesterday's enemies within communities found themselves sharing the same residential areas. Rapid urban migration contributed to this process. The excessive increase of informal settlements forced government to off-load certain areas, amidst the broader plan of housing every citizen, as a remedy for reducing shacks built on disaster prone areas. The off-loading is best illustrated by the establishment of the Diepsloot Township.

Diepsloot is a township in the north of Johannesburg in South Africa. It is a densely populated settlement made up of government-subsidised housing, brick houses built by land owners, as well as shacks. These shacks are built vacant land that could be found. Some land owners charge a rent fee to others to stay in shacks on their land (www.alhdc.org.za, 2011: 1).

Diepsloot, not far from the wealthy suburbs of Dainfern and Chartwell, having been established in 1995 as a transit camp for people who had been removed from

Zevenfontein. About 1124 plots were made available. People were to stay in the transit camp until land became available for new housing. For many this transit camp became a permanent home. The Gauteng Provincial Administration, which was then a local authority, developed the plots into formal housing stands (www.alhdc.org.za, 2011: 1).

Compounding the congestion, in 2001 the Gauteng government moved about 5000 families to Diepsloot from the banks of Jukskei River in Alexandra. The move was intended to decongest and address the need to create a healthy and clean living environment in Alexandra. The aim was also to prevent shacks being washed away when the river flooded, something that happened year after year. The influx of people from Alexandra placed further strain on the already stretched resources of Diepsloot. The relocated families did not qualify for housing benefits because the area became more congested than had been anticipated by the government. As a result, competition over space and resources began a spiralling challenge leading to the mushrooming growth shanties in an area where half of the community was unemployed. This led to the emergence of social structures that elevated themselves to control the beneficiary list and eventually took on the role of local security overseers, also coined as popular justice (www.alhdc.org.za, 2011: 1).

Many researchers argue that vigilante activities are a demonstration of the reduced ability of government to perform its responsibilities to combat crime and incarcerating convicted criminals. The focus of past research revolves around the incapacity of police to deter criminals through visible policing and slow reaction time whenever a crime has been reported. Communities became vulnerable and at the mercy of criminals. The situation is dire to the extent that people only wish for non-violent encounters with criminals since no citizen or area is being spared crime, even in correctional facilities.

Low police capacity implies resources inadequacy, other than personnel, that confronts the police service. Reflecting broadly, reaction time can be affected by unavailability of vehicles to be dispatched to a crime scene, possibly overstretched by multiple incidents and having no standby capacity to react timely. Inaccessibility within informal settlement including Diepsloot presents further challenges to crime response as a result of poor to no lighting at night, no tarred roads, no streets

between shacks, no clear reference point-unnumbered shacks (Minaar, 2002: 24). The crime scene combing equipment is often not timely available due to the fact that the forensic specialist on standby could not make it quickly to the crime resulting in ordinary police officers tampering with some critical evidence. In some situations there are police stations without detention facilities presenting a serious challenge whenever criminals are apprehended and placed in overcrowded holding cells. These incapacities might not have direct impact on the police's responsibility to protect citizens yet this myriad of adverse factors explain the reason why hopelessness arise from the public resulting in self-help.

While poor crime policing is a causal factor of distrust, the justice system also contributes to the problem. The problem of case backlogs results in victims losing hope of ever finding justice and closure. While the courts are designated to areas as per the intensity of legal issues to be attended to by such courts, the reality strikes to prove that the crime scourge is not subsiding but rather escalating. Slow management of cases and inadequate protection of witnesses often culminate in cases either being withdrawn or struck off the roll (Swanepoel, 2004: 38). Since the public is not interested in legal intricacies, the only deduction is that the justice system has failed them and thus popular justice is justified. The unfortunate consequence is the erosion of the societal value of the sanctity of human life.

The Bill of Rights (The Constitution of the Republic of South Africa: 1996) stipulates that everyone has a right to human dignity, equality and to be free from all forms of violence. It further entrenches the right to life thus ending capital punishment (death penalty). As a rule, this Bill (Chapter 2 of The Constitution: 1996) continues to emphasise the right of everyone, accused of a crime to be presumed innocent until proven guilty. However, vigilantism shows a total disregard for these fundamental rights. Whether it is due to a lack of confidence in criminal justice or a failure of the state security apparatus, as reflected by Hoffman (2010: 1), vigilantism is proving to be no solution to communities wherein it operates. The following question arises: would perpetrators (vigilante agents) readily accept the same fate they bequeath on others? The reality is the communities live in fear of them.

1.3 PROBLEM STATEMENT

Diepsloot is home to thousands of families many of which live in shacks and struggle a livelihood. The unemployment rate is measured at 51% of the Diepsloot community. As a result of unemployment and congestion, the area has become a preying ground for criminal elements which led to the community organising itself for protection in order to eliminate criminals preying on the poor. (www.diepsloot.com, 2012: 1).

Vigilantism is prevalent in Diepsloot to the extent of threatening the community it intends to protect. Recent developments, especially since xenophobic attacks, show an increase in incidents of vigilantism thus causing the community to live in fear of this misguided self-sufficient security instrument. There has not been any formal research conducted to determine the effects of vigilantism on the local community and the measures to curb vigilantism. The effects intend to address the impact of vigilante activities on the socio-moral fibre of the community which tends to breed a violent society and undermine the sanctity of life. Therefore, there is a need to conduct formal research on how vigilantism affects the community of Diepsloot.

1.4 PURPOSE STATEMENT

The purpose of this research is to explore and determine the effect of vigilantism in Diepsloot and propose measures to neutralise the increase of vigilantism in Diepsloot. It is often ignored that communities sharing common challenges have more cohesive drivers than self-sufficient and resourced communities. As a result, common tendencies tend to be perceived as indicators of a common identity thus vigilante incidents are typically embraced as heroic acts with the effect of making vigilantism into acceptable behaviour. In the process of the study, the researcher aims to ascertain the attitude of the Diepsloot community towards vigilantism and the criminal justice system.

1.5 RESEARCH QUESTIONS

The questions that need to be answered by this research are:

What are the effects of vigilantism to the Diepsloot community?

- What is the community perception of vigilante incidents?
- Are vigilante attacks the norm?
- What criteria are used when mob justice is meted out?

What measures can be put in place to eliminate vigilantism?

CHAPTER 2

LITERATURE REVIEW

2.1 INTRODUCTION

According to Creswell (2003: 29) the literature review in research study accomplishes several purposes. It shares with the reader the results of other studies that are closely related to the study under focus. This chapter aims to highlight the existing knowledge on vigilantism and extend the viewpoints beyond what has been presented by previous researchers or writers. The literature review will be used as a framework in analysing arguments on the topic in order to support logical conclusions.

This chapter presents the conceptual clarity underlying vigilantism and its dichotomies. It will also provide a retrospective perspective of this activity with brief indicators and look at vigilantism beyond Diepsloot, as a geographic location. The review pays attention to the extent to which vigilantism has become a major concern to authorities and communities.

Much has been written on vigilantism since the emergence of the Limpopo-based Mapogo-a-Mathamaga (Mapogo), the Cape Town-based People Against Gangsterism and Drugs (PAGAD), Amafelandawonye in the Eastern Cape, etc. These organisations brought about a euphoria supporting self-help or popular justice that spiralled into unrest and instability that required the government to introduce specific programmes to silence and uproot these organisations. However, various forms of popular justice remain a well-established approach in many communities in South Africa both in the formal and informal settlements. What one is likely to observe in middle-income and affluent suburbs is the typical neighbourhood watch strongly comprising of one or all of the following elements; private security companies, street surveillance cameras, registered community policing forums and sector patrol vehicles designated by the SAPS. Meanwhile, lower-income and no-income settlements which cannot afford any of the above are restricted to neighbourhood watches based on street patrols in the night and alert systems should there be any criminal activity taking place (Gottschalk, 2005: 2).

The former settlement setup (affording groups) allows coordinated deterrence of criminal elements and the apprehension of criminals with the intention to hand them over to the police, yet assault is often meted out and in some cases though seldom result in fatal injuries. In the contrast, the latter communities are confronted by the scourge of crime which takes away their few hard-earned assets and infringe on personal security, which is often seen as the individual's responsibility rather than government's task. This view that middle and business class suburbanites respond to crime by paying for burglar alarms and paying fees to security companies for armed response and bicycle patrols is attested by Gottschalk (2005: 2). The working class townships and shantytowns have time rather than money, especially the unemployed, and form neighbourhood watches, which can swiftly degenerate into vigilantism.

2.2 CONCEPT CLARITY

The state is regarded by citizens as having the responsibility to administer public safety and justice at all times in order to manage and referee constant tensions and competition for resources. This view is traditional to the times when state security automatically translated to the security of the individual. However, the dynamisms brought about by rapid development twisted this view through the complex expectations and demands arising from the population and assets. It is this development that changed the concept of state security to human security thus engraving the principles of public safety and justice.

Public safety and justice aim to assure individuals in the citizenry that they have freedom from fear and fairness of arbitration whenever one has been violated. Safety and justice are equally functions of the state where the demand always exceeds the supply. Crime statistics remain stubbornly high year on year. The institutions assigned the responsibility to administer justice are equally choking to the degree that the state tends to be seen as non-functional.

The perception that the state is failing in this responsibility brings the justification for self-service therefore providing a good business platform for the non-state actors. The non-state actors bring to the people the hope that whilst the state is grappling with other contending social demands, the individual security is not compromised.

Hope and desire for justice has fuelled the growth of a myriad of organisations, groupings, companies and individuals in big numbers.

There is a popular belief among development professionals that non-state, local justice and security networks are more effective, accountable, efficient, legitimate and accessible than the institutions of the state. Thus, these actors are indispensable for achieving justice and security (Scheye. 2009: 7).

Non-state actors are those actors that provide security and justice without a state mandate (Derk, 2012: 15). Albrecht and Kyed (2010: 1) argue that the efficiency of state institutions for security and justice depends on the shape of the local needs and the level of collaboration with local non-state actors. They further highlight that these actors include traditional or customary authorities; community based policing groups, restorative justice, mediation organisations and work associations. Indeed, the level of local involvement by the non-state actors creates the context for the buying-in by the state to forge an integrated approach towards public safety and justice. The concept of non-state is often used to define a range of actors including representatives of village governance institutions. The use of the term differentiates these actors from government and formal justice sector institutions (Zurstrassen, 2011:113). Somehow, the local needs are not always founded on the absence or insufficient state supply of these services. The traditional authorities and community policing groups are often in conflict over target areas and authority thus creating space for criminal groupings to develop.

Scheye (2009: 7) reflects on non-state actors as the “second state”. He refers broadly to actors rendering various services like health, education, electricity, economic opportunity, justice and safety. He further covers a spectrum of actors to include secret societies, businessmen, chiefs, the military and warlords. Scheye does not differ from Albrecht and Kyed in his description, thus, chiefs would be considered as traditional and customary authorities. However, the inclusion of warlords does distort the concept of non-state actors as their foundation lacks a foundation in societal values, thus, local interests would be subdued and vigilante activities would kick in.

Public safety involves the policing of the criminal and other reprehensible activities upsetting the communities. Baker (2010: 208) shares in the description of non-state actors by indicating that the term applies to a wide range of local collectives providing everyday policing and may include customary leaders, religious organisations, ethnic associations, youth groups, work-based associations, community police forums, conflict resolution non-governmental organisations, the lowest and informal levels of local government and entrepreneurs. Baker further distinguishes the concept from international context to African perspective. In Africa, the examples include vigilance groups by private citizens, religious police by Islamic groups or political leaders in community to police moral conduct, clan militia for the protection of cultural web, civil defence forces providing security within their area of operation, semi-commercial anti-crime units for asset protection, work-based security groups for the benefit of trading communities, customary structures for the chief intervention efforts and restorative justice community-based organisation to manage disputes within communities.

Vigilantism, from a personal view, can be described as a practice by individuals or organised groups focused on self-protection against any threats to self or personal assets. This description would be short circuited if one excludes the contextual foundation of the concept. Vigilantism, as a word, is derived from the word vigilance which implies one's ability to be conscious of their surrounding and alert to avert possible threats whether physical or verbal (i.e. insults). Vigilance is a positive attribute that is embedded in people even animals as a precautionary instinct from falling prey to others.

Sekhonyane and Louw (2002: 24) picked the following definition from Encyclopaedia Americana, 1985, "vigilantes was a name given to self-appointed law enforcement groups which appeared occasionally in older communities where law officers and courts were non-existent, inefficient or corrupt; where municipal institutions were disorganised; or where established authorities seems unable to cope with lawlessness and disorder". Furthermore, Nina (2001: 10), in concurrence with Sekhonyane and Louw, quotes Johnston who describes vigilantism as "the result of broken trust in the ability of state agencies to protect its people thus becoming a reaction to real or perceived deviance". This reaction distinguishes vigilantism from mere established violence.

The above descriptions, by the cited authors, carry one common denominator of self-help thus attesting to the common description highlighted in the paragraph preceding the above. Of importance is that the spirit of disregard to authority tends to prevail therefore giving orchestrators the impression of impunity and satisfaction of just acts that culminate into self-praise and heroism. The one significant question would be whether these descriptions cover all aspects and characteristics of vigilantism?

Minaar (2001: 4) contributed to the definition through reference to the Oxford English Dictionary relating vigilante as a member of a vigilante committee, a committee that is self-appointed for the maintenance of justice and order in an imperfectly organised community. He, however, goes further to argue the incompleteness of this definition in view of the ferociousness encompassed in vigilante incidents to less instead of more justice and order. It is in this reference that a reminder is driven home to prove that vigilantism does not solve the crime in communities but is virtually the crime in itself and is instead holding its own community hostage.

