

Uniforms, plastic cops and the madness of ‘Superman’: An exploration of the dynamics shaping the policing of gangs in Cape Town¹

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ABSTRACT

Gangs have long been a feature of the social landscape of the City of Cape Town and its environment. They have endured the heaves and sighs of change which have accompanied South Africa’s social and political transformation. Whilst local scholarship on gangs is well-established, the complex dynamics accompanying the actual policing of gangs have received relatively little attention. By drawing on a series of in-depth interviews with members of the police organisation and on a small sample of interviews with gang leaders, this article begins to explore selected aspects of the policies and practices associated with the policing of gangs in Cape Town. Central to this exploration is the argument that a wide range of factors influences the operational strategies vis-à-vis gangs including that of the institutional culture of the police itself.

1. Introduction

The methods used in the policing of gangs are complex and ill-understood. Many factors influence the way gangs are policed. Such factors include the nature and levels of violent conflict associated with gangs; the nature of the relationship between gangs and communities; the operational capacity and the amount of resources at the disposal of the police, and the way in which police understand gangs. The relationship between gangs and the communities in which they live is characterised by symbiotic co-existence. There is much ambiguity in this co-existence. On the one hand, gangs provide livelihoods and security to communities. On the other hand they act in ways which are detrimental to community security and well-being. Gang violence tends to disorganise communities and makes for division between neighbours and within families and communities. Attempts to arrest

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and prosecute gang leaders who have cultivated community support may provoke resistance and thus fuel conflicts within communities.

Inextricably linked to the manner in which gangs are policed is the way the police view their jobs more generally, and how they view gangs more specifically. Police officers see themselves as better than the people they are supposed to be policing² and this contributes to their world view of criminals, including gangsters. Police culture³ is a factor which shapes the operational responses of the police to a wide variety of situations and target groups such as gangs. This article makes some attempt at exploring the importance of police culture on the policing of gangs. How indeed do the definitions and social constructions of gangs on the part of the police influence the very policing of gangs?

2. A brief note on methodology

This discussion forms part of doctoral research which I have been conducting over the past year with the view to exploring the political, social and organisational dynamics underlying the policing of gangs. In total twenty people were interviewed over a twelve month period (March 2008 to February 2009). Interviewees included four gang leaders and fourteen police officials, two community anti-crime activists, one member of the Department of Correctional Services and one former MEC for Safety and Security. The face-to-face interviews lasted on average one hour. The interviews focused on a number of themes of relevance to the topic. A key focus within the interviews was the policing of gangs during the period 1996-2002 when conflict between an anti-crime vigilante organisation (People Against Gangsterism and Drugs, hereafter referred to as PAGAD) and gangs raged in the Western Cape.

In the discussion below, international literature relevant to the topic of police and gangs is introduced, before turning to a brief discussion of South African literature. These introductory sections are meant to provide a context for themes which emerged from the interviews and which cast some light onto the factors influencing the policing of gangs as identified by the police officers who were interviewed. Further research is of course required to explore in more substance and far greater detail the issues identified in this exploratory enquiry.

² This is a comment attributed to a policeman elsewhere in this monograph.

³ The police officers interviewed comprised of two former and one current deputy provincial police commissioners, two former provincial commissioners, one assistant and one divisional commissioner, two police directors, one police operational planner, one counter terrorist captain and a station commissioner.

3. Criminological literature on gangs and the policing thereof

The criminological literature on gangs is well developed. Fredrick Thrasher's seminal work of 1929⁴ has long informed our understanding of the structure and function of gangs. Seventy years later, a lot has changed in terms of gang structures and gang operations. The level of street organisation exhibited by gangs in the latter part of the twentieth century has changed dramatically. Compared to the gangs studied by Thrasher, gangs have developed a more structured and organised approach to criminality.

From a policing point of view, the successful investigation of gang crimes confronts many obstacles. American studies confirm that a common recourse amongst law enforcement agencies is the establishment of specialised gang units which take responsibility for the policing of gangs. The justification for such specialisation is that there is a level of complexity involved in the policing of gangs that police would not encounter in their dealing with 'ordinary criminals'. Such complexity includes the fact that communities where gangs reside often protect them despite the fact that gangs enforce their rules on the community through fear and coercion. American developments suggest that police organisations tend to deploy a huge amount of resources in the policing of gangs. So, for example, extensive use is made of surveillance and of search and seizure operations. It is a moot point however whether such policing strategies make inroads into the power and control of gangs within communities. According to Katz and Webb,⁵ police gang units have only been partly effective. Others concur that the outcomes of such strategies do not justify the amount of resources ploughed into the effort. Green and Pranis argue that intensive police enforcement tactics in Los Angeles have increased social solidarity amongst gang members and strengthened rather than reduced the power of gangs.⁶ As they put it:

'Los Angeles taxpayers have not seen a return on their massive investments over the past quarter century: Law enforcement agencies report that there are now six times as many gangs and at least double the number of gang members in the region. In the undisputed gang capital of the U.S., more police, more prisons haven't stopped the cycle of gang violence. Los Angeles is losing the war on gangs.'⁷

⁴ F Thrasher *The Gang: A Study of 1313* (1929).

⁵ CM Katz, J Vincent *Policing gangs in America*, (2006)

⁶ J Greene and K Pranis 'Gang wars: The failure of enforcement tactics and the need for effective public strategies' (2007) *Justice Policy Institute*.

⁷ Ibid.

Furthermore Albert Meeham⁸ reminds us that the ways in which gangs are policed are very much influenced by constructions of the gang problem amongst politicians and the media. Lastly, the extent to which real and perceived collusion between police and gangs bedevil law enforcement approaches is an issue widely acknowledged in the literature.⁹

South African literature on gangs deserves some mention. Most of the early literature on the topic focused on the history and development of prison gangs in the country.¹⁰ It was not until the early 1980s that street gangs became the focus of research. Here the contributions of scholars such as Don Pinnock and Wilfried Schärf have been particularly influential.¹¹ Both authors approached gangs from a structural angle. Gang formation they argued had to be understood within the political and economic context of Apartheid and its consequent dislocation of families and communities. Looking beyond the Western Cape, historical enquiries conducted by historians in the northern part of the country have focused on the gang formations in urban areas of African settlement — particularly within the industrial heart of the country. In this regard the work of van Onselen and Glaser is particularly important.¹²

After 1994, in the context of democratisation, changes in the social organisation of gangs became a focus of research as street gangs adapted to the global imperatives of organised crime.¹³ New criminal opportunities have arisen in the light of the new democratic state's inability to

⁸ A Meeham 'The organizational career of gang statistics: The politics of policing gangs' 2000 41 (3) *The Sociological Quarterly* 337.

⁹ S Venkatesh *Gang Leader for a Day: A Rogue Sociologist Crosses the Line* (2008) 239.

¹⁰ N Haysom 'Towards an understanding of prison gangs' (1981) *Institute of Criminology University of Cape Town*. Also see C Van Onselen *Crime and total institutions in the making of modern South Africa* (1982); JM Lotter and WJ Schurink *Gevangenisbendes: 'n ondersoek met spesiale verwysing na nommerbendes onder kleurlinggevangenes*. (1984).

¹¹ D Pinnock *The Brotherhoods: Street gangs and state control in Cape Town* (1984); D Pinnock and D Douglas-Hamilton *Gangs, Ritual and Rites of Passage* (1997); W Schärf 'Bombs, bungles and police transformation: When is the SAPS going to get smarter?' in J Steinberg *Crime Wave: The South African Underworld and its Foes* (2001); W Schärf 'Street gangs, survival and political consciousness in the eighties' (1986) an unpublished paper; W Schärf 'The resurgence of urban street gangs and community response in Cape Town during the late eighties' in D Hansson and Dirk van Zyl Smit (eds) *Towards Justice? Crime and state control in South Africa* (1990).

¹² C Van Onselen *Studies in the Social and Economic History of the Witwatersrand (1886-1914)* (1982); C Glaser *Bo-tsotsi: The Youth Gangs Of Soweto, 1935-1976* (2000).

¹³ I Kinnes 'From street gangs to criminal empires: The changing face of gangs in the Western Cape' (2000) *ISS Monograph Series No 48*; A Standing, 'The social contradictions of organised crime on the Cape Flats' (2003) *ISS Occasional Paper 74* and A Standing *Organised Crime: A study from the Cape Flats* (2006).

manage its own borders. International drug and crime syndicates have capitalised on this weakness and local gangs have become inserted into international crime networks. The degree of organisation exhibited by street gangs in the Western Cape has emerged as a point of debate in the literature. On the one hand, Kinnes states that after the transition to democracy, gangs such as the Hard Livings and the Americans become more organised.¹⁴ Whilst on the other hand, Standing questions the level of organisation amongst street gangs in the Western Cape.¹⁵ However, despite the controversy, it would seem clear that those leaders that have been at the core of gang structures are much closer to organised crime networks than is the case with the rank and file.

For those interested in the topic of law enforcement and gangs, the period 1996 to 1999 is particularly significant, as it confronted the police with a hitherto unknown form of criminal activity on the Cape Flats. The challenge came from an emerging anti-crime organisation. In the early years of its existence, PAGAD projected itself as an anti-crime movement concerned primarily about the ravages of the drug economy in coloured communities. Time and again, PAGAD supporters marched on the homes of drug dealers in a number of residential areas. Over time the protest actions spearheaded by PAGAD became more militant and then extra-legal. Before long, PAGAD became branded as a 'vigilante' organisation.

