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UNIVERSITY OF CAPE TOWN

FACULTY OF THE HUMANITIES

TITLE: Greed or Grievance: Why is South African Youth Crime so Violent in nature?
'First World Taste on a Third World Budget' or simply 'Marginalised from Centre-stage'?

SUBTOPIC: *How can criminological theory assist in making sense of the youth subcultures that are involved in criminal activity of a violent nature in the contemporary South African context?*

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Date: 28 November 2005

A dissertation submitted in fulfilment of the requirements for the award of the degree of Master of Philosophy in Criminology

DECLARATION

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2. Each significant contribution to, and quotation in this dissertation from the works or works of other people has been attributed and has been cited and referenced.
3. This dissertation is my own work.
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28 November 2005

Date

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ABSTRACT

South Africa is facing a crisis with respect to Black male urban 'youth'. The particular problem is youth deviance, specifically that which is manifested as violent crime. This dissertation commences by considering several aetiological reasons behind this subculture of criminal violence, amongst deviant youth through the lenses of theoretical criminology. Various terms and concepts are then examined such as 'youth culture' including 'subculture', 'underclass' and 'marginalisation', 'deviance and crime' and 'violence' that are integral to this analysis. Youth are located in a historical and political context as well as the present transitional State of South Africa. This impacts youth as they inherit historical disadvantage and presently find themselves in a country that is in political flux during a biological stage of their lives that is also denoted by physical and psychological change.

It is suggested that there are a number of factors contributing to, or causing the problem of youth involvement in violent crime. Politically active youth feel abandoned by the movement that used them to get into power. Youth expect rewards for their considerable contribution to the struggle, but instead they are with the exception of a few politically linked organisations, left to fend for themselves. Youth, defined in South Africa as between the ages of 15-35 years, constitute 36.9% of the population and experiences 69.6% of the country's unemployment. Governmental policy has failed to address the needs of the youth and this has resulted in marginalising the youth from political and economic life. Another contributing factor is the by-product of globalisation where the 'youth' have "first world tastes but are on third world budgets", that is they feel entitled to material trappings but do not have the means to access them. This in turn leads to anger at the blatant relative deprivation that is visible. Youth are on the receiving end of stunted State service delivery in South Africa. Factors such as these lead to youth participation in violent crime.

The government's approach also tends to be punishment-based rather than preventative. More integrated prevention initiatives need to be adopted. Brief suggestions for a changed approach by government are provided in this regard with reference being made to a few initiatives adopted by various government departments and non-government organisations.

CHAPTER 1: INTRODUCTION

In May 1994 President Mandela stated that:

'Youth are the valued possession of the nation. Without them there can be no future. Their needs are immense and urgent. They are the centre for reconstruction and development.'¹

This statement emphasises the aspirational position of youth in South Africa. However, in the past 11 years of democracy they were not placed at the centre of reconstruction but rather marginalised to the periphery. As a result youth are experiencing pressing problems in South Africa. In part they stem from issues like unemployment, HIV and the onset of globalisation. But perhaps even more important is the involvement of youth in forms of deviance, which leads to violent crime.

According to the National Injury Mortality Surveillance System (NIMSS)² in the four-city survey³ there were 10,499 violent deaths, 52% of which were inflicted by firearms. The number of deaths were highest amongst the 25-29 group followed by the 20-24 age group. It is also important to note that there has been an abrupt rise in fatalities within the 15-19 age group. In March 2003, the prison population of inmates under the age of 25 years constituted 41,5%⁴ of the entire prison population. So not only is this age group the most likely to be the victims of crime they are also the perpetrators of the crime. Males make up approximately 97,5% of the entire prison population.⁵ Black prisoners make up 78,5% of the prison population followed by Coloured prisoners who constitute 19,1%.⁶

¹ National Youth Policy – approved by the National Youth Commission 9 December 1997 p5

² Matzopoulos, R 'A Profile of Fatal Injuries in South Africa 5th Annual Report 2003' pix

³ Pretoria/Tshwane, Johannesburg, Cape Town, Durban.

⁴ South African Institute of Race Relations, 'South Africa Survey 2003/2004' p434

⁵ op cit p435

⁶ op cit p434

In terms of the 2003/2004 crime stats⁷ 19,824 murders were committed, 52,733 rapes, 260,082 assaults with intent to inflict grievous bodily harm and 133,658 robberies with aggravating circumstances.⁸ Every third crime in South Africa is violent in nature.⁹

In this dissertation I attempt to discuss the motivation behind the deviant subculture of Black¹⁰ male youth who are involved in criminal activity that is manifested in a violent manner. I will use the sociological definition of crime, which includes deviance and delinquency and will therefore use the terms interchangeably to reflect on the expanded definition of crime.

Chapter 1.1 Present State of Youth in South Africa

The position that South Africa currently finds itself in with respect to its youth is rather bleak. The majority of South Africa's population, at 36,9%¹¹ falls into the category defined as 'youth' by the National Youth Policy, which is 15-35 years old. The youth are therefore the largest interest group in our society; they are the 'consumers, the workers and the leaders of tomorrow'.¹²

At the onset I would like to delve into a discussion of the term 'youth'. This group forms the primary focus in this dissertation and within the South African context this term is a contentious concept. It will be useful at this point to acknowledge the complexity that accompanies the use of the term. The term 'youth' is simply not a reference to a certain age group. An all-embracing definition of who the 'youth' in South Africa constitute is rather complex. The South African 'youth', like our society, lacks homogeneity. A realistic definition will have to encompass the fragmented nature of our society.

⁷ www.saps.gov.za

⁸ This is just a selection of the more violent categories of the categories of crimes recorded.

⁹ Schönteich, M 'Security' in Kane-Berman, J (ed) South Africa Survey 2001/2 Johannesburg: South African Institute of Race Relations.

¹⁰ In this dissertation I use the term in the narrow sense, in reference to African people. If I refer to Coloured or Indian youth, I will specify the racial group.

¹¹ www.statssa.gov.za 2003 mid-year estimates

¹² Everatt, D 'Creating a Future – Youth Policy for South Africa', pvii – forward by Sheila Sisulu

An all-embracing definition of 'youth' in South Africa 2005, will have to capture attitudes towards race, class, gender-politics, religions, parent generations, survival strategies, the dividing line between legal and illegal activity, the AIDS generation, abandonment by government and geographic location. These constitute only a fraction of the elements shaping South African youth. In this dissertation, I will be unable to canvass behaviour pertaining to all these aspects. I will limit my discussion to the connotations around the term 'youth' that contributes to perceived deviant behaviour.

Youth is a term that is politically loaded in South Africa and there is little agreement as to what this constitutes. It does not simply refer to 'young people' or 'teenagers' and even less to an age demographic or a developmental phase between adolescence and adulthood.¹³ South African youth is more of a political rather than a sociological or demographic construct.¹⁴ Being young is not sufficient criteria to be included in the category of youth; many of the young people also had to be involved in political activity to count as youth. However, as the political context changes so the requirements also change. The term 'youth' has therefore meant different things to different people and also meant different things at different times.¹⁵

Amongst this contention two stereotypical views of youth recur and these are referred to by Seekings as the 'apocalyptic and libutory stereotypes'.¹⁶ The former being defined as youth who are essentially hostile and these young people are basically defined as violent and destructive.¹⁷ The latter is viewed as broadly sympathetic, seeing the youth as 'comrades' or 'young lions' who 'selflessly struggled for liberation and democracy'.¹⁸ They both however conjure up images of Black, male, urban youth¹⁹ and it is these views that have formed the predominant perception of youth in journalistic and academic accounts of youth in South Africa.²⁰ These images are taken from the heightened

¹³ Everatt, D 'Creating a Future – Youth Policy for South Africa', p1

¹⁴ Seekings, J 'Heroes or Villains? Youth politics in the 1980's' pxi

¹⁵ ibid

¹⁶ ibid

¹⁷ ibid

¹⁸ op cit pxii

¹⁹ Everatt, D 'Creating a Future – Youth Policy for South Africa', p1

²⁰ Seekings, J 'Heroes or Villains? Youth politics in the 1980's' pxii

political conflict of the 1980's where young people played a fundamental role, leading the townships from the streets.²¹ The youth formed the core 'political' and 'military' armies of the revolution.²²

The category of 'youth' in South Africa is almost exclusively used to refer to young African people, rarely Indian and Coloured young people.²³ White young people are referred to as teenagers, which is devoid of any political meaning while youth is laden with it.²⁴ It considers only those young people who are involved in radical political organisations and protest or in political violence. This happens even when participants have not identified themselves as youth.²⁵ South African youth therefore comprise a 'richly varied assortment'²⁶ of values, traditions, religions and approaches to life.²⁷

The understanding of the term 'youth' has changed much over time. Youth have been, since the 1970's, viewed with more 'concern than with favour'.²⁸ The term does not refer only to 'young people' or 'teenagers' but it rather conjures up images of 'Black, urban youth' involved in protests with the police.²⁹ This image is derived from the political conflict that was prevalent during the 1980's where youth played a significant role.³⁰ These youth were the ones that were perceived as being 'instinctively violent and delinquent' as they were involved in the 'boycotting and burning down of schools'.³¹ These youth had a strong political presence and were also very influential within this context. They did not conceive of themselves as criminals even though their behaviour was in sharp contrast to the dominant ideology of the time.