Vigilantism is described as social movements that give rise to premeditated acts of force and corporal punishment or the threat to use violence or corporal punishment. It further involves activities that arise as a reaction to transgression of relatively well-established, sometimes institutionalised, norms. Again, it is the acts that are focused upon a crime and or social control in the form of providing security to participants and members of established orders (Buur and Jensen, 2004: 141). Therefore, vigilantes are groups and individuals that are constituted outside legal frameworks enforced by the state.

From these definitions, the term vigilantism embodies different labels that are commonly used to refer to the same thing (vigilantism). Thus, the use of terms like; mob justice, popular justice, violent justice and vigilante activities would be implying vigilantism. Indeed the understanding of vigilantism is synchronised around its traits and all writers converge around the common denominator.

2.3 THE VASTNESS OF VIGILANTISM

Vigilantism is not unique to South Africa and does not differ in tradecraft. Like the military profession, vigilante actions share common traits and drills regardless of geographic space or cultural identity. Several studies have reflected on incidents of

vigilantism in the world, however, there is no consolidated studies conducted that reflect the vastness of vigilantism. Nonetheless, there are existing reflections on individual countries in the broader security complexes.

Kempa and Shearing (2002) conducted a comparative study between South Africa and Northern Ireland on non-state formations. While the South African scenario presents examples of bona fide community formations for vigilantism, in Northern Ireland vigilantism emerged differently, for example, the Royal Ulster Constabulary was created as a substructure of the police and later evolved into a vigilante group fighting on one side of the historic feud between Catholics and Protestants. The structure was then dismantled and members were investigated. The system was replaced with District Community Policing Partnership Boards similar to the South African Community Policing Forum. Beaulieu (2007: 21) writes on the atrocities committed by the Minutemen in Texas observing that Minutemen feel autonomous and supplementing to the state machinery. Thus, the Minutemen continue to exist with impunity. An attempt has been made to look at the effects of vigilantism through Global Burden of Armed Violence (2011: 2) yet it is convoluted by statistics of deaths caused by other violence, rather than vigilantism alone. In its reflection, the challenge of vigilante justice continues unabated with impunity in Liberia and East Timor.

The link between narcotics and vigilantism has been observed in two countries in Southern Africa, namely Mauritius and South Africa. Vigilante groupings, ostensibly inspired by religious fanaticism, have been able to mobilise around opposition to narcotics trafficking and mounted a campaign of violent acts against those perceived to be involved. In Mauritius the Hezbollah party took a tough line against drugs, committing acts of murder and lawlessness. The leadership of the party has since been apprehended and jailed, ending the spate of atrocities committed during its tenure. The activities of PAGAD in South Africa were premised on certain religious principles. They resulted in many deaths and much destruction of property, until the authorities stepped in decisively (Goredema, 2005: 3).

The questions that concern law-conscious and law-abiding citizen will always be whether mob justice deters crime and what are the authorities doing in response? Is Diepsloot unique and how widespread is this horrendous trend? Whilst these

questions are not the focal point of this research, they remain pertinent to much of the research conducted on this matter. Vigilantism is not limited to Diepsloot alone but spread sporadically across South Africa (prevalent, but not exclusively, in Gauteng, Limpopo, Western Cape and Eastern Cape). Therefore, it can be deduced that scientific research that demonstrates the negative effect of violent justice would prove that vigilantism is not the ideal solution for crimes in communities.

Critical to the deterrence of vigilantism is the ability of any preventative measure to reduce and eradicate crime. Vigilantes should acknowledge that their actions are not helping combat crime but are socialising communities into further violent behaviour creating a context in which the ease of killing a person does not increase moral outrage. Since many vigilante members go unpunished the message of “crime does not pay”, is undermined by the societal elevation of those at the lead of this popular justice (Sekhonyane, 2000: 21). Given the knowledge of the criminal nature of vigilantism, “mafia” tactics become the doctrine through which intimidation of the society to discourage people from assisting authorities becomes. This means that whilst many writers give focus on state capability to render effective security and criminal justice, yet the grey area of seriously concealed evidence continue to defeat the ability of institutions like SAPS to conquer and arrest the vigilante tendency.

Buur and Jensen (2004:144) emphasise that beyond the mistrust between the state and its citizens, there lies an implicit incapacity and complicity by law enforcement to address vigilantism which prompts the copycat style from one location to another. This mistrust and complicity reinforces the relevance of vigilantism to these groupings and perpetual renegotiation of boundaries becomes a norm. As a result, a moral dilemma emanates from the condoning of violence, as prescribed by vigilante formations and the exposure of kids to impulsive reaction to problems, and new standards are set as the best solution for societal problems. This is founded on the typical non-exclusive attendance of vigilante brutalities by people of different ages including children.

2.4 TRAITS DEFINING VIGILANTISM

Sekhonyane (2000: 21): sums up the common traits of vigilante acts as follows:

- Punishment that often exceeds the crime allegedly committed.

- Engaging in illegal acts such as kidnappings, crimen injuria, malicious damage to property, theft, robbery and sabotage.
- Alleged perpetrators being accosted by highly charged mobs.
- Acts of severe violence including the serious assault and murder of alleged criminals.
- The lack of a clear structure, rules and limitations in the way the vigilante organisation operates.
- The absence of communication lines between the groups and state organs such as the police.

Maepa (2001: 21) also made additions to these characteristics as follows:

- Acts are carried out in public.
- Fear and control are generated through repression.
- They are based on a model of instant, retributive justice and oppositional to the rehabilitative method as prescribed by the South African justice system.

Minaar (2004) re-enforces these traits with the following:

- Spontaneous mob-style emotive reaction to a situation often involving immediate punishment.
- Once-off-street gathering dispensing ad hoc and summary justice.
- Caught-in-the-act citizen response.

With these traits, the victims, in the form of accused persons, prefer to be arrested rather than being punished by the mob. The punishment meted out by the vigilante ranges from excessive lashing to death. This pressurises the communities to submit and endorse the might and legitimacy of the formations because any form of dissidence may be countered with the same brutality. This tendency qualifies the question, are communities condoning this form of punishment? Logically, no parent would endorse this form of brutality when there are no guarantees that your family would not fall prey in future. This is attested by an extract from Sekhonyane and Louw (2002: 26) quoting Mr Thomas Moeng of the Diepsloot branch of Mapogo-a-Mathamaga in February 2001: *We find a friend of the suspect and plead with him to tell us where his friend is or the loot is. If he refuses, we give him a taste of the*

medicine. After tasting the medicine he will confess. Then we give him more lashes for lying or trying to hide a friend. When we find the friend and he confesses to the crime and hands over the loot, we give him lashes too. With this approach anyone could fall a victim to false accusation from someone who is trying to escape the bitterness of this medicine. The unfortunate eventuality is that there is no recourse even if you were lashed for being friend to a criminal thus presenting the vengeance as a balance for the incurred injuries.

2.5 THE SPREAD OF VIGILANTISM IN SOUTH AFRICA

By 2008, the ANC government had built more than a million township households, provided water for well over nine million people and given access to electricity for millions of households by redirecting social spending previously allocated to the chosen few (Buur, 2008: 3). The flip-side of these achievements is the fact that low-income black households are still trapped geographically on the peripheries of the economically vibrant cities. It is in these localities where the socio-economic conditions are appalling to the extent that the people simply cannot pay for the services that are intended to improve their lives.

Recent studies of vigilantism in South Africa have suggested that it has emerged as a result of soaring crime rates and the state's failure to enforce its own laws. Many analysts of non-state actors argue that vigilantism is triggered when the government fails to police and protect its citizens (Dixon & Johns, 2001). It is this outcome that catalyses the resolution of communities, that had been socialised with state-engineered violence, to resort to self-protection. The problem seen from mainstream perspectives on vigilantism is that the law has not been applied either consistently or coherently.

By 2009 and 2010, some 5% of reported murders (one in 20) were the result of vigilante violence or self-help against crime. 2011 has seen an increase in the killing of suspected criminals by the 'necklace' method. In the period under review, the upsurge in necklacing began in June 2011 in New Brighton (Port Elizabeth), after two young men broke into the home of an elderly woman, stole her television, and stabbed her tenant to death. Nosipho Magaqa, a New Brighton resident pronounced that: *We are tired of these criminals. The system protects the criminals more than*

the victims of crime, so we will mete out our own justice. Another angry woman added: *Even if criminals are arrested today, tomorrow you will see them walking the street. Enough is enough. We are going back to the tyre* (Jeffery, 2012: 21).

There were four more necklacing incidents in Port Elizabeth afterwards, followed by three others in the Free State, Mpumalanga, and KwaZulu-Natal respectively. Since January 2012, a further nine necklacing incidents have taken place in Khayelitsha (Cape Town). Residents blamed the ineffective police, claiming that mob justice is the only permanent solution to brazen criminality. This led to the Premier of Western Cape, Ms Zille, establishing a commission of inquiry into vigilante killings and other violence in the area, in August 2012 (Jeffery, 2012: 21).

Buur (2008: 573) presents a fundamental view on the moral-ethical contestation between state and vigilante tendencies. According to Buur, vigilantism is not a critique of the application of the law, but of the moral and ethical foundations of the law itself. In South Africa, vigilantism can be seen as a response to, and thus a site of struggle and negotiation over, the attempt to enshrine human rights as a foundational value, where many communities see vigilantes as their protection against crime. Pre-1994 violence conditioned many communities to be open to vigilantism.

2.5.1 EASTERN CAPE

Port Elizabeth

The new dispensation with the Constitution presenting an avalanche of individual rights brought with it some contestation. Many of the common and accepted disciplinary measures were curtailed by the new rights discourse. The contradiction between the wider socio-economic transformation and more traditional methods of socialisation and asserting authority became bulls sharing a kraal. In this context, the vigilante formations provided an alternative. Parents who could no longer physically discipline youngsters turned to vigilante formations instead of the previous practice when they used to turn to the police in the townships. This was particularly the case with grandparents who were no longer able to exercise disciplinary power over the grandchildren for whom they were responsible (Buur, 2008: 578).

The obliteration of corporal punishment and the fear of accusations of domestic violence have driven parents to invoke local law enforcers who know how to discipline in a manner that does not make the punishment visible. Buur (2008: 578) reflected on the dynamics of adaptation to the changes of socio-cultural times. The dynamics involved the retention of traditions whilst not violating new laws through imitation, overlapping and supporting the changes. The result is the production of local ways of being a person of articulating a moral community that cannot be captured by the sources and means available to the formal authorities.

Vigilante attacks were prevalent in Kwazakele around 1999 and directed at fighting crime. Buur (2008: 579) further relates excessively violent acts committed by a group of young, armed criminals, many of whom had served prison sentences and were part of the prison gangs known as the 26s, 27s and 28s which terrorised Kwazakele. A group of criminals broke into an elderly couple's house, stole a television and radio, cutlery, videos, clothes and shot the old woman dead when she tried to prevent them from raping her daughter. In the community's eyes, the police were too busy chasing black thieves in Port Elizabeth's white suburbs to bother about an elderly black couple's belongings in the township.

To confront the criminals, a group of old men called a group of trusted former Young Lions (ex-combatants of MK), most of whom were unemployed. Their idea was that safety needed to be restored. If crime could happen to their neighbours, it could also happen to their own families. The Lions managed to track down one of the criminals and forced him to reveal the identity of his accomplices. They managed to capture the whole group within a week, except for the leader, whom they apprehended three months later (Buur, 2008: 579).

To the community's great dissatisfaction, the criminals were released from prison a week later and continued their activities. The police did not like the Lions' methods and tried to arrest some of the members. A group of elders (all men), led by a prominent ANC member, a former Robben Island prison mate of Nelson Mandela himself, called a public meeting at the local primary school in order to prevent the arrest of the Lions, which threatened to rob the community of its protectors. At that meeting, twelve of the most trusted young men were elected as the community's Concerned Residents Against Crime (Buur, 2008: 580).

The rules laid down for their work in the community were simple: be as harsh with the criminals as is necessary to make them speak, but do it discreetly so that you do not get into trouble with the police. This rule was contravening the Constitution's insistence on respect for the right of all human beings to be free from all forms of violence (Paragraph 12(1c). Where the Constitution protects all human beings, the law of the community obviously does not. Thus, the Constitution presented the young crime fighters with a moral dilemma: they are expected to act in ways that are forbidden, even criminalised, but which the community concerned sees as both acceptable and desirable within the moral code of the township (Buur, 2008: 581).

Shifting focus from the Young Lions of 1999 to 2012, South African townships have been rocked by incidents of necklacing, mob-justice punishment, in which tyres are forced over victims' shoulders and set alight. In more recent times, the difference is that formations that would qualify the classification of vigilantism have taken new identity. The question asked was; is this notorious form of killing from the 1980s making a comeback?

The Port Elizabeth incidents and a number of others elsewhere in the Eastern Cape province in June and July 2012 have raised fears that necklacing is returning as the most extreme form of a rising tide of vigilante justice. Angelina Maholwana, 74, felt that justice was being done as she watched two young men burn to death. Tyres had been forced over their shoulders, doused in petrol and set alight. She had identified Mabhutana Siwisa, 19, and Mloza Gqomfa, 20, as the men who had broken into her home, killed her son, tried to sexually assault her and stolen their belongings. It was the fourth incident of necklacing in one month, in New Brighton, Port Elizabeth (www.whatishappeninginsouthafrica.blogspot.com, 2012: 1).

The 2011 police statistics show that of the 46 killings committed on an average day in South Africa, 5% were due to vigilantism. Beating and stoning are two of the most common ways the killings are carried out. Many people in poor communities like New Brighton township have lost faith in the police and see vigilantism as the best way of keeping the streets safe (Whatishappeninginsouthafrica.blogspot.com, 2012: 1). This is attested by one resident, Sicelo Lucas: *Mob justice is not right but it has its place in our society.* He concerted that vigilantism does reduce crime and people are scared because they know the community will rise up against them. However

there is fear brewing at the same time. Sicelo further stated that *Some do worry, however, about the risk of the innocent being punished for crimes they did not commit. Mob justice is wrong because sometimes the wrong people get punished*. (Whatishappeninginsouthafrica.blogspot.com, 2012: 2).

Eastern Cape, like Western Cape, had an organisation called People Against Drugs and Violence (PADAV). This organisation was a replica of PAGAD. There were no reports that PADAV, killed persons during the year 2000 and 2001; however, cases between 2001 and 2003 were continuing. PADAV similarly was an Islamic-oriented, community-based organisation with a mandate calling for stronger action against crime and drugs. (South Africa Human Rights Report, 2004: 3).

2.5.2 WESTERN CAPE

Cape Town

PAGAD originated in a network of hitherto disparate and isolated anti-drug, anti-crime groups and neighbourhood watches frustrated by their inability to tackle problems whose roots extended far beyond their individual localities. Predominantly, but by no means exclusively Muslim, PAGAD began with a loose organisational structure and an informal, collective style of leadership. It was open to approaches from other anti-crime groups and prepared at least to consider working with the police. Many of the more violent actions taken against drug dealers, such as the attack on Rashaad Staggie in August 1996, were neither planned nor formally sanctioned by the organisation as a whole (Dixon and Johns, 2001: 4).

From a popular anti-crime movement it has become first a violent, and therefore illegitimate, vigilante organisation and then, since 1998, an urban terror group threatening not just the State's monopoly on the use of coercive force but the very foundations of constitutional democracy. In line with these altered perceptions, the State's response to PAGAD changed from constructive engagement with it to demonisation and repression (Dixon and Johns, 2001: 4).

Bombings and shootings have continued beyond the year 2000. Government ministers have been quick to blame PAGAD for attacks that include the shooting of Wynberg magistrate, Pieter Theron and the bombing of targets in Constantia,

Gatesville, Observatory and central Cape Town. It is impossible either to prove or disprove such claims on the basis of this research (Dixon and Johns, 2001: 5).

Respondents to Dixon and Johns, during their research, offered many different explanations for the continuing violence (ranging from the assassination of leading gangsters to the bombing of the Planet Hollywood and St Elmo's restaurants), as well as to who was behind it and what the motivation of the perpetrators might have been. Among those held responsible were gangsters settling old scores or fighting for new turf, rogue elements connected to the security forces seeking to undermine the credibility of national or provincial government, and anti-gang militants (Dixon and Johns, 2001: 5).

Gugulethu

Between 1990 and 1995 Gugulethu, a township in Cape Town, was seen as a model for popular justice activities. This coincided with the direct intervention of external assistance to the community. However, external assistance diminished and Gugulethu's community elements of popular justice developed their own course. Since 1996, external help to the community, provided by NGOs to assist in the process of developing organs of popular justice, decreased. This was probably because of decreases in international funding for such activities (Nina, 2000: 10).

It is in light of this history that the phenomenon of mob justice in Gugulethu needed to be analysed from August 1998 when the Cape Amalgamated Taxi Association (CATA) took action against criminals. For example, alleged rapists, murderers, burglars, and thieves were being physically assaulted and paraded naked down the streets of Gugulethu (Nina, 2000: 10).

The community appointed its own representatives to deal with the problem of crime, during a period when the police had no credibility among members of the community. In August and September 1998, during the period of vigilante action, the area's police station was first closed and then reopened. A number of its police officers were deployed to other areas (Nina, 2000: 10). Then there was a lull in vigilantism until recently when mob justice resurfaced.

A man accused of stealing a stove was beaten to death in an incident of vigilante violence on 17 December 2012 in KTC, Nyanga. Malibongwe Lugala, 35, from Gugulethu NY3, was allegedly killed by four residents of Nyanga. According to Lugala's friend and an eyewitness to the incident, he and two other friends were walking with Lugala in search of a cigarette when five men from KTC called Lugala. *We were four. When these men called Lugalo he stopped and we continue with our journey. When we came back these men were beating him (Lugalo). I tried to stop them and asked what was happening but they pushed me away. They grabbed him (Lugalo), he was kicking trying to escape. I asked them why they are beating Lugalo but they did not reply, they just told me to stay out of it. I asked one of my friends to go to Lugalo's place while I was looking for a police van, but was not able to find help in time*. According to residents Lugalo was accused of stealing a stove from a local shop in the area. However, no one presented or questioned about when the stove was stolen (Damba, 2012: 1).

Khayelitsha

Khayelitsha has placed itself in the country's map to be as famous as Soweto, except famous for the highest crime rate in the country. It is generally conceded that the rights to human dignity, life and freedom and security of the person are trampled on daily because of the failures of the criminal justice system. Crime continues to increase in Khayelitsha and its criminal justice system is in crisis with more than 300 murders in 2010. The rates of sexual assault and violent crime including murder and assault with intent to inflict grievous bodily harm have increased dramatically. The true scale of crime is hard to know as many crimes are heavily underreported (Bregman, 2011: 1).

The criminal justice system is said to have been paralysed by numerous failures. These include: lost dockets, corruption, poor investigation, escaped suspects, the state not opposing bail for accused standing trial for serious crimes, mistreatment of victims, a failure to inform families of updates relating to their cases, years-long forensic backlogs and endless postponements that see cases taking years to be resolved, are barriers to the effective delivery of justice and safety (Bregman, 2011: 1).

A resident accused of stealing money had been beaten by four men with bricks and hit with one of their cars. The man managed to flee to a nearby primary school. The police, whom he had alerted, arrived and did not make any arrests but left (John, 2012: 1). This was reported to Mail and Guardian newspaper by a researcher from the Social Justice Coalition (SJC) stationed in Khayelitsha in 2012.

The attack was part of a surge in mob justice in the township, where at least 18 vigilante mob killings have happened in the last 10 months. The coalition says residents have lost faith in the police to keep them safe and in desperation are taking the law into their own hands. There has also been a new problem plaguing the township, the rise in teen gang violence (John, 2012: 1).

The police's deviation from law enforcement and or apprehension of law breakers has been observed in the recent past. John, (2012: 1) wrote about an incident on one Tuesday night at around 8.30pm. The SJC member was watching television in his Green Point home, when he heard three gunshots. He followed a police vehicle down the road to an open field across which about 10 teens were fleeing. Two policemen got out of the van, grabbed one of the boys and started beating him with water pipes. He managed to run for a few metres but they caught him and beat him again.

Likhona Njamela, an SJC volunteer, said she and a group of Green Point residents watched police beat teenage gang members with water pipes when they would not leave the area on Friday night. *They wanted to beat everyone who was on the scene. We told them 'no guys, you can't do this. The residents were angry and started throwing stones at the police van* (John, 2012: 1).

2.5.3 KWAZULU-NATAL

Vigilante actions have not spared KwaZulu-Natal but continued around 2004. The Institute for Security Studies (ISS) reported that mob justice was an increasing problem, although no figures were available. In May 2004, a mob stoned to death two youths accused of terrorizing community members in Chesterville, outside Durban. On July 27, a mob attacked, set alight and killed three young men from Inanda; police arrested five suspects in connection with the incident. In some of the incidents, between 50 and 100 community members were involved in the attacks. On

July 27, approximately 50 persons participated in the hacking and necklacing of the three men, who allegedly were involved in criminal activities in Kwa Mashu, north of Durban (South Africa Human Rights Report, 2004: 4).

2.5.4 GAUTENG

Around 2001, Gauteng townships were contesting for attention on mob justice. In a week, four people were killed in vigilante attacks in Soweto and a 19-year-old man was attacked in Orange Farm but was saved from another mob attack after being accused of armed robbery. Freelance photographer, who led Kinos Hlatshwayo's dramatic rescue, said the mob was threatening to necklace the suspect. She said the crowd's anger increased after police took more than an hour to arrive at the scene of the crime. Community members became highly agitated when the police failed to arrive at the scene and then decided to make plans and set his body on fire. The mob had already made plans to buy petrol, while a tyre was put next to his body (Ndaba, 2001: 1).

The witness had earlier phoned the Orange Farm police station to tell them of the mob attack, but the police did not initially respond (Ndaba, 2001: 1). The victim was eventually saved when a police unit on a routine patrol drove into the area.

In Pimville, three young men were murdered for breaking into a church and stealing chairs. The community had threatened to resort to the necklace in dealing with criminals. The three, whose ages were estimated at between 17 and 22, were found dead in the middle of a soccer field in Pimville Zone 3, opposite the church where they had allegedly broken in and stolen 20 chairs (Makgalemele, 2001: 1).

The community has been plagued by robberies, rapes and break-ins. The three suspected criminals were beaten up and stoned to death. Their naked bodies were found by the police the next day. Three others escaped across the railway line. Another member of the group, a girl, was critically assaulted (Makgalemele, 2001: 1). According to the church caretaker, a woman who lives opposite the church heard noises coming from the church and blew a whistle to alert residents. They came running and pursued the suspects.

2.6 THE 2007/8 XENOPHOBIC VIOLENCE

Xenophobia was and still is touted as the reason that led to a number of violent attacks on foreigners. In September 2001, Catholic social workers in Cape Town claimed that xenophobia was a major contributing factor in the deaths of as many as 28 refugees during an 18-month period. At end of 2002, detectives were investigating the case of three Angolans and one citizen killed in January 2002 in clashes between locals and refugees in the Joe Slovo area in Milnerton in Cape Town (South Africa Human Rights Report, 2004: 3).

The Consortium for Refugees and Migrants in South Africa (CoRMSA) disputed former Safety and Security Minister Charles Nqakula's statement that the wave of violent xenophobic attacks did not constitute a crisis. Nqakula was quoted as stating: *It is only a problem, but if it were a crisis, it would be happening right across the country*. CoRMSA argued that the incidents of mob violence targeting non-nationals have taken place in every province in the country including 14 major incidents in different provinces from September 2007. According to CoRMSA, this was in fact a national crisis requiring urgent attention at the most senior level of government. Since the attacks in Alexandra, there have been new attacks in Diepsloot and Olifantsfontein, in Gauteng (CoRMSA, 2008: 1).

Many of the incidents of mob violence targeting non-nationals have taken place in areas where there is a poor level of service delivery and a low level of law enforcement. It is also clear that there is a lack of trust in formal conflict resolution structures such as local ward councillors to be able to resolve the communities' grievances hence the perception that such vigilante action is necessary (CoRMSA, 2008: 2).

XENOPHOBIC ATTACK SITES 2007-2008	
PLACE	**TIMELINE**
Delmas, Mpumalanga	September 2007
Mooiplaas, Gauteng	December 2007
Hebron, North West	December 2007
Plastic View, Gauteng	December 2007

Soshanguve, Gauteng	December 2007
Jeffrey's Bay, Eastern Cape	January 2008
Kroonstad, Free State	February 2008
Valhalla Park, Western Cape	February 2008
Itireleng, Gauteng	February 2008
Atteridgeville, Gauteng	March 2008
Klipgat, North West	March 2008
Worcester, Western Cape	March 2008
Mamelodi, Gauteng	April 2008
Alexandra, Gauteng	May 2008
Diepsloot, Gauteng	May 2008
Olifantsfontein, Gauteng	May 2008

The nationwide wave of attacks on foreigners in May 2008 resulted in 62 persons killed, of whom 21 were South Africans, 11 Mozambican, five Zimbabwean, and three Somali. Twenty-two bodies were never identified. It is generally acknowledged that the nationwide spate of violence against foreigners, which began on 11 May 2008 and lasted for approximately two weeks, began during a community meeting in a township near Johannesburg (Country Advice South Africa, 2010: 2).

2.7 THE VIGILANTISM SITUATION IN DIEPSLOOT

The media has reported extensively on vigilante attacks in Diepsloot highlighting the seriousness of the problem. The following are the examples:

Swanepoel (2008: 222) indicated that in 1997, a people's court was established in Extension 1, Diepsloot and within a month, ten people had fallen victim to vigilante attacks.

Mbulelo Musi as quoted by Swanepoel (2008: 222) made a media statement from the Provincial Ministry of Safety and Security in Gauteng on 14 June 1998 that *Three people are reported to have been killed when a mob took the law into its own hands*

in Diepsloot following an alleged attempt by the three to commit robbery in a shebeen in the area. The police are investigating the matter.

Farai Kujirichita, 26, was clubbed to death in Diepsloot on 22 January 2011 and his final moments were captured on a video. Farai was still alive when one of the men methodically destroyed his face and skull with a heavy wooden plank. He was probably dead or dying when another man grasped his belt and punched him repeatedly in the groin and a grinning teenage girl raised a large chunk of cement above her head. Farai's crime was that he was a Zimbabwean in the wrong place at the wrong time (Mtika, 2011: 1).

Mtika (2011: 1) asserted that in Diepsloot, the killings continue unabated. In a different incident, two Zimbabweans were kicked and beaten to death after being accused of robbery. Another incident is of a suspected thief who narrowly escaped with his life when police arrived just in time to prevent a mob from killing him. *The police should have given him to us. We know what to do with people like him. We will continue to kill tsotsis*. The police are always called out to attend to these attacks. Warrant Officer Mavimbela stated that: *People here take the law into their own hands. All too often foreigners are the targets of their rage*.

Freelance journalist, Golden Mtika, witnessed Farai's murder and *I have witnessed more than 300 mob justice cases, but that one is the scariest* Mtika recounted. Even children have become desensitised to the violence around them, Mtika said. *They could be playing soccer on a field and there would be a dead body next to them and they wouldn't be bothered*. According to Mtika Diepsloot residents don't ask questions when someone is accused of a crime. *Mob justice is the people's way of dealing with criminals because they don't feel protected by the police. It is so common that people get necklaced almost every week* (Mtika, 2011: 1).

Led by a 15 year old boy, a mob of residents searching for criminals had begun torching shacks and a caravan and soon encountered Farai talking on his phone. *He told them he was South African but they snatched his phone away from him, looked at the numbers on the phone and realised that he was actually from Zimbabwe. So they started beating him for telling a lie. The mob tried to force him to throw himself in a fire. He couldn't do that so he tried to run away but they caught him and started*

beating him like a dog. A 15 year old boy and a 17 year old girl are the only suspects facing trial for Farai's murder. The three main assailants seen in the video were never arrested (Mtika, 2011: 1).

On 27 January 2011, it was reported on the Timeslive news website that Gauteng community safety MEC Nonhlanhla Mazibuko was expected to visit Diepsloot, north of Johannesburg, following the murders of three people in mob justice attacks. A public meeting would be held to urge local residents not to take the law into their own hands, her office said in a statement. Meanwhile police said there had been no further reports of mob justice in the area, after the three were killed following allegations they were criminals. Lieutenant Colonel Lungelo Dlamini said the township was calm. How true could this be? (Sapa, 2011: 1)

A suspect was nabbed from police custody in Diepsloot on 9 June 2011. Members of the community overpowered the police who had arrested the man, took him away and set him alight. Paramedics could not get to the man even though five police vehicles escorted them. The police eventually went in and fetched the patient, who was taken to Tembisa Hospital. The man, in his 30s, had firs-degree burns all over his body (iol.co.za, 2011:1).

Bearak in the New York Times dated 22 July 2011 relates that *Many people in Diepsloot believe mob justice is the right thing to do, and even if they kill someone innocent, they consider it collateral damage in a worthy cause. I know a tavern owner in Diepsloot named Walter. He was robbed and beaten one night, and the thieves got away with not only all his money but some of his clothes, including a favorite T-shirt. The next day a mob killed a man who was found wearing that shirt. Later in the week, I asked Walter if the right guy was dead. "I'm not sure about the man," he told me, "but it was the right shirt." He said he felt OK about it*.

Timeslive news platform published a news clip from Sapa on 06 February 2012 wherein two men died and two were critically injured when they were attacked by Diepsloot community members in the early hours of that morning. This was reported by the Johannesburg emergency management services. The men were accused of stealing in the Diepsloot area and the community went looking for them and started beating them, spokesman Robert Mulaudzi recounted. All four men suffered multiple

injuries, including head and spinal injuries. Two died on the scene and the other two were taken to the Tembisa Hospital. Mulaudzi said the incident was handed over to the police to investigate. He appealed to the community to not take justice into their own hands and let the law runs its course.

The neighbour of a man killed in a mob justice attack in Diepsloot on Monday said he would have been beaten if he had tried to intervene. The man who witnessed the attack on 32-year-old Nkululeko Mathwasa maintained that he was wrongfully attacked and murdered by a mob in the northern Johannesburg township. Police arrested two suspects and have appealed to the public to come forward with any information. The two injured residents are in a critical condition in hospital (Timeslive, 2012: 1).

In one incident in June 2012, a man from Malawi is seen naked and bleeding, sitting in the centre of a pack of men, as the camera is recording everything. The men around him are clearly holding sticks, some have stones and others have bricks in their hands. The man is pelted with rocks which bounce off his head and his bare back. He is kicked and whipped and when he tries to run away, he was tripped and yet more stones are thrown at him. They leave him to recover and then he was hauled in front of the mob again only to be beaten further. At one stage you can see two women whipping him, deliberately aiming for his genitalia as the crowd yells encouragement to them (Crawford, 2012: 1).

He had been found with a gun on him and in Diepsloot that is interpreted in only one way: you are a criminal and up to no good. The man pleads and begs for his life. You see him repeatedly shake his head as the vigilantes shout questions at him. *No, no*. Witnesses recounted that he had lost consciousness by the time the police and medics arrived and he died in hospital. Several residents were if they agree with this form of justice. They all did, to every man and woman who was asked. Bessie Tsimo is 47 with six children. *If someone broke into your house or attacked you, who would you* call? She responded that *the community would come*. She was asked further that *and you would want that*? *Yes, I support it* she responded (Crawford, 2012: 1).

Ugen Vos (2012), a Beeld journalist reported in August about a motorist who was stoned to death in Diepsloot on 03 August 2012. A 51-year-old driver was stoned

and brutally kicked after he was dragged from his little truck after he had run down a woman and child in Sapphire Street in the Diepsloot. The woman Zukiswa Alarm (42) sustained serious head and back injuries and her four-year-old granddaughter Nelisiwe sustained injuries to her hand. The Daily Sun published pictures of the horrific attack on the driver. Bystanders described that two men had kicked the driver around like a soccer ball and that they jumped on him as if he were a "jumping-castle". The police managed to intervene in time before the driver was torched alive, and one of his assailants was arrested.

Anton Harber described his experience patrolling with volunterr crime-fighters in Diepsloot. *It was an extraordinary experience to find 50 unarmed volunteers of all ages working through the night, at great risk, to fight crime in a situation where the police are near-absent. I viewed it as a case of people finding their own practical solutions when the state fails them. Most of all I learnt to throw out crude notions of right and wrong, of justice and injustice, and understand the continuum that exists in reality between the two. You can only condemn and stop vigilantism if you offer decent policing, and Diepsloot does not have that yet* (Pillay, 2011: 1).

In June 2012, all the residents interviewed, complained of the high crime rate coupled with the apparent inability of the police to deal with cases. Many preferred to turn to the community thugs to sort out their problems rather than rely on the police (Crawford, 2012: 1). The table below was extracted from the SAPS crime statistics and reflects the extent of crime in Diepsloot over the period 2011 and 2012.

Crime in Diepsloot (GP) for April to March 2003/2004 - 2011/2012

Diepsloot was established from Erasmia in November 2010

Crime Category	April 2003 to March 2004	April 2004 to March 2005	April 2005 to March 2006	April 2006 to March 2007	April 2007 to March 2008	April 2008 to March 2009	April 2009 to March 2010	April 2010 to March 2011	April 2011 to March 2012
CONTACT CRIMES (CRIMES AGAINST A PERSON)									
Murder	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**37**	**52**
Total Sexual Crimes	0	0	0	0	0	0	0	55	141
Attempted murder	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**49**	**109**
Assault with the intent to inflict grievous bodily harm	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**156**	**594**
Common assault	0	0	0	0	0	0	0	71	297
Common robbery	0	0	0	0	0	0	0	40	108
Robbery with	0	0	0	0	0	0	0	183	482

aggravating circumstances									
CONTACT-RELATED CRIMES									
Arson	0	0	0	0	0	0	0	5	30
Malicious damage to property	0	0	0	0	0	0	0	60	214
PROPERTY-RELATED CRIMES									
Burglary at non-residential premises	0	0	0	0	0	0	0	10	80
Burglary at residential premises	0	0	0	0	0	0	0	127	436
Stock-theft	0	0	0	0	0	0	0	0	0
OTHER CRIME CATEGORIES									
Culpable homicide	0	0	0	0	0	0	0	2	9
Public violence	0	0	0	0	0	0	0	1	1
Crimen injuria	0	0	0	0	0	0	0	5	9

The high crime rate experienced by the community is not illusion and the police must appear to be doing more to earn the community trust. But even if the police would say they are winning the war against crime yet the statistics would not be any consolation to the victims. The table above reflects that the highlighted crimes had a direct impact on the community and could have triggered the mob justice. It is unclear how many of the highlighted crimes were a result of mob justice. The reason why it is unclear is because the police registers assault (GBH), attempted murder and murder with no details. Nonetheless, the reality is that for the community of Diepsloot crime is not declining but rising. In 2010/2011 the total of this (highlighted) crime category was 242 and tripled in 2011/2012 to 755 (Crime Research Statistics-South African Police Service, 2012: 1).

The reflections above unanimously illustrate the perspective of vigilante participants who would be psychologically skewed towards violence. This account omits possible family units of the vigilante victims and the general community members who never participated in vigilante actions.

2.8 RESPONSE FROM AUTHORITIES

The security cluster has always developed and tried different methods of involving communities in combating crime with the aim to erode the distrust of the state's ability to protect its citizens. Among other methods is the crime reporting hotlines

with guarantees of anonymity, community policing forums, Business Against Crime and Shout initiative (recently launched by entertainment industry) through a short messaging system (SMS). However, these methods are not yielding expected results.

Minaar (2001: 24) made reference to the perceptions and motivation for vigilante activities in Diepsloot, whereby findings suggests that 65% of the respondents believed that vigilantism reduces crime (the study was conducted by the Institute for Human Rights and Criminal Justice in 2000). In contrast, 71% of respondents on another question admitted that vigilante activities were wrong and perpetuating crime. This finding sets a feasible ground for what authorities could use as a breakthrough for intervention against vigilantism.

In the case of PAGAD the state was viewed to have taken a passive indirect approach to neutralise the formation. The State attitudes towards PAGAD changed as the organisation evolved from popular movement into urban terror organisation thus its underlying strategic orientation shifted towards the twin problems of gangsterism and vigilantism (Dixon and Johns, 2001: 41).

One respondent argued that the events surrounding the death of gang leader Rashaad Staggie showed that the police were disabled and therefore perceived to be complicit with what was happening, for three main reasons. Firstly, as a result of their retraining and customisation to the new environment, they knew what not to do so as not to repeat the mistakes of the past, but they didn't know what to do in the new democratic order. Consequently, as the march erupted around them they hesitated (Dixon and Johns, 2001: 41).

The second failure was one of planning and the learned inability of paramilitary policing units to operate without a clear set of instructions and according to well-rehearsed plans of action. The third problem was a simple lack of resources. With the public order units already at full stretch to contain an outbreak of violence in the taxi industry, too few people were deployed to effectively police PAGAD marches (Dixon and Johns, 2001: 41).

CHAPTER 3

RESEARCH METHODOLOGY

3.1 RESEARCH APPROACH

Research approach is described as the framework, the scheme, and the strategies according to which the investigation can be done (Fouché, 2005: 268). This research was conducted using the qualitative approach due to the reason that the potential participants for this study provided historical information and that the selected approach allowed the researcher to exercise control over the line of questioning. According to Neuman (2006: 459) qualitative approach allows the researcher to develop explanations or generalisations that are close to concrete data and contexts. The researcher usually uses a lower level, less abstract theory, which is grounded in concrete details. This allowed the researcher to connect how people perceive and think about the social world with what they find in it hence the approach is alternative from abstracts and numbers with more inductive reflection of social reality (Neuman, 2011: 199).

3.2 RESEARCH DESIGN

Fouché, et al., (2005:132) quoted Huysamen describing a research design as “the plan according to which data is collected to investigate the research hypothesis or question in the most economic manner”. This research gathered primary data through the use of semi-structured interviews. Greef (2005: 287) describes qualitative interviews as “attempts to understand the world from the participants’ point of view, to unfold the meaning of the people’s experience, and or uncover their lived world prior to scientific explanation”. Fifteen interviews were conducted with different people. The group comprised of the three policemen, one person from the Community Policing Forum, chairperson of the Community Youth Desk, secretary of the Community Patrollers, School principal, Ward Council Committee member, a survivor of mob attack and his family, a priest from Churches against Crime within Diepsloot, two persons from a street committee, two persons from the National Intelligence Co-ordinating Committee (NICOC). The researcher scheduled a combination of face-to-face interviews, telephonic and e-mail interviews which

depended on the availability of the interviewees. Open ended questions were structured so as to allow the respondents to provide own opinion based on experience or scientific research. Field notes were used to collect primary data during the interviews.

Secondary data was collected from scholarly journals and books, periodicals, dissertations, police reports and media reports. Existing regulatory framework guided the review of how effective are existing measures and how best can they be improved to curb and neutralise the vigilante activities. These sources were readily availability at libraries and in the internet and were not posing serious challenge with regard to the obtaining thereof.

The research design embarked on an exploratory study. Exploratory studies lead to insight and comprehension and therefore it caters for an open and flexible research strategy and the use of methods such as literature reviews, interviews, case studies and informants (Babbie and Mouton, 2001: 80). The reasons to undertake the exploratory study was to allow expanded in-depth knowledge of the research questions. Furthermore, this study attempted to test the feasibility of undertaking a more extensive study and to develop a new hypothesis about an existing security dilemma of vigilantism.

3.3 DATA ANALYSIS

Content analysis is applied for the purpose of analysing data. Content analysis is best suited for this because the technique examines the content, or information and symbols, contained in written documents or other communication medium. Content analysis is most often used for descriptive purposes, but can be exploratory or explanatory as well (Neuman, 2006: 44). The researcher analysed data by focusing on the following; firstly, the development of themes and sub-themes from the primary data along the study objectives. Secondly, the data analysis is along the themes and sub-themes. Lastly, the presentation of findings is in the form of a research report. Conclusions and recommendations are drawn from the findings, with cognition placed on the research ethics.

3.4 MEASURES OF VALIDITY AND RELIABILITY

Validity is made possible when the research instrument measures what is supposed to be measured. Validity is ensured in this research because the researcher was careful in choosing the method of data collection, i.e. interviews. The chosen data collection methods (interviews and secondary data) was also helpful in ensuring that results of this research are consistent should the research be conducted by another researcher. Reliability on the other hand, is achieved when the research instrument consistently produces the same results each time it is used (Babbie, et al., 2001: 122). Getting information from people who had conducted research on the topic helped to enhance the measure of reliability. Objective presentation of data was ensured to eliminate any form of biasness from the side of the researcher.

3.5 SIGNIFICANCE OF THE RESEARCH

The researcher believes that while there have been studies on the vigilante tendencies in South Africa, the focus has always been on relating incidents and proposing obvious solutions that cannot contribute to changing minds in the communities. Furthermore, the focus has mostly been generalising to different localities in either addressing vigilante groupings or certain areas where the fresh incidents are occurring. In this research, the focus was on Diepsloot with an intention to extend beyond the recount of events to include interrogation of motives and attitudes from the perspectives of the community elements.

3.6 LIMITATIONS AND ETHICAL CONSIDERATIONS

The ethics of science concerns what is wrong and what is right in the conduct of research (Mouton, 2001: 238). Neuman (2011: 502) presents a typical dilemma that confronts researchers: “Our selection criteria for using evidence and external criticism of documents puts the burden on the integrity of the individual researcher.” This challenge may be construed to be the selective focus of a researcher in order to manipulate the findings. To abide by the rules and regulations of research, the researcher ensured that consent was obtained from the interviewees who were participating in this research. During the process of obtaining such consent, the researcher revealed the purpose and objective of the research and also assured the

participants that they were not partaking in a dangerous exercise. The participants were encouraged to contribute to the research, an endeavour that is aimed at advancing the debate on the effects of vigilantism in the Diepsloot community. The participants were informed that their contributions will be acknowledged and published for academic purposes. The researcher also highlighted that should any participant decide to withdraw from the research, such decision will be respected by the researcher.

Researching a paper on vigilantism was not an easy exercise. The persistent vigilante activities continue to paint a negative image of the government's competency to execute its mandate. As a result, the respondents from security authorities were likely to reserve information in avoiding the indictment that comes with admission. Members in the community were expected to be suspicious and cooperation would be difficult hence the known induced pledge of secrecy on vigilante activities. The researcher engaged all respondents both telephonically and face-to-face to reinforce the confidence and integrity of the research thus eliminating the fear of incrimination. As a result no secret or clandestine research was conducted. Availability of respondents posed a challenge in conducting this research; however, reasonable efforts to meet the expected results were done without compromising the set academic standards. On the other front, this study presented a challenge in that the vigilante activities are commonly short circuit and many of the ideas and possible theories tend to have been captured by other authors. However, the limitation is overcome by the focal lens from which this research is based.

3.7 CHAPTER OUTLINE

The research report covers the following chapters:

3.7.1 CHAPTER ONE: INTRODUCTION

This chapter introduces the research topic through a broad outline of the geographic and social landscape of the Diepsloot community. The geographic landscape introduces the coming into being of the location while the social landscape explores the socio-economic make-up of the community, thereby covering the emergence of vigilantism. The vigilantism problem in Diepsloot is not unique in the context of the

general sporadic incidents of violent mob justice in South Africa. As a result, the chapter further covers the background of vigilantism through a synopsis of other such incidents in South Africa.

3.7.2 CHAPTER TWO: LITERATURE REVIEW

The literature review provides the conceptual framework in the research project. The manifestation of vigilante attacks and the extent of societal effects on the community are examined. The response from the state security apparatus is reviewed along with its commitment to resolving this horrendous tendency. Reflection is also given to the trends of vigilantism that developed pre and post-democratic dispensation.

3.7.3 CHAPTER THREE: RESEARCH METHODOLOGY

In this chapter, the focus is placed on methods and techniques to be employed in this research project. These methods incorporate the data analysis. This research project will be conducted on a qualitative approach in order to cater for the historical information that may be provided by the respondents and create leverage for the exercise of control over the line of questioning. As a result, this chapter outlines in detail how the qualitative method will guide the research project. This chapter further speaks to the research design whereby the sourcing of information comprises of primary and secondary data collection in order to enhance the reality analysis.

3.7.4 CHAPTER FOUR: DATA ANALYSIS

This is where data collection culminates in the consolidation and analysis of the collected data. The discussions in this chapter integrate the primary and secondary data thus rounding off the arguments against the research questions and spelling out the findings.

3.7.5 CHAPTER FIVE: CONCLUSION AND RECOMMENDATIONS

This chapter will marry up the arguments and consolidate the research effort into the final position of the researcher. This will also address the recommendations for best practices on curbing and neutralising vigilante activities.

3.8 CONCLUSION

The current trends of vigilantism show that no one should shy away from the possible resolve of this undesirable activity. Logic suggests that crime is out of control in South Africa, especially in the informal settlements where the harsh reality of poverty resides. The situation in Diepsloot, with the unemployment rate so high, would remain a problem for the community and the security agencies. The one important deduction is that, since vigilantism is a crime, it should be approached as such and not be diluted by charging perpetrators on the end-state alone. This literature has established that while the collective approach on these horrendous activities is termed vigilantism, yet perpetrators are charged of assault, murder and arson or damage to property. In true sense, it will be difficult to corner a single individual, involved in mob violence, to have committed murder if the autopsy alleges the cause of death was assault.

The incapacity of state apparatus to cover the area of Diepsloot continues to prompt the increase in vigilante activities. Issues like inaccessibility into the shanty residences cannot be accepted as an excuse due to the constitutional mandate that allows Diepsloot to demand security services the same way other settlements (suburbs) receive. The court systems cannot constantly justify their administrative problem (backlog) without a solution that would restore confidence back to the community.

This research brought to the fore, the scale of vigilantism in the area of Diepsloot and how serious this issue should be taken. It is in the view of this paper that, since the security realm is complex, the measures that are employed to maintain a state of security are equally complex. The researcher believes that after so many techniques and tactics have been explored and documented, (arresting of Mapogo-a-Mathamaga branch leader in Diepsloot, group arrest of people after a mob justice incident, community policing forums, etc), they have not yielded intended results. The need to explore other means of evaluating the effects of vigilantism on the community and draw up intervention measures based on the buy-in of the community is therefore paramount.

CHAPTER 4

DATA PRESENTATION

4.1 INTRODUCTION

Greef (2005: 287) describes qualitative interviews as “attempts to understand the world from the participants’ point of view, to unfold the meaning of the people’s experience, and or uncover their lived world prior to scientific explanation”. The researcher gathered primary data through the use of semi-structured interviews. Fifteen interviews were conducted with experts (South African Police Service (in Diepsloot), National Intelligence Co-ordinating Committee and State Security Agency, Diepsloot Ward Councillor and the community structures (church, school, community policing forum) and the general public on the topic to be researched. The researcher scheduled a combination of face-to-face interviews, telephonic and e-mail interviews guided by the availability of the interviewees. Open ended questions were structured allowing the respondents to provide own opinions based on experience or scientific research. Field notes were used to collect primary data during the interviews.

Secondary data was collected from scholarly journals and books, periodicals, dissertations, police reports and presented papers. Existing regulatory framework guided the review of how effective existing measures are and how best can they be improved in order to curb and neutralise vigilante activities. These sources were readily available at libraries and on the internet and did not pose a serious challenge with regard to the obtaining thereof.

The research design embarked on an exploratory study. Exploratory studies lead to insight and comprehension, and therefore it catered for an open and flexible research strategy and the use of methods such as literature reviews, interviews, case studies and informants (Babbie and Mouton, 2001: 80). The reason for undertaking the exploratory study was to allow expanded in-depth knowledge of the research questions. Furthermore, this study allowed the researcher to test the feasibility of undertaking a more extensive study and to develop a new hypothesis about the existing security dilemma of vigilantism.

4.2 DATA COLLECTION

Interviews were the main instrument the researcher used to collect information. Given the qualitative approach as described in chapter three, the endeavour to cover the broad scope of the community of Diepsloot qualifies as a systematic investigation through which the relevance of the research will be justifiable. The knowledge that the effect of vigilantism can be better accounted for by the focus group, constructive engagement with the community elicited optimism and balanced the response to the interview questions.

The researcher covered the persons from different components of the Diepsloot community and security that included:

- Institutions of security (police members at Diepsloot Police Station, National Intelligence Co-ordinating Committee and State Security),
- Different structures of the community (school, community policing forum and the Councillor),
- Residents of Diepsloot

4.2.1 Interviews

Interviews allowed the research to travel the path that the affected community has traversed thus a first-hand encounter of explicit accounts enhanced the researcher's picture of events. An interview is a process of oral and constructive engagement between two or more parties with a purpose of bilateral sourcing of information.

Interviews were conducted with the police members from the Diepsloot Police Station who collectively conceded, although defensively that vigilantism has shifted away from permanent groupings, like Mapogo-a-Mathamaga, but the mob attacks remain prevalent. As a result, the researcher paid attention to the mob justice with a clear distinction between violent protests and mob violence. The reason for this distinction is that some participants expressed views around protests that turned violent.

Community structures that were interviewed covered similar ground to that of the police as a result of direct link to the police station. Nonetheless, they also gave account from residents' perspective whereby they acknowledged that the scourge of crime remains the driving force behind vigilante attacks.

The researcher also engaged with the residents in an attempt to source opinions from perpetrator and victim perspectives wherein the note of dissatisfaction on police service delivery was highlighted. On the one hand, the perpetrator asserted that crime is rampant and their intervention is yielding results. On the other hand, the victim maintained that they had not done any crime but just because someone has screamed or blew a whistle then one will encounter this onslaught.

4.2.2 Focus Group

The researcher used a focus group that was representative of the community of Diepsloot. As highlighted at 3.2 and in paragraph 4.2.1, the group comprised of the three policemen, one person from the Community Policing Forum, chairperson of the Community Youth Desk, secretary of the Community Patrollers, school principal, Ward Council Committee member, a survivor of a mob attack and his family, a priest from Churches Against Crime within Diepsloot, two persons from a street committee, two persons from the National Intelligence Co-ordinating Committee (NICOC).

The interviews were mostly conducted through face-to-face and three telephonic interviews. The objective of the research was constantly explained and the respondents comprehended well thus responded within context but mostly highlighting that there has been a calm period since January 2012.

4.2.3 Fieldwork Experience

The interviews were conducted mostly in Diepsloot while those of NICOC were conducted at the offices of the respondents. All respondents were given the consent form that specified the purpose and objectives of the research which they signed or acknowledged. The researcher travelled to Diepsloot and started at the police station where a police officer co-ordinating social crime in the community was a point of reference. The police officer welcomed the interview and was resourceful. In his

account of vigilante activities, he asserted that the incidents are declining hence the state of calamity. He had no reservation around whether his identity may be disclosed in the research report or not since he had also worked with Professor Anton Harber on his book “Diepsloot”. In terms of the general community, there was general discontent around the purpose of the research and mistrust on possible compromise should the observers suspect anything. But the researcher blended into the community thus earning their confidence.

Overall the researcher managed to win the trust of the respondents including the mob justice survivor and the objective of the interviews was attained. The researcher’s scope of respondents aimed to balance the perspectives in order to answer the research questions.

As a result of trust, the researcher was invited to a meeting on 13 March 2013 where various initiatives were being sanctioned. The meeting comprised various stakeholders including the; Department of Justice and Constitutional Development (Legal Aid SA), Gauteng Provincial Government, City of Johannesburg, Nowethu Business Chamber (Men’s Forum) and SAPS (Diepsloot). This body extended a request to the University of the Witwatersrand to be on board with these initiatives and assist especially on situational studies, impact analysis and development of concept documents when the need arises.

4.3 DATA ANALYSIS

Content analysis was employed because it is best suited for this research since the technique examines the content, or information and symbols, contained in written documents or other communication media. Furthermore, this approach of analysis is most often used for descriptive purposes, but can be exploratory or explanatory as well (Neuman, 2006: 44). The researcher analysed data by focusing on the development of themes from the primary data along the study objectives and the data analysis is along the themes.

The themes that emerged during data collection allowed the researcher to comprehend how respondents felt about vigilantism especially in the three areas of the authority, perpetrator and victim. The authority views the vigilante incidents as

sporadic and reflecting lawlessness. The perpetrator maintained that if crime confronts their daily lives, they will do something about it. The victim was in despair and hopelessness because coming forward to help authorities with apprehension and prosecution of perpetrators presents additional danger. The researcher observed the following themes during the interviews with the focus group, before even engaging in the data analysis.

The themes that emanated from interviews include:

- The community prefers instant justice thus mob justice is the norm,
- Targets have no description,
- Security cluster is fragmented around integrated participation.

The respondents were selected in such a manner to proportionally cover the community and the authorities. Out of those interviewed:

- Five were from the State security apparatuses (police and intelligence)- respondents A, E, I, K and P.
- Four were from the community structures (Ward Councillor-M, church-N, school-H and CPF-C&D).
- Six were from the general community membership mostly focused at balancing the views of both the victim and the perpetrator (B, J, D, F, O, and G).

The respondents were generally content around the subject with the exception of the community members due to the fear of reprisals by fellow residents. Officials from the State apparatuses were relatively cautious about their disclosure giving the reason that the interviews were not sanctioned by the departments. As a result, emphasis had been placed on their anonymity during report writing. Therefore the researcher uses the pseudonym “respondent” in an attempt to protect and uphold the researcher’s commitment to respondents.

4.4 Themes and Analysis

Interviews revealed that vigilantism or mob justice was prevalent although the situation is currently calm. The underlying cause of mob justice has been associated with the scourge of crime. The establishment of the Diepsloot Police Station in 2010 brought about a reduction in crime, but there still are problems of burglary, rape, pick-pocketing and mugging. In light of the questions, most respondents expressed their views as stakeholders in anti-crime efforts.

4.4.1 The community prefers instant justice thus vigilantism is the norm

Respondent J was interviewed on 28 February 2013. He is not a Diepsloot resident but frequents the area and has knowledge of it. He explained that acts of vigilantism are barbaric in their nature and indeed popular in the informal settlements. The criteria around which the mob justice is meted out are strongly based on rumours, the history or profile of the victim and false accusations.

He recounted an incident at his aunt's place in Wespark (Pretoria). She had experienced burglary, whereby upon the whistle blowing the community reacted instantly and hunted the criminals. Coincidentally, they ran into a pair of youngsters who were jogging towards the mob's direction and were pounced upon as the guilty parties.

The respondent's view on the causes of mob justice is scarce resources, unemployment, political contestations and existing frustrations around service delivery thus crime becomes a trigger to vent frustrations.

Respondent A, from Diepsloot, interviewed on 03 March 2013, addressed the reason why the community resorts to mob justice. According to him, the community is unhappy with the criminal justice process because they would often assist in the arrest of a criminal who is then released either on bail or through acquittal. To the community, the criminal is guilty until proven innocent thus whenever they would volunteer a suspect to the police they expect only guilt convictions.

The respondent was also asked about the psychological make-up of the perpetrators of mob justice. He highlighted the fact that during mob attacks, the front-runners are

hailed as community heroes therefore impulsiveness becomes the order of the day. However when the vigilante perpetrators are arrested, the community tends to back off leaving the perpetrators-turned-criminals to fend for themselves. To the respondent the situation of the community is complicated to analyse the perception because the age and gender distribution of perpetrators are cross-cutting. In his previous personal encounters, he arrested a 16 year old girl who has since been sentenced to 18 years in prison, a 52 year old man now serving 25 years and a 47 year old man serving an 18 years jail terms.

On 3 March 2013, the residents of Extension 8 in Diepsloot held a community meeting at the corner of Phumla and Ngonyama Streets. About 28 to 30 residents attended. Among the convenors were members of the community policing forum and the patrol volunteers. The purpose of the meeting was to revive the CPF structures and allocate them to the police sector manager. The meeting was delayed due to the absence of actual residents, “stand owners”, (also referred to as b*oMa-stand)*. This implied most of the attendants were tenants who had little say on issues in the community. Whilst the meeting was addressing the issue of the police-community relationship, the stand owners still held the position of self-help on issues of crime. This position was confirmed by some speakers who constantly highlighted that there would be no more tolerance for popular justice.

Respondent B, a Youth Desk official, was interviewed on 03 March 2013. She spoke on the issue of vigilantism indicating that there were no groupings that would qualify as vigilante groups in Diepsloot. However, there are still people referred to as comrades who are aligned with South African National Civic Organisation (SANCO) and those referred to as Block Committees who tend to take the law into their own hands. They position themselves as community representatives thus problems would be brought to them. As a result, some cases will be around hatred for which the committee would be prejudiced in tendering justice.

Respondent B shared the same description, as respondent A, of perpetrators as persons who lack conscience and moral foundation. Furthermore, during the mob attack, these perpetrators are driven by the egoistic tendency to show off. The perpetrators of mob justice tend to worsen the crime situation in that survivors return to the community vengefully resulting in gangs and further crime being committed.

In her observation of mob attacks, the respondent indicated that the mothers in the community would never participate in attacks but the trauma to families is immeasurable. The identification of targets by vigilantes does not make provision for mistaken identity and even after such a discovery there would be no sense of remorse towards the affected family.

The respondent recounted two incidents that occurred in the last week of February 2013. In both incidents suspects were accused of rape and theft and they were attacked and badly assaulted, but the police managed to intervene on time. This observation (police reaction time) by the respondent, speaks to the improvements on course that should see the community mobilised out of mob justice tendencies.

Respondent D was interviewed on 09 March 2013. He is from Extension 2 and presented the fact that mob justice has dramatically declined in 2012 but there are still sporadic incidents. His account explained the link between vigilantism and mob justice whereby he highlighted that some members of SANCO tend to resist the role of the CPF and they play the role of community representatives which leads to the perpetuation of self-help. His view was inclined towards the community's lack of awareness and mistrust of the criminal justice processes thus their (vigilantes) approach tends to be justified in their eyes.

Respondent L was interviewed on 09 March 2013 in Extension 12. She indicated that crime continues to bother them and the community wants to see the criminal justice system working. When asked whether she had participated in mob justice, she indicated that she never leaves her house because she would be scared to fall prey to mistaken identity for a criminal. On the community perception about mob justice, she believed that the community was divided around that since there are some who still promote self-help against crime. There is a block committee that exist to solve residents' problems including crime and family matters.

Respondent L further indicated that whilst the situation is currently calm in her extension, there had been three incidents of mob justice in 2012. In her observation the police would take far too long to arrive at crime scenes. This would be caused by the lack of infrastructure (roads and illumination). Since these incidents mostly happen at night, it becomes difficult for the police to access the areas especially

extensions 1 and 12. Equally, she believes that criminals know the area allowing them navigate their way through the shacks and escape from police.

The respondent was asked for her perception on mob justice. She expressed her objection to mob justice describing it as wrong yet she approved of its aim, in other words curbing crime given a lack of police visibility.

Respondent M, serving on the ward council, was interviewed on 09 March 2013 and concurred with respondent L that the community still is inclined to mob justice due to lack of education around the criminal justice system. In the eyes of the community, the only picture they see is the upsetting view of rampant crime and criminals who are let off the hook. The other issue is that the police take time to respond to crime, fuelling impatience among the community and leading to lawlessness.

The respondent further alluded to the issues of unemployment, poverty and alcohol abuse. These issues influence youngsters to be adversely influenced to pursue crime as a way of meeting their socio-economic needs. Respondent M pointed Extension 12 as a problematic area. This area like Extension 1 has infrastructure problems which include congestion, lack of electrical lighting, thus making facilitating criminal operations at night difficult. Since the police capacity to react is limited, the community also prefers mob justice in the night when potential to be identified is minimised.

Respondent O is a resident of Extension 12 and serves on the street committee. He was interviewed on 10 March 2013. Overall there were other participants (4) who are his friends, some of whom serve on the committee. The problem of crime was highlighted and the issue of police reaction time was presented as an issue of concern. However, the respondent insisted that poor road infrastructure cannot be an excuse for the police because there are different access routes to Extension 12. Therefore, whenever the police are called, they would have options to respond in a timely fashion. Apart from slow a reaction time; there is no visible policing in Diepsloot which paves the way for crime to continue unabated.

There is also a problem of partial justice whenever a criminal is associated with the authorities. As an example, whenever a case of rape is reported against a relative or acquaintance of police, the police would do shabby work thus deliberately

compromising the case. What pains the community is when they are expected to accept the criminal back into their community therefore contributing to the loss of trust in the criminal justice system.

The street or block committee has been created to help the community deal with issues that can be resolved within the boundaries of the law without the involvement of authorities. Family disputes are presented to them and they preside over the mediation and reconciliation of conflicting parties. Moreover, when there is a third party (i.e. neighbour) implicated, such a person would also be summoned before the committee. For example, when a couple is fighting because of what a neighbour contributed (gossip), such neighbour would be disciplined. The community also addresses their children's problems through the committee. The respondent talked about his own son who he brought before the committee when the son was involved in drugs. He was confident that it was due to the lashes the son received from the committee that he shaped up afterwards.

One participant pointed out that mob justice is a reality in Diepsloot, especially in Extensions 1 and 12, to the extent that it is a daily occurrence. His point was then supported by others in that the rate of crime should be linked to the rate of mob justice. However none of them admitted to have participated in any of the attacks except respondent O was confident regarding his intervention in apprehending some suspects on various occasions. The collective submission of the participants was that they are cooperating with the CPF structures. They have created an arrangement that when a case is too serious for them to handle, they escalate it to CPF members who then will liaise with the police.

4.4.2 Targets have no description

Respondent G, a 20 year old victim of mob justice on the morning of 12 November 2011, sadly recounted how the events unfolded on that day. He indicated that he was walking from a shebeen in Extension 2, where his grandmother resides, with two of his friends around 06h00 when a taxi deposited two ladies about 100 meters in front of them. As the ladies were about to pass them, the ladies screamed and people came out, within seconds, and lunged on them. The two friends managed to run away and he was captured. He recounted the objects used during the assault

that included steel rods, electric cables, stones and bricks. His last memory of these events was one of the attackers hitting him with a brick on the head causing him to fall unconscious.

The researcher investigated the cause of alarm, particularly what made the ladies scream. The respondent indicated that when he left home Friday night of 11 November, he stole his father's pistol and left with his friends. At some point he gave the pistol to his friend to keep it for him. As they were walking home, to grandmother's place, the friend took out the gun to admire it. At this point the two ladies saw the gun which was the cause for the alarm even though the friend had not pointed it at them. But the attack was worsened by the fact that the friend had given back the gun to him and the mob found the gun in him.

The respondent was asked about the trends of vigilante attacks in the community. He presented it as rampant and happening almost weekly even though most do not end in deaths. On the question of who the targets are, he asserted that the mob has no criteria on their targets. There is a popular alarm signal called "vimba" whereby anyone can scream "vimba" and the community will be mobilised. The problem with this alarm system is that when two people have differences, one can signal a mob to attack the offending party by simply shouting "vimba".

The researcher enquired about the police's effectiveness in the area and the respondent indicated that they are not proactive around these incidents. Even when the alert signal would be sent in time, there has been a tendency of police arriving at a scene and delaying intervention. One such incident occurred in Extension 8 early in 2012, when the police and ambulance arrived and did not rescue the victim; instead they appeared helpless. The intervention only commenced when another police officer arrived at the scene and managed to rescue the victim. But very seldom perpetrators would be arrested and brought to book. His incident, where he was assaulted, is one of those where he will never know justice as it is with the families of other victims. On the issue of his adaptation in the community since he was assaulted incident, he indicated that he had to put the incident behind him and continue with his life. He maintained that he was not seeking revenge because he did not recognise the attackers but at the same time he said that he could not rule out an attack possibly recurring.

Respondent F, who is a sister of Respondent G, counted the impact of the mob justice on their livelihood. The respondent indicated that the incident of 2011 has changed their lives altogether because they never learned why their son was assaulted. The sister, who was the first family member to arrive at the scene, claimed some members of the mob said the victim had raped someone whilst others said he had stolen somewhere but none from the mob disclosed details.

The respondents also affirmed the alarm system of “vimba”, maintaining that it was indiscriminate and not about crime only but that hatred of each other in the community played a role. The perpetrators never show remorse. The known hotspots in Diepsloot are Extensions 1, 2 and 5. The respondent maintained that the police never came in time and were not supportive of the victims. The sister of the victim recounted on the difficulties they endured to transport the victim to Tembisa Hospital and the delay that was encountered at the hospital before the victim could be attended to. They arrived at the hospital at about 07h00 and were only attended to at around 12h00, while the victim was unconscious. Throughout the pre-admission delay, the police were sitting around without assisting them (at least with pressurising the nurses to attend to the patient) even though the victim was also a detainee for the unlicenced gun that was found in his possession.

Respondent F shared that they constantly live in fear because every time the victim leaves the house they are afraid he might fall a victim again. The victim has been traumatised by the incident and is now a short-tempered and overly suspicious person.

On the vigilante formations, the respondent indicated that mob justice by far has no platform but the existence of street committees has an inclination towards vigilantism. She indicated that children of street committee members, who are implicated in criminal activities, are always protected.

Respondent L maintained that crime is rife in Extension 12 and while she does not condone mob attacks, some community members promote it. According to her the ineffective crime policing exacerbates this community’s resolve. She then made note of a street committee which helps the community with crime and family problems. When asked about how the committee administers justice, she was shy to respond

but indicated that the community has confidence in the committee even though she has not used their services yet.

Respondent K highlighted that the criterion for selecting targets by mobs is skewed. The target criteria will mostly be skewed towards a man, unemployed, a substance abuser and social cliques in the community. Therefore the target's identity is so blurry that anyone may fall prey to mob justice. At the same time, the instantaneous charge at a victim is a cause for concern because even in an effective policing system the reaction time would unlikely to match the speed of a mob attack.

4.4.3 Security cluster is fragmented around integrated participation.

Respondent K, from the security cluster (NICOC) was interviewed on 28 February 2013. He outlined the cause of vigilantism as the break-down of trust between communities and security apparatus which gives rise to self-help tactics. These tactics would involve killings and severe injuries to the victims. However the vigilante attacks tend to spiral into reprisal attacks resulting from survivors trying to settle scores or even arrested perpetrators avenging the compromise that resulted in their arrests.

Crime is labelled as the primary cause of mob justice. The state security apparatus tends to be over-stretched. This results in the inability by the police to address mob attacks. At the same time the problem of unemployment and poverty fuels the prominence of petty crimes with the typical intention of stealing money to support habits such as drug use.

The respondents K and P were asked about the attention placed on mob justice within the security sector. They indicated that given the trends of mob justice across the country, there were justified grounds for the escalation of this phenomenon to the level of national security threat. However, at this juncture, the incidents of mob justice are painted with a second coat rendering the situation less visible. The second coating, speaks to the conscious act by authorities to label and package mob justice on its outcomes alone therefore reducing the cumulative effect. It is this view that has resulted in principals in the security cluster not tabling this issue independently.

The respondents presented the argument that mob justice is not distinct from the 2008 xenophobic attacks that received immediate attention at the national level. They, however, argued that another element that may be contributing to passive action from state apparatus is the problem of capacity; for example, if masses were mobilised to assist police with information on perpetrators, there would be a costly witness protection programme.

The respondent highlighted the problem of silo functions in the security sector whereby problems like mob justice are alienated to crime policing. According to him, the issue of vigilantism requires collective focus, where crime policing is supplemented with intelligence operations aimed at sharpening early warning systems. Moreover, the coherence in intelligence with awareness campaigns will boost visible policing. This view was informed by the fact that apart from crime intelligence, structures of social stability should be channelled to cover this area.

Respondent A from the Diepsloot Police Station was interviewed on 03 March 2013. The respondent indicated that mob justice incidents have subsided dramatically in 2012/13 as a review cycle. In 2012, they dealt with five murders, three of which were related to mob justice. In 2013, the police have only handled one murder as a result of mob justice. The respondent was adamant that the recording of mob justice incidents would distort the crime picture and crime by mob justice is assault, attempted murder or murder. Therefore the statistics speaking specifically to mob justice do not exist but police dockets do reflect whether the cause of injury or death was mob attack.

The respondent reflected on the challenges encountered by the police being that the community would sometimes be hostile towards the police thus affecting the efficiency of intervening in time. Secondly, there are still some elements of street committees that see themselves as the middle ground between law enforcement structures and the community. This tends to affect the role of the police because of community members that would be more comfortable in using these structures than going to the police. The third challenge is the inadequate resources like vehicles rendering it difficult to cover the area of Diepsloot especially when there would be more than one call for police officers to respond to simultaneously. In some instances, the problem of resources is exacerbated by the absence of hospital

facilities. In this case, when a victim or suspect has to be taken to hospital, the police station has to use the Tembisa Hospital where time consumption, while waiting for medical attention, can range from two hours or even a day.

The decline in mob justice is apportioned to the multifaceted projects where the community is mobilised away from antagonism with the police. Current programmes include active community policing forums, a youth desk, men's forum, patrollers and churches on anti-crime and anti-mob justice. These programmes are more aimed at anti-crime campaigns which centrally attempt to drive the mind-shift away from crime and at the same time to discourage mob justice.

Respondent E from the same police station held the view that mob justice is on the decline; however, it is still an issue of concern. According to his knowledge, they would handle about four incidents in a month. He did apportion the perceived decline to the active role played by the CPF structures. He further recounted that, in the incidents he attended, the predominant perpetrators were youngsters lashing out their frustrations not about crime but other community issues like unemployment.

Respondent I, the sector manager (Extensions 2, 4 and 8), is from Diepsloot Police Station and was interviewed on 08 March 2013. He indicated that mob justice is the norm in Diepsloot especially in Extensions 1, 2 and 9. In his observation, community members preferred not to report crime to the police. He maintained that the reason should not be limited to the break-down of trust in the police but also the cumbersome legal marathon that complainants sometimes are not prepared to handle.

This respondent indicated that the community is never violent to the police even if they would often be hostile when the police do not approach the situation correctly. He related an incident in 2012, where he was called from vocational leave when his colleagues were helpless at the site of mob justice. The respondent walked into the situation and rescued the victim.

The resident from Extension 4, respondent J, was interviewed on 08 March 2013. He pointed out that there were no groupings similar to the Mapogo-a-Mathamaga but there are Block Committees and "Maguerilla", who plays the role of intervening when community needs their assistance on crime and family disputes. However, since the

CPF and the police are active, crime and mob justice is under control. The decline is further attributed to patrols that constantly bust out drugs dens, guns illegal shebeens and criminals. When asked about the last mob justice incident in the area, he indicated that one had been committed in the last three weeks (mid-February 2013).

Respondent H (school) and N (church) were interviewed on 04 and 09 March 2013 respectively. Respondent H had a general disassociation to the notion that Diepsloot community is generally a violent society. He maintained that he had not heard of any mob justice since the time of the xenophobic attacks. He asserted that there would be sporadic incidents of boys fighting in his school and the seldom discovery of pocket knives that were confiscated.

Respondent N acknowledged the problem of mob justice but insisted that the situation was exaggerated. He signalled that since January 2012 they have embarked on Operation Spiritual Intervention with inter-denominational programmes involving circling the community with prayer sessions. According to him there has been a major effect in shifting the community away from mob attacks to cooperating with the police. He, however, conceded that mob justice did leave permanent scars in the community and they do assist church members who seek assistance from the church.

CHAPTER FIVE

FINDINGS AND RECOMMENDATIONS

5.1 INTRODUCTION

Chapter four dealt with the presentation of data collected and has put forward a contextualised analysis of data presented by interviewees. The themes, along which the data analysis has been presented, are again juxtaposed alongside the findings of this chapter. The findings are founded and contextualised from a qualitative approach. It is on these findings that recommendations would be based thus allowing the researcher to propose workable solutions.

The chapter aims to report on the findings thus concentrating on the presentation and analysis of data derived from the interviews. It is noteworthy to draw the connection of vigilantism and mob justice as concepts in order to eliminate misrepresentation of the research topic.

The premise of vigilantism, as presented in chapter two, remains coherent to this point in the report. The researcher presented the descriptive view that vigilantism is a practice by individuals or organised groups focused on self-protection against any threat against self, personal assets and the community. The definitions presented by different authors (Nina, Minaar, Skhonyane and Louw, and Buur and Jensen,) in this research have pointed towards vigilantism as an entity, formation or a grouping. However, the common denominator has always been self-service against crime. It is this denominator that is clarified in chapter two to then cover terms such as mob justice, popular justice, violent justice and vigilante activities in reference to vigilantism.

5.2 FINDINGS

5.2.1 Perception of the community about vigilante incidents

The frequency of mob justice in Diepsloot has reached the point where the community has habituated around the incidents. Whenever such incidents occur, non-participants would be more curious to know if the victim is related to them more than in restraining each other. The respondents have shied away from believing that

mob justice is a norm in this community whilst at the same time complaining about the ineffectiveness of the police in combating crime. This culminates into a moral dilemma of “it is wrong but they deserve it”.

All respondents, not belonging to community structures, shared in the belief that mob justice is wrong but that it does send a strong deterrent message to criminals. This notion speaks directly to the norm factor around popular justice as presented by respondent A. The fact that when a suspect has been apprehended, there is violent euphoria in response to the punishment is an indicator of a generally violent community. Respondent A’s description of perpetrators can only mean that the community is either condoning mob justice or they are held hostage fearing that such punishment could be directed at them should they appear to be condemning it.

The popular alarm system (whistle and “vimba”) as a trigger for mob onslaught is quite tricky and can be misleading. The respondents’ emphasis on the instantaneous response should be seen as an indicator of a readily charged community waiting for the alarm. The reality that the perpetrators of mob justice are seldom arrested, qualifies their reason for regarding themselves as community heroes, as described by respondents A and B. The age variation of vigilante perpetrators (16, 47 and 52) further qualifies the supposition that mob justice is the norm because this means that teenagers and adults think alike when it comes to mob attacks.

It is fair to acknowledge that, prior to the establishment of the Diepsloot Police Station in 2010; it was difficult for the community to experience service delivery from Erasmia. This implies their version of authority and justice must have been distorted. If from 1995 to 2010, the only way to access the police services was to travel, then it makes sense that the community of Diepsloot had no police to break the trust with. Therefore the community is in a psychological transition to accessible police services and undergoing reconditioning away from self-help tendencies.

The police station’s capacity to service the community seems viable from the account of officers interviewed as well as visual observation. The Johannesburg Metropolitan Police Department has personnel at the station acting as force multiplier. However on the ground the respondents do not feel attended to. In all accounts, except from police and CPF structures, respondents asserted that there is

extremely minimal police visibility in the community. This implies that the crime prevention strategy is reactive and often having to negotiate ground with the community's crime prevention strategy, i.e. mob justice. With regard to negotiating ground, respondent I made mention of the attitude of police when attending mob justice incidents. Police officers have to present a positive attitude to calm the mob hence the delayed intervention as reflected on by respondents F and G.

The intervention measures tend to be slow and will take time to yield results. Indeed community mobilisation is not a simple task; it is worth noting that the community have to buy into the strategy. The CPF seems not to appeal to the stand owners, as reflected through respondent C.

Respondents D, F, G, L, M and O concurred that Block Committees tend to act like vigilante groups but their influence is currently being defused through the activation of CPF structures. However, respondent O's account of his street committee implies that they are there to stay and can only reduce their crime oversight rather than disbanding the committee.

5.2.2 Targets have no description

The general account of mob justice is that crime is the catalyst and that it appeals to a remarkable portion of the community. Nonetheless, the problem arises when the criminal is not obvious. If one looks at the setup of Extensions 1 and 12, the clear identification of a criminal in the dark should be almost unviable.

The "vimba" and whistle signals have been criticised by all respondents as dangerous because in the night anyone can scream or whistle. As respondents A, F and G indicated, targets are not always criminals but could be foes having scores to settle. The mob justice perpetrators generally cause harm to the community rather than solving the problems.

It is somehow clear that the lack of remorse can be attributed to the community's mind-set that they are fighting crime. As a result all victims should be attached to some blame. This means that even if the victim may turn out to be mistaken target, the community will find something to blame it on the victim (as alluded to by respondent F).

The police's complacency when they delay intervention shows signs of weakness, thus mob justice perpetrators tend to feel invincible. Therefore, the likelihood of mob justice, continuing unabated, remains high, thus perpetuating the permanent scars in the community and setting the tone for the younger generation.

5.2.3 Authorities' response

The respondents J and P from the intelligence community submitted that mob justice is cancerous in the society and if there is no directed effort aimed at curbing such incidents, there will be eventual lawlessness. However, there is no current indexing of mob justice incidents thus the cumulative effect of individual cases is not measured. Probably there is adequate reason for approaching mob justice similar to any other crime or triggering the same response seen at national level in the wake of widespread xenophobic attacks. It is in this view that respondent J's opinion of a multifaceted security effort would assist in early warning.

The issue of labelling crimes within policy prescripts presents a pitfall in that some crimes are concealed or under-reported just because they have no individual category. The belief that mob justice falls into the same crime categories as assault, attempted murder and murder is limiting and misrepresents the social reality on the ground. The reflection of crime statistics of 2011/12 around murder, assault and attempted murder tallied to 755 cases. If the respondents' views on mob justice are anything to go by, it will be cumbersome to distinguish which of these cases were one-on-one and which were mob justice cases. This unclear description has a direct effect in the planning and allocation of resources that would assist in preventative measures.

Unemployment and poverty are labelled as among the causes of mob justice. As was presented in the background in chapter one, the survival on limited resources propels frustration and tends to trigger conflict towards those who deprive others of their hard-earned valuables. While unemployment and poverty fall outside the mandate of SAPS, the elementary dent in convincing the community to buy into crime prevention strategies should begin with socio-economic improvements. Even if that should mean intended programmes that would develop the community. It is such optimism that would improve community mobilisation.

Stavrou (2011: 8) is a former researcher at the Centre for the Study of Violence and Reconciliation, in 2011 published a report on “the effects of crime and violence on children”. While her focus was on children, the typical findings she expressed are applicable to different ages. Her findings were:

- ***Fear:*** the most commonly expressed fears are of the security forces, of future attacks especially on the children's homes.
- ***Emotional changes:*** feelings of emotional numbing, powerlessness, of extreme vulnerability and a lack of safety. Anxiety, restlessness and irritability. Having no interest in life and guilt. No energy and constantly fatigued and volatile mood swings.

  Younger children often act much younger than they are by clinging to their mother all the time and beginning to wet their beds again, for example. Older children tend to become depressed and withdraw into themselves.

- ***Difficulty sleeping and dreaming:*** nightmares about attacks and fear of falling asleep.
- ***Difficulty thinking:*** *c*onstantly thinking about and re-experiencing the traumatic experience. Not being able to concentrate and to remember properly. Children's thoughts are negative and they find it difficult to be creative.
- ***Social difficulties:*** not wanting to be social with other children, being aggressive with others.
- ***Eating problems:*** refusal to eat and loss of appetite.
- ***Somatic complaints:*** mainly in the form of headaches and stomach aches.

These general stress responses may develop into more distinct emotional, behavioural and somatic clusters which indicate the existence of Post-Traumatic Stress Disorder (PTSD). The stress reactions may show themselves immediately or they may have a delayed onset, implying, showing themselves some weeks, months or years after the experience. The symptoms may become cyclical and they can reappear and disappear at random. Without treatment, these reactions or symptoms may last for decades (Stavrou, 2011: 8).

The issues of fear, emotional changes and social difficulties appear to be the more applicable in the case of mob justice, in that it glorifies and perpetuates violence, therefore the vulnerable element of the community would not have a platform to vocally condemn this terror. The emotional and social changes are visible in the protectiveness and mistrust when a stranger has to confront the mob attack topic.

5.3 RECOMMENDATIONS

The recommendations on a topic like the effects of vigilantism presents a challenge of its own because one cannot point out physical measures that have measurable outputs. Nonetheless, the impact will be gradual requiring patience and continuity, especially when stakeholders are spread across volunteers who receive no incentive and employees who have no control over their future utilisation.

The effort of community mobilisation is a cumbrous exercise that implies the shifting of a paradigm around issues on which that community has been socialised. The exercise is bound to encounter resistance, disruption and counter-production. The community mind-set that mob justice does reduce crime cannot be shifted if the effort is unilateral. The current approach of community structures and projects require a facelift:

- Community Policing Forum-it is indeed community based and participants are willing to cooperate with the law enforcement agencies. At the same time CPF members live with the criminal elements who continue to evade the law. It would be important, for combating vigilantism, that a system of protection be created that would allow the CPF member who witnessed the mob justice to confidently assist the police investigation. Understanding that witness protection is costly, the endeavour to eradicate this tendency will be achieved through vigorous intervention strategies.

- Street or Block Committees-there is broad acceptance that these committees work together with the CPF structures. The one issue that does not tally with the legal framework is their belief that they can preside over certain issues and render punishment over cases. If these committees are a community resolution then it is paramount that they be integrated under the CPF be bound by CPF policy directives.

- Community Projects-the roles played by the Youth Desk, Men's forum, Churches Against Crime, Sport Against Crime and patrollers are essential since this cover the broader community. There is a need to diversify coordination of these projects so that the macro stakeholders can play visible role. The diversification should entail that, if the youth should be presented with a developmental opportunity, then entities like the National Youth Development Agency and the Department of Social Development should be mobilised to take a lead role. The role to be played by the Department of Sport and Recreation should also drive the initiative where applicable to them.

- Infrastructure development-the situation of Extensions 1 and 12 presents a divisive picture to the community of Diepsloot in that in reference from some respondents they would be referred to as shanties (emi-khukhwini). Not that such insinuation may catalyse violence but equally may render setbacks like impatience on service delivery. It is therefore imperative that the local municipality enhances communication on set projects that will improve people's livelihood.

- Vigilantism vs. crime-there is no reason that mob justice would be still a distant threat concept in the Justice Crime Prevention and Security forum. The fact that incidents are represented as assault, attempted murder and murder will continue to dilute the impact of mob justice in the community of Diepsloot and the country at large. If the 755 cases of assault, attempted murder and murder of 2011/12 were to be sifted and categorised, there would be a good indicator and tip for intervention strategies. Proper impact analysis should be initiated from the security cluster and paired with independent academic researchers in order to fine-tune intervention strategies.

- Police capacity-the establishment of the police station in Diepsloot symbolises the progress made and the prospective progress yet to be achieved. However, the displeasure from the community that there is no visible policing warrants a review of the capacity of the station. The paralysis occurring when crimes are reported simultaneously increases the community's resolve on self-help. Similar to the point presented in above paragraph, the issue of a health centre should be presented emphatically to the Department of Health.

In this case, not necessarily primary health-care but a facility that would assist police when they require urgent assistance. This would not only be applicable to victims of mob justice but as well to victims of other crimes.

5.4 CONCLUSION

Mob justice is a reality and to the community of Diepsloot it is not about statistics. Whether the incidents are sporadic and declining, a single incident captures the attention of the broader community and thus stays in the mind. This means that even if there would be six months of calm the next one will trigger the memory and thus reinforce some respondents' view that mob justice is rampant.

Diepsloot is supposed to be a success story that should attract the attention of all stakeholders from community leadership, service providers and the state. However, the situation is hapless purporting despair and pessimism from its community. It is supposed to be a success story because Diepsloot is one of the few, if not only, settlements that were consciously created in the new dispensation with the potential for rapid development. It will be through the success of intended projects that will be the yardstick for government service delivery and performance.

All of the initiatives highlighted in this chapter are currently coordinated centrally by the Diepsloot Police Station. While there may be nothing wrong with coordination, the local ownership may be impeded in that needs-analysis could be underrated. So far there is remarkable participation by few to whom these initiatives appeal. But to make an impact, mass mobilisation will be important and the decentralisation of coordination and pioneering by local residents will further improve the potential of the initiatives.

This research has proven that mob justice or vigilantism is a reality in, but not limited to, Diepsloot. The preventative measures are passive and reactive thus the state apparatuses lack capacity to tackle the problem of mob justice. It is therefore safe to conclude that this problem will persist into the future, as long as authorities continue to shy away from labelling mob justice categorically away from general crime. As a result the effect of vigilantism will continue unabated.

REFERENCES

Albrecht, P. and Kyed, H.M. 2010. *Justice and Security-When the State isn't the Main Provider*. Danish Institute for International Studies. DIIS Policy Brief. Copenhagen. Denmark.

Babbie,E. and Mouton, J. 2001. *The Practice of Social Research. South African Edition*. Oxford University Press.

Bearak, B. 2011. *Barry Bearak on Vigilante Murder: "I had to Find Out Why this Man was Killed"*. July Editors' Roundtable. No.2: The New York Times Probes a Murder in South Africa. (Accessed at www.niemanstoryboard.org on 20 April 2012).

Beaulieu, M. 2007. *Rowdy Cowboys and Masked Indigenas: Citizenship and Autonomy in Contemporary Social Movement*. Conference Paper. Ilassa.

Bregman, J. 2011. *Civil Society Organisations Lodge Official Complaint into Khayelitsha Police: Call for Premier to Appoint Commission of Inquiry*. Social Justiec Coalition and Others.

Buur, L. and Jensen, S. 2004. *Introduction: Vigilantism and the Policing of Everyday Life in South Africa. African Studies*. Nordic Africa Institute: Wits Institute for Social and Economic Research. University of Witwatersrand. Carfax Publishing.

Buur, L. 2008. *Democracy and Its Discontents: Vigilantism, Sovereignty and Human Rights in South Africa*. Review of African Political Economy. Danish Institute for International Studies. ROAPE Publications Ltd.

Constitution of the Republic of South Africa. 1996.

Country Advice South Africa. 2010. *SA-ZAF36373-Xenophobia-Ghanaians-Foreigners-Internal Relocation-Vigilante Groups-Communal Violence-ANC Government-Police*. Australian Government Refugee Review Tribunal. Published on 15 April 2010.

CoRMSA. 2008. *Xenophobic attacks "Not a Crisis"? Consortium for Refugees and Migrants in South Africa. CoRMSA Press Release on 15 May 2008.*

Crawford, A. 2012. *Special Report: Mob Justice in South Africa. SkyNews. Published on 13 June 2012. (www.news.sky.com)*

Creswell, J.W. 2003. *Research Design. Qualitative, Quantitative and Mixed Methods Approaches*. 2nd Ed. Sage Publications, Inc.

Crime Research Statistics-South African Police Service. 2012. *Crime in Diepsloot (GP) for April to March 2003/2004-2011/2012*. Department of Police.

Damba, N. 2012. *Vigilante Killing in Nyanga on Day of Reconciliation*. West Cape News. Published on 17 December 2012. (www.westcapenews.com).

Derk, M. 2012. *Improving Security and Justice through Local/Non-State Actors: The Challenges of Donor Support to Local/Non-State Security and Justice Providers*. Netherlands Institute of International Relations 'Clingendael'. Netherlands.

Dixon, B. and Johns, L. 2001. *Gangs, Pagad and State: Vigilantism and Revenge Violence in the Western Cape*. Violence and Transition Series. Vol 2. May 2001. Centre for the Study of Violence and Reconciliation. South Africa.

Fouche,C.B. 2005. *Qualitative Research Designs*. In De Vos, A.S.; Strydom, H.; Fouche, C.B. and Delport, C.S.L. Research at Grass Roots: For the Social Science and Human Service Professions. 5th Ed. Pretoria. Van Schaik Publishers.

Geneva Declaration Secretariat. 2011. *Global Burden of Armed Violence 2011: Lethal Encounter*. Cambridge. Cambridge University Press.

Goredema, C. 2005. *Organised Crime and Terrorism: Observations from Southern Africa*. ISS Paper 101. March 2005. Institute foe Security Studies. Brooklyn Square. Pretoria.

Gottschalk, K. 2005. *Vigilantism v. the State: A Case Study of the Rise and Fall of Pagad*, 1996-2000. ISS Paper 96. February 2005. Pretoria. Institute for Security Studies. Norwegian Ministry for Foreign Affairs.

Hoffman, P. 2010. *Vigilantism: The Last Resort of the Unprotected*. Institute for Accountabiltiy in Southern Africa. 15 September 2010. (Accessed at www.ifaisa.org on 20 April 2012).

Jeffery A. 2013. *The Rainbow Index 2011-2012*. South African Institute of Race Relations. Johannesburg. South Africa.

John, V. 2012. *Khayelitsha faces fresh Vigilante, Police Problems*. Mail and Guardian. Published on 24 October 2012.

Kempa, M. and Shearing C. 2002. *Microscopic and Macroscopic Responses to Inequalities in the Governance of Security: Respective Experiments in South Africa and Northern Ireland*. Transformation 49 (2002) ISSN 0258-7696. University of KwaZuluNatal. (Accessed at www.ukzn.ac.za on 20 April 2012).

Maepa, T. 2001. *Out of Hand? Government's Response to Vigilantism*. Nedbank ISS Crime Index. Volume 5. 2001. No 5. September-October. Pretoria. Institute for Security Studies.

Makgalemele, T. 2001. *It's the Necklace Next Time, Say Vigilantes*. The Johannesburg Star Newspaper. Published on 23 February 2001.

Makwela, P. 2012. *The Ugly side of Diepsloot*. Published on 07 February 2012. (www.diepsloot.com).

Minaar, A. 2001. *The New Vigilantism in the Post-1994 South Africa: Crime Prevention or an Expression of Lawlessness*. Institute for Human Rights and Criminal Justice Studies. Pretoria. Technikon SA.

Mouton, J. 2001. *How to Succeed in your Master's & Doctoral Studies*. A South African Guide and Resource Book. Van Schaik Publishers.

Mtika, G. 2011. *Horror of Mob Murder*. City Press Newspaper. Published 11 June 2011. (www.citypress.co.za)

Musi, M. 1998. *Mashatile Condemns Vigilantism in Diepsloot*. Speeches and Statement: Ministry for Public Safety and Security: Gauteng Provincial Government. 14 June 1998. (Accessed at www.gcis.gov.za on 20 April 2012).

Ndaba, B. 2001. *Crime Messages-Necklace Murders: Furious Mob Decides to Set Suspect on Fire*. Mail and Guardian Newspaper. Published on 26 February 2001.

Neuman, W.L. 2006. *Social Reseach Methods. Qualitative and Quantitative Approaches*. 6th Ed. Boston. Pearson International Edition.

Neuman, W.L. 2011. *Social Research Methods. Qualitative and Quantitative Approaches*. 7th Ed. Boston. Pearson International Edition.

Nina, D. 2000. *Dirty Harry is Back: Vigilantism in South Africa-The Re-emergence of the 'Good' and 'Bad' Community*. African Security Review. Vol 9. 2000. No 1. Pretoria. Institute for Security Studies.

Pillay, V. 2011. *Apartheid-style Housing in Post-Apartheid Township: Anton Harber Talks to the M&G about his Book, Diepsloot*. Mail and Guardian Newspaper. Published 26 May 2011.

Sapa. 2012. *Two Die in Diepsloot: Mob Justice*. South African Press Association. Published on 06 February 2012.

Scheye, E. 2009. *State-Provided Service, Contracting Out, and Non-State Networks: Justice and Security as Public and Private Goods and Services*. International Network on Conflict and Fragility. Discussion Paper at OECD.

Sekhonyane, M. 2000. *Using Crime to Fight Crime? Tracking Vigilante Activity*. ISS Crime Index. Volume 4 2000. No 4, July-August. Pretoria. Institute for Security Studies.

Sekhonyane, M. and Louw, A. 2002. *Violent Justice: Vigilantism and the State Response*. ISS Monograph Series. No 72, April 2002. Pretoria. Institute for Security Studies.

South African Human Rights Report. 2004. *Arbitrary or Unlawful Deprivation of Life*. July 2004. (www.ncbuy.com). Accessed on 10 November 2012.

South African Police Service. 2012. *Crime Statistics Overview RSA 2011/2012*. Department of Police. (www.saps.gov.za)

Stavrou, V. 2011. *Psychological Effects of Criminal and Political Violence on Children*. Centre for the Study of Violence and Reconciliation.

Swanepoel, M.P. 2004. *Vigilantism as a Feature of Political Decay: Tendencies and Case Studies in the Post-1994 South African Political Dispensation*. Dissertation for Masters in Governance and Political Transformation. University of the Free State.

Swanepoel, M.P. 2008. *Vigilantism as a Feature of Political Decay in the Post-1994 South African Political Dispensation: A Theoretical Perspective*. PhD in Governance and Political Transformation. University of the Free State.

Timeslive. 2011. *Safety MEC to Visit Diepsloot after Mob Kills Three*. Sapa. Published 27 January 2011. (www.timeslive.co.za).

Vos, U. 2012. *Diepsloot Driver Stoned and Kicked to Death: Vigilante Violence*. Beeld Newspaper. Published on 26 May 2011.

www.alhdc.org.za. 2011. *History of Diepsloot: Affordable Land & Housing Data Centre*. (Accessed at www.alhdc.org.za on 20 April 2012).

www.diepsloot.com. 2012. *Diepsloot Official Website.* (Accessed at www.diepsloot.com on 20 April 2012).

www.iol.co.za. 2011. *Suspect in a Critical Condition after Mob Justice in Diepsloot*. (Accessed at www.iol.co.za on 23 May 2012).

www.whatishappeninginsouthafrica.blogspot.com. 2012. *Is necklacing Returning to South Africa*? Sourced from Institute of Race Relations. Published on 02 January 2012. (www.whatishappeninginsouthafrica.blogspot.com).