In August 1996 a meeting called by PAGAD led to a march on the house of Rashaad Staggie, the alleged leader of the Hard Livings gang in Cape Town. The PAGAD-led march ultimately resulted in the murder of Rasheed Staggie. After this event the stage was set for a war between the gangs, vigilantes and the police in which many people were to die. By the late 1990s, PAGAD was involved in an attack on gangsters and on state officials attempting to clamp down on the organisation.¹⁶ Actions by prominent PAGAD activists soon assumed the form of 'urban terror'. PAGAD's evolution from an anti-crime body to a vigilante group and then to an urban terror organisation was to have an unprecedented impact on the way in which the state and its police operated in Cape Town.

For those interested in the policing of gangs, the emergence of PAGAD is significant for a number of reasons. The organisation initially united sections of the community (largely, but not exclusively, members of the

¹⁴ I Kinnes *The Hard Livings: The Impact of political and social transformation to democracy on the gang in Manenberg (1992-1998)* MPhil (LSE) (1999).

¹⁵ Standing op cit (n 13) 77; W Dixon and L Johns 'Gangs PAGAD and the state: Vigilantism and revenge violence in the Western Cape' (2001) *Violence and Transition Series Vol.2 CSV*; R Galant and F Gamielidien *Drugs, Gangs and People's Power: Exploring the PAGAD Phenomenon* (1996).

¹⁶ See I Kinnes op cit (n 13), W Schärff, 'Organised Crime comes of Age: During Transition to Democracy' in Rashied Galant and Fahmi Gamielidien (eds) *Drugs, Gangs, People's Power: Exploring the PAGAD Phenomenon* (1996).

Muslim community) through challenging the power and control of the gangs. More importantly, the organisation challenged the traditional methods and practices of the police regarding gangs and gang violence. PAGAD also succeeded in putting the issue of police corruption and police complicity with gangs squarely in the public domain. The evolution of PAGAD from anti-crime to vigilante formation meant that before long the police ended up policing PAGAD rather than the gangs. This shifting of policing priorities and the redirection of resources meant that gangs were no longer the central focus of police attention and could thus utilise the space for pursuing their business interests.

From the interviews with police officers it became clear that a fair measure of confusion accompanied the emergence of PAGAD. As one of the provincial police commissioners involved noted:

‘So therefore when PAGAD started which was also against gangsterism and drugs, at the beginning I thought that this was a community based organisation and it could be of great assistance to the police in curbing the violence. I thought in my first six months as provincial commissioner, we’re on our way to get a good solid base to work against gangsterism involving PAGAD. But unfortunately as the organisation evolved PAGAD became a bigger threat to the police than the gangs for that matter.’¹⁷

Various studies¹⁸ have commented on the inability of the police to effectively manage investigations and prosecution of gangs and gang-related crime. The policing of gangs had been led by specialised police units and prosecutors investigating violent crimes associated with gang members. By the late 1990s the gangs came to be policed in terms of the provisions outlined in the Prevention of Organised Crime Act 121 of 1998. This legal tool turned out to be of dubious reliability. In order for the police to get convictions they needed to prove gang membership, in addition, the police were able to label the criminal acts by members of PAGAD’s ‘G-force’ as ‘urban terrorism’, which while valid in a sense further alienated key PAGAD members.

4. Locating the gangs of Cape Town

The violence associated with the gangs of Cape Town is well known. Such violence permeates the streets, townships and suburbs of the city and affects the lives of people who live there through a range of criminal activities. Armed robbery, rape, organised murder and especially extortion play an important role in how some of the smaller gangs such as the Sexy Boys, Mongrels, Nice Time Kids and the Junior Cisco Yakkies amongst others survive on the streets of the city. One signifi-

¹⁷ From interview with Police Commissioner C.

¹⁸ Kinnes op cit (n 13); Schärf op cit (n 11).

cant activity remains the distribution and sale of drugs on the Cape Flats, with many of these smaller gangs involved in pushing drugs for bigger gangs.

The Hard Livings, Sexy Boys and Americans are particularly well known for their use of violence to achieve their ends. They have the potential to disrupt essential government services in communities when they are involved in fighting. One illustration is the Hanover Park community. In late 2006 there was an outbreak of a gang war between the Talibans and the Americans in Hanover Park. Drive-by-shootings on the part of gangs became relatively common, and community disruption frequent. In violence affected areas, local clinics were forced to close, schooling was disrupted and public transport affected. It took the police the better part of six months to bring the violence under control. They could only do so after the community police forum and the neighbourhood watches became involved in attempts to restore a semblance of peace in these areas.

5. Anti-gang police operations

From 1994 to 2006 the police launched many operations against gangs. Henri Boshoff has provided us with a convenient timeline for police operations in his analysis of urban terrorism¹⁹ in South Africa. It shows that SAPS launched many operations against crime and terrorism. During February 1998 in a briefing by the Provincial Operational Coordinating Committee, to the Standing Committee on Safety and Security in the National Assembly, the police revealed their objectives for 'Operation Recoil':

'Operation Recoil was launched on 23 October 1997 mainly to counter the insecurity among the population influenced by media-driven speculation about 'war' between gangs and/or PAGAD. The concept of Operation Recoil was premised on the principle of flooding flash-point areas with high density security deployments by way of mobile visible patrols as well as cordon and search operations in order to flush out criminals in such flash-point areas.'²⁰

The police viewed these operations as successful in view of the numbers of arrests and the amount of stolen goods and firearms recovered.²¹ For instance, 'Operation Good Hope' was aimed at reducing gang and criminal violence; 'Operation Crackdown' was meant to clamp down on illegal firearms in circulation; whilst 'Operation Gang-Bust' aimed

¹⁹ H Boshoff 'Fear in the city, urban terrorism in South Africa' (2001) *ISS Monograph Series No 63*.

²⁰ Parliamentary Monitoring Group Minutes, available at <http://www.pmg.org.za/node/7111>, accessed on 23/06/2009.

²¹ Boshoff goes into great detail in providing some of the statistics related to these operations.

at putting an end to gang wars and clearing the streets of violent gangsters. From the interviews conducted it became clear that the police themselves seemed to have struggled with distinguishing between what constituted 'urban terror' and what constituted 'gang violence' in that turbulent period.

What kind of factors facilitated or sabotaged the state's response (whether proactive or reactive) to gangs in the Western Cape? From the interviews with police officials and a few senior gang members, a number of factors emerged. The discussion below attempts to organise — albeit in broad terms — views from the field relevant to a consideration of the challenges confronting the policing of gangs.

5.1 The absence of reliable information on gangs

One of the challenges which police confront in the policing of gangs is the absence of reliable information. There is little in the way of agreement on the size of the gang problem in South Africa. The oldest estimate of the number of gang members in Cape Town dates back to 1984. At the time Don Pinnock placed the number of gang members in the City at 100 000.²² Sixteen years down the line this figure still crops up in research.²³ In 2003 Häefele noted that '[t]he latest estimate is that there are more than 100 000 gang members in approximately 137 gangs in the Western Cape'.²⁴ Standing placed the number of gangs slightly lower, at 130.²⁵ Police estimates fare no better. The analysis of Greene and Pranis in Los Angeles, and Lemmer *et al*²⁶ in Chicago, indicates that absence of more reliable estimations of the size of the gang problem bedevils police strategies worldwide.

Furthermore, the proportion of violent crime for which gangs are responsible is also shrouded in some mystery as there is no facility within the SAPS crime capturing system to register crimes committed by gangs. The police however have claimed to have implemented a 'gang monitoring system'. As part of this system, police station commissioners are supposed to keep statistics of the numbers of gangs and gang members in their station precinct and report them to the crime intelligence component, which is then used to develop strategies to deal with gang crime. These profiles and statistics are however not made public. To date little is known about the efficacy of police opera-

²² D Pinnock *The Brotherhood* (1984) 4.

²³ I Kinnes *op cit* (n 13) 12.

²⁴ B Häefele 'Gangsterism in the Western Cape' (2003) *Criminal Economy, Gangs and Child Abuse, Community Safety Monitor Journal* 11.

²⁵ Standing *op cit* (n 13) 38.

²⁶ TJ Lemmer, JB Gad and AJ Lurigio 'An analysis of police responses to gangs in Chicago' (2008) *Police Practice and Research Journal* 417-30.

tions supposedly informed by the data generated through the gang monitoring system.

5.2 The primacy of policing 'urban terror'

A second challenge that confronts law enforcement is the competing demands on the time and energy of police officers. This issue is of particular relevance when considering the period under discussion. Between 1996 and 2000 in particular the state's attention shifted away from gangs as operational strategies and intelligence capacity became preoccupied with the challenge posed by PAGAD. The focus on PAGAD drained policing resources that initially were meant for policing gangs. A senior police officer tasked with managing one of the massive operations explained that in designing the anti-terror operations during the late 1990s, policing gangs was really an afterthought:

'We need to be very clear on Good Hope. Good Hope was launched in a period where there was urban terror. Good Hope's main focus was to deal with the urban terror and not gang related issues. Surely what we then said afterwards was while we were dealing with the urban terror threat, at the same time, maybe we should also give attention to the gangs, you know because we had so many recruits that came into the Western Cape, maybe we should also look at the gang issue.'²⁷

When asked to comment on the police philosophy which informed anti-gang operations, interviewees argued that the approach was very much one of 'stabilisation and normalisation'. The approach was largely drafted by the Deputy National Commissioner, Andre Pruis.²⁸ This centred on the idea that that the police could only *stabilise* the situation and that other agencies should step in to *normalise* community life through job creation and involving young people in other social activities. In their report to the Standing Committee on Safety and Security, the police explained the strategy as follows:

'... certain other strategic decisions were also taken with a view of not only to stabilise the situation, but also eventually effectively normalise the situation in a particular gang-ridden area. After having stabilised the situation in an affected township, a concerted effort will be made to normalise the situation, in a sense that an appointed committee comprising of members of the security forces, the Secretariat for Safety and Security, the Departments of Justice, Welfare and Correctional Services etcetera will look into the prevailing situation and devise ways and means to find a lasting solution for peace and security.'²⁹

²⁷ From an interview with Police Commissioner D.

²⁸ This strategy is currently still used by SAPS when planning operations and remains a throwback from the old national security management system.

²⁹ Parliamentary Monitoring Group Minutes op cit (n 20).

In fact, despite the rhetoric, the operations were driven by arrests alone as opposed to a sustainable developmental solution to gang violence in its own right.

5.3 Competition and distrust within the police organisation

It is not uncommon for the level of coherence and focus within law enforcement circles to be challenged by internal competition. During the interviews some police interviewees touched on the issue of competition in their explanation as to why so many anti-gang operations, for example, were launched in such a short space of time. They suggested that intra-organisational competition arose amongst the several units charged with dealing with various categories of crime. A former senior counter-terrorist police specialist, for example, indicated that the reason that the police could not effectively police the gangs was as a result of the failure of the police to have a unified organisational approach. The inconsistencies in operational planning were brought to light by one interviewee as follows:

'They don't even start one after the other. Halfway into the one, another emerges...As it unfolds, it becomes evident that the operation will not be successful in the substantial sense. It becomes evident to some people who then on their own proceed to develop an alternative tactic. So then you find suddenly Operation Saladin, so there was no announcement that Operation Good Hope was done. It's a success or failure and now we are moving to Saladin. It's almost like rolling mass action where one thing rolls into the other and it's free flowing.'³⁰

Internal competition within police circles meant a lack of cooperation and an unwillingness to share intelligence. Such a failure to cooperate is not very different from practices among policing agencies around the world, where a lack of cooperation is a common feature. The reason for this state of affairs is varied, but it has a lot to do with a competition for resources, as indicated by the same police officer:

'I think there isn't a culture of cooperation in the police. There is a culture of following orders, but simultaneously there is a culture of ownership of my little fiefdom. These two things are contradictory and in real life when it plays out, this contradiction, sometimes people will follow orders and other times they will protect their resources, as they see it.'³¹

The difficulty in getting the police units to work together was a huge source of frustration and created serious divisions with respect to resources, operations and trust within the SAPS. Several of those interviewed made it clear that it was difficult for them to work together.

³⁰ From an interview with Police Captain E.

³¹ Ibid.

Refusal to share intelligence with one another was a common feature which emerged from the interviews. Some argued in much stronger terms that units routinely sabotaged each other by refusing to provide support during operations and by leaking information about operations to the press.

5.4 Real cops, plastic cops and Hase

Upon closer scrutiny the lack of cooperation within the South African police organisation stems in part from political roots. The context for the ad-hoc operations involving gangs and PAGAD relate to the divisions rooted in processes of amalgamation and integration of liberation fighters into the post-Apartheid police service. In particular there were tensions and divisions between the detective division controlled by the former old order elements and the intelligence units which contained members of the former liberation elements that merged to form the South African Police Service. As one interviewee explained:

'The Staggie murder had a major detrimental impact in that it caused a major rift with crime intelligence and the detectives charged with investigating it... But the most important thing in being a detective and perhaps that is where we are falling short today, is that your matter must be driven for the purposes of a prosecution. You must accumulate evidence. It must be evidence driven, not intelligence driven... We were not being told the truth by crime intelligence, a lot of animosity was built up.'³²

During the integration with the old non-statutory units to form the South African Police Service, members of the old non-statutory bodies such as Mkhonto we Sizwe were viewed with suspicion by existing officers recruited during the apartheid era. In order to develop legitimacy, integration involved promoting junior members of the police to ensure representivity in the police. As a result of transformation and integration processes, lateral entrants were head hunted and appointed to the top echelons of the leadership and management corps of the new SAPS. However, members of the old police viewed such entrants with disdain and did not respect them because they did not undergo basic police training. One deputy provincial commissioner confirmed how her subordinates viewed her entry into the police hierarchy:

'You are a cop only if you have gone through the college. You are a *plastic cop* if you have not gone through the college.'³³

It was assumed that lateral entrants were not fit to be called policemen. In fact, it was part of the police culture to refer to former non-police of-

³² From an interview with Police Commissioner B.

³³ Op cit (n 17).

ficers in the employment of SAPS as *base* ('hares'). A former provincial commissioner indicated that there was something called police culture. He emphasized what his view of police culture was:

'Of course, the policeman has a specific outlook on his job, and what he thinks should be done in curbing crime. You know we call people who are not in the police; we even call them a specific name; *if you not a policeman, in Afrikaans, jy is 'n baas*. I still catch myself saying, "*Ek het met die baas gepraat*". The police are a group that really think that they are different from the rest of the society as far as crime investigation and crime prevention is concerned which has a lot of benefits. They have a feeling of belonging to each other, protecting each other, standing with each other and fighting together.'³⁴

5.5 The importance of uniforms

Police are susceptible to the same pressures and pains that ordinary people have to endure. The difference is that police officers wear uniforms and uniforms give them authority (perceived and real) over those they police. The uniform elevates the position of the bearer in society and provides (symbolic) resources to mediate the day-to-day problems the police officer encounters along the way. Elsewhere in the literature the uniform is recognised as an important cultural symbol which allows the police officer to exercise power on the ground.

During the research process, both police and gang-aligned interviewees alike noted that the uniform plays an important role in the policing of gangs. According to one interviewee, the uniform created a 'superman complex' in some police officers. A gang leader explained how the police officer changes when he puts on a uniform.

'A policeman, if he puts that uniform on, then he turns into Superman. Because now he has power! He treats you like nothing; he treats his own community like nothing.'³⁵

Police interviewees agreed that the uniform bestows a certain authority on a police officer. In this view the uniform acts as a buffer, a sort of insulation against external dangers. A senior police officer commanding the gang unit argued:

'I believe that visibility is one of the cornerstones (of policing) and I believe also that the uniform...creates respect. A smart, fit young man in uniform has an authority that which a man in jeans and t-shirt does not have. And to take our streets back, I believe that you must have authority.'³⁶

³⁴ From an interview with Police Commissioner A.

³⁵ From an interview with Gang Leader C.

³⁶ Op cit (n 32).

From the above it would follow that a certain loss of power accompanies the removal of the uniform. Here the observation of a gang member is relevant. The interviewee argued as follows:

‘Then you find the same police officer on weekends, on his off days or on holiday without the uniform... The same police officer that was playing the role of Superman I get him in a different place with a three quarter pair of jeans, a pair of sandals and a sweater and unfortunately I find him in a shebeen. I find him drinking there. I see he is not drunk and he is being smacked around. He does not have the power to resist.’³⁷

When the gang unit was first established in 1989 the police in the unit were in plain clothes. It was only in 1996 when a new command took over the management of the unit that officers were required to be uniformed. The management equated the wearing of uniforms with a more professional stance. This point was made as follows by one senior officer:

‘You create professionalism also in the way you dress. Let the people look like something. I get worried when I go to the police stations and I look at the people and I think this is a bunch of *skorrie morries!* We are better than the people that we are locking up. Therefore, we must look better, we must act better and we must speak better.’³⁸

5.6 The instrumentality of violence and a bit of ‘madness’

Prior to 1994, the use of force was a standard feature which accompanied the policing of gangs. The post-1994 dispensation brought with it an explicit commitment to human rights. New rules were introduced to define operational strategies — including operations involving gangs. During one interview a senior police officer who led a gang unit spoke about the difficulties of adapting to a change in legal rules and ethos:

‘It’s almost a psychosis of that time that police officers...that we came from a culture of policing where it was not offensive and a violation of any human right structure for us to engage in violence with our suspects. I still remember around 1992 or so, we had to sign the Peace Accord where we undertook not to use violence. That was a huge orientation process for us as if one day you can use violence and the next day you can’t. It was almost an accepted method.’³⁹

The use of violence appears to have been common practice in the interaction with gangs, as evidenced by the comments by the police. At one point, sixteen members of the gang unit were convicted on a charge of culpable homicide after beating a gangster to death in

³⁷ Op cit (n 35).

³⁸ Op cit (n 32).

³⁹ From an interview with Police Superintendent C.

Hanover Park in 1989. Physical altercations between police and gangs were common, as in the use of pickaxe handles (or *piksteel*). As one police officer who managed the gang unit put it:

‘That was one of the standard operating methods, the *piksteel*.’⁴⁰

A special kind of police officer was required to police gangs. According to one, you needed a police officer with a bit of ‘madness’, a degree of fearlessness. As he put it:

‘Two police officers in a police van or even four police officers would not be able to stop the Hard Livings and Americans from fighting. You need a hell-lavu lot more than that. You need police officers that have a bit of madness in them.’⁴¹

5.7. Policing gangsters: Policing ‘rubbish’?

Both Manning⁴² and Ericson⁴³ argue that the social organisation of policing is deeply influenced by the culture of the police. In studying police patrol work, Ericson suggested that a policeman develops a working personality and attitude towards his work, and in the process assumed different personalities when dealing with different types of criminal offenders and victims.⁴⁴ It is reasonable to assume that the methodology used to police gangsters is greatly influenced by the police’s organisational culture and by the typification of gang members as ‘police property’.⁴⁵

Reiner argues that ‘police property’:

‘... are low-status, powerless groups whom the dominant majority see as problematic or distasteful. The majority are prepared to let the police deal with their ‘property’ and turn a blind eye to the manner in which this is done. Examples would be vagrants, skid-row alcoholics, the unemployed or casually employed residuum, youth adopting a deviant cultural style, ethnic minorities, gays, prostitutes and radical organisations.’⁴⁶

It is of some interest to enquire about the views of those who have been at the receiving end of police action against them, in order to develop an understanding of what they consider as police culture. These people are the gangsters of Cape Town. What may we ask is their view of police constructions of gangsters and of police operations vis-a-vis gangs? Much more research of course, is required to arrive at a

⁴⁰ Ibid.

⁴¹ Ibid.

⁴² P K Manning *Police Work: The Social Organization of Policing* (1997).

⁴³ R V Ericson *Reproducing Order: A Study of Police Patrol Work* (1982).

⁴⁴ Ibid.

⁴⁵ Manning op cit (n 2).

⁴⁶ R Reiner *The Politics of the Police* 2ed (1992) 118.

more informed understanding of the issues and dynamics involved. The small sample of interviews conducted with gang leaders only allows for some broad comments. Interviewees spoke of the routine use of violence against members of gangs. The adoption of divide and rule tactics too were emphasised in police attempts to play off one gang against another. One gang leader interviewed on the police's approach to his gang summed up the police's methods as follows:

'They were sent in, but did not have the experience of the area. They did not have any effect. They have helped to increase the gangs. It's because the police activities had to conform to what the politicians wanted. The politicians have made promises to the people and they could not keep their promises. This also contributed to gangsterism.'⁴⁷

Police see and define gangsters as 'rubbish'.⁴⁸ Gang members and their cases against police officers and other gangsters are not worth investigating and it appears quite standard to use force when dealing with gangsters. The same gang leader recounted how the police dealt with his gang when they were fighting with another gang called the Stalag 17:

'I was often targeted by the police. I was locked up for many things I did not do because I was the leader. I was picked up with a few friends. When we got to the police station, they threw us into a cell with our enemies. It was the Stalag 17 gang which we were fighting. They were about twenty people and we were twelve. We were stabbed.'⁴⁹

Some gangsters argue that nothing happens to police officers who mete out brutality to gangsters. They receive automatic support from their colleagues when dealing with gangsters, even if they used illegal methods. A conspiracy of silence appears to follow police officers, much in the same way gangsters refuse to point out their guilty partners. Police officers stick together against 'the scum'. They will tend to support each other against gangsters much in the same way as gangsters will stick together against their rivals and the police. When the police in fact refuse to investigate the cases of gangsters because they have socially constructed gangsters as 'rubbish',⁵⁰ they are in fact creating their own (sub)-culture. This reinforces the view that complaints from gangsters are not worth investigating and are viewed as time wasting.

⁴⁷ From an interview with Gang Leader A.

⁴⁸ Reiner *op cit* (n 46) 119.

⁴⁹ *Op cit* (n 47).

⁵⁰ Comment by gangster B of the Mongrels gang on how he thought the police viewed them as gangsters.

'Look, a gangster's case is not really accepted. You are rubbish and you treated as rubbish. They wanted to kill you.'⁵¹

It is at another level that some of the most telling statements of why the police treat gangsters, ordinary working class members and other less privileged members of society, the way they do. A senior gang leader argued that the police are recruiting individuals from the poorer areas while his gang was attracting members of the middle or respectable classes. According to him, it is the working class people who grew up in the same circumstances as the gangsters who mete out the most brutality when they encounter or confront gangsters:

'All the kids from the ghettos are becoming policemen. I see a lot of these kids. They drink weekends with the gangsters, they associate with the gangsters and on Monday he returns to being a policeman. In addition, his mother was a drunkard, his father abused drugs and he was abused very often since childhood. He is so traumatised in his childhood days that when he sees you as a gangster, then he wants to make his point. He wants to show you that he is superior. "You will do as I say". "*Raak Wjs*" (Become wise)'⁵²

This gang leader suggests that the life stories and inter-generational traumas and pains suffered by the parents of the police officers from poor areas have a lot to do with their cultural reaction to gangsters, including the way force is used. And a former provincial commissioner stated that the police are prone to information leaks because:

'As I was saying, it's very difficult for a policeman who grew up in the Western Cape; many of his family members are gangsters. His father-in-law for that matter might be a gangster.'⁵³

5.8 Taking sides, regulating each other

Police officers are quite often accused of taking sides in the gang wars. Such partisanship undoubtedly happens, as has been found in other parts of the world. A police officer may take a dislike to specific gangs, or manipulate them by favouring one over the other. One reason may be the wish to protect certain gang members who provide useful information and this speaks to the whole issue of police reliance on informants who are themselves criminals. It remains one of the most intractable problems known in the literature. But also the police officer concerned may be on the take from the gang. Corrupt police in cahoots with certain gangs, or at least the perception of a corrupt relationship, obviously affects views on how effective the police are in dealing with

⁵¹ From an interview with Gang Leader B.

⁵² Ibid.

⁵³ Op cit (n 34).

the gang problem⁵⁴. One gang leader interviewed related an experience of his with partisan police:

'The police take sides. One day we came to attack a certain gang. The police was in the house which we attacked. When we got there, the police were there. They were detectives. They shot back and they hated us. They chose sides. We hated them. Everywhere you go, it was like that.'⁵⁵

There is also the problem of the cultural adoption of gangster language, attitudes, symbols and styles among some police officers, leading to a perverse and inverted power relationship between the gangs and the police. Gangs, for example, do not adopt the cultural and symbolic practices of police officers. Police officers making gang hand-signs create the recognition of gang power and influence in particular zones. The police officer's bantering approach in speaking *sabela* (the prison gang language of gangsters) is seen as indicative of the way in which gang culture permeates police. One gang leader suggested that the behaviour of the police ultimately is regulated by the gangs because the police adopt their cultures and style:

'Today the police want to be gangsters. The police want to *sabela* (speak prison gang language), but we don't want to anymore. I am an *ndota* and for twenty three years of my life I was in the prison gangs and you have not once heard me say, *ngamphela* salute in my speech because I no longer speak that way. It's surprising for me to hear police officers use that language and this tells me that they are so institutionalized that where they should regulate the gangs; the gangs regulate their behaviour because they adopt practices from the gangs but the gangs adopt nothing from them.'⁵⁶

This is a telling statement by a senior gang leader in Cape Town about the manner in which some police officers approach the difficult job of dealing with the gang problem.

5. Conclusion

Although it is generally accepted that gangs are responsible for some of the worst crimes against the communities across the Cape Flats, very little has been written about the manner in which the police have dealt with the gangs. It often appears that the police have been given a free hand to work with the gangs in any way they feel fit. However, this has had unintended consequences for policing. The police's social construction of gangs and their resulting actions have not created a sustainable policing approach to the gangs. In fact, the very behaviour of some police officers has helped to develop a culture of policing

⁵⁴ S Jensen *Gangs, Politics and Dignity in Cape Town* (2008) 120.

⁵⁵ Op cit (n 47).

⁵⁶ Op cit (n 35).

that reinforces the myths and stereotypes regarding gang members, which in turn has influenced police institutional culture. Until such time that the police recognize their limitations that stem in part from their institutional culture, operational planning will seriously suffer from tunnel vision.

Simultaneously, gang violence and more recently vigilante violence have undermined effective community initiatives to bring about a measure of local peace and security. Managing the gang problem implies that the police are able to provide fear-ridden communities with effective policing that respects the rights of all people they encounter, including gangsters. Where there have been genuine attempts from the police management to set up gang databases, they have fallen flat due to inconsistency, changing police priorities and weak management structures. Moreover, the mechanistic ad-hoc manner in which the police have dealt with policing gangs has opened the door to the emergence of vigilante organisations. This will have further consequences for both the police and the people they are meant to protect.

The research revealed that many police personnel were quite open about the roles they had played and the frustration they experienced. They spoke freely about aspects of police administration, police subculture, PAGAD and gangs. They all pointed to the failures rather than the successes of police action vis-à-vis gangs. All of the police interviewees identified corruption within police ranks as a critical factor as well as the politics of turf and competition between police units. Gangsters too were forthcoming on the issue of police problems. They listed police officers as being corrupt, taking side in gang wars and not respecting their profession. They also noted that the police were brutal in dealing with members of gangs. From this exploratory enquiry thus begins to emerge certain thematic issues relevant to the complex interaction between police and gangs which further research would do well to investigate more closely.