²¹ Everatt, D 'Creating a Future – Youth Policy for South Africa', p1

²² Seekings, J 'Heroes or Villains? Youth politics in the 1980's p6

²³ op cit pxii

²⁴ op cit pxii

²⁵ op cit pxii

²⁶ Burman, S & Reynolds, P 'Growing up in a Divided Society: The Contexts of Childhood in South Africa' p9

²⁷ op cit p10

²⁸ Seekings, J 'Heroes or Villains? Youth politics in the 1980's pxii

²⁹ Everatt, D 'Creating a Future – Youth Policy for South Africa', p1

³⁰ ibid

³¹ ibid

Children are usually perceived to be socially invisible and appear to be unimportant in the progress of a nation.³² This does not hold true in the South African situation as its children were an 'active and visible force' in shaping our country's history.³³ Burman states that it was children who had a profound effect on the 'economy, social policy, way of life and attitudinal developments' in the creation of our 'new' nation. It was imperative that youth be actively recruited for the struggle as they constituted the largest population demographic and were able to institute disruptive social and economic change that had a direct influence on the success of a cultural and political change.³⁴

It was these children who directly impacted on the course that political events took during this time in our history. It is for this reason that I disagree with Burman's initial statement that 'it is of crucial importance to study children *as children*, not simply as future adults'.³⁵ I think it is for this reason precisely that these children be treated as future adults. These children were no longer children, the risks that they assumed are not child-like. During the struggle years these children took on the roles of young adults accompanied with all the risks and responsibilities that this entailed.

Everatt quotes the journalist, Hein Marais' reflection on how youth are perceived:

'Youth' are being converted into latter-day savages: demented, destructive, demonised. The images are archetypal, primal – the stuff of thousand year-old myths and sweaty nightmares. Of beasts outside city gate, shadows that swing along the edge of the bonfire, figures watching from a distance, moving in their own peculiar rhythm, ready to violate the zones of order and reason.'³⁶

³² Burman, S & Reynolds, P 'Growing up in a Divided Society: The Contexts of Childhood in South Africa' p1

³³ op cit p4

³⁴ Bundy, C 'Action, comrades, action !: The politics of youth-student resistance in the Western Cape, 1985' p207 in James, WG '*The Angry Divide*'

³⁵ Burman, S & Reynolds, P 'Growing up in a Divided Society: The Contexts of Childhood in South Africa' p1

³⁶ Marais, H 'The new barbarians', in *Work in Progress* 90 (July/August 1993), p9 as quoted in Everatt, D 'Creating a Future – Youth Policy for South Africa', p1

The National Youth Policy takes cognisance of the complexity involved in defining 'youth'. The National Youth Policy is directed toward young males and females aged 14 to 35 years old. The defined age of 'youth' is very broad and the people comprising this category have very different life experiences of living in South Africa and have markedly varied things that would impact their perceptions of their social context. This broad definition of youth is problematic as the needs of a 35 year old person is very different from the challenges facing a 14 year old. I think that the age group being so broad is problematic with respect to providing effect service delivery.

Reynolds, in Van Zyl Slabbert's book, observes that 'youth is a category only in the most general sense'.³⁷ Added to the social construction of 'youth', young people find themselves in transition between two institutional frames namely that of childhood and adulthood. The bridge between the two is socially constructed so there are few guaranteed absolutes. Various cultures define both statuses in different manners and also have different ways of addressing the transition. When a young person is considered an adult differs from one culture to the next. This is also relevant to the understanding of the term and in establishing a workable definition of 'youth'. It was for all of these reasons that the broadest definition of a youth was proposed in the National Youth Policy. As Van Zyl Slabbert indicates the adoption of this definition was primarily for 'operational convenience rather than for any profound philosophical substance'.³⁸

Even today, Black youth are viewed, and in turn view themselves, as second-class citizens. They function as stigmatised individuals unsure of how they will be received when having to interact with other races. Youth should not be viewed as 'passive victims of society's crises'³⁹, but should be provided with opportunities to empower themselves.

At some point youth have to take responsibility for their life choices and be the directors of their own destiny. However, inequality is still very much a prevalent feature that is evident amongst the young adults of South Africa. Not all the young people are able to make easy life choices, nor is the education system that is available to learners across

³⁷ Van Zyl Slabbert, F et al 'Youth in the New South Africa - Towards Policy Formation' p12

³⁸ op cit p13

³⁹ Van Zyl Slabbert, F et al 'Youth in the New South Africa - Towards Policy Formation' p15

the country equal and accessible to all youth. Eleven years into democracy the time has come for youth to determine their own futures and challenge government to fulfil their obligation of education as well and providing viable opportunities of economic mobility and a place in the second economy.

The youth of today lack the vigour of political involvement. Black youth of the 1970's and 1980's defined their identity in terms of the political struggle. They were the ones that instituted a 'cultural revolution'. Present young adults must realise that their predecessors might have overcome apartheid but their task is only beginning. South Africa needs motivated youth to make a reality of the ideals that was hard fought for by the youth of the 1970's and 1980's. This is a very different challenge. It lies with the youth to create a path that is filled with equal opportunity and access to services for the entire population.

The youth of the struggle era must realise this as well. They are the present leaders of the country and their contributions have not been anywhere near the ideals that they fought for. The political values have changed from selflessness to selfishness. Hence the debacles surrounding the arms deal procurements, bribery of officials and kickbacks where officials who have been provided with government perks want additional indicators of material status.⁴⁰ They must realise that it is time to shift focus and the youth of today need to be incorporated into our country's fight for sustained democracy. Young adults of today must be given the responsibility that comes with the dawning of adulthood.

Because of their heightened involvement in the political struggle, the youth in the past were 'frequently analysed in terms of the 'threat' they pose to society, which is in itself premised on a perception that youth are amenable to violence'.⁴¹ They are often still seen in this light. Labelling could be seen to have an effect in this case, where young people then engage in actions to fit the label.

⁴⁰ State v Schabir Shaik and 11 others – Durban High Court CC27/04, 31 May 2005

⁴¹ Everatt, D 'Creating a Future – Youth Policy for South Africa' p3

An essential consideration regarding the definition of 'youth' is that it is a phase of transition in a young person's life. There is no precise moment that marks the end of childhood and the beginning of adulthood.⁴² In many traditional pre-industrial African societies a 'ritual of passage' occurs to mark this transition. This phase is not seen as an abnormality but an initiation that boys and girls go through around the time of sexual awakening and puberty. The Xhosa refer to it as '*intlombe*', while the Masai use the term '*moran*'.⁴³ For males this period is seen as a time of 'boisterous rebellion, mobility, fighting, assertion of independence and sexual experimentation'.⁴⁴ Socially the young men are kept separate from the wider community. Then gradually as the young men marry and set up households and take on more responsibilities they are accepted into adulthood.⁴⁵ The socialisation of girls is more closely supervised and is limited to the domestic sphere.

However, with urbanisation in the 1940's and 1950's, African parents' and male peer group traditions were still the same but the social context was different.⁴⁶ In the city parents' lost control of their children during the day as the township adult population was absent during the day. This transitional phase took on other dimensions in the urban areas and often involved membership of young men in street gangs and criminal activities, as there was an absence of generational supervision. The picture today remains quite unchanged.

Young women tend to be more closely supervised as female delinquency tends to be related to questions of sexuality.⁴⁷ Troubling aspects of 'youth' are quite gender specific and the criminal deviance tends to indicate young male involvement. The prison statistics overwhelmingly indicate that males make up 97,5% of the prison population.

⁴² Muncie, J 'Youth and Crime: A Critical Introduction' p40

⁴³ Glaser, C 'Swines, Hazels and the Dirty Dozen: Masculinity, Territoriality and the Youth Gangs of Soweto, 1960-1976' p722

⁴⁴ *ibid*

⁴⁵ *ibid* p723

⁴⁶ *ibid* p723

⁴⁷ Muncie, J 'Youth and Crime: A Critical Introduction' p44

African's make up 78,5% of the prison population while Coloured's make up 19,1% of it.⁴⁸ Perpetrators of crime in South Africa are therefore racialised and genderised.

The term 'youth' in South Africa carries with it all the history of the political apartheid past. Yet, young people are in a state of biological and physiological transition during which time they have a desire to experiment with social boundaries. The social mechanisms (schools, youth organisations, training programmes, policing of youth leisure)⁴⁹ meant to facilitate smooth transitions are inadequate to provide support during this phase. The image that the term 'youth' conjures up in South Africa is that of the young African/Coloured urban deviant criminal male.

Criminological labelling theorists such as Tannenbaum, Lemert and Becker⁵⁰ indicate that the definitions and language used to define youth are relevant to understanding motivations behind deviant behaviour. This is particularly true in our politicised context where it is extremely difficult to frame youth within the various theories of deviance and sub-cultures of violence and their relationship to delinquency.⁵¹ Discourse, which frames people as 'terrorists' as opposed to 'freedom fighters' or 'our boys on the border' as opposed to 'apartheid oppressors' makes it difficult to find a consistent theory to satisfy South African youth.⁵² Note must be taken that not all youth involved in violence of this time had the fight against apartheid as their goal. There were those youth, tsotsis⁵³, that exploited the youth movement to their own selfish gain and often this image of the thug or gangster was perceived as that of the comrade.⁵⁴ Trying to find a consistent theory to satisfy such disparities is challenging.

⁴⁸ South African Institute of Race Relations, 'South Africa Survey 2003/2004' p434

⁴⁹ Muncie, J 'Youth and Crime: A Critical Introduction' p44

⁵⁰ Labelling Theorists discussed in greater detail in the Theoretical Chapter 2

⁵¹ Simpson, G 'Shock Troops and Bandits: Youth, Crime and Politics' in Steinberg, J '*Crime Wave, The South African Underworld and its Foes*' p117

⁵² ibid

⁵³ African criminal, definition taken from Glaser, C 'Bo-Tsotsi' p47

⁵⁴ Johnson, S 'The Soldiers of Luthuli: Youth Politics of Resistance in South Africa' p118 in '*South Africa: No Turning Back*' ed Johnson, S

Chisholm suggests that in understanding the term 'youth' – the term should include 'continuity and change, relations of age and of generation and the social divisions of class, gender, ethnicity and race'.⁵⁵ Youth are framed and defined in different settings: school, second economy⁵⁶, aspirant workers, leisure consumers, territorial groups or individuals.

It is for this reason that the National Youth Policy suggests that if we see our youth as 'young women and men'⁵⁷ this would change our perception of them and this could in turn facilitate changing their actions to be more in keeping with that label. I would suggest a broader term such as 'young adults' as it is reflective of a wider spectrum of people that comprises this age demographic group. The term 'young adults' is also more racially inclusive and reflects the responsibility that this group bears in the new South Africa.

After this discussion highlighting the complexity with the term 'youth' – I would like to focus on three phenomena that are of particular concern with respect to young adults. The first is the high involvement of South African youth in violent crimes; the second concern is HIV/AIDS; and the third is that the government has no adequate policy or infrastructure to develop youth, apart from conventional schooling and SETAS⁵⁸, which results in high rates of unemployment⁵⁹ and crime.

This situation is problematic because this is the age cohort that is most likely to commit crime, most likely to be at risk of contracting HIV/AIDS⁶⁰, most likely not to be inserted into the formal economy and most likely to be involved in violent activity. This is also the age group that defines what is 'cool' to the succeeding generation of 10-14 year olds.

⁵⁵ Wyn, J & White, R 'Rethinking Youth' p3

⁵⁶ The second economy is President Mbeki's term for what was previously known as the informal sector.

⁵⁷ National Youth Policy p8

⁵⁸ Sector Education Training Authority

⁵⁹ In a survey conducted by the HSRC (Factsheet1), of 1 million matriculants surveyed for the 2000-2002 period, only 37% of new entrants will be able to find work – www.hsrc.ac.za

⁶⁰ HIV and Sexual Behaviour Among Young South Africans: A National Survey of HIV and Sexual Behaviour among 15-24 year olds 2003.

There is a large number of young South African youth who are involved in criminal deviant activity. This factor is seriously jeopardising the economic and social upliftment of South Africa's people. In 2001 there were over 25,000 young men between the ages of 16 and 25 serving prison sentences for their criminal activities.⁶¹ By March 2003, this figure had escalated to approximately 46,000 for the same age group.⁶² The majority of South African youth who are involved in deviant activity do not find a route out, until they are much older.⁶³ As mentioned previously the overwhelming majority of the prison population consists of Black and Coloured males.

According to the SAPS statistics⁶⁴ residential burglaries totalled 299,290 while common assault was very close in incidence at 280,942 and assault with intent to grievous bodily harm is 260,082. Robbery with aggravating circumstances totalled 133,658 while common robbery amounted to 95,551. Murders amounted to 19,824, rapes 52,733, attempted murder 30,076. These figures indicate a very high incidence of violent crime.

A question that arises is that in South Africa, a country with high levels of poverty and wealth, why does crime not only take the form of theft or housebreaking but why does it take such a violent form such as murder and rape? Do the social dynamics in South Africa reflect that there is disengagement with different members of society?

The South African reality is that race, class and poverty still run in tandem. Black people tend to be poorer and White people tend to be more affluent. Looking at geographical zones, the comfortable, clean areas with amenities are still populated by wealthy South Africans, who tend to be White. The frustration develops into aggression and violence, as it serves to re-enforce the inferiority complex that Fanon⁶⁵ suggests was introduced and continued to develop in the minds of indigenous people by colonials.

⁶¹ Segal, L ; Pelo, J & Rampa, P : 'Into the heart of darkness : Journeys of the amagents in crime, violence and death', contained in *Steinberg, J 'Crime Wave'* p95

⁶² South African Institute of Race Relations, ' South Africa Survey 2003/2004' p434

⁶³ Segal, L ; Pelo, J & Rampa, P : 'Into the heart of darkness : Journeys of the amagents in crime, violence and death', contained in *Steinberg, J 'Crime Wave'* p95

⁶⁴ www.saps.gov.za

⁶⁵ Fanon, F 'Black Skins, White Masks'

These frustrated youth have consciously carved out a life of crime for themselves and their social landscape is one that is steeped in violence and ruthless killing.⁶⁶ They seem to have become completely desensitised to violence, killing, death, the lack of empathy and compassion suggests the collapse of the boundaries between good and bad in the lives of these youth.⁶⁷ Gilligan has coined a term 'the pornography of violence', he uses this term to outline the phenomenon whereby violence is sensationalised and in this way one can distance oneself from it and in this way render it 'less frightening and more manageable by reducing it to the dimensions of titillation and entertainment'.⁶⁸ The youth's participation in and exposure to gross violence has nullified any emotional response to death.⁶⁹ Youth are not only perpetrators of violence but also victims of it with firearms being the main cause of deaths.⁷⁰ According to the NIMSS there were 10,499 violent deaths, 52% that were inflicted by firearms and deaths were highest amongst the 25-29 year age group.⁷¹

The youths who were at the forefront of the struggle during the 1980's were unable to move back into the school system and were dismissed as militant.⁷² These youths believed that change would be incomplete without violence.⁷³ Many of the youths did not have the required skills to secure employment. Needless to say the high rate of unemployment, estimated to be at 31.2% in 2002,⁷⁴ is very discouraging to young people who are trying to secure employment for the first time. In a survey conducted by the HSRC (Factsheet1), of one million matriculants surveyed for the 2000-2002 period, only 37% of new entrants will be able to find work. According to Chisholm unemployment

⁶⁶ Segal, L ; Pelo, J & Rampa, P : 'Into the heart of darkness : Journeys of the amagents in crime, violence and death', contained in *Steinberg, J 'Crime Wave'* p96

⁶⁷ *ibid*

⁶⁸ Gilligan, J 'Violence' p30

⁶⁹ Segal, L ; Pelo, J & Rampa, P : 'Into the heart of darkness : Journeys of the amagents in crime, violence and death', contained in *Steinberg, J 'Crime Wave'* p96

⁷⁰ Matzopoulos, R ' A Profile of Fatal Injuries in South Africa 5th Annual Report 2003' pix

⁷¹ *ibid*

⁷² Everatt, D ' Creating a Future – Youth Policy for South Africa', pvii – forward by Sheila Sisulu

⁷³ Marks, M 'Young Warriors' p122

⁷⁴ The official rate of unemployment is 31.2% according to the National Treasury report 2004

amongst young African people in 1990 was at 57%.⁷⁵ Presently the rate of unemployment for all races in the 16-34 year age group is 69,6% with African youth constituting 89,7% of all unemployed youth.⁷⁶

Add to this the frustration of being alienated from the political process for which their predecessors were prepared to die. They believed that they were in the 'rightful' position to lead the struggle towards a new society, as they were the 'bearers' of the future.⁷⁷ Many of these youth have found alternative means to survive in our new democracy that includes violent activity.

In addition to being involved in criminal activity, the youth are also the age cohort that is hardest hit by the HIV epidemic. I will only briefly overview the various ways in which HIV/AIDS impacts on youth in this dissertation. I mention it purely because HIV has become a significant factor with respect to youth and crime. Children are going to lose their parents and they will grow up without parental support and supervision.⁷⁸ This will result in a greater than average risk of them engaging in delinquent behaviour.⁷⁹ I also highlight the confused and lethargic manner in which the government has responded to this epidemic. I will discuss this in some detail in Chapter 4.4

Chisholm, an academic and as of 2004 elections the MEC of Education for the Gauteng Provincial government, asserts that the South African school system does not equip youth to enter the formal sector, except the former Model 'C' schools which afford access to tertiary education.⁸⁰ Clive Glaser, an academic at the University of Witwatersrand, mentions that the South African population is getting 'proportionately younger' so issues around youth cannot be considered a 'peripheral social issue'.⁸¹ Glaser predicts that it is the youth of South Africa that will determine its future.⁸²

⁷⁵ Chisholm, L 'Youth unemployment and policy in South Africa 1976-1992' p462

⁷⁶ Du Toit, R 'Unemployed Youth in South Africa, the distressed generation' p8/9

⁷⁷ Marks, M 'Young Warriors' p123

⁷⁸ Schönsteich, M 'Age and Aids: South Africa's crime time bomb?' p41

⁷⁹ *ibid*

⁸⁰ Chisholm, L, Harrison, C & Motala, S 'Youth Policies, Programmes and Priorities in South Africa 1990-1995'

⁸¹ Glaser, C 'Bo-Tsotsi – The Youth Gangs of Soweto, 1935- 1976' p190

Chapter Overview

My primary question is: Why is South African male youth crime so violent in nature? Ancillary to this is the question of why South African youth are economically and politically marginalised and why have they not been directed to more constructive roles?

In order to address these issues I shall examine a few topics in turn.

In Chapter 2, I explore the various criminological theories related to the concepts to be discussed in Chapter 3 and I try to situate them within the structure of theoretical criminology. There are various ways of classifying the large number of criminological theories. I have chosen Schmallegger's classification as I find it accessible and comprehensive. Using his method, theoretical criminology can be divided into two large areas namely that of the 'Social Responsibility Perspective' and that of the 'Social Problems Perspective'. These two areas have numerous schools and sub-groups under them. These theories have developed in Britain, Europe and the United States and are not universally applicable in any country at any time. It is helpful to consider these theories to see if they are in any way useful to the understanding of criminal involvement in South Africa. During the course of this dissertation I will try to integrate these established criminological theories with contemporary South African theoretical voices.

In Chapter 3, I turn to a brief discussion of the concepts that I shall utilise throughout this dissertation. This will include the terms; 'youth culture', 'subculture', 'marginalisation', 'underclass', 'deviance and crime', and 'violence'. I will comment on the various complexities that arise when discussing these terms.

In Chapter 4, I provide a historical and contemporary context in which to situate and explain the present situation and the problems affecting the youth. I do consider the transitional state that youth are in as a result of their life-cycle and that they are living in South Africa which is in the midst of a political transition combined with the emerging onset of globalisation. I briefly discuss government's approach to youth and argue that youth have not been given their rightful place in South Africa and have instead been politically marginalized and structurally excluded. I focus particularly on the National

⁸² Glaser, C 'Bo-Tsotsi – The Youth Gangs of Soweto, 1935- 1976' p190

Youth Commission (NYC), National Crime Prevention Strategy (NCPS) and HIV/AIDS policies in this regard.

In Chapter 5, I consider a few preventative initiatives, which aim to include South African post-apartheid youth in the country's reconstruction, and in Chapter 6, I suggest a few recommendations as to what the State could be doing to address youth violent crime in South Africa.

In trying to gain an understanding of youth deviance, I will incorporate the following additional themes throughout the topics that I have highlighted. The first is the link between crime and politics, the second is the role of the youth during and after the struggle, the third is the search for identity and focus by the youth during this transitional period in South Africa and the fourth is the continued marginalisation of youth from the mainstream economy while trying to fit into the global identity.

In 1992 Mr Mandela had this to say about young people:

'We are sitting on a time-bomb. The youths in the townships have had over the decades a visible enemy, the government. Now that they enemy is no longer visible, because of the transformation taking place. Their enemy now is you and me, people who drive a car and have a house. It's order, anything that relates to order, and it is a very grave situation'.⁸³

Chapter 1.2: Research Methodology

My primary research methodology is that of a desktop literature based study. This includes all forms of documentary research in the broadest understanding of the term. I have utilised various formal and informal sources such as academic textual analysis, relevant legislation, official statistics, popular media (television programmes, newspapers) and the Internet, in order to aid this discussion.⁸⁴

⁸³ The Star, 15 September 1992, quoted in Dixon, B 'Exclusive societies: towards a critical criminology of post-apartheid South Africa' p219

⁸⁴ May, T ' Social Research: Issues, Methods and Process' p160

I have drawn on existing academic literature in an attempt to develop a comprehensive theoretical framework through the understanding of English-language criminological and sociological theory. I referred to primary or secondary sources of literature and where available, critical commentaries on them, depending on availability or relevance. In addition I referred to academic sources to trace the history of the South African political struggle and the significant role that youth played in it. I included legislation and official statistics where relevant. I do acknowledge that official statistics are generally considered to be problematic but they are still useful as indicators and add perspective to context.

I also included media articles and information from the Internet. In doing so, I acknowledge that these sources do not carry with them as much weight as academic sources as they lack adequate peer review as they are manufactured for mass consumption. However, I found them useful as a gauge of what the official government stance is on certain issues- that is what they want the public to consume. It is for this reason that I have included references to these popular sources in this dissertation.

I have supplemented my documentary research with two qualitative interviews (Monde Mkalipi, Teboho Mahlatsi). I set-up formal appointments, disclosed my name, my research topic and affiliation with the Institute of Criminology at the University at Cape Town. I wanted to get a formal response from the National Youth Commission and e-mailed an agenda to Monde Mkalipi, the communication director a few days prior to our scheduled telephonic interview. Getting a hold of NYC and Mr Mkalipi took weeks of persistent telephone calls. I also wanted to talk with Teboho Mahlatsi (director of Yizo Yizo) on what he thought appropriate crime prevention methods would be for youth. He was quite amenable to making himself available for the interview.

I have used the above methodology; despite some of the inherent limitations that I have indicated as I have felt it is the most appropriate and accessible to capture the information for this dissertation.

CHAPTER 2: DISCUSSION OF THEORETICAL CRIMINOLOGY

After introducing my hypothesis in the preceding chapter, I will now turn my attention to the discussion of relevant theory to lend a criminological understanding to the aetiology of youth crime and violence. I have dedicated this chapter to briefly outline the major international trends shaping the discipline of established English-language criminology.

Theoretical criminology is a sub-field of general criminology that, rather than simply describe crime and its occurrence, also poses explanations for criminal behaviour.⁸⁵ Theories attempt to provide us with 'explanatory power' that helps us to understand the phenomenon being studied. There are two types of theories in criminology, one being a general theory and the other being an integrated theory. A general theory of crime is one that attempts to explain most forms of criminal conduct through a single approach,⁸⁶ whereas an integrated theory attempts to merge concepts drawn from different sources. Barak states that integrative criminology 'seeks to bring together the diverse bodies of knowledge that represent the full array of disciplines that study the crime'.⁸⁷

English-language, theoretical criminological thought stems primarily from academics in the United States and Britain and more recently Australia, Canada and South Africa. These theories form the basis of what is known as theoretical criminology. South Africa's contribution to criminology has been centred around Afrikaner Nationalist criminology, legal reformist criminology and a post-apartheid criminology for a 'democratic South Africa'.⁸⁸

Afrikaner Nationalist criminology used the ideas of apartheid to justify the exclusion of Blacks from urban areas (meaning areas reserved mainly for 'Whites') to control the crime in these areas.⁸⁹ For example the pass laws were a policy instrument to restrict

⁸⁵ Schmalleger, F 'Criminology Today' p17

⁸⁶ *ibid*

⁸⁷ as quoted in Schmalleger, F 'Criminology Today' p17

⁸⁸ Van Zyl Smit, D 'Criminological Ideas and The South African Transition' p198

⁸⁹ *op cit* p199

movement for apartheid objectives and was in turn used as a justification to curb crime. This conformed to the apartheid thinking that Black people are inherently criminal. This branch of South African criminology basically defended the apartheid status quo. Legal reformist criminology attempted to make the apartheid system work more 'humanely and effectively',⁹⁰ where criminologists tried to develop policy to equip youth with skills so as to curb the high rate of unemployment in urban areas. The post-apartheid criminology seeks to 'break with the status quo' and is preoccupied with understanding the prevalence of crime in South Africa and what the root causes are, in order to develop workable control strategies.⁹¹ South African criminology still relies heavily on frameworks developed within British and United States theoretical criminology.

There is no all-encompassing theory in criminology so it is therefore imperative to have a comprehensive understanding of the various theoretical criminology branches, as ideas and terminology developed within these theories are inevitably referred to in most critical contributions to the study of the concepts to be discussed in the following chapter. Many of the academic contributions to the various aspects of youth deviance/crime often select a few theories that best explain the subject under discussion. Often these theories are not even from the same criminological school of thought.

Theoretical integration therefore concerns the combination of single theories or elements of those theories into a more comprehensive argument.⁹² I will, in the course of this dissertation, refer to a number of theories and have found it beneficial to be able to locate individual theories in a larger framework. I think that if one has a broader understanding of the various schools of criminology, and how they differ, a more comprehensive understanding can be gained. We can also relate to the reasoning of various academics in their selection of one theory over another. Williams suggests that a 'critical-incident meta-theory' is seen as an 'over-arching perspective' from which to view behaviour and methods of analysing behaviour.⁹³ It is therefore necessary to briefly

⁹⁰ Van Zyl Smit, D 'Criminological Ideas and The South African Transition' p200

⁹¹ *ibid*

⁹² Schmalleger, F 'Criminology Today' p17

⁹³ Williams III, F P 'Imagining Criminology' p169

outline the various theories and situate them in a broader framework of theoretical criminology.

There are various ways of classifying the large number of criminological theories. I have chosen Schmallegger's classification as I find it accessible and comprehensive. Using his method, theoretical criminology can be divided into two large areas namely that of the 'Social Responsibility Perspective' and that of the 'Social Problems Perspective'. These two areas have numerous schools and sub-groups under them. These theories have developed in Britain, Europe and the United States and are not universally applicable in any country at any time. It is helpful to consider these theories to see if they are in anyway useful to the understanding of criminal involvement in South Africa. During the course of this dissertation I will try to integrate these established criminological theories with contemporary South African theoretical voices.

The Social Responsibility Perspective holds that individuals must be ultimately responsible to the social group of which they are a part and that they should be held accountable by group standards if they deviate from group norms.⁹⁴ The classical, neoclassical, biological and psychological/psychiatric theories are the main schools of the Social Responsibility Perspective.

The Social Problems Perspective holds that crime is a manifestation of underlying social problems such as poverty, discrimination, the breakdown of traditional social institutions, the poor quality of formal education available to some, pervasive family violence experienced during the formative years and inadequate socialization practices that leave young people without the fundamental values necessary to contribute meaningfully to the society in which they live.⁹⁵ The Social Problems Perspective includes the social structure approaches, social process theories, social development perspective and the social conflict theories.

I am going to broadly outline the different theoretical schools and discuss only the corresponding contributors that are relevant to the crime causation amongst young

⁹⁴ Schmallegger, F 'Criminology Today' p22

⁹⁵ op cit p21

people. In this way I hope to generate a larger picture with respect to theoretical criminology so that when theory is discussed it can be simultaneously located within a larger framework. In this way it is possible to trace the development of the various theories and get a sense of how they influenced and borrowed from each other. I found that this is a useful technique as I often allude and refer to ideas generated by the various theories throughout the dissertation and it is helpful to have a context within which to place it.

Social Responsibility Perspective

This includes the classical, neo-classical, biological, psychological and psychiatric schools of thought.

The **Classical School** includes contributions by Cesare Beccaria and Jeremy Bentham. This school has its roots in the late 1700's and 1800's and is derived from the 'Enlightenment' that held that people are rational beings, that crime is the result of the exercise of free will and that punishment can be effective in reducing the incidence of crime because it negates the pleasure to be derived from commission of crime.⁹⁶ This school introduced concepts such as 'free will, deterrence through punishment, social contract, natural law, natural rights, due process and the 'Panopticon'.⁹⁷ Classical law therefore emphasized moral responsibility and the duty of citizens to fully consider the consequences of behaviour before they acted.⁹⁸ This is in effect part of the social contract, which is key to democratic societies.

Neoclassical Criminology emerged in the 1970's reflecting on some of the classic ideas whilst reconceptualising them. This school is basically the modern-day application of classical principles to problems of crime and crime control in contemporary society, 'often in the guise of get-tough policies'.⁹⁹ The neoclassical theorists produced the schools of the *Rational Choice Theory* in the late 1970's and early 1980's, of which the

⁹⁶ McCaghy, C H & Capron, TA 'Deviant Behaviour' p50

⁹⁷ Schmalleger, F 'Criminology Today' p124

⁹⁸ Williams, FP & Mcshane, MD 'Criminological Theory' p17

⁹⁹ Schmalleger, F 'Criminology Today' p124

Routine Activities Theory and *Situational Choice Theory* form a part. The 'Seductions of Crime Theory', developed in 1988 is also derived from this school.¹⁰⁰ Neoclassical theorists include L. Cohen, Felson, Clarke, Cornish and Katz to name a few.¹⁰¹

Routine Activities Theorists such as Cohen and Felson state that the volume of criminal offences is related to the nature of everyday patterns of social interaction.¹⁰² They stated that for a 'predatory criminal event' to occur then there must be a motivated offender, a suitable target (object or person) and an absence of a capable guardian (neighbours, bystanders, 'formal surveillance').¹⁰³ In South Africa the youth involved in deviant activity are motivated, suitable targets are those perceived to be wealthy and there is often an absence of a capable guardian. Therefore offenders and victims are easily brought into contact.

Rational Choice Theory has been reintroduced into criminology and it 'resuscitates' the utilitarian ideas of the classical school¹⁰⁴ that is ideas pertaining to Beccaria's rational, free-willed, hedonistically motivated individuals in society. This theory emphasises the responsibility of offenders. The offender is viewed as a decision-maker who carefully calculates the risks and benefits before making a conscious choice whether to commit the crime or to desist.¹⁰⁵ Gottfredson and Hirschi claim that crime flows from low self-control and deviance provides a direct and simple gratification of desire and that it requires little skill or planning.¹⁰⁶ This theory can be criticised because it does not consider the social and structural context of offenders, especially in the South Africa context.¹⁰⁷

¹⁰⁰ McCaghy, C H & Capron, TA 'Deviant Behaviour' p77

¹⁰¹ Schmalleger, F 'Criminology Today' p124

¹⁰² Williams, FP & Mcshane, MD 'Criminological Theory' p223

¹⁰³ op cit p223/4

¹⁰⁴ Rock, P 'Sociological Theories of Crime' p243 in Maguire, M et al '*The Oxford Handbook of Criminology*'

¹⁰⁵ Röntsch, R 'Crime Prevention: Theory, SA Policy and Legislation since 1996' p24

¹⁰⁶ Rock, P 'Sociological Theories of Crime' p240 in Maguire, M et al '*The Oxford Handbook of Criminology*'

¹⁰⁷ Röntsch, R 'Crime Prevention: Theory, SA Policy and Legislation since 1996' p24

These theorists led to the introduction of situational crime policy as well as designing efforts towards specific and general deterrence policies of crime control. This school also proposed the idea of 'just deserts', which means that if a person has chosen to engage in a crime they deserve to be punished so that future behaviour can be curtailed.¹⁰⁸ These theories tend to produce more a 'philosophy of justice' than a theory of crime causation.¹⁰⁹ The core idea is that the State has to effectively protect society from individuals engaging in deviant behaviour. The classical and neoclassical theorists tend however, to lack explanation of criminal motivation.¹¹⁰

The **Biological theorists** emerged in the 1880's and produced four schools that included the 'Early Positivism' (1880's –1930), 'Constitutional Theories' (1930's-present), 'Body Chemistry' (1940's–present) and 'Sociobiology' (1975-present).¹¹¹ These theories adhere to the principle that the basic determinants of human behaviour, including criminality, are constitutionally or physiologically based and inherited.¹¹² These theories propose that the brain is the organ of the mind and the 'locus of the personality'.¹¹³ Italian theorists such as Lombroso were committed to the science of the criminal and advocated that criminal behaviour is biological in origin.¹¹⁴ He also proposed that much of human conduct is fundamentally rooted in 'instinctive behavioural responses'.¹¹⁵

This school is generally criticised as several studies have been based on a single person or family and are unable to be applied generally. Sociological and psychological explanations of crime causation are well entrenched. So while biology does provide a context for human behaviour, it is in most instances overshadowed by human interaction including acts of volition, human thought and the enormous effect of 'socialization and acculturation'.¹¹⁶ This is the typical nature-nurture debate.

¹⁰⁸ McCaghy, C H & Capron, TA 'Deviant Behaviour' p78

¹⁰⁹ Schmallegger, F 'Criminology Today' p131

¹¹⁰ ibid

¹¹¹ op cit p142

¹¹² Williams, FP & Mcshane, MD 'Criminological Theory' p35

¹¹³ Schmallegger, F 'Criminology Today' p140

¹¹⁴ Walklate, S 'Understanding Criminology' p19

¹¹⁵ McCaghy, C H & Capron, TA 'Deviant Behaviour' p51

¹¹⁶ Bartollas, C 'Juvenile Delinquency' p129

The **Psychological and Psychiatric Theories** emerging in the 1920's until the present day led to the emergence of six schools namely; 'Psychiatric Criminology', 'Modelling Theory', 'Psychoanalytic Criminology', 'Behaviour Theory', 'Frustration-Aggression Theory' and 'Self-Control Theory'.¹¹⁷ These theories are derived from the behavioural sciences and focus on the individual as the unit of analysis. The personality is considered to be the major motivational element because it is what drives and motivates the individual.¹¹⁸ Behaviour is judged 'inappropriate' when measured against external criteria 'purporting to establish' normality.¹¹⁹

The *Frustration-Aggression Theory* emerging in the 1940's is a perspective that puts forward that frustration is a natural consequence of living and a root cause of crime. Theorists' contributions aiding in expanding this school includes Bandura's assertion in 1973 that aggression is learned and rewarded, and Halleck's insights in 1971 into 'adaptation'.¹²⁰ The *Modelling Theory* of the 1950's suggests that people learn how to behave by modelling themselves on others whom they have the opportunity to observe.¹²¹ Tarde and Bandura are theorists that have contributed much to this field and concepts such as 'imitation', 'interpersonal aggression', 'modelling' and 'disengagement' have emerged from this school.¹²² Bandura considers the concept of imitation or modelling to be central to the learning process. If a person is observed as being rewarded for certain behaviour then the observer is 'vicariously reinforced' to participate in similar activity to achieve similar results.¹²³

The *Behaviour Theory* of the 1940's is one that proposes that individual behaviour that is rewarded will increase in frequency while that which is punished will decrease. Skinner is a leading theorist in this field and one who contributed to the emergence of concepts

¹¹⁷ Schmallegger, F 'Criminology Today' p176

¹¹⁸ op cit p172

¹¹⁹ ibid

¹²⁰ op cit p176

¹²¹ Williams, FP & Mcshane, MD 'Criminological Theory' p205

¹²² Schmallegger, F 'Criminology Today' p176

¹²³ Williams, FP & Mcshane, MD 'Criminological Theory' p207

such as 'operant behaviour', 'conditioning', 'stimulus response' 'reward' and 'punishment'.¹²⁴

The final theory within this group is the *Self-control Theory* of the 1940's. This theory suggests that the root cause of crime can be found in a person's inability to exercise socially acceptable controls over the self.¹²⁵ In the 1990's Gottfredson and Hirschi proposed their general theory of crime and expanded on concepts such as 'self-control' and 'criminal opportunity' within criminology.¹²⁶ Their general theory of crime seeks to unite criminal actions with other deviant behaviours.¹²⁷ They stated that 'crime is a form of behaviour, but it is not separate or distinct from other behaviours'.¹²⁸ This theory has its roots in the Classical school and views crime as the result of a rational choice by an offender.¹²⁹ Gottfredson and Hirschi saw the nature of criminality as a result of low self-control. The criminal acts of these individuals provide the immediate 'easy gratification of desires' because the acts are 'exciting, risky or thrilling' but the crimes offer 'few or meagre long-term benefits'.¹³⁰

Gottfredson and Hirschi attributed low self-control to child-rearing practices (or lack thereof), parental criminality (as criminal parents tend not to supervise their children), larger families (as parents are divided amongst more children) and single parent families. This theory can be criticised as it does not recognise other prejudices of a structural nature that exclude individuals which contributes to them having low self-control, especially in a country like South Africa.

Social Problems Perspective

The Social Problems Perspective includes the Social Structure Approach, Social Process Theories, Social Development Perspective and the Social Conflict Theories.

¹²⁴ Schmallegger, F 'Criminology Today' p176

¹²⁵ op cit

¹²⁶ McCaghy, C H & Capron, TA 'Deviant Behaviour' p75

¹²⁷ Moyer, I L 'Criminological Theories' p151

¹²⁸ Gottfredson, MR & Hirschi, T 'A General Theory of Crime' p10

¹²⁹ Moyer, I L 'Criminological Theories' p151

¹³⁰ Gottfredson, MR & Hirschi, T 'A General Theory of Crime' p89

The **Social Structure Approach**, emerging in the 1920's, emphasises the role of poverty, lack of education, absence of marketable skills and subcultural values as fundamental causes of crime.¹³¹ This approach portrays crime as the result of an individual's location within the structure of society and focuses on the social and economic conditions of life.¹³² This approach yielded three schools namely 'Social Disorganisation', 'Strain Theory' and 'Culture Conflict'.

The *Social Disorganisation Theory* of the 1920's and 1930's depicts social change, social conflict and the 'lack of social consensus' as the root causes of crime and deviance.¹³³ Social ecology theory is derived from this school and it perceives society as being a kind of biological organism and crime and deviance as a kind of disease.¹³⁴ With this perspective came the rise of cultural theories of behaviour where human nature was perceived to be the product of culture rather than biology.¹³⁵

The Chicago School falls into this category and theorists from this school such as Park and Burgess in the 1920's and 1930's introduced concepts such as 'social ecology, social pathology and concentric zones'.¹³⁶ Shaw and McKay in 1929, also from the Chicago School introduced ideas around 'cultural transmission'.¹³⁷ According to Shaw and McKay deviant behaviour had to be learnt where individuals had to seek alternative routes to try and access the goals that are deemed worthwhile in society.¹³⁸ If you cannot attain these goals legitimately then illegitimate means are available to access these goals.¹³⁹

¹³¹ Schmallegger, F 'Criminology Today' p205

¹³² ibid

¹³³ Moyer, I L 'Criminological Theories' p135

¹³⁴ Schmallegger, F 'Criminology Today' p205

¹³⁵ Williams, FP & Mcshane, MD 'Criminological Theory' p53

¹³⁶ Schmallegger, F 'Criminology Today' p206

¹³⁷ Williams, FP & Mcshane, MD 'Criminological Theory' p55

¹³⁸ Cloward, RA 'Illegitimate Means, Anomie and Deviant Behaviour' p170

¹³⁹ op cit p167

These studies led to the Chicago Area Project, which coined the phrase 'Criminology of Place'¹⁴⁰ which showed that crime was more prevalent in certain urban spaces such as slums as opposed to suburbs.¹⁴¹ The slums or the 'zone of transition' was an area of cheap rents, weak social control, 'internal social differentiation and 'rapid physical change' and this was the zone which housed the largest populations of the poor, the illegitimate, the illiterate and juvenile delinquents.¹⁴² These zones were socially dislocated from the formal institutions and informal social controls were eroded by a lack of local and family ties. This theory can be applied to urban townships that mushroomed on the Witwatersrand as well as the effects of forced removals in other areas in South Africa during apartheid. Today, 11 years after democracy, these areas still lack essential services (sanitation and water) as well as adequate schooling and health care facilities.

From this Stark developed a theory of 'deviant neighbourhoods' in 1987 and introduced his ideas on 'broken windows and defensible space'.¹⁴³ The 'broken windows' thesis proposes that 'physical deterioration' and an increase of unrepaired buildings leads to anxiety about personal safety amongst locals.¹⁴⁴ This anxiety then contributes to further decreases in 'maintenance and repair' which then leads to increased 'delinquency, vandalism and crime amongst local residents' which leads to yet further deterioration in the physical environment and with that comes a feeling of vulnerability and insecurity.¹⁴⁵

This theoretical perspective suggests that the process of industrialisation and urbanization create communities in which there are competing norms and values and as a result there is a breakdown of the traditional norms and values that result in social disorganisation.¹⁴⁶ It is my view that this understanding can also be applied to the South African situation with the creation of townships and the migration pattern of workers, where the norms of urban life was in contrast to the values of rural life.

¹⁴⁰ Schmallegger, F 'Criminology Today' p207

¹⁴¹ La Gory, M & Pipkin, J 'Urban Social Space' p244

¹⁴² Rock, P 'Sociological Theories of Crime' p61 in Maguire, M et al '*The Oxford Handbook of Criminology*'

¹⁴³ Vold, G 'Theoretical Criminology' p150

¹⁴⁴ Schmallegger, F 'Criminology Today' p207

¹⁴⁵ ibid

¹⁴⁶ Walklate, S 'Understanding Criminology' p21

Strain Theory of the 1930's identifies the incompatibility between socially approved success goals and the availability of 'socially approved means to achieve' those goals.¹⁴⁷ As a consequence according to the Strain Theory individuals who are unable to succeed through legitimate means turn to other means that lead to economic and social recognition.

Robert Merton re-interpreted Durkheim's theory of solidarity and anomie¹⁴⁸ in 1938 and added his own concepts such as, 'conformity, innovation, ritualism, retreatism and rebellion' to strain theory.¹⁴⁹

The concept of 'anomie' had a profound impact on the interpretations of deviance. Durkheim was a French sociologist that first used the concept of anomie. Durkheim was writing at a time when France was in a state of transition with respect to industrialisation. In this transition to a capitalist state, moral regulation was lacking, making the circumstances favourable for people to deviate.¹⁵⁰ Anomie refers to the breakdown of social norms so that those norms can no longer control the members of society.¹⁵¹ This can also be applied to South Africa's transition where the moral regulation is in the process of being altered to a shared belief system with common interests and moral values that are applicable to all South Africans. However, the enforceability of this is presently deficient, as the State structure during transitions tend to be weak.

Prior to Durkheim's writings, deviance was viewed as the product of defective biology and it was thought that deviance could be eliminated simply by eliminating deviants.¹⁵² Durkheim argued that a society without deviance is not possible and claimed that deviance is inevitable as well as necessary for the health and progress of society.¹⁵³ Durkheim developed what has come to be known, as the functionalist perspective as he

¹⁴⁷ Schmallegger, F 'Criminology Today' p205

¹⁴⁸ Moyer, I L 'Criminological Theories' p54

¹⁴⁹ op cit p62

¹⁵⁰ Rock, P 'Sociological Theories of Crime' in Maguire, M et al '*The Oxford Handbook of Criminology*' p236

¹⁵¹ Williams, FP & McShane, MD 'Criminological Theory' p88

¹⁵² McCaghy, CH & Capron, TA 'Deviant Behaviour – Crime, Conflict and Interest Groups' p57

¹⁵³ McCaghy, CH & Capron, TA 'Deviant Behaviour – Crime, Conflict and Interest Groups' p57

suggested that without deviance society would be static, as new approaches to problem solving would not develop.¹⁵⁴ Durkheim concluded that deviance was normal in society and that people were 'susceptible to limitless ambition'.¹⁵⁵ If there is too much deviance in society then the forms of social control are too weak and if there is too little crime then those social forces of control are too strong.

Merton extended Durkheim's theme of 'unobtainable aspirations' and extended it to all forms of deviance.¹⁵⁶ Merton's version of anomie differed from Durkheim's in that he argued that people's aspirations are products of society and that they are limited but they can exceed what is obtainable through acceptable means.¹⁵⁷ Merton also suggested that anomie resulted from strain in the social structure that exerts pressure on individuals which pushes them toward unrealistic expectations.¹⁵⁸ This version of anomie assumes a consensus with respect to the values and goals prevalent in a society.¹⁵⁹

Merton appears to be implying that American society places much emphasis on material wealth and success and the associated values of worth and status derived from this.¹⁶⁰ However, in order to achieve these goals perpetuated by American culture, an ethic of hard work, honesty and education is required. Since not all persons are able to achieve these goals and associated values by these legitimate means, individuals adapt their own approach in order to attain the final result by other methods.¹⁶¹ Merton says that this is because the lower classes have fewer legitimate opportunities open to them. The dominant cultural message that Merton proposed was central to his theory of anomie is materialism.¹⁶² The primary function of the theory is to outline the discrepancy between cultural goals and the socially acceptable methods available for achieving

¹⁵⁴ McCaghy, CH & Capron, TA 'Deviant Behaviour – Crime, Conflict and Interest Groups' p57

¹⁵⁵ op cit p59

¹⁵⁶ ibid

¹⁵⁷ ibid

¹⁵⁸ op cit p57

¹⁵⁹ Williams, FP & McShane, MD 'Criminological Theory' p93

¹⁶⁰ Vold, GB et al 'Theoretical Criminology' p159

¹⁶¹ Rock, P 'Sociological Theories of Crime' in Maguire, M et al *'The Oxford Handbook of Criminology'* p237

¹⁶² Morrison, W 'Theoretical Criminology: from modernity to post-modernism' p275

them.¹⁶³ Merton extended Durkheim's functionalist theory to form what is known as the Strain theories. They are so called because of the strain that is caused by restricted access to the 'socially approved goals and means'.¹⁶⁴

This phenomenon is visibly present in South Africa. There is a clamouring for the material visibility of success, especially amongst young people. Youth aspire to accumulate material goods as it defines what is seen to be 'cool' and 'successful' in the new South Africa. Often young urban youth from underprivileged backgrounds do not have sufficient means to acquire these objects that are beginning to define self-worth. Rather than take the long route that entails education and employment (which is difficult to come by), alternative approaches to acquire this income have become more tempting. Merton asserts that the 'culture makes incompatible demands' where 'ambition' promotes 'deviant behaviour'.¹⁶⁵

Merton's anomie thus constitutes a:

'Breakdown in the cultural structure, occurring particularly when there is an acute disjunction between cultural norms and goals and the socially structured capacities of members of the group to act in accord with them'.¹⁶⁶

Merton developed a theory as to alternative behaviours that result from the 'disjunction between the goals and means'.¹⁶⁷ Merton defined five 'modes of individual adaptation' as deviant namely: conformity, innovation, ritualism, retreatism and rebellion.

Conformity is where the cultural goals and the institutionalised means for attaining those goals are the most common and widely used, and this mode is thus the model response.¹⁶⁸ Many young South Africans have chosen this route, as difficult as it is in our social structure, to achieve their goals.

¹⁶³ McCaghy, CH & Capron, TA 'Deviant Behaviour – Crime, Conflict and Interest Groups' p59

¹⁶⁴ Williams, FP & McShane, MD 'Criminological Theory' p92

¹⁶⁵ Rock, P 'Sociological Theories of Crime' in Maguire, M et al 'The Oxford Handbook of Criminology' p237

¹⁶⁶ McCaghy, CH & Capron, TA 'Deviant Behaviour – Crime, Conflict and Interest Groups' p60

¹⁶⁷ ibid

¹⁶⁸ Moyer, IL 'Criminological Theories' p62

In contrast, the real deviant modes of adaptation include innovation, ritualism, retreatism and rebellion. *Innovation* is where the individual has assimilated the cultural emphasis on the goal without internalising the institutional norms that govern the means of attainment.¹⁶⁹ Many property crimes can be found to function within this adaptation¹⁷⁰ as crime is often considered more efficient in attaining the goal than the approved means to do so.¹⁷¹

Ritualism rejects the goals and places emphasis on the means. There is debate whether such behaviour is deviant but the lack of ambition is not in keeping with the idealised American way that Merton was commenting on¹⁷² as the obligation 'to get ahead in the world' is rejected.¹⁷³

Retreatism is where an individual applies escape mechanisms that allows them to reject both the goals and the means.¹⁷⁴ This category makes provision for the mentally disordered, drug addicts, vagrants, alcoholics and other groups that have withdrawn from the competitive struggle.¹⁷⁵

Rebellion is the final mode of adaptation and it focuses on the substitution of new goals and means by altering the social structure.¹⁷⁶ It is the first and last category that is most applicable to South African youth who are engaged in deviant behaviour. The goals they aspire to are to possess the trappings of a material global culture and the means seem to be at any cost. The goals of the youth in 2005 are also quite different from youth of the 1970's and 1980's.

¹⁶⁹ Moyer, IL 'Criminological Theories' p62

¹⁷⁰ McCaghy, CH & Capron, TA 'Deviant Behaviour – Crime, Conflict and Interest Groups' p60

¹⁷¹ Williams, FP & McShane, MD 'Criminological Theory' p92

¹⁷² McCaghy, CH & Capron, TA 'Deviant Behaviour – Crime, Conflict and Interest Groups' p61

¹⁷³ Moyer, IL 'Criminological Theories' p63

¹⁷⁴ *ibid*

¹⁷⁵ McCaghy, CH & Capron, TA 'Deviant Behaviour – Crime, Conflict and Interest Groups' p61

¹⁷⁶ *ibid*

Merton's theory of anomie is among the most influential of all criminological theories¹⁷⁷ despite attracting criticism from feminists for not attempting to apply this theory to women.¹⁷⁸ It places a strong emphasis on cultural goals and the inequality of means to attain those goals.¹⁷⁹ This theory's primary premise is therefore that the lower classes suffer the most from anomic conditions and therefore have the highest level of involvement in criminal behaviour.¹⁸⁰ Merton's theory of anomie provides us with more insight into the activities that are engaged in by some of South Africa's youth. From this perspective, crime can be seen as an effort to 'reduce the disjunction between goals and means' and to establish equilibrium between them.¹⁸¹ Merton is quite relevant to understanding crime involvement in contemporary South Africa as much has been promised to the society but there has been limited provision of equal access to the realisation and attainment of capital.

Agnew was also a significant contributor to the Strain Theory and in 1992 developed a 'General Strain Theory' (GST), which suggests that delinquent behaviour is a coping mechanism that enables adolescents to deal with negative social relations.¹⁸² That is that delinquency is a reaction that results when people are treated badly. According to Agnew's GST, strain occurs when others do the following:

- 'Prevent or threaten to prevent an individual from achieving positively valued goals, (including monetary, status, autonomy goals),
- Remove or threaten to remove positively valued stimuli that a person possesses, (death of friends or family members, loss of romantic partners, possessions)
- Present or threaten to present someone with negatively valued stimuli (verbal and physical assaults)'.¹⁸³

¹⁷⁷ Williams, FP & McShane, MD 'Criminological Theory' p94

¹⁷⁸ Leonard, EB 'Women, Crime and Society' p57

¹⁷⁹ Williams, FP & McShane, MD 'Criminological Theory' p90

¹⁸⁰ op cit p95

¹⁸¹ Cohen, AK 'The Sociology of the Deviant Act: Anomie Theory and Beyond' in American Sociological Review p12

¹⁸² Schmallegger, F 'Criminology Today' p211

¹⁸³ Agnew, R 'Strain, Personality Traits, and Delinquency: Extending General Strain Theory' p44

A young person may be prevented from achieving his goals, which include money and things that can be bought with money, such as a nice car. What a young person derives from this is status and respect. Young people also wish to be 'autonomous'¹⁸⁴ from their parents and other adults, but are often denied from realising this legitimately, as they are often not part of the employment sector and parents cannot or will not finance these materialistic realisations. In fact parents often try to control young people's dressing, the places they frequent and the peers with whom they associate.¹⁸⁵

Agnew also mentions that losing something valued and being verbally or physically assaulted also leads to young people feeling 'angry, frustrated, depressed, anxious', which in turn creates a desire for revenge.¹⁸⁶ If individuals have few 'conventional social supporters', they are more likely to respond with crime as the costs of crime is low and the rewards high.¹⁸⁷

Agnew's emphasises that strain increase the probability that individuals will experience a 'range of negative emotions'.¹⁸⁸ Strains that are likely to cause negative stimuli are stressful life events such as child abuse, neglect, negative relations with adults, family dissolution, dissatisfaction with friends and/or school life, and living in an unpleasant neighbourhood.¹⁸⁹ The resultant behavioural coping strategies include 'vengeful behaviour and blaming adversity on others' – these points are related to Merton's innovation and rebellion modes of adaptation.¹⁹⁰ Anger is considered conducive to delinquency as it 'energises the individual for action, lowers inhibition and creates a desire for revenge'.¹⁹¹

¹⁸⁴ Agnew, R 'Strain Theory and School Crime' p108 in Simpson, S.S 'Of Crime and Criminality-
The use of theory in everyday life'

¹⁸⁵ op cit p109

¹⁸⁶ ibid

¹⁸⁷ ibid

¹⁸⁸ Agnew, R 'Strain, Personality Traits, and Delinquency: Extending General Strain Theory' p44

¹⁸⁹ Schmallegger, F 'Criminology Today' p211

¹⁹⁰ Moyer, I L 'Criminological Theories' p65

¹⁹¹ Agnew, R 'Strain, Personality Traits, and Delinquency: Extending General Strain Theory' p44

Agnew sees GS as leading to delinquency as it weakens the social bonds and strengthens the bond with delinquent peers.¹⁹² Strain may lead to frustration, anger and other 'affective' states that create pressure for 'corrective action' that may include criminal activity.¹⁹³ Agnew recently introduced 'personality traits' to his thesis in order to explain why some individuals react to strain in a delinquent manner while others manage to cope without resorting to criminal behaviour.¹⁹⁴ 'Traits' refers to the 'relatively stable ways of perceiving, thinking about, and behaving toward the environment and oneself'.¹⁹⁵ Agnew refers to Tellegen's conception of personality, which focuses on three master traits namely that of negative emotionality, constraint and positive emotionality.¹⁹⁶ Individuals high in negative emotionality (strong emotional reaction to strain, often aggressive response) and low in constraint (act on their impulses) are more likely to respond to strain in a delinquent manner.¹⁹⁷

Recently Agnew tried to clarify the definition of 'strain'. Agnew distinguishes between objective strains, subjective strains and emotional strains. Objective strains are those conditions, which are disliked by most of the members of the group and are subjective to those 'disliked by the people experiencing them'.¹⁹⁸ Agnew does caution that differences will exist in the measure of objective and subjective strain. Agnew goes on to argue that the emotional response to an event or condition is distinct from strain but is closely linked with subjective strain because it deals with that person's evaluation of that event or condition.¹⁹⁹

Agnew goes on to mention that strain is most likely to result in crime when conditions are seen as unjust as it is more likely to provoke anger. The impact of strain may vary depending on the 'severity/magnitude, duration, recency and centrality' of the strain.²⁰⁰

¹⁹² Schmallegger, F 'Criminology Today' p212

¹⁹³ Baron, SW 'General Strain, Street Youth and Crime: A Test of Agnew's Revised Theory' p458

¹⁹⁴ Agnