

DEPARTMENT OF CRIMINAL JUSTICE

Masters of Philosophy in Criminology and Criminal Justice

Masters Dissertation

CRJ 6002W

**Understanding the Role of the State in the Governance of Security in
South Africa: A Muizenberg Improvement District Case Study**

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Research dissertation presented for the approval of Senate in fulfilment of part of the requirements for a Masters in Philosophy in Criminology and Criminal Justice in approved course and minor dissertation. The other part of the requirement for this qualification was the completion of a programme of courses.

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Research funded by National Research Foundation

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ACKNOWLEDGEMENTS

My deepest gratitude goes to the National Research Foundation and the Centre of Criminology for sponsoring this research and my studies at the University of Cape Town – Centre of Criminology from 2007 – 2008 and to Julie Berg for her support and supervision during the research process. Thanks are also due to all persons interviewed for the purposes of this research.

I dedicate this paper to my father who never stopped sacrificing that I may be where I am today.

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ABSTRACT

Changes in the governance of security have increasingly challenged the role of the state as the sole provider of security due to the increasing plurality of security providers. This change often brings about questions as to what role the state plays and how active it is in governing security. Two theories have been postulated to explain the state's role in these changing times, namely the *nodal governance theory* and the *state anchored pluralism theory*. Because certainty on the state's role depends on empirical inquiry, this paper is based on research conducted in an area with a plurality of security providers, namely, the space demarcated for the Muizenberg Improvement District. It examines the relationship between the state and the various auspices and providers within that area. Before concluding on how the Muizenberg scenario supports the nodal governance theory in that the state is a node among other nodes as opposed to an anchor, this paper examines concepts important to this paper namely 'governance' and 'security' and further examines in detail the two theories at hand.

CHAPTER ONE

INTRODUCTION

1.1 INTRODUCTION TO THE RESEARCH

Several disciplines that study the social system have witnessed a change in vocabulary owing to a radical social change. There has been a shift from talk of 'government' to 'governance'. Likewise, in security, reference is made to the governance of security which refers to the shaping of the course of events to provide a sense of safety within a social system (Wood and Shearing 2008). Over the years trends in the governance of security have changed owing mostly to an increase in crime levels and feelings of insecurity resulting in a call for better methods of providing security. One such trend is the state's increasing inability to monopolise security and to meet the public's demand for security. The state's retreat from monopolising security has seen the growth of a plurality of security auspices and providers. With these changes in the field of security there is often a lack of clarity on the roles of both non-state and state actors in the provision of security. It is therefore the purpose of this research to understand the role the state actually plays and the role it should play in governing security. It hopes to do this through the examinations of theories developed on the governance of security and also through the study of nodes of policing in the Muizenberg Improvement District.

1.2 THE PROBLEM STATEMENT AND THE VALUE OF THE RESEARCH

It is a global phenomenon that the state is no longer considered as the sole provider of security and has rather favoured a responsabilisation strategy where the public are encouraged to participate in securing themselves (Garland 1994). South Africa has been no exception to this, and in fact this strategy was made official in the National Crime Prevention Strategy (1996), where it called upon civil society to participate in the crime prevention strategy by "*mobilising and sustaining crime prevention initiatives*".

Similarly, the White Paper on Safety and Security (1998) aimed towards mobilising South Africans to "*participate in the provision of safety and security*". A noteworthy result of this plurality of security providers, in particular, businesses, community members and individuals alike has been a confusion of roles or complacency in providing security from those that were once considered the exclusive providers of public security. This lack of clarity has also been highlighted by Monique Marks and Jennifer Wood (2007), who note that the state, which was central to policing arrangements, are caught in a confusing web of self identities; on the one hand they want to be all things to all people and on the other they want to be recognized as specialists with limited resources. In view of this, this paper aims to clarify the role of the state by researching certain security developments in a particular area. Understanding the role that the state plays will not only help security practitioners appreciate trends in governing security but will also inform theories that have been developed to explain the role of the state. At a practical level, this study will help actors know what to expect from each other and in turn contribute to their effectiveness, which may impact positively on the levels of crime in the country.

1.3 METHODOLOGY AND LIMITATIONS OF THE RESEARCH

To examine the actual role the state plays in the governance of security, research was done on the state and its relations with other private security providers. To do this, part of a neatly parcelled neighbourhood in the south of Cape Town formed the object of the research. Central to this study is the Muizenberg Improvement District (MID), an urban renewal strategy consented to by the state to not only upgrade the area but improve security. Within the area demarcated for the MID are various security initiatives some administered by the state that not only aid the functioning of the MID but also, seek to provide security for the residents.

To begin this research a literature review of books, journal articles, speeches by prominent government members, legislation and newspaper articles was conducted. This literature review informed the researcher on what was written on the topic and what

needed to be researched. Following this literature review, field research in the form of interviews and participant observation was conducted. This was done over a period of about two months with key informants in the field of security within the MID. Semi-structured interviews with informants were conducted, a set of questions provided guidelines for the researcher and this ensured that the informants were asked key questions and were simultaneously given the opportunity to provide information deemed necessary. Almost all interviews were conducted in Muizenberg and consent to participate and use the information obtained was sought from the interviewees before the commencement of the interviews. Persons interviewed for the research included:

- Members of the Muizenberg Improvement District
- City of Cape Town Local Councillor
- Members of the central Muizenberg neighbourhood watch
- Chairperson of the Ratepayers Association
- Members of the South African Police Services (SAPS)
- Station Commander of the City of Cape Town Law Enforcement
- Acting Chairperson of the Muizenberg Community Police Forum
- Member of Mountain Men Security

Participant observation, as a research method, was used by attending board meetings, in particular the Muizenberg Improvement District Board meeting and the Community Police Forum Executive Board meeting. This research method gave the researcher better insight into issues at hand because pertinent issues on security were brought forward and input and broader perspectives were given in light of the input and discussion by the various members present. Permission to participate in the meetings was sought from the chairperson of the MID Board and the Station Commissioner of the SAPS respectively.

The findings of this research are based extensively on the interviews conducted and also briefly make use of information obtained through participant observation. It also makes use of informal conversations carried out with members of the Muizenberg community, in particular business owners and shop workers.

When considering the implications of this research, the following limitations should be regarded;

- The MID is a very small sample and therefore may not be a true reflection of what is happening in the country.
- A tape recorder was used for these interviews therefore in some cases the informants felt inhibited by it. The result was that informants were cautious of what they said and how they said it.
- In a couple of cases persons considered as key informants were limited in their knowledge of the subject of study and well-informed persons were unavailable to be interviewed.

1.4 OUTLINE OF PAPER

Chapter two essentially looks at the governance of security and unpacks the concepts 'security' and 'governance'. It shows why security is seen as a public good and an important aspect of society. It looks at what governance is and the elements of governance. It then examines the theories developed on governance and insinuates the role the state should play. Understanding that networked governance has taken precedence over other modes of governance, it explains the nodal governance theory and explains how the state should be seen as one node of governance amongst other nodes. It also explains the state anchored pluralism theory which sees the state as an important anchoring structure in governance.

Chapter three traces the origins and functions of City Improvement Districts initiative before it explores the Muizenberg Improvement District. It looks at the MID's urban renewal strategy, giving detail to their cleansing programs, the actors involved and the roles they play. It also looks at security in the MID, its main providers and their contribution to securing the area.

Chapter four concludes the research paper by applying the theory to the research done in the Muizenberg Improvement District. It shows how the governance of security in the Muizenberg Improvement District is carried out by a plurality of actors and no conceptual priority has been given to any node. However, it explains the state's role as it is and that which it should be.

CHAPTER TWO

GOVERNANCE, SECURITY AND THE ROLE OF THE STATE

2.1 INTRODUCTION

In the latest national victim survey conducted by the Institute of Security Studies in South Africa, it was found that at least 58 per cent of South Africa's population surveyed felt very unsafe walking in their residential areas in the dark and only 10 percent felt very safe (Mistry 2004: 19). These statistics are alarming when compared to those collected by a similar survey in 1998, five years earlier, which found that 25 per cent felt very unsafe and 32 per cent felt very safe (Ibid). Clearly, from these statistics it is evident that feelings of insecurity haunt the population. However, this trend is not exclusive to South Africa but is a global phenomenon. Issues pertaining to security have almost dominated everyday political discourse and as Loader and Walker (2007: 2) note, security has become an important and valuable public good and an indispensable characteristic of a good society. It is also in the same accord that security is said to be a significant attribute to any democratic state and efforts should be made towards ensuring the security of its people. The then president of South Africa, Thabo Mbeki, was seen to acknowledge this fact in his 2007 State of the Nation address where he stated that:

Certainly we cannot erase that which is ugly and repulsive and claim the happiness that comes with freedom if communities live in fear, closeted behind walls and barbed wire, ever anxious in their houses on the streets on our roads unable to freely enjoy our public spaces. Obviously we must continue and further intensify the struggle against crime.

While security has dominated political agenda it has also become a booming area of private investment in a number of nations. In addition, it has grown as a field of academic inquiry. This expansion of interest in security may be attributed to changing social trends. For Fleming and Wood (2006: 1), this increase in security concerns is attributable to contemporary processes of political, cultural and economic globalization which have generated a new world of security risks. With new security risks, both state

and non-state actors have found it quite imperative to update and re-invent new policing and security arrangements needed to counter such changes. The terrorist attacks on the United States of America marked a turning point in the field of security as it was acknowledged that security initiatives used in the previous era were no longer good enough for this new era and that effort would have to be made to change the face of security. This enormous growth in security efforts and talk about security often falls prey to assumptions on what exactly security is. Thus mundane, yet very important questions, such as who are the objects and providers of security and how far does one go in ensuring security are often overlooked. For the purposes of providing a better understanding of the governance of security this paper considers it necessary that concepts such as 'security' and 'governance' are at the outset explored.

2.2 SECURITY

In Lucia Zedner's (2003) examination of the concept 'security', she acknowledges that security defies a simple definition; it is inherently complex and diverse. One of the main reasons for the lack of clarity of the meaning of security is that there are very different threats to social order in different jurisdictions. These security threats may be distinguished between macro and micro level security, the former relating to mass threats of warfare and political terrorism and the latter to small scale localized disorders, anti-social behaviour and affronts to quality of life (Crawford 2002: 6). Nonetheless, Crawford (2002: 7) puts forward that security is the quest for a situation or moment in which something undesirable does not exist or does not occur. A mere absence of threat is however insufficient. Zedner (2003) suggests that in addition to the absence of a threat, there has to be a positive reinforcement of public perceptions of their safety. To understand security better, Zedner (2000: 202) also suggests that it is useful to differentiate between subjective and objective conceptions of security. In the subjective sense an individual, group or nation enjoys a sense of protection from harm and an absence of fear irrespective of actual risk while objective security requires an absence of actual threats. Furthermore, security is often used in two ways, firstly to connote personal security, which is a subjective sense of safety and secondly when the state

attempts to act against threats to common values or the social order – both internal and external threats – and these vary from country to country (Ibid: 203).

As mentioned above, security is an ingredient for a good society thus every citizen is entitled to both subjective and objective security. Loader and Walker (2007: 10) in concurrence, provide that security is an unqualified human good and that it should be a government's first and defining priority to ensure the protection of its people from both internal and external threats. Security is therefore a precondition for the enjoyment of ones freedoms and democratic rights. It is not disputable who the objects of security are, but rather what has encouraged debate over the years is who the providers of security are and should be. Security has often been associated with the state, this emanates from the myth of sovereign power where the state, since the development of formal police in the nineteenth century, believed they bore primary responsibility for security. This myth has over time increasingly exposed the incapacity of the state to guarantee security in diverse ways and in different contexts (Zedner 2000: 204). Since then, security has been re-imagined so that it is being provided by a multiplicity of institutions and this may be imputed to three salient trends which are privatization, communitarianism and vigilantism (Ibid).

Crime is one of the major factors that call for more robust and efficient security measures as it has become a normal social fact in every society. With such high crime rates the need for objective security has led to an increase in innovative measures in the provision of security. However, of great concern is to what extent security should be provided. For Johnson and Shearing (2003), security is an important aspect of life but it should be balanced out with other aspects of life such as liberty, privacy and justice, which are just as important. Security often has a tense relationship with freedom; it is either one at the expense of the other. In most cases people often have to make the choice between one and the other. In South Africa with such high levels of insecurity, groups of people have made choices that they believe necessary to secure themselves and as Lemanski (2004: 106) puts it, "*South Africans have sought increasingly to avoid crime*

and mitigate fears by fortifying entire neighbourhoods, closing street access, erecting electrified fences and high walls, as well as employing private security guards and CCTV to patrol and monitor their citadels.” Evidently security comes with a price tag and Zedner (2000: 202) questions whether the pursuit of security is realistic or desirable. On the other hand some people would choose to accept some degree of insecurity rather than lose their privacy or freedom. If taken to the extreme, pursuing both subjective and objective security may threaten peoples’ well being, therefore proving counter-productive. It is subsequently important that security should be balanced out with other societal goods.

Having looked at security as a concept and the issues pertaining to it, this paper will now turn to examine the concept ‘governance’ so as to shed light on what exactly is meant in talk about the governance of security. Understanding that there has been a clear shift from government to governance in this neo-liberal age, this shift will also be elucidated.

2.3 GOVERNANCE

The concept ‘governance’ has for a while created widespread interest among several disciplines as a result of the dynamic, diverse and complex social system that society is continuously evolving into. Although the concept is used in various disciplines, and therefore each having their own meaning for it, there is considerable overlap and agreement across these disciplines that governance refers to organized efforts to manage the course of events in a social system (Burris, Kempa and Shearing 2007: 4). Governance signifies a change in the role of government thus suggesting a shift away from a state-centred approach ,which has come to dominate political thinking, policy and practice, to readjusting powers and responsibilities across and among the state, market and civil society (Crawford 2002: 2). In consideration of these definitions when one refers to the governance of security it refers to managing a course of events so as to create spaces – territorial and social spaces, in which people can live, work and play (Wood and Shearing 2007: 7).

For a significant period the governance of security was considered as the primary and exclusive responsibility of the state. Not always being the case, the state took it upon itself to monopolistically defend its populations from both external and internal threats to security and order. The idea of having the state as the sole governor may be traced back to the European Peace of Westphalia of 1648 where the locus of power over citizens shifted from multiple entities, such as the Church and empires, to national states under a state-building project (Shearing 2006: 19). The idea of having state-centred governance as a way of establishing social order was found favourable by political philosopher Thomas Hobbes who put forward the idea that having one large body of power – the state, govern its people would be more desirable and orderly in comparison to the anarchy of plural governance, which characterized society, where everyone was a law unto themselves thus making life “*nasty, brutish and short*” (Ibid). However, the shift away from state-centred governance has resulted from the state’s failure to achieve stability, accountability, transparency and efficiency, which once characterized their governance (Burriss, Kempa and Shearing 2007: 12). Similarly Kooiman (2002: 75) submits that the growth in governance beyond the state may be attributed to the growing awareness that the state is not the only crucial actor in addressing major societal issues.

2.4 MODELS OF GOVERNANCE

Similar to the modes of governance, there are three models in which the state is said to relate to society, these include the multi-centric or market model, the uni-centric or hierarchical model and the pluri-centric or network model (Heffer and Klok 2000: 161). Rhodes (2006) gives similar models but for him instead of using the term uni-centric or hierarchical model he refers to this model as the bureaucratic model.

The Bureaucratic Model

The bureaucratic model, as Rhodes (2005: 193) provides, is characterized by hierarchy, rules, merit appointments and permanency. The state is seen as the authority exercising these characteristics and is given the power to act by constitutional legal rules often accompanied by restrictive procedural rules. Citizens are important actors in this model, they are protected by the state and are subject to state control (Heffer and Klok 2000:162). This model as Rhodes notes has been dominant in the 20th century and has characterized police organizations since the inception of the police. However, it has been made clear that in order to realize the objectives of a governing authority, this model had to be re-shaped so as to introduce indirect governance that relies on the enrolment of others in performing actions (Wood and Shearing 2007: 12). This model was found to be inefficient, too large and expensive and unlike the contract model it lacks the structure of incentives. Moreover by being conventional in practice risk is stifled therefore discouraging innovation (Rhodes 2005: 193). There are a number of advantages that may be attributed to this model of governance. Bureaucracy tends to encourage integrated policies and implementation, it controls defiance common in fragmentation and lastly it is a focal point for ministerial accountability to parliament (Rhodes 1997: 109).

The Market/Contract Model

This is indirect governance carried out through the use of market mechanisms where the governance of security has been commodified and placed on the market so that security can both be bought and sold (Wood and Shearing 2007: 17). In this model, the positions central in action are those of the buyer and seller and these include both state and civil actors provided they have the ability to exchange goods. The state also plays a significant role in that it ensures freedom of participation of all actors in the delivery of public goods (Heffer and Klok 2000:162). With this model, all actors have the liberty to act on the goods they own and give others the freedom to act on their properties. However, this freedom has to be safeguarded and often the state limits this rule through the constitution or general legal rules. Thus governance is shaped according to the

different projects involved, however, it needs to be aligned with directions given by a centre (Heffer and Klok 2000; Wood and Shearing 2007). One criticism of this model that Rhodes (1997: 108) brings to light is that while the initial outcome is that it cuts costs in the long run it becomes less certain that such savings endure, due to the fact that contracts are in some cases rigid and unanticipated expenses may occur when circumstances change or need different work.

Network Governance

In the governance of security there has been a shift from a bureaucratic state to a contract state and now to a network state showing the need for diplomacy rather than management. This paper will give a more detailed account of this mode of governance as it characterizes the type of governance adopted in neo-liberal states. In Manuel Castells' (2000) paper, "*Materials for an exploratory theory of the network society*" he postulates that society has developed from the Industrial Age which was organised around the production and distribution of energy to an Information Age where networks are seen to be the primary mode of social and institutional organization. The use of the concept network is ubiquitous and several disciplines have adopted it to explain relations and ways of communicating between different agents. As a result several definitions have surfaced. In essence networks are continuous and recurrent contractual relationships between more than one agent that seeks to share resources or information for a common goal. While much may be said about networks in general, of importance to this paper are security networks. Security networks can basically be described as networks that are formed to produce some form of security. To borrow from Dupont (2006: 167), security networks are "*a set of institutional, organizational, communal or individual agents or nodes that are directly or indirectly connected in order to authorize and or provide security for the benefit of internal or external stakeholders.*"

In the field of criminology the use of a network structure has often been associated with criminal and terrorist activity, named 'dark networks', and as Dupont (2006: 36) notes that despite 'dark networks' being the subject of research, it has taken

time for policing organisations to realise that a similar structure used in these dark networks may be used in a positive manner to provide security. However, unbeknownst to the police, networks have been a part of police management, but they have been temporarily misplaced. Network governance elucidates the fact that the state police cannot solely bear the brunt of crime control, and that they need to draw on the resources and power and influence of private entities which will have more positive and far-reaching consequences. Networks have been shown to be a complimentary method of governance in that they encourage information flow, information processing and communication to take place between nodes within a social system (Burriss, Kempa and Shearing 2007).

This mode of governance has been found favourable in that by allowing a limitless number of actors to be part of the network monopolies over security are avoided, competition between service providers is encouraged therefore increasing efficiency and effectiveness through the provision of high quality services that are made available to customers. To encourage the functioning of networks, resources are pooled together and key resources may include finances, legal authority, personnel, information, infrastructure and expertise as each actor or node bring to the table different qualities. The state police are well known for their legitimate use of force while the private sector are known for their ability to source funds and are in possession of security tools. Nonetheless networks are known to have a significant degree of autonomy from the government in that they are self-governing. However, this autonomy may prove to be a disadvantage especially regarding the question of accountability. Network governance is not a perfect mode of governance and two of the most outstanding disadvantages include; firstly that networks encourage a fragmented system which makes it very difficult to get a sense of uniformity and agreement and if the preceding qualities are not met then an effective network will not thrive. Secondly, it is difficult to maintain the interest of the public when the two models – bureaucracy and markets are combined and often result in debatable democratic issues.

Academics such as Fleming, Wood, Dupont and Rhodes all agree to the fact that trust and diplomacy are the most important qualities required to manage network societies (Fleming and Wood: 2006; Dupont: 2006: 178). However, Rhodes (2006) adds reciprocity as a third quality which he sees as just as important. Of the two other qualities, trust is seen as the central coordinating mechanism as networking depends on shared resources, values and norms. Trust is an earned quality, and may only be strengthened by constant consultation and cooperation between actors. Diplomacy on the other hand is management by negotiation where ideas are not forced upon participants, but rather through discussion and arbitration consensus is reached and each actor has the chance to air their opinion. The same may be said of reciprocity; in a network actors are made aware of the need to mutually exchange information, norms and values to maintain a successful network. To succinctly sum up these qualities, Fleming and Wood (2006:3) state that:

In general terms, networks are characterised by interdependencies between organisations, continuing interactions between network members (caused by the need to exchange resources and negotiate shared purposes) and game-like behaviour, rooted in trust and regulated by rules of the same negotiated and agreed to by network participants.

2.5 THEORIES ON THE ROLE OF THE STATE

Two significant changes in security are evident, namely the pluralisation of security providers and changes on how to govern security, in particular a shift from a bureaucratic model to a network model. It is the latter change that this section of this paper is particularly concerned with, more especially with the role the state is seen to assume, or expected to assume in the governance of security. Earlier in this chapter, mention was made of the state-centric model of governance that resulted from an ongoing state building project by the West. Prior to a state-centric mode of governance was the diversity of auspices of governance where civil society engaged in their own policing activities with little involvement from the state. This type of social order is what Braithwaite (2000: 223) called the "*Night watchman*" state. Overtime, influenced by both Hobbes and Weber's work on the social order, it made sense that the state become the only governing authority, thus all private governing entities were condensed into one

single public entity. This type of state governance was characterised by a command and control mode of regulation which on the one hand positively contributed to governance and on the other hand turned out to be "*ineffective and defective*" in governing security (Crawford 2006: 452).

This form of regulation was then replaced with a more decentred mode of regulation, what Crawford (2006) calls 'new style' regulation. This resulted after states increasingly sought ways in which they could increase their access to resources by drawing on non-state knowledges and capacities. The new way of governing, sometimes known as the 'regulatory state' or 'rule at a distance', was an acknowledgement that the state was not good at delivering services to the people, rather, they did a better job in the provision of services. So, to borrow from Osborne and Gaebler's (1993) analogy, the state operated from a distance, thereby retaining control over the steering of governance and devolving the rowing to other private entities. This way of governing did not seek to wither away the role of state, what Rhodes (1997) calls the hollowing out of the state, but rather it was seen to strengthen the state's capacity to govern by using different entities to implement its policies. However, one of the problems with this way of governance was that while the corporate world and the communities they work in benefited largely from such initiatives, the poor communities, if at all, benefited to a minimal extent.

Amidst the limitations of the regulatory state, a nodal model of governance has been postulated as a way of addressing these limitations. In addition a state-anchored pluralism model has also been suggested. This shift from the regulatory state is what Scott (2004) calls the post-regulatory state. What now follows is an examination of, firstly, the nodal model and secondly the state-anchored model.

2.5.1 NODAL GOVERNANCE

Numerous scholars (such as Drahoš, Dupont, Johnston, Shearing, and Wood) have put forward a theory of nodal governance as a way of explaining the governance of

security through the network model of governance. As mentioned earlier in this paper, changes in the governance of security have seen security become the collective responsibility of networks of commercial and non-commercial partners, including the state, which still plays a significant role; the nodal governance theory accepts this with no reservations. Essentially this theory seeks to focus on institutions of governance which they term 'nodes' and their relationships in a system of networked power. To define the concept 'node', Johnston and Shearing (2003) provide that a node is a site where knowledge, capacity and resources are mobilised to manage a course of events. They are said to exhibit four essential characteristics:

- A way of thinking (**mentalities**) about the matters that the node has emerged to govern;
- A set of methods (**technologies**) for exerting influence over the course of events at issue;
- **Resources** to support the operation of the node and the exertion of influence; and
- A structure that enables the directed mobilisation of resources, mentalities and technologies over time (**institutions**) (Burris, Drahos and Shearing: 2005: 37-38, *emphasis in original*).

From the above it is clear that a node can either be a formal or informal institution, therefore a node may come in the form of a street gang, firm, police station, a neighbourhood association or a government agency. As it were, a large organisation, such as the state, may constitute of a number of nodes so forming an assemblage of nodes. This, however, differs from what Burris, Drahos and Shearing (2005: 38) call a super-structural node which seeks not to integrate networks like nodal assemblages, but rather brings together actors that represent networks in order to concentrate resources and technologies to achieve a common purpose (Burris, Kempa and Shearing 2007: 23). To illustrate this, a government department such as the South African Department of Safety and Security may be seen as an assemblage of nodes in that it integrates its own networks while civil society organisations such as the Muizenberg Improvement District, discussed in this paper, may form a super-structural node by bringing together actors who represent networks to pool together resources for the purposes of governance.

Depending on the technologies, mentalities and resources, the capacity, accessibility and efficiency of a node will vary. However, as far as influence is concerned, resources play a larger role in comparison to the other characteristics. In addition nodes are seen to govern themselves or other nodes and the people that are subject to their influence and this is done through the power of persuasion and coercion that they get from the resources and technologies they possess. To do this a node may use rules or laws, threats, social pressure, stigma or any other mode of control at its disposal (Burris, Kempa and Shearing 2007: 22).

Nodal governance, therefore, is essentially a model on how to govern a highly complex social system. It does not give any conceptual priority to any particular node but emphasises that governance is both directed and provided by numerous private and public actors. This clearly is in contrast to Loader and Walker's (2007: 170) model of governance that they call 'state-anchored pluralism', which emphasises that the state, as a public entity, should take conceptual priority in the provision of security. This also contrasts with what Shearing (2005) calls 'corporate-anchored pluralism', where private entities not only implement policies but also take on the role of the state, somewhat becoming private governments. However, in arguing for nodal governance, Johnston and Shearing (2003) advance that in order to develop security as a *collective* good one has to consider the optimal system of security which seeks to address the problems that may arise from post state-centric governance. Optimal security is defined as "*one which is neither quantitatively excessive (to the detriment of objectives other than security) nor qualitatively invasive (to the detriment of personal freedoms) and which satisfies conditions of collective accountability, effectiveness and justice,*" (Johnston and Shearing 2003: 144). This, they propose, nodal governance addresses.

In addition, through this nodal model of governance, Johnston and Shearing (2003: 146) address limitations associated with the state-centred conception of governance. This mode of governance, which will be discussed in detail below, is commonly used with the 'steering' and 'rowing' analogy where the regulatory state

'steers' the boat and the public are given the responsibility to 'row' the boat, in other words deliver services. While nodal governance scholars do not deny the importance of the state's role, they highlight the state-centred theory's failure to acknowledge that governance involves varying relationships between agents as opposed to one agent over the other (Johnston and Shearing 2003: 146). In addition, the nodal model seems to recognise that the boundaries between the private and public have not only become blurred edges as the state-centred model seems to suggest, but rather that the boundaries have "*transformed, sometimes coagulating into specific configurations, sometimes dissolving back into themselves or into one another*" (ibid). Lastly, Johnston (2006: 33) also adds that the analogy assumes state action is always consistent, which is not always the case. As a result they present the nodal governance model as a more viable model.

The nodal governance model also addresses the complexity that has resulted from the relationships between providers and auspices of security. While the neo-liberal approach of network governance seem to suggests that clearly defined relationships exist between auspices and providers thus forming a network, the nodal governance model accommodates the "*messiness*" of the whole governance system. Nodes are often linked to other nodes in numerous networks and thus achieve security through an endless combination and forms of nodes. Nodal governance permits for the conceptions that governance may be contested and uncoordinated on the one hand and cooperative and coordinated on the other hand. Such cooperation may be attributable to, but not limited to, state orchestration. It may involve other sources and forms of coordination which may involve the state or choose to resist and contest state governance (Wood and Shearing 2007: 28). So instead of assuming that nodes are networked, the nodal governance model suggests that such issues should be empirically explored.

Nodal governance proponents do not assume that this model is flawless, rather to the contrary, any model of governance has both good and bad consequences and some groups may benefit less from a nodal arrangement than others. It is evident that some nodal arrangements allow for state benefit, often as far as resources are concerned, while

corporate nodes would benefit, for example, by gaining legitimacy or autonomy. Unfortunately this tends to leave out what Braithwaite (2000) calls 'weak actors'. It is often the case that such discrimination is based on wealth and always is in favour of the rich. With this in mind, Wood and Shearing (2007: 99) suggest that the problem with the nodal model does not lie in the features of the model but rather the particular manner in which nodal governance has evolved. Their solution to this problem of 'governance deficit', as they call it, would be to reshape the nodal model so as to accommodate nodal possibilities that exist outside the established democratic institutions. This would also include, as conventionally suggested, allowing excluded communities to have a say in governance.¹

Nodal governance theorists also realise that the state-centric view, that is, regulating the governance of security through governing state institutions to ensure compliance, is limited. Rather, they put forward that governing governance must be framed in a poly-centric world of nodal governance, i.e. it must involve a combination of mechanisms or a set of hybrid instruments, that are pulled together in ways that harness the strengths of each while compensating for the weaknesses of the other. Hybridity will involve diverse instruments or tools of governance and will also involve multiple governing authorities including both state authorities as well as non-state authorities ranging from community based groupings to NGOs to corporations (Shearing and Wood 2007: 115).

However, as appealing as this model of governance may seem, Loader and Walker (2006) raise a few reservations with this nodal governance model. Instead, they propose a model based on state-anchored pluralism.

¹ This theory was piloted and in some areas adopted in the form of Community Peace Committees by Shearing and his colleagues as a way of governing security in countries such as South Africa, Canada, Australia, Argentina and Brazil (Ibid: 100).

2.5.2 STATE ANCHORED PLURALISM

State-anchored pluralism, Loader and Walker (2006) postulate, allows the state to remain the anchor of collective security based on the fact that the state still holds a legitimate place in the provision of security. This, they say, is not to say that the state must monopolise security or be the sole regulator or provider of security, however they must take priority of security and they cannot take priority if they are levelled with all other actors in the security field. In other words contrary to what Shearing *et.al* suggest, the state should not merely be labelled a 'node' like all providers of security. In arguing for state-anchored pluralism, Loader and Walker (2006) firstly justify why the state should play a dominant role in security despite the multiplicity of auspices and providers of security and do this by proving the necessary virtue of the state.

Firstly, they show that security is a 'thick' *public* good. By this they mean that in the social or communal sense, a good is one that is "*on one hand impossible to produce for private profit, yet on the other hand if supplied does not exhibit the normal problems of consumption scarcity*" (ibid 2007: 146). They then go on to show why the state is considered the best candidate for the public provision of public goods, by showing that it is only the state that can provide all five functions needed to meet the conditions of security provision. These functions include identification, resource mobilization and allocation, deliberation (these three they refer to as the core cultural), regulation and commitment (referred to as ordering work). These are similar, and may be compared, to those mentioned by Shearing and Wood (2001: 206) "*(1) the identification of public goods, (2) the assurance these goods will be provided regardless of the provider, and (3) the regulation of provision in accordance with democratic values.*" The reason why the state is best suited to provide these functions is because these functions can only be seen as an aggregate whole, an integral whole and that they are mutually dependent and supportive of each other, therefore, only the state has the capacity and ability to handle all these functions. Moreover, only one entity can be held responsible for all these functions (Loader and Walker 2007).

Similarly, Crawford (2006) argues for the distinctive role of the state with regard to governance in its territories. Borrowing from Loader and Walker (2006) and Osborne and Gaebler (1993), Crawford sees the boat in which the state steers and other entities row, as having points of anchorage. Comparable to Loader and Walker's contributions on the reason the state should take priority in the governance of security, Crawford also provides that there are a number of ways in which the state, as an anchor, plays an exceptional role in state ordering and regulation and these he lists as follows:

- In its symbolic power and cultural authority
- In its legitimacy claims and public perception of its legitimacy
- As a distinctive (tactical) resource and source of information through which interests are pursued
- In its residual position as a back up of last resort with regard to other forms of control.

(Crawford 2006: 459)

In making his argument he looks at security, community safety and policing in the British context and shows how state anchorage is important and indispensable. To do this he gives an example of the Crime and Disorder Reduction Partnerships (CDRP), which are community safety partnerships between the state and private entities, and shows how they have failed to meet even the most limited aims of networks, as they are not autonomous from the state and are hardly self-organizing. Thus, contrary to what Shearing et.al postulate that the state has been de-centred from its once pivotal place in crime control, Crawford shows from his empirical study of the British system that, in fact, there is little evidence of the network model in line with the nodal model as a dominant or prevailing reality. Rather there is more evidence of the state playing a dominant role in the provision of security (Crawford 2006: 466). However, this hardly contradicts the nodal governance model which does say that the state may or may not be singled out as sole provider, whether it is, will depend on empirical research. Clearly Crawford's empirical findings in this case are that the state has been singled out as a dominant security provider.

Some scholars argue that while the steering and rowing model provides useful and descriptive insights into governing objectives, its utility remains limited (Johnston,

Button and Williamson: 2008). In view of this Johnston et al. (2008) and Shearing (2005) introduce corporate anchored pluralism. While the state, on the one hand decides to 'rule at a distance' by steering the boat and letting private entities row the boat, corporate-anchored pluralism often results where private entities often take on the role the state seeks to provide. A study done on an ideally state-anchored pluralism model – the Private Finance Initiatives in England and Wales – show that while the objective was to have the state mobilise and integrate both state and non-state resources for the delivery of services what became apparent in policing Private Finance Initiatives was that the governance model soon transmuted into corporate anchored pluralism.

2.5.3 CRITICISMS OF NODAL GOVERNANCE

The nodal governance model has been presented as a viable way of looking at governance. However, for the authors of the state-centric pluralism model, nodal governance raises issues that they propose should be reconsidered. The first issue brought up in a review of the book *Governing Security* (2003), by Johnston and Shearing, is with the concept 'nodal governance' (Loader and Walker 2004). They explain that Johnston and Shearing are unclear as to whether this concept 'nodal governance' is used as a descriptive or explanatory term or as a normative framework. In some cases the concept is used to describe empirical configurations of security governance i.e. the messiness of networks and in other cases reference is made to principles of nodal governance (Loader and Walker 2004: 224). This distinction is important in as far as it impacts upon the question of how best to regulate nodal security arrangements (ibid). In response, Johnston (2006: 47) makes clear that the concept is a theoretical term and not a normative one, and states however that the model can be usefully employed to facilitate non-coercive local capacity governance and inform different normative ends.

Loader and Walker's (2006) second criticism is that the nodal model too easily adopts a 'left Hayekian' position that results from unjustified pessimism about the governing potential of the state (Johnston 2006: 49). Hayek was of the view that the state

lacked capacity to acquire the local knowledge necessary, and therefore suggested a resorting to the market which is more capable of addressing the complexity of social phenomena by co-ordinating diffused knowledge and capacity. For Shearing (2006), the problem with this marketization strategy was that it would result in deep inequalities in security. Instead, he suggested making use of what was available for the benefit of the poor communities (Braithwaite 2000: 231). Loader and Walker's criticism arises from the fact that the state's role is being unnecessarily undermined. Johnston (2006) acknowledges that the nodal model is pessimistic about the state's capacity but this pessimism is not exclusive to those who advocate for the nodal model, and as much as it may be said that the state should be the meta-regulator the reality is that they are often not able to. Johnston (2006: 50) concludes by saying that it does not mean the state's role should be belittled but rather *"it is merely to affirm that under conditions where the state's governing capacity is problematic – something which is apparent at both domestic and trans-national levels – one should explore a variety of auspices through which those same desired normative ends could be pursued."*

In addition, Johnston and Shearing's failure to sufficiently address the problem of security as a *collective* or *public* good and the state's role as a meta-authority in the pursuit of that good seems to emanate from their adoption of the left Hayekian position (ibid: 51). Proponents of the nodal model very seldom acknowledge the state as a public good and therefore a meta-authority. This they do purposefully as they move away from the idea of *public* good to that of *collective* or *common* good. The authors of the nodal model advocate for a system that seeks not a purely public or purely private good but rather a good that falls in the middle of the continuum thus referring to it as a common good (Shearing and Wood 2003: 2). This is attributable to the fact that times have changed to the extent that it has become difficult to distinguish between private and public boundaries (Johnston and Shearing 2003: 146)

Lastly, Loader and Walker (2007) speak of the state as idiot, basically meaning that it is *"an entity whose bureaucratic remoteness renders it at best unable to make*

good on its well-intentioned promises, at worst a clumsy, homogenizing force riding roughshod over the possibilities created by more locally responsive, bottom-up security institutions” (Loader and Walker 2006: 175). According to Loader and Walker, the nodal model does not privilege the state because the state lacks the knowledge and the capacity to deliver security to diverse local communities and any attempts to do so would result in authoritarian outcomes – thus its idiocy. Their problem with this is that although Shearing et al. refuse to privilege the state, they afford the state rather large competencies in getting the nodal model to work, in particular that the state, firstly should regulate in matters where public interest is affected, secondly should generate and re-distribute collective resources and lastly should remain as the site of last resort (ibid: 177). In response to this criticism, Johnston argues that all complex organizations with multiple objectives are inclined towards idiocy because it is an inherent feature of governing practices and not a characteristic of the state. In addition, nodal governance does not contradict the state’s function as a meta-authority; their only reservation is that nodalism places significant limitations on the potential accomplishments of the state as a meta-authority (Johnston 2006: 49)

2.5.4 THE ROLE OF THE STATE?

For reasons that in some cases may seem obvious, the state has created for itself a somewhat distasteful reputation among society especially concerning their policing and security role. Several surveys taken in South Africa have shown a deep dissatisfaction with the state, leading to many turning to private means of securing and policing themselves. Numerous literature on policing and security studies also show inherent doubt towards the abilities and capabilities of the state. Besides the state being viewed as an “evil” or a “necessary evil” or as a threat to one’s liberty and security, Loader and Walker (2006, 2007) have found in their examination of literature on the state that there are four variants to state scepticism, therefore explaining why some people hold back on the state. These variants include the state being considered as a meddler, a partisan, an idiot (as mentioned) and a cultural monolith.

Firstly, the state is often seen as a meddler because the state has a tendency to violate or undermine the liberty and security of an individual. This it can do legitimately as a result of a social contract between citizens and the state where citizens agree to trade in a quotient of their liberty in exchange for the state's guardianship. It may also be done illegitimately or unfairly, for example the state may resort to immoral acts of coercion which, if left unmonitored, may lead to unwarranted effects. Moreover, the state's capacity to meddle may also be seen in their distribution of social goods (Loader and Walker 2006: 173). Secondly, the state is also seen as a partisan, in other words it cannot be regarded as a neutral umpire between different social interests. It is often affiliated with one group over another in both social and political life with preferential treatment often based on class, race, ethnicity, gender or age. Moreover the state tends to mask its oppressive and unjust realities so as to win consent of the public (Ibid: 173). Thirdly, the state is also considered as an idiot. This is usually associated with the proponent of the nodal governance model and has been discussed above. Lastly, in terms of the state being a cultural monolith, the state tends to create an empire of uniformity therefore not only hampering local diversity but singling out minority groups and creating exclusive boundaries. State scepticism arises in considering the state as an appropriate mediator (Loader and Walker 2006: 180).

Besides all these different state scepticisms mentioned above, scholars and the general public alike are in unison on the fact that the state must be involved in the governance of security. While some argue that it should take a prominent role others argue for its mere presence. Nonetheless as different initiatives surface, both community and business based, what is clear is that the state does play a role in the governance of security. What it does exactly will be examined empirically in the following chapters by looking at the Muizenberg Improvement District based in Cape Town, South Africa.

CHAPTER THREE

GOVERNING SECURITY IN MUIZENBERG

3.1 INTRODUCTION

A new way of governing security has dawned on the global community. The state previously a security monopolist has failed to meet the escalating demands of security and has therefore called for civilian participation in governing security. This call for responsibility sharing has without doubt diluted their dominant role and in some cases confused their position and authority in governing security. So what then is the state's role in the governance of security? Clearly state-centred governance is history. Two main contesting theories were considered in the previous chapter, namely the nodal governance model and the state-anchored model. This section of the paper attempts to provide an understanding of the role of the state by looking at an empirical study of a community based security initiative – the Muizenberg Improvement District.

The Muizenberg Improvement District (MID) is essentially an initiative that partners the state and private entities within a defined space in Muizenberg to improve the area through the provision of top-up services paid for by the members of the community and administered by the state. These top-up services, which include safety and security, cleanliness and in some cases marketing are geared towards promoting businesses and improving the economic development of the area. The MID is just one of the 14 functional City Improvement Districts in the Western Cape province whose establishments were given the go ahead by the Local Council as part of an urban renewal strategy. This City Improvement District (CID) initiative was adopted by South Africa from the United States where there are over 1,200 similar structures aimed at combating inner city decay. CIDs have been up and running for almost eight years now and although they are known to stir up controversies among different groups of society

within the Western Cape, they are considered a viable way of improving security within an area, therefore their permanency is undoubted.

3.2 CITY IMPROVEMENT DISTRICTS

The Improvement District concept originated in Canada in 1970 and has since then been adopted by several countries around the world. The idea behind their inception was to revitalize areas that were characterized by crime and grime. Therefore, Improvement Districts were introduced as a financing tool for neighbourhood revitalization where property owners in an area would agree to an additional levy to their property tax so as to pay for services to compliment those provided by their municipality. In light of their success, South Africa has adopted the concept as a way of revitalizing communities and reducing crime. Improvement Districts are complex structures and are often adapted to meet a community's character therefore explaining the various names they are know by, such as 'neighbourhood improvement districts', 'community improvement districts', 'city improvement districts', 'business improvement districts', 'self-supported municipal improvement districts'. South Africa has generally made use of the concept 'city improvement district' and therefore what follows is a discussion of the CID concept.

In examining the governance of space in post-apartheid South Africa, Faranak Miraftab (2007: 606) suggests that one of the reasons for the adoption of City Improvement Districts (CIDs) was the evolving nature of the City after the Group Areas Act of 1950 was revoked. An appeal by the Property Owners Association and Chambers of Commerce brought about the approval for the establishment of a CID in Cape Town in 1999, which was then established in 2000. This reason is also coupled with the restructuring of the local municipalities in the country. Municipalities bore the weight of the changes brought about by the end of the apartheid era and could not financially meet their growing responsibilities. As a result, they had to seek alternative ways of governance (Miraftab 2007: 604). This change was not exclusive to South Africa but was a global trend. Municipalities had to be entrepreneurial in their thinking, such as

contracting out basic services to private entities. This also complimented the 1998 White Paper on Safety and Security's responsabilisation strategy in which the state acknowledged that they were not the sole providers of security and encouraged private entities to be involved in the provision of their own security (Berg 2005: 112). CIDs were thus seen as an opportunity to develop income for the government and to get private entities involved in the provision of security. Although CIDs were initially incepted in Johannesburg in 1997, their popularity has grown faster in Cape Town and the reason for this may be in line with Benit-Gbaffou's (2008) study on community policing in Johannesburg: that different forms of social ordering call for different forms of policing. Therefore, what works in some communities will not necessarily work in other communities.

In Cape Town the first CID to be established was the Cape Town City Improvement District in 2000, which was done as part of Cape Town's urban renewal strategy known as the Cape Renewal Strategy (CRS) whose broad mandate included the reduction and prevention of crime (Berg 2004: 228). Since then, about 18 CIDs have been established in Cape Town alone (of which 14 are functional) and, unlike the majority of CIDs in Johannesburg¹, are not limited to business, commercial and industrial areas, but are also found in residential neighbourhoods. These CIDs are based on a partnership between the state and private entities such as property owners and businesses. Representing private entities, a non-profit company is set up for the purpose of steering the establishment and thereon the management of the CID (Benit, Didier and Morange 2005:5). An example of this was the setting up of the non-profit Cape Town Partnership (CTP) in 1999 that sought to initiate activities aimed towards the improvement of the city centre. The CTP aided the setting up of the Cape City Improvement District (CCID) and in addition manages it.

¹ There is one residential CID in Johannesburg – Berea called *Legae la rona* 'my place' established in late 2005

City Improvement Districts were adopted into South African legislation and in most regards reflected a similar structure to the BIDs in both the United States and United Kingdom. According to the Preamble to the City Improvement Districts By-Law of 2004, the CID model is based on international best practices and essentially the purposes of CIDs are to prevent degradation and urban decay and facilitate the elevation, economic growth and social development of cities and towns within the City of Cape Town's mandate. By seeking the establishment of a CID, a community within a demarcated area is in essence agreeing to pay an additional levy to the City of Cape Town for additional services which include security, cleansing and marketing. This additional levy is pooled by the state and given to a non-profit company, consisting of members from both private entities and the local government, set up in that particular community for the purposes of managing the CID. The City Improvement Districts By-Law of 2004 stipulates that in order to apply for a CID in an area, inter alia, at least 25% of owners of rateable property must show support for the setting up of a CID and a draft budget and proposed levy must also be submitted. After a CID plan is drawn and publicized, at least 50% of the owners of rateable property must approve the establishment of the CID.

Although CIDs are considered an urban renewal strategy, at the core of this strategy is a crime prevention initiative. Services provided, as mentioned above include the provision of security, cleaning and marketing. Most CIDs tend to make use of private security companies to provide security services in their area. Alternatively, CIDs partner up with a state body to provide security in their area (Berg 2004: 110). The CID model is partially based on Wilson and Kelling's (1982) "Broken Window" theory that suggests a link between disorder and crime. Wilson and Kelling (1982) submit that signs of an uncared for community are broken windows left unrepaired, graffiti disregarded, streets uncleaned and so forth, therefore depicting a space vulnerable to criminal invasion. Since most CID initiatives, globally, are established in degenerated places, the urban renewal strategy involves the cleaning up of such areas and in turn the reduction of crime. An example of this may be seen in the MetroTech Area in downtown Brooklyn. Davis and Dadush (2000: 10) explain that the MetroTech area was derelict; it had "16 acres of

empty buildings and warehouses, abandoned lots and tenement houses, as well as car washes and parking lots... [It] was home to three universities... and three high schools. Crime rates were higher than in many other parts of New York City, and drug dealing and prostitution were prevalent". They further report that six years after the BIDs inception, crime reduced by 73 per cent (ibid: 14). The CCID, in their 2007 annual report, claim that their crime initiatives have brought about a 90 per cent decrease in crime within the CCID since its inception in 2000.

As mentioned above, there have been controversies in the setting up of CIDs within South Africa and although it is not the scope of this paper to look into this, it is wise that mention is made of these controversies as they will have an impact on the state's participation and role in the CIDs. The establishment of CIDs has been resisted in some areas because of the additional levy requirement. Members of the community may argue that it is unwarranted for them to pay additional levies for services they ought to be receiving in the first place and thus they will not permit the setting up of a CID. While this is a valid point it shows a lack of knowledge on the genuine limitations of the state. Fragmentation is another controversy brought about by CIDs. Because of the levy requirement, poorer communities are naturally left out of this initiative as they are unable to afford extra levies and wealthier communities would rather pay for individual security costs. CIDs are also seen to inhibit chances of integration and in some way promote a new type of apartheid or neo-apartheid (Benit, Didier and Morange 2005).

Some activities run by CIDs tend to push the poor to the urban outskirts. An example of this would be criminalizing activities of the informal traders and doing away with the street children within the area all in the name of promoting business development. Some argue that the CID by-laws created by the Municipality also tend to make homelessness and poverty public offences; this is clearly discriminatory and does not work for the country's integration plans (Miraftab 2007). In addition, and most importantly, is the fear of these CIDs turning into "private governments" (Stuart Macaulay 1986: 446). CIDs are seen as powerful entities with the ability to influence

policy and voice opinion; this is in part because they represent a significant percentage of the members of the communities they operate in. This concern has also been raised by Meek and Hubler (2006: 48) on BIDs in Southern California;

It is evident that BIDs have a political prowess potential: BIDs can unduly influence the political system BIDs are certainly voices that are heard in the city hall and these voices are often welcomed because they represent a cohesive consensus among a significant representation of citizens and business interest.”

Similarly, the founding CEO of the Cape Town Partnership (CTP) was known as the “*unofficial mayor of Cape Town*” (Miraftab 2007: 615).

3.3 THE MUIZENBERG IMPROVEMENT DISTRICT

Muizenberg, located in the southern suburbs of Cape Town, is well known for its colourful and warm beach that attracts culturally diverse crowds throughout the year. Previously an opulent and prestigious seaside town of the early twentieth century, large parts of Muizenberg’s architecture are reminiscent of its historic heritage. Quite unprecedented, the 1960s saw the beginning of the community’s urban decay as seasonal tourism began to dry up and building maintenance suffered due to landlord absenteeism. Crime and grime set in, buildings became derelict, and drug lords and gangsters were given an environment to thrive. Muizenberg had deteriorated to the extent that it became, for its residents, an undesirable place in which to live. It is against this backdrop that the MID was established. In 2000 a group of concerned residents initiated a committee that sought to do something about the situation in Muizenberg and so having learnt about the CID models it was suggested that a similar structure be set up in the area. An application to the City Council for the establishment of an improvement district was lodged in April 2000 and in the interim while the lengthy process took its course, the committee raised funds to jump start security provision in the area.¹

The City of Cape Town By-Law on the City Improvement Districts clearly gives a detailed and specific procedure on the course of action for the establishment of an

¹ Interview with a MID board member (07/08/08)

Improvement District. This procedure is often a long and taxing process almost ensuring a community's determination to see the eventual establishment of the Improvement District. This was true of the MID, which had to wait for almost a year for final approval by the Council. As stipulated by the By-Laws, the first step to lodging an application is the setting up of a public meeting chaired by a qualified and suitable person where a presentation of the proposal to set up a CID will be made. An application has to be lodged by an owner of rateable property within the demarcated area in which the Improvement District will operate. According to the Councillor of the Muizenberg area, the MID area was demarcated based on the core of Muizenberg and so sought to incorporate all business areas and a residential component. It was largely based on "*geographical considerations as well as logical municipal road infrastructure*".¹

Prior to the submission of the application to the Council, the applicant must ensure that the community is well informed of the intention to set up an Improvement District and this is done through setting up a public meeting, advertising the plan in a local paper and direct communication with the owners of rateable property in the area, if necessary. Nonetheless, the Council makes the final decision on whether the Improvement District may be established (S8 of City of Cape Town City Improvement District By-Law). Once approved a majority support is needed for its establishment. The By-Laws provide that;

Within 6 (six) months of the approval of the application in terms of section 8 the applicant must provide written proof to the Council that owners of rateable property within the boundaries of the City Improvement District who own not fewer than 50% (fifty percent) in number of such properties and not less than 50% (fifty percent) of the rates base value of the rateable properties within the boundaries of the City Improvement District, approve the formation of the City Improvement District and the City Improvement District plan as approved by the Council.

Although this process is important in that it ensures all owners are consulted and are aware of the Improvement District plan, it can also be rather taxing because all property owners have to be consulted. One MID board member puts it plainly;

... if, as I said, more than 50 per cent, 51 per cent of the people say [yes], you have to actually get an answer from everybody, you can't just say

¹ Interview with a Cape Town City Councillor (31/07/08)

“oh well 20 per cent of people have replied we will go with that”, you have to actually pin down everybody and ask them. If 51 per cent say alright and the council agrees, then you go ahead.¹

Once again, before the Improvement Districts' establishment, a management body needs to be set up based on a voting system by the owners of rateable property within the area. Tenants input in debates and discussions are permitted, however, they are not permitted to vote. The current MID management body is made up of seven board members elected at an Annual General Meeting and the Local Councillor who is an ex-officio member (as stipulated by s12(3)(b) of the By-Law). The board is run by a remunerated manager, it has a Chairperson, a secretary and four other members who all contribute to projects aimed at the improvement of the MID area but are in charge of specific portfolios namely security, beautification, web maintenance and social upliftment. Thus by having a Council representative preside the board meeting and the Council receive and consider the MID's financial statements, Council monitors the compliance of the management body to the By-Laws or any such guidelines or policies given by the Council on CIDs.

It is interesting to note the state's role in approving the setting up of an Improvement District. By the very fact that the state provides the necessary policies for the establishment of Improvement Districts, it is seen to have a prominent role in the governance of security. The state bears the power to decide whether or not an Improvement District can be formed. This, together with its ex-officio position in every Improvement District management body and its regulation of the finances allocated to the Improvement District, all play a part in securing its role in governing these Improvement Districts. In addition, it is often argued that the complications set in the application and approval process often acts as a deterrent for those who wish to set up an Improvement District therefore the state's power proves rather crucial. From the above it is clear that the state has set within policy measures to ensure that its role in governing security is prominent and not overlooked.

¹ Interview with a MID board member (18/07/08)

CIDs are aimed towards facilitating the upliftment of cities and towns on the verge of degeneration and urban decay. In line with the South African Constitution (108 of 1996) they are also aimed towards encouraging economic growth and sustainable development. Therefore based on these aims the preamble to the By-Laws lists five functions of the CIDs and some of them include; the enhancement and supplementation of the municipal services of the City of Cape Town, the provision of a basis in which the City of Cape Town and the private sector may co-operate in providing municipal services, and the facilitation of grounds on which investments are made that will not only uplift the areas and businesses, but also economically enlighten and develop the area. In light of these functions provided for by the by-laws the MID manager sees to it that these functions are carried out. When questioned about duties, the MID manager stated that the MID is targeted towards upgrading and improving the area and that the MID essentially provides a top-up service to what the Council provides:

... [I]n other words, the City Council will not sweep the street except once a month, the MID sweeps it twice a week and also provide security and in this particular one [Muizenberg] on a 24-hour basis to all residents and businesses in the area....

However, from the manager's statement it would seem that the MID provides more than a top-up service and seems to be more present than the state in terms of both cleaning and securing Muizenberg. This illustrates Johnston et al (2008: 239) findings that the state's objective to rule at a distance is not always absolute and often results in private entities taking over the state's role. In their words, Johnston et al's (2008) put forward that state anchored pluralism is not absolute and that it often mutates into corporate anchored pluralism.

To carry out these functions, the management body is entrusted with a lump sum of funds given by the community through the Council. According to the by-law, the applicant must, in the application, state the draft budget for the District and a proposed levy for the running of the body. The Council thus, using its powers, will levy property owners an additional rate to that already charged on the owners as rate payments to the

Council. This additional levy is payable and collected in the same manner as the normal property rates imposed by Council (s14(2) and s14(3)). Although the management body may determine how it would like to use the funds in the MID, the general budget is under the mandate of the Council, the funds are paid to the MID in monthly instalments and most importantly the management body must refer back to Council with their audited financial statements each year.

... [W]e have our books audited and reported to the council, and we are accountable in the sense that where we spend our money and where we do things should be in the end the mandate of Council...¹

The budget for the year ahead is already pre-determined and the management body plans within such a budget. According to one member of the board the MID's annual budget is pegged at R750 000 and they anticipate an 8% increase in the coming year.

It is worth noting at this point that the MID is exceptional from all other CIDs because it is largely dominated by residential ratepayers as opposed to businesses. It is the first of such a kind, in Cape Town, that is running well and seen to work for the community. Therefore in Muizenberg, the MID has become more of a community initiative where individuals within the community have decided to do something about their security. Sixty per cent of the MID is made up of residences and this is reflected in the composition of the MID board. When the MID was first established there was a stronger representation of businesses, and as a board member speculates this may have been because they were about to invest a lot of money into property development and renovation and they wanted to be part of making things better in Muizenberg. Although the current board has no local business representatives it still maintains close contact with businesses.

¹ Interview with a MID board member (18/07/08)

3.3.1 UPLIFTING THE MUIZENBERG IMPROVEMENT DISTRICT

The MID is a small section of the whole Muizenberg area but as attested to by some of those interviewed, the demarcated MID area formed the core of the derelict and dilapidated parts of Muizenberg. So the MID management team were tasked to look for ways to upgrade the area and get rid of the 'grime' that had for years characterized it. In addition, businesses that took interest in the Improvement District sought ways that would encourage resident movement and draw more people to the businesses located in the area. Three important developments were introduced to the MID that without doubt cleaned up the area and improved the streetscape.

3.3.1.1 Cleaning the MID Area

In any city it is a given that cleansing and maintaining hygienic conditions in an area is the mandate of a city authority and it is for that reason that property owners pay rates to the Council. It is the case for the Muizenberg area that the Cape Town City Council (the Council) would provide such basic amenities to the area. However, residents of Muizenberg have noted that the Council's contribution to the cleaning in Muizenberg leaves a lot to be desired. Council is seen to sweep certain roads in the Improvement District and the beachfront about once every two weeks while they are hardly ever seen to sweep other roads in the area. This has been the case before and after the establishment of the MID. Asked how often the Council sweeps the area one resident remarked "*very little. Not to my knowledge*" and after much thought responded;

Hardly, I don't know, I can't say but they certainly have sort of abdicated their job to [the MID]. They do sweep in the main road, the CC, and they do sweep Atlantic road and they do sweep the beach front, I'd say once every ten days or so, but they do not sweep anywhere in the village.¹

In addition, the pedestrian and vehicle subways were always known to be full of graffiti and generally filthy and unpleasant places to go through, exhibiting signs of negligence and encouraging criminal activity.

¹ Interview with MID manager (30/07/08)

The community's response to the insufficient services of the state was to take measures into their own hands. As part of the top up services, the MID sees to the cleaning of the area by contracting out five previously homeless people from the homeless centre Living Hope, to sweep the streets and clean the subways every day. Therefore, not only does the MID ensure that the MID area is kept tidy and pleasant but they also contribute to the social upliftment of the area by providing some of the homeless people in Muizenberg with jobs. To keep them motivated and ensure they maintain a certain level of standards the MID manager is in constant communication with their supervisor and personally supervises their work and visits them often at their centre. The five employees are each given a section of the MID area so that each road is swept at least two to three times a week. In addition, part of their directive is to keep an eye on the subways and clean and paint the walls as the need arises. Furthermore, the MID has also started a beautification project where gardening along certain roads would be seen to contribute to a better outlook of the area and also contribute to its security.

Changing what was a scruffy piece of public ground into a very attractive garden is a part of creating security because it gives people a different feeling about the place they are walking through or driving through. A place which is a governed space not an ungoverned space and the implications of that are that there are people or organizations who are actually keeping an eye on things not just in a policing keeping an eye on things but in a taking care of the environment, taking care of the streets, making places look decent.¹

One board member started such work along Atlantic road and the feedback received from members of the community has been positive:

...cleanliness has definitely improved, you know there was graffiti on the little passage way under the railway line, that's cleaner, the side walk that JC has done there is nice....²

However, not all members of the community are for the idea of contracting out people to clean up their own mess or paying extra to the Council for a service that they should be capable of doing themselves. It is believed that the Muizenberg community should focus their positive energy into working as a community to improve the

¹ Interview with MID board member (18/07/08)

² Interview with MID board member (07/08/08)

community. Thus the solution to the Council's inadequate services would be persuading each resident to do it themselves:

...if you could persuade every resident to take their broom once a week and sweep 20 meters in front of their own house you would not have a problem, you would not have to hire a contractor to do it...¹

In concurrence with this opinion there have been street clean ups where members of the community would club together on a Saturday afternoon for about an hour and clean up the streets. This has not only been used to clean up the area but to send a message to people in the community well known for their criminal or anti-social behaviour.

...as many people from the community as possible would come out just with black bags and actually go into that problem road and just clean up, you don't say anything you actually smile and greet people even if you know they are criminals and drug dealers and you just clean up and you should see how nervous it makes them...²

There seems to be general understanding from the community that they cannot rely on the state to provide a certain level of services needed by the community. This has resulted in more visible community initiatives from both the MID and individual community members. The effect of self service may be two fold; on the one hand the Council may reduce its services on the grounds that the area is already well looked after and on the other it may be motivated to do a better job and increase its services. In Muizenberg the Council has made an effort to maintain the same level of services it would normally provide therefore confirming its presence albeit minimal. The Muizenberg Local Councillor admits that having other people provide services that the Council is supposed to provide makes the Council susceptible to complacency therefore highlighting the importance of the partnership with the MID to help it ensure it meets its side of the bargain.

I think that's always the danger, is that the Municipality eases off on, because the MID is in place, it eases off on its services. I think what it does do is that it lessens the pressure on the municipality, but it's an ongoing balance and that the MID needs to manage so that if the Municipality drops its level of services its up to the MID to bring the Municipality into line.³

¹ Interview with Neighbourhood Watch member (13/08/08)

² Interview with MID board member (31/07/08)

³ Interview with Local Councillor (01/07/08)

Looking at the governing relationship between the Council and the MID it is difficult to determine whether the Council has settled into the idea of ruling from a distance. On the one hand it has permitted the MID to set up structures that run parallel to the state therefore showing a desire to relinquish its rowing status, yet on the other hand they insist that the MID merely compliments its role and would like to retain its rowing status. Although the Council wants to play both roles, it is clearly incapable. Here the MID not only provides services to the public it is also expected to keep the Council accountable so that it provides the services it is committed to. This clearly leans towards Johnston et al's (2008) argument that it is increasingly difficult to distinguish between state-anchored pluralism and corporate-anchored pluralism.

3.3.1.2 Infrastructural Developments in the MID

When the MID was established, one of the areas it was to improve was the infrastructure in the MID area. Most places were run down and the salt air from the sea contributed to the dilapidation of some of the buildings in the area. Muizenberg needed a major facelift so both businesses and residents were willing to contribute to its development. Renovating large parts of the beach front would increase inflow of people therefore increasing the 'eyes on the street', which would in turn result in the reduction of crime in the streets. Derelict buildings were also known to draw in criminal behaviour and were known to end up as drug dens. Once again the mandate to ensure the maintenance of the area is placed in the hands of the Council who have the right to encourage owners to maintain their property, failure of which they could be fined or Council could take more serious action against them. In addition the South African Police Service (SAPS) have the power to close off any area used for criminal activities thus the drug houses that had mushroomed within Muizenberg encouraging criminal activity were seen as falling within police mandate. Evidentially because both state bodies seemed to be inactive at carrying out their mandate, private individuals, businesses, the Ratepayers Association, and the MID decided to do something about the state of Muizenberg.

An interview with one of the board members of the MID told of a couple of residents that started cleaning up certain parts of Muizenberg themselves. One particular resident bought property along a street within the MID precinct and saw to its renovation while other members sentimental about Muizenberg bought properties and cleaned them up so turning areas that were once known as 'squatter camps' into high rise four story buildings. These changes were all initiated at about the same time that the first MID board was established.

...the woman who started... she really cleaned up Wingate¹ road. She actually bought some property along Wingate road and started cleaning Wingate road...

...a bunch of... guys that had spent their childhood holidays here and were sentimental about M, and they wanted to fix it up again and they slowly bought up some of the properties here and the new development started.²

Businesses have played a very large role in improving Muizenberg and have to a large extent done so in collaboration with the MID. One of the major areas of note is the beach front area which for so long was characterized by buildings on the verge of falling apart. A number of residents, clearly sentimental about the old fashioned architecture reminiscent of early Muizenberg were initially against the Business Association's plan to tear them down and replace them with modern style buildings. Common ground was found, and, with input from residents of Muizenberg mostly represented by the Ratepayers Association and the Muizenberg Historical Society, it was agreed that they would reconstruct the buildings and maintain the exact same architecture. Thus they would demolish the old buildings and make a replica of the old ones. Residents admit that developers have done a good job at this. In addition, proposals were put to Council to connect the beach front to the Village area, by means of a walk-through, so as to increase the flow of consumers from the beachfront into the Village. However, the Council – exercising its role as 'steerers' in governance, is said to have thwarted these efforts as well as efforts to construct a pier in the Muizenberg area, mainly because it did not fall into the government's development plan that involved previously disadvantaged communities.

¹ Pseudo name

² Interview with MID board member (07/08/08)

While it is understandable that the state can not afford to upgrade the infrastructure in Muizenberg and this is hardly expected from them considering the needs in South Africa, their input in permitting the reconstruction and further development of Muizenberg is important and necessary. However, as reports from persons interviewed suggest, the state is seen to be relatively unhelpful downplaying the interest of the community. This has without doubt contributed to negative perceptions of the state by the community.

The Ratepayers Association is also active in improving Muizenberg and works, in some cases, in collaboration with the MID. The chairperson of the Ratepayers Association acknowledges these efforts:

Muizenberg has had quite a revival in the last five years, and many people have bought in, they have invested a lot of money on their properties, we are really trying to make the place right and there is a lot of community groups and people really have a strong vision to see Muizenberg improve but every time we are stymied by the government particularly the city, the city has played a very large role in keeping Muizenberg or preventing Muizenberg from really improving the way it could.

The limitations imposed by the state to hold back further development to the Muizenberg community as suggested by the above interviewee may be said to be a way in which the state is seen to hold the reins of governance therefore ensuring that it is seen to anchor governance as it seeks to perhaps protect the interests of the greater public.

With a constitution that dictates their role as seeking to provide the best value for money for the ratepayers who live in Muizenberg and the Lakeside areas, the Ratepayers Association has embarked on several projects aimed towards this. One such project, which, at the time of writing, was at its very early stages is a traffic calming project that will develop the roads in Muizenberg area, of which the whole MID area is a part of, in such a way that the traffic is slowed down and pavements are made more people- and pedestrian-friendly, therefore creating some form of defensible space' (Newman 1972).

... [W]e want to apply for council funding next year to develop our own traffic calming because one of the problems we have with crime is that vehicles that drive in people who jump out and rob people get in vehicles and drive off. So we want to slow traffic and create much more people- and pedestrian-friendly pavements and roads so that we firstly slow the traffic and secondly people start reclaiming the street as their own.¹

The initial contribution of the MID to infrastructural developments was to work with businesses to develop certain areas within its boundaries and this it managed to do (a couple of examples have been highlighted above). The current MID board's focus is to approach landowners of dilapidated and messy buildings and ask them to renovate them. To do this the MID has to work with the Council as the Council bears the power to get people to act. The MID will firstly ask the owner of the problem building to do something about the building at least twice, and only after this then call upon the state, in this case the Council, to push the owners into action. Between eight and ten properties were targeted and of these five of them responded positively. The Council was asked to intervene and, at the time of writing, the necessary action was about to take place.

... we first ask the property owners and if they don't do anything we ask them nicely once more and then we hand it over to Council and Council has the right to force them to improve their property, if they don't want to the Council can actually ... do it and charge them and stick them on their rates.²

The MID has also had to see to the closure of drug houses around the MID area. With the help of Mountain Security, residents, the criminal justice system and the police they managed to close down a number of houses. Although the MID is said to work with the Council the reality is that the MID often calls upon the state for assistance when all else has failed and drastic measures need to be taken. As the nodal governance model puts forward, conceptual priority should not be given to the state neither should it be given to any node in particular. The collective effort from the various nodes mentioned above and the position not to prioritise any particular node seems to support the nodal arrangement.

¹ Interview with Chairperson of Ratepayers Association (28/08/08)

² Interview with MID manager (30/07/08)

So what exactly is the state doing with regards to infrastructural development in Muizenberg, particularly the MID area? The majority of people interviewed generally agree that the state – the Council is doing something and have recently begun to make an effort in their service delivery. Two interviewees gave the Council thumbs up for their latest effort towards improving service delivery which includes providing all the contact details of departments in Council at the back of the phonebook and a toll free number where complaints may be lodged, and a reference number is given, making follow-ups easier. Having the Local Councillor on the MID board is also seen as a positive aspect in terms of getting things done.

...look at the moment I am incredibly happy with the communication and cooperation we get from them and I think that's largely due to, again, a Councillor on our board.¹

In as far as infrastructural developments and their contribution to security are concerned, the state, namely the Council, does not seem to be playing a prominent role. Although they may be seen to be doing something the MID has taken over most of the functions expected from the Council. The MID and other similar bodies have made it their responsibility to improve Muizenberg as one way of deterring crime. The fact that the MID uses the state as a last resort shows that more is being done without the state. This perception of the state's role is also shown by the community taking complaints to the MID rather than to the Council. Because of the Council's perceived lack of efficiency and effectiveness, organizations that have normally tasked themselves with pushing the state to action have got to a point where they would rather take measures into their own hands. If the Council cannot give them funding they will raise their own funds and do what the state should be doing.

...we have actually decided now that we want to go beyond harassing the Council to change the light bulbs which they will never do and to fix the leaks which they will never do. We are actually becoming proactive, so we are in the process at the moment of registering the association as a non-profit organization and we are actually going to be able to get our own funds to implement our own projects.²

¹ Interview with MID board member (31/07/08)

² Interview with Chairperson of Ratepayers Association (28/08/08)

3.3.1.3 Social Upliftment

One of the most contentious issues the Cape Town CID had to deal with was the issue of informal traders, homeless people and street children as part of their 'clean up' campaign. Poverty was in a sense criminalized and there were attempts to stop informal trading – a livelihood of a significant percentage of the city's population, panhandling was a public offence and so was homelessness. This brought about resentment of the CCID. Over time the Cape Town Partnership "*found it could not simply send pickup trucks to 'clean up' poverty from the streets of downtown*" (Miraftab 2007: 614). Muizenberg, in particular the MID, does not necessarily have informal trading or panhandlers but homeless people and street children are a part of the community. The MID has had to find a way of addressing this issue.

Living Grace, run by the Muizenberg Baptist Church is an organization that cares for homeless people and provides a meal for them. The MID works with them and uses some of the homeless people affiliated with Living Grace, in particular their Living Hope programme, to do work for the district. It is from this group that the MID employed five people to clean the streets, this includes painting out graffiti as often as it appears. Now and again the MID manager gets people from Living Grace to do the odd job here and there for a fee. Some of the jobs include delivering the MID newsletters to all residents of the area and doing surveillance jobs now and again.

I have a chap from Living Grace... he did surveillance for me, I was trying to find out who was dumping in a particular island... Whenever I can use somebody from there to do a job or earn some money I try to do it. I like the setup and I like what they are doing and what they are achieving, they are taking pride in what they do....¹

Employing the homeless is seen as a social development tool in that it seeks to empower the homeless and get as many people off the street as possible. It is a reality that some homeless people commit petty offences and are known for their anti-social behaviour such as urinating in flower beds, public brawling, getting drunk and bothering

¹ Interview with MID manager (30/07/08)

people, to mention a few. The Council's Law Enforcement is usually called upon to help but very little, if anything at all, is done. The major reason for this is the difficulty in penalizing them. In most cases if they are unable to pay their fines and because of the complexity of the criminal justice system they are often let go by the magistrate with a firm warning not to recommit the offence. Another reason is the realisation that a punitive response is not necessarily an answer to a socio-economic problem. Therefore the MID's efforts extend to collaborating with Living Grace and with the Law Enforcement to try and stop offensive behaviour by homeless people.

The MID also has a street children project called House of Hope to which they have allocated about R65 000 to see to the upliftment of street children in Muizenberg. Council provided the project with a building and the street children are provided with two meals a day – breakfast and lunch. A social worker remunerated by the MID works with the children. House of Hope works very closely with a well-known street children centre – Homestead, and together they have managed to get a number of street children off the streets and back home. The MID is also looking to help these children enrol into a school or a trade that will contribute towards their future. Not all street children in Muizenberg have embraced this opportunity. There still remains a group of about 10 to 15 children who refuse to take part in this project. Some of the children that do participate in the House of Hope project are known to stay in a drug house and are suspected to be running drugs as a way of earning money.

In this, while the state does not necessarily play an active role, they are supportive of the activities run by the MID to elevate both homeless people and street children and seem to assist where they can.

3.3.2 SECURING THE MUIZENBERG IMPROVEMENT DISTRICT

The various upliftment programmes discussed above have all contributed to securing Muizenberg and have proved various crime prevention theories such as Wilson

and Kelling's (1982) "Broken Window" theory which suggests that cleaning up and taking care of a place is a deterrent of criminal activity, and Jane Jacobs' (1961) "eyes on the street" theory that increasing movement on the streets enables the regulation of public behaviour. Defensible space theory, also a crime prevention theory, suggests that the physical design of the environment increases public accessibility therefore reducing crime (Newman 1972). These three theories, according to Ronald Clarke (1980) have influenced a common sense approach to preventing crime and this he calls "situational crime prevention" which, in essence, suggests that crime is prevented by reducing the opportunities for crime. Situational crime prevention is said to encompass two theories on crime that have empirical backing in the way the MID and other security providers help secure Muizenberg. These two theories include the rational choice theory, that a crime is committed after a decision is made and that the benefits of committing the crime are far greater than not committing the crime. The second is the routine activities theory that suggests that crime tends to occur when an offender and target converge in space and time in the absence of a guardian (Clarke 1992: 10). Therefore to prevent crime, situational crime prevention proponents suggest that you increase both the effort and the risk and reduce the reward gained by the offender (*ibid*: 13).

Besides the visible urban decay that had crept into Muizenberg over the years, crime also played a major role in bringing the community down. Most crimes committed were drug related, usually falling into the major categories of crime such as murder, rape, assault, housebreaking and hijacking. The community continuously grew impatient with the South African Police Service as they seemed to be doing very little about the crime situation and decided to take matters into their own hands. Just before the MID was established, a group of residents in partnership with businesses in the area decided to get together and pool funds that would contribute towards securing Muizenberg and it was at that time that Mountain Security was first used on a large scale to help provide security in the area. When the MID was established a board from the same group of people was formed and Mountain Security were officially contracted by the MID to provide security

for the MID area. At this stage the Muizenberg police, the City police (Law Enforcement Officers), Mountain Security and other private security companies were seen as the main players in the provision of security. Years earlier before the MID, National and Provincial legislation called for the setting up of a community partnership with the police and this manifested in the form of Community Police Fora (CPF) and Neighbourhood Watches (NW). Both the CPF and the NW were expected to work with the police to help address the crime problem that was not only evident in Muizenberg but also in the whole country.

From the above, it is evident that there are a number of security providers in the MID precinct, therefore what follows are findings of research done on each node's contribution to security.

3.3.2.1 South African Police Service

The South African Police Service is one of the three security services provided by s198 of the Constitution to ensure the security of individuals of the country, the other two being the national defence force and the national intelligence. The Constitution further provides that *"the objects of the police service are to prevent, combat and investigate crime, to maintain public order, to protect and secure the inhabitants of the Republic and their property and to uphold and enforce the law"* (s205(3) of Act 108 of 1996). It is for this reason that the police are considered as a dominant structure in the provision of security. They have vested in them exclusive powers and are seen to act on behalf of the state. This dominant position was reiterated in an interview with the Muizenberg Station Commissioner when he pointed out that:

The police is the most important organization and body in this country which is responsible for community safety ... it is a very powerful organization, it is a public institution with a lot of resources and a big capacity... the police should be right at the forefront in terms of safety and security in this country and policing in this country and other role players should follow.

In comparison to other security providers in Muizenberg, the Muizenberg SAPS police a very large part of the area which includes Kalk Bay, Lakeside, Marina Da Gama, Muizenberg Central, Costa Da Gama, Hillview, Coniston Park and Sheraton Park areas. According to the media liaison officer of Muizenberg police about 63 officers are deployed in the area of which 22 of the 63 are detectives. The duties of the 41 officers would include patrolling the area and attending to complaints in the area. *"They attend complaints, that's their main function is attending complaints that they receive from the radio control or the station itself. So that's their main focus is attending complaints".¹*

Unfortunately one of the major problems faced by the Muizenberg police is a shortage of resources, in particular patrol vans. Only three vans are available for use by the 41 police officers therefore only a handful of them are in a position to attend to complaints. According to the media liaison officer, an average of 40 complaints is received by the police station a day which is beyond the capacity of the officers. Although foot patrols would be a valuable, and in some cases highly effective tool to deter criminal activity this is not considered a popular form of policing among the officers. This form of policing explains the negative perceptions that the public has of the police. The Station Commissioner explains that public perceptions seem to be that they are ineffective at policing but given the resources that they have they are providing security *"to the best of [their] ability".²* He explains that the police have to normally prioritize responses so that only the most serious offences are responded to and it should also be noted that most of the callouts that the police vans respond to demand long periods of physical presence from the police.

The police have a good working relationship with Mountain Men Security and are often called upon to assist in apprehending suspects. The police also rely on the assistance of Mountain Men Security in policing the area:

¹ Interview with media liaison officer SAPS (02/08/08)

² Interview with media liaison officer SAPS (02/08/08)

Because we have a lack of manpower they patrol in the areas that we are not always able to get to, so you know the more people you have on the ground the better it is to have crime prevention, so they patrol and any information or anything that they pick up they always inform us cause we have weekly meetings with them with the Mountain Men where we exchange information of any specific areas that's a problem that they identify.¹

Proactive policing is also a feature of the Muizenberg police. In a report to the executive committee of the CPF, the station commissioner reported that the police began random closures of 'shebeens' open after their curfew and this also includes the confiscation of their goods. In addition, the police are keeping close observation of scrap yards to ensure that all owners have a valid trading license and are operational during specified hours. In collaboration with Mountain Men Security the police have also seen the closure of some drug houses within the MID. It is hoped that with the inception of the Watch-com project that seeks to connect all security providers to a control-room, the police will oversee the project and be the fore-runners as they are considered to be the dominant body in security with greater powers.²

From this it is clear that the police cannot be said to be totally neglecting their duties. Despite the public's strong dissatisfaction with the police, the police believe they are delivering services to the best of their ability. In governing security it is believed that they play a very important role and should be the main actors. However, this does not seem to be the case. Although the public would like to rely on the police first before they resort to private services, they are unable to because the police are not always ready to assist them. As a result, private service providers in particular Mountain Men Security in the MID precinct seem to play a more prominent role in the provision of security. A number of people interviewed agree to the fact that if they would like anything done they would first call on the Mountain Men then call on the police if need be. The presence of other security providers has not only complimented police work but has also encouraged them into action. An example of this may be seen in their collaboration with Mountain

¹ Interview with media liaison officer (02/08/08)

² Interview with acting chair of CPF (04/09/08)

Men Security to make arrests, or their regular meetings with neighbourhood watches who demand specific action from the police.

3.3.2.2 Community Police Forum

The CPF is a nationally legislated body created to promote good relations between the police and the community. While the Constitution (s206(3)(c) Act 108 of 1996) provides the foundations of its establishment, the SAPS Act (68 of 1995) details the objectives of the forum, which in essence are to open opportunities for discussion and collaboration between the community and the police. It is therefore in terms of this legislation that the Muizenberg CPF was established over 10 years ago and is perceived by the police as the official body in which to work hand-in-hand with the community to address safety and security issues.¹ The CPF is managed by an executive committee of six members who meet once a month to discuss challenges facing both the community and the police and seek ways to overcome them. In addition, they plan for their monthly CPF meeting with the public which in the past were seen as an opportunity for the community to meet the police and raise concerns but have lately become opportunities where the community is informed of ways to improve their own security.

... we used to, under the old chairman, we used to have meetings where we would say come and meet the police and it really just turned into a really harsh slinging match against the police...²

The CPF also contributes to securing the MID. As mentioned above, their recent initiatives have been to equip the community with knowledge and useful information that will contribute to their security. For one of their CPF meetings a community member from an organization called the Pink Ladies gave a talk on child safety and how to conduct a search for a missing child. Also lined up for another CPF meeting is a talk from the founder of Mountain Men Security on personal safety, in particular how to respond when being followed or attacked by an offender. In collaboration with the police they have also begun applications for the closure of scrap yards and second hand shops

¹ Interview with Station Commissioner of SAPS (11/08/08)

² Interview with acting chair of CPF (04/09/08)

that are well known for breeding criminal activity, and the setting of a curfew on informal pubs in certain parts of greater Muizenberg. They have also introduced a reporting system that will improve the efficiency of the police and hold the police accountable. In terms of this system, after an incident takes place and the police have been called, a record is made of the time of the offence, the time police were called, how long the police took to respond and who was on duty at that time. These forms are then given to the Station Commissioner for follow up purposes.¹

The Muizenberg CPF have a fairly good working relationship with the police and believe that in order to produce better service from the police, it is important that they “walk along side them” rather than ‘pull them down’, as a large part of the community seems to do. In turn the police show better confidence in working with the CPF and neighbourhood watches compared to other security providers. Acknowledging that the Muizenberg police station is a station in crisis, the CPF (clearly exhibiting nodal characteristics) sees the need to constantly work with other security providers within Muizenberg and therefore has fostered good working relationships with the MID and Mountain Men Security. An example of the CPF working with the MID and Mountain Men Security was with the closing down of the drug houses in Muizenberg; they supervised the processes and provided assistance when necessary. Most importantly, the CPF works very closely with the neighbourhood watches, as legislated for, therefore active participants of the CPF naturally become members of neighbourhood watches. The current CPF executive committee is working towards cultivating a relationship between the neighbourhood watches of the various communities in the Muizenberg SAPS precinct so that resources and information are shared so as to improve security. In particular the CPF have introduced a Watch-com project that looks to connect the police with all the security providers in Muizenberg by means of a radio controlled room. It is based on information sharing and will basically require the cooperation of all security providers.²

¹ Participant observation at CPF Executive Committee Meeting (18/08/08)

² Interview with a member of the MID (18/07/08)

The CPF is essentially made up of community members that work very closely with the police and are an organ that the police are more comfortable working with. The CPF are aware of the limitations of the police and look for ways to support them and improve their services to the public. However, they do acknowledge that the Muizenberg police station is a station in crisis and readily welcome private sector security initiatives because the police are incapable of being the sole providers of security. Understanding that the nodal governance theory explains governance as a contribution from various nodes, the CPF and the police are seen to be nodes contributing to security in as far as their capacities would permit. Therefore in as much as the state should be the main player as Loader and Walker (2004) suggest, this is empirically proven to the contrary.

3.3.2.3 Neighbourhood Watch Structures

Neighbourhood Watch structures, which include structures such as street committees, street watches, block watches, farm watches and business watches fall under the Provincial Department of Community Safety and are therefore governed by the Department of Community Safety Provincial Constitution and Code of Conduct for Neighbourhood Watch Structures (Neighbourhood Watch Constitution). Any neighbourhood is at liberty to create a neighbourhood watch but it must adhere to the standards set by the legal provision mentioned above. According to the station commissioner of the Muizenberg police station, there are about 14 different neighbourhood watches in the whole Muizenberg area. Central Muizenberg, which slightly overlaps the MID area, is in the final stages of their fourth attempt at setting up a neighbourhood watch. The main reason for their previous failed attempts is attributed to "*insufficient organization and support from the community.*"¹ However the police encouraged and supported the setting up of a neighbourhood watch because they were in need of their help:

¹ Interview with member of Neighbourhood Watch (13/08/08)

The neighbourhood watch is useful to the police, it provides them with a lot of information... So they wanted people patrolling the street that would improve the quality of information about what was going on in Muizenberg.¹

Therefore, in line with the Neighbourhood Watch Constitution, the Muizenberg central neighbourhood watch was re-established to assist and share information with the SAPS in crime prevention matters in their area.

Although not yet up and running the Muizenberg central neighbourhood committee got together in September 2007 and decided to improve on the concept of a neighbourhood watch. Seeking to pull away from a "big brother watch" they wanted to make sure the community part of neighbourhood watching was emphasized thus they named themselves the Muizenberg Community Safety Initiative (MCSI).² One of their main difficulties and reason for delays in the actual commencement of the main neighbourhood watch functions has been getting community members to participate.

Neighbourhood watches are generally proactive in their approach to crime. They regularly patrol their neighbourhoods, normally by way of night patrols and most watches patrol more especially during weekends when it is believed most criminal activities occur. Although, at the time of writing this paper, the MCSI had not yet started their night patrols they were intent on starting their patrols and they also hoped to set up video footage patrol that would enable people to keep an eye on the streets from their homes.

We are about to launch patrols, we are planning to make the neighbourhood watch as visible as possible, to make it as networked as possible and to try and deliver direct benefit to as many people as possible and to involve people in more than one kind of activity so we envisage people might sit at home and watch camera footage on their computers...³

¹ Interview with member of Neighbourhood Watch (13/08/08)

² Interview with member of Neighbourhood Watch (13/08/08)

³ Interview with member of Neighbourhood Watch (13/08/08)

Another form of their proactive policing includes enlightening the public on how they could improve their personal safety and property safety, what situational crime prevention may call “target hardening” (Clarke 1980). This they do by sending out news notes once a month to their community members. The MCSI managing team has also decided to form a fundraising committee called Safer Together that would raise money for the CPF activities and also for the Watch-com project.

The chairperson of the MCSI confirms that they have a “*friendly and effective and collaborative*” relationship with the MID and the MID are generally supportive of the activities of the MCSI. Because it is often difficult to get equipment for their patrols they are aware that they bear the brunt of equipping themselves and the MID has been helpful by providing them with patrol vests. The police are also supportive of the neighbourhood watch activities and it is reported that in the previous neighbourhood watch patrols the police response to callouts was an average of five minutes.¹ The Neighbourhood Watches are affiliated and accountable to the Community Police Forum in their area or to the SAPS in their area in the absence of such a forum. The CPF and the Neighbourhood Watches in Muizenberg have a good working relationship and there seems to be the suggestion that the Neighbourhood Watches play a large role in the work done by the CPF. The Neighbourhood Watches do not work with the City Law Enforcement officers and they attribute the reason for this to the differences in the times they work, the City Law Enforcement officers work office hours while the neighbourhood watches patrol at night on almost all occasions.

Neighbourhood Watches also carry out reactive policing although this is more so in poorer communities where private security is not an option to delayed police responses. Arrests are usually made by members; however, it should be noted that their powers do not extend beyond those given to any ordinary citizen. They are not permitted to be in possession of any dangerous weapons and a very minimal level of force may be

¹ Interview with member of Neighbourhood Watch (13/08/08)

used to secure an arrest. In certain areas where Mountain Men Security operates, suspicious activity would not render an arrest by the Neighbourhood Watch members but rather a call to the security company first and then to the police because they are assured of a quicker response.

According to the Muizenberg SAPS, members of the Neighbourhood Watches and other security providers in Muizenberg, this node of security generally makes a significant contribution in security within Muizenberg. In the more affluent parts of Muizenberg, the Neighbourhood Watches work closely with Mountain Men Security while in the other parts of Muizenberg the police are relied upon. Unfortunately police assistance to these Neighbourhood Watches is very limited. As required by law, a police officer should be assigned to assist Neighbourhood Watch patrols but this has not been the case. A member of one such Neighbourhood Watch laid a complaint to the Station Commissioner that instead of patrolling or escorting them in their night patrols, the police are often seen "hanging in the field".¹ Similar to the CPF, Neighbourhood Watches seem to be doing much of what the police should be doing and for those that have Mountain Men Security at their disposal, the police are hardly relied upon. This lack of action by the police and therefore reliance more on private initiatives in particular Mountain Men Security is seen to illustrate Johnston et al's (2008) findings that state-anchored pluralism tends to mutate into corporate-anchored pluralism. In this case the state - a node of security, has retained its steering abilities by setting the law on how these Neighbourhood Watches should be seen to function. It has certainly relinquished its rowing activities to both the Neighbourhood Watches and to Mountain Men Security.

3.3.2.4 The Cape Town City Law Enforcement

A group of 12 men made up the first Law Enforcement team in 1978 in Cape Town, and they were affectionately known as beach constables and their main function was to patrol the beaches of Cape Town. With time, the Law Enforcement officers'

¹ Participant observation at CPF Executive Committee Meeting (18/08/08)

jurisdiction was extended to include the central business district of Cape Town and later the entire city of Cape Town.¹ With the increase of their jurisdiction came an extension of duties to include the enforcement of the City Councils by-laws and in turn a change of name so they were no longer beach constables but City Law Enforcement officers.

The Law Enforcement officers engage in both proactive and reactive policing in Muizenberg, although the Station Commander admits that they have, of late, become more reactive than proactive due to their manpower constraints. Their reactive policing includes attending to house calls of people breaking the law and this includes petty offences such as noise pollution, uncontrolled dogs, public littering and dumping and indecent and offensive behaviour by people. They are often called upon by the MID to assist with vagrants in the area, which commit petty offences that do not warrant the attention of the SAPS while the SAPS also calls upon them to assist with offences that do not fall within their jurisdiction. The main response to such callouts would be the issuing of a written warning in terms of s341 of the Criminal Procedure Act (51 of 1977) or the issuing out of a summons to appear in court or the payment of an admission of guilt fine in terms of S56 of the Criminal Procedure Act. Complaints about the inefficiency of the Law Enforcement officers are not scarce ranging from irresponsiveness to a lack of visibility.

... this is another of my frustrations with the Law Enforcement. We have got a Municipal Law Enforcement which is based in Muizenberg to get them to go out there and confiscate the wheelie bin [stolen by a vagrant] it took me three months before they did so. They ducked and dived, they don't want to get involved. I don't know why.²

Their proactive policing includes patrolling the beaches of Muizenberg and fining people for breaking the laws of the beach such as walking their dogs on the beach during certain times of the year. The Law Enforcement officers are most active in the summer season which is the busiest time of the year. To compliment their manpower they work with Mountain Men Security officers who help them patrol the beachfront area.

¹ Interview with Station Commissioner of City Law Enforcement (20/08/08)

² Interview with MID manager (30/07/08)

We work well with them. They help us on the beaches as well in the summer season, like especially now that we are short staffed we see them walk around here or riding on bicycles....¹

Coincidentally, the majority of people interviewed complained that the Law Enforcement officers are not visible enough and the only time they are seen is during the holiday season fining people for walking their dogs:

Well during peak season you will find one or two of them riding around in a motor bike on the beach fining people for walking their dogs in the incorrect hours.²

The City Law Enforcement? No, they just like to, they like to come and book people that walk the dogs on the beach, that's the only thing I have ever seen them do.³

I see them sitting in their office at Christmas time....⁴

For the Station Commander these complaints are not unfounded The Law Enforcement is short of staff, at the present moment there are only eight officers to cover a large portion of Muizenberg. These eight officers are inclusive of administration staff and because the officers work on a shift basis there are certain days of the week in which there are only two to three officers to attend to daily duties. In addition the Station Commander reiterates the fact the they are not only limited in jurisdiction to the Muizenberg area; their areas also include Kalk Bay, Strandfontein, Pelican Heights and part of the Retreat area. In cases where their services are most crucial they request manpower reinforcement from the other Law Enforcement stations.

Clearly, it has been learnt from the Law Enforcement Station Commander that they have not neglected their duties. With their minimal staff members they are able to provide as much policing as they possibly can and this includes both proactive and reactive policing. They are assured of the importance of their role as being complimentary to the services of the police and the fact that they have the power to issue

¹ Interview with Station Commander of Law Enforcement (20/08/08)

² Interview with MID board member (31/07/08)

³ Interview with Chairperson of Ratepayers Association Chairperson (28/08/08)

⁴ Interview with member of Neighbourhood Watch (13/08/08)

finer and summons to court – something that a private law enforcement company would not have – means that their services are sought after, making them an important contributor to the governance of security in the MID area.

Unfortunately, Law Enforcement cannot do as much as they would like to do. In addition to resource and manpower constraints, their work is made difficult by the criminal court system, which trivializes petty crime. Because of these limitations, they are forced to relinquish the bulk of their activities to other security providers and cannot play a prominent role as state anchored pluralism would suggest but are however seen as a node among others.

3.3.2.5 Mountain Men Security: Private Law Enforcement

The MID allocates a large portion of its budget to security, and to carry out this function, they have contracted out Mountain Men Security whose services parallel those of the police hence they call themselves a ‘law enforcement company’. The contract between the MID and Mountain Men Security permits all residents and businesses within the MID area to call on them any time of the day even if the residents or businesses are not their clients.

... so that basically means anyone living in that area can call them anytime of the day, they don't have to contract them out, like the ADT or whatever. If you even have ADT services as often happens as often does you [still] call the Mountain Men first and then the ADT.

Mountain Men Security has been in operation since 1998. It was contracted to provide security for the MID in 2001 and has since had their contract renewed on an annual basis. As the law stipulates (Private Security Industry Regulatory Act 56 of 2001), Mountain Men Security are registered with the Private Security Industry Regulatory Authority, a body established to regulate the private security industry. As a proactive security company they seek to provide security to both property and persons

¹ Interview with board member (31/07/08)

through armed response, mountain observations and visible patrols. Their ability to do so is based on the law of contract and the law of property which enables them to act as agents of property owners and persons to guard their basic rights to life, security and their right not to be deprived of property. Private security personnel's powers are limited to those awarded to ordinary citizens by the Criminal Procedure Act 51 of 1977 and include the power to arrest a person without a warrant (s42), seize any articles from the arrested person (s23(b)), break open premises to effect an arrest (s48) and if need be use force to effect the arrest (s49).

One service unique to Mountain Men Security is their mountain observations where two officers are deployed to oversee their security precinct from the mountain top between 08h00 and 16h45. This observation post enables them to monitor suspicious activities on the ground and trace stolen property. Through radio communication with their control room officers on the ground are called to attend to the scene and effect arrests when necessary. This mountain observation is one of their proactive policing methods and in some cases crime is prevented from happening.

...because they literally sit on the mountain with binoculars, sometimes they see movement that other people can't see and then they tell their guys who are down in the village that someone has stolen a bike or something like that so in a sense that can very often prevent crime by seeing movements.¹

Another form of proactive policing in the MID area is their visible policing. Almost all the people interviewed attested to Mountain Men Security being the most visible in the MID area and this they believe has made a great difference in terms of the levels of crime in the area. Therefore the security company has positioned two officers to patrol the MID area and patrolling is done either on foot or on bicycles. In addition to these two men on foot patrol, regular van patrol is done by other officers in the areas surrounding the MID. During their patrols, any suspicious activity is not ignored and because they are a locally based company, they not only know the area very well but are also aware of the community and will easily differentiate a resident from a visitor.

¹ Interview with MID board member (07/08/08)

We had a burglary in our village recently. The guys got on the train in Rondebosch they travelled through to Lakeside station, got off and they walked up. They were followed from the time they got off the train, they were watched. The guys on the mountain knows, those are domestic workers, those are the schools boys, those are the mothers who went to Claremont on the train. Those two guys stick out and they caught them red handed.¹

Their approach is passive and friendly therefore trying to strike a balance between one's privacy and protecting the interests of their clients:

We see someone walking in the street 2-3 in the morning with a bag we stop and ask "where are you going, where do you live", you know all the good questions. We won't ride past something wrong or ignore it.²

According to the MID manger, placing two Mountain Men Security officers at the Muizenberg shopping centre has not only cleaned up the area but has also increased business for the area. The police also acknowledge that Mountain Men Security has assisted them greatly through their regular patrols of the area and acknowledge that their visibility ensures their easy access to the police, "*[w]hen we need them they are there, we are also aware of the fact that they are static at specific places such as Checkers, we can see them there...* ".³

In their proactive policing, Mountain Men Security has largely taken on the role normally allocated to the state police. Visible patrolling and monitoring is a large part of services offered by Mountain Men Security, and placing two officers in the MID area seems to be making a difference in terms of security. Similar to what the police were known for Mountain Men Security has also made an effort to know the residents of the area they police and has made an effort to create good rapport with the community, which helps in their provision of security. This security company is also known for the high number of arrests they make and community members have confirmed that they make more arrests than the police themselves. Although it is not a fact easily admitted among the community, police and the Mountain Men, it is inherently clear that Mountain

¹ Interview with acting chair of CPF (04/09/08)

² Interview with member of Mountain Men Security (05/09/08)

³ Interview with Station Commissioner SAPS (11/08/08)

Men Security has taken over the role of the police and is considered a more dominant security provider in the MID area and surrounding areas in which they operate. While this shows Shearing et al's nodal theory where each node contributes to security in Muizenberg it also shows how due to its limitations and incapacities, the state is no longer the anchor, rather these private entities are seen to be the anchor in governance.

Mountain Men Security is also reactive and responds to hijackings, house breakings, theft and so forth, therefore providing parallel services to those of the police. Usually they work with the police when pursuing suspects and also to execute arrests if the police are available, otherwise citizen arrests are made and suspects taken to the police station. They have also worked with the police in "sting operations" such as closing down drug houses. As a private law enforcement company they also work alongside the City Law Enforcement therefore attending to similar calls that the Law Enforcement officers carry out and because they are unable to issue fines or court summons they call upon the Law Enforcement officers if they are unable to handle the complaint. As well as the above mentioned services Mountain Men Security provides an escort service where clients are safely escorted to their property if required.

...there is one person who parks in the building, an elderly lady and when she has got to walk home she calls the Mountain Men and they walk her...¹

As may be seen above, Mountain Men Security offer a number of services to their clients and is considered the most visible and effective security provider in Muizenberg. Their popularity with residents in the MID area stems from the fact that they are readily available when called upon, they are visible, and are groomed, well mannered men according to those interviewed. Furthermore, they work with the state and keep within the parameters of the law and they offer a range of services. The board member who sees to security in the MID successively re-contracts Mountain Men Security because they have more to offer than other security companies.

I mean the work that they do is huge, as I say the amount of patrolling they do is minimal in comparison to what they actually do.

¹ Interview with MID board member (07/08/08)

From data collected from interviews with members from different security providers in the area it is clear that there is an acknowledgement of the role of the state in the governance of security. They do not deny the fact that the state is a participant and its role remains vital. Also important to consider are the public's perceptions of what they see happening around them. How visible is the state in providing security and how active is it? It was unanimously agreed that the state is not doing enough; the police in particular are not visible:

...we have sat here now, we have been here for an hour, we have not seen a policeman. That's the third time I have seen the Mountain Men, the third. They were over there, they walked past here, they walked back again. I haven't heard a police car drive past here... I am not saying they have got to be in your face all the time but they have got to be around.¹

Callouts have generally received a similar response from the public. In informal conversations with the residents of Muizenberg, people often said they would rather call on the Mountain Men than call on the police because the police will not respond or they will take long to respond. One resident said they had to wait for 36 hours before the police responded to their call. As part of their security awareness campaign the MID confesses to telling their residents to call on Mountain Men Security first before they call upon the police:

I would like to be able to say to people "call the Mountain Men first and then call the police so that you have both", because as I said the Mountain Men are supposed to be supplementary services to the police but at the moment, within the MID area, the Mountain Men have almost taken over completely because you can't wait for the police, you can't rely on them, and it's not only us its other areas too. We just happen to be in a fortunate position of having the Mountain Men and it's not the way, I'm not saying that it should be, in fact it shouldn't and that's the way it is at the moment.²

The state clearly has limitations and is often forced into prioritizing resources therefore the need arises for partnerships with private entities. Looking at the Muizenberg area one would argue that the partnership with MID and the community in

¹ Interview with acting chairperson of CPF (04/09/08)

² Interview with MID board member (31/07/08)

terms of neighbourhoods watches and the CPF and also the input from the business associations and the Ratepayers Association, is the partnership sought after by the state. However, where does that leave the state? Are they in a position to better manage their resources so they reach other communities? The discussion in the following part of this paper will seek to address these questions after having considered the theory on state governance and presenting the findings on research done in an area where there is a plurality of security providers.

CHAPTER FOUR

DISCUSSION AND CONCLUSION

The objective of this research paper was to enhance understanding on the role of the state in the governance of security. To do this, two main theories were used as an informing guideline to examine the state's role in governing security within a demarcated area of the Muizenberg precinct. These two theories acknowledge the change in governance from regulatory to post-regulatory. The nodal governance theory essentially postulates that governance is carried out by both state and non-state entities which are called nodes. Each node is enabled to mobilise knowledge, capacity and resources to manage a course of events. In particular it does not single out any particular node over another; instead it postulates that this *may* happen, depending on empirical findings. Therefore the state is not given conceptual priority but neither is its importance relegated. State anchored pluralism on the other hand acknowledges a shift from state monopolisation but however, insists that the state must take priority and cannot be placed at the same level as other actors. The reason for the state's dominance is that it is the only entity capable of handling all the functions necessary for a public good. With these two theories at hand, what remains pertinent to this study is a distinction between the role the state actually plays and the role it should play.

Since the White Paper on Safety and Security (1998) where the state encouraged public-private partnership and urged the public to take responsibility for their safety, its [state] rule at a distance strategy, which is central to state-anchored pluralism has become evident. The state basically sets policies so as to retain its dominance over other private entities. This is also seen in the Private Security Industry Regulatory Authority which ensures security companies are accountable to it and the Cape Town City Improvement District by-laws. For a CID to be established state approval is needed and once approved, the state regulates its finances. While the CID can decide how to spend its finances it is

ultimately accountable to the state. Therefore ensuring that these private entities are accountable to the state is one way in which the state's anchorage is evident. To be considered, however, is the efficiency of these regulatory bodies in keeping these private entities accountable. On the other hand, although the state is thought to have a hold over the MID, residents have attested that, placed in a situation where the state chooses to discontinue the MID contract they would ensure the MID's continuation without the state.

[If the MID contract was terminated] I think it would go two ways either the community would step up, and knowing this community I think it is very likely that they might step up and decide to pull together funds and keep the Mountain Men and cleaning services by themselves...¹

This stance clearly frustrates state anchored pluralism because in some way the state is not prioritised in governing security.

What this empirical study shows is evidence of a nodal governance model. However this contrasts to what the public perceive the role of the state should be, which is more inclined towards state anchored pluralism. In the Muizenberg precinct, a number of nodes have surfaced, the MID being a super-structural node, while the SAPS, Mountain Men Security, the Council, the MID, the Law Enforcement, the Ratepayers Association, neighbourhood watches and the CPF are all considered nodes of governance with their own mentalities, technologies and resources. The study above clarifies the fact that each node has a role to play and although the state likes to believe that it plays a dominant role in governing security evidence shows its continued failure to provide its mandated services is resulting in private entities taking over the role of the state. In effect what this study shows is the states failure to both provide and deliver services to the people, what Osborne and Graebler (1993) would refer to as steering and rowing the boat.

The mentalities, technologies and resources that private and public nodes use tend to differ, therefore, explaining the disparity in the capacities, accessibility and

¹ Interview with MID board member (31/07/08)

efficiency of these nodes as suggested by the nodal governance model. The mentalities of private nodes naturally differ from those of public nodes. The work done by private nodes is based on the mindset that they are running a business and therefore seek to prioritise the interests of the client. The vigour in which they carry out their duties is based on this mentality and this helps them produce effective results. This contrasts with the mentality of the state which evidentially suggests that their duties are a job that they are hugely ill-equipped for. However, the underlying mentality of the state is that they are there to serve the interests of the people and this should not be determined by what they can get from the public. This difference in mentality was acknowledged by a representative of Mountain Men Security:

... [I]f our business doesn't have clients then our business is going to fall apart we can't do what we are doing; we can't employ people we can't obviously pay salaries etc. Our clients are more important than anything else because if we don't have them we don't have anything, so that's why our clients get treated number one, that's why we will go over board to help our clients. SAPS is obviously paid by our taxes and that's the way they see it so someone walks in and are upset by the service you know what, what are you going to do you cancel with the police like they can cancel with us so the client has to accept the poor service, if you complain about it what gets done about it.¹

The state sets itself apart as a legitimate body of authority given special mandate regarding the interests of the public. They therefore have the power to influence policy that it used to govern the manner in which other security providers contribute to the field of security. This is mostly done through legislation and other official policies. Therefore, the state uses legislation as a method for exerting influence, what Burris, Drahos and Shearing (2007) call technologies. While this tends to influence auspices and providers, on ground level, the state relies mostly on reactive policing and this is largely due to a limitation in resources and manpower. Several technologies are available to private nodes and tend to differ from node to node. The MID for example are able to successfully govern through the use of basic theories such as the 'broken window' (Wilson and Kelling 1982) and visible policing. Mountain Men Security is largely proactive in their policing and using techniques such as mountain surveillance, regular patrols, constant officer training and the possible use of force enables it to effectively

¹ Interview with Mountain Men Security representative (05/09/08)

govern security in the Muizenberg area. Resources used by private nodes of security are in essence similar to those used by the state; however, the difference tends to lie in the amounts available to them. For security companies, the Law Enforcement and the SAPS resources at their disposal include patrol vans, ammunition and two-way radios.

In as much as the state would like to provide a certain level of services its resources are limited. The Law Enforcement admit to a staff shortage, which results in them providing limited reactive services. The SAPS are also limited by resources and, as some members of the community argue, their management, which is below average, fails to provide satisfactory policing. Nonetheless what is clear is that the state has some form of legitimacy that cannot be awarded to any other node.

...like I said they [the Mountain Men] have limited powers, they call on us many times also, we have got the powers of a traffic warden we can write traffic tickets... they don't have those powers unfortunately their powers are very limited...¹

The police are the most important organization and body in this country which is responsible for community safety; I personally do not see another responsibility for them. It is constituted and it's a world wide phenomenon...²

As nodal governance postulates, for effective governance, the strengths of each node are harnessed and weaknesses are compensated for, which is what is seen to happen in the MID. The CPF and Neighbourhood Watches fundraise for the SAPS, the Mountain Men Security, with more resources, provide a proactive service while the MID and the Ratepayers Association contribute to Muizenberg infrastructure development – something the Council is unable to do on its own.

The state cannot be afforded any priority in the governance of security in Muizenberg; rather it is a node like any other node of security. Unfortunately, this fact differs from what the public would like from the state. For the Muizenberg community, there is general consensus that the state should play a more prominent role in comparison to other nodes of security mainly because of its legitimacy and its capacity to take into

¹ Interview with the Station Commissioner of City Law Enforcement (20/08/08)

² Interview with the SAPS Station Commissioner (11/08/08)

consideration democratic values. Although this is an anticipated role of the state, the community admits the state's incapacity to be the anchor of governance and confesses to resorting to private entities such as Mountain Men Security or the MID if they would like to see anything get done. This lack of faith in the state not only strips the state of its prominent role but also seems to suggest that in some cases it is levelled below private nodes, thus echoing the finding that a distinction between state anchored pluralism and corporate anchored pluralism is not absolute. In most cases private nodes of security have had to feed into state boundaries therefore blurring the boundaries between the two. A good example of this is Mountain Men Security which has taken on similar roles to the police and the police often have to clarify the security company's subordinate position.

You know I want to put something straight the Mountain Men are not the police... [they are] a security company like any other security company they do a certain style of policing, ... they are not the police, we are the police, as you see today, we are the official police and they assist the police sometimes... we call them sometimes to assist us so it sounds like they actually do things like the police but they are not police. As long as they are a security company they will never be the police because then we will have a totally different picture as to what is going in the country.¹

Having shown that the Muizenberg scenario leans towards a nodal arrangement, a conclusion on the role of the state in the governance of security may be reached. It is without doubt that the state plays a role in governing security in Muizenberg and is making every effort to meet their side of the bargain. The Council delivers a service which, according to the residents of Muizenberg, is unsatisfactory but for the Council is what they are in a position to provide. Similarly, the Law Enforcement and the SAPS both provide services to the best of their ability. In the interviews conducted with residents of the MID, there was general consensus that the state, in particular the SAPS would achieve better results and play a more prominent role if they improve their management style. It is believed that inefficient policing is largely due to poor management. Despite their limited man power, vehicles and police accessories, the SAPS can better manage them so that working with other service providers will help achieve better results. In addition, an improvement of manpower management, for

¹ Interview with the SAPS Station Commissioner (11/08/08)

example introducing foot patrols in the absence of vans, would improve their contribution to governing security.

This study has empirically shown that the role the state assumes in governing security is that of being a node among many other nodes of security. The reason for the state's failure to be an anchor of governance lies largely with a shortage of resources and, as postulated above, inadequate management. Although they do have sole legitimacy over the use of force for example, which affords them a certain level of authority, this is not always necessary when governing security and as shown above is often called upon as a last resort.

Policing in South Africa has clearly changed such that it has embraced the global phenomenon of pluralisation of security providers and auspices. This research has shown how the state, in a small part of the country, lacks the capacity to play a dominant role in the governance of security. As a result, nodal governance is considered a more viable theory for the governance of security. Nodes of security in South Africa should appreciate that they each have a contribution to make to security and rather than single out nodes that should play a dominant role in governing security, networking should be encouraged as it promotes diplomacy between nodes and resource and information sharing, very vital to the South African setting. Due to the government's responsabilisation strategy and increasing discontent in the security system, pluralisation will be an ongoing fact, seeing different communities come up with different ways of governing security according to their needs and environment. What also remains important is the need for a shift in mind set, which the state does not need to monopolise or be the dominant provider of security.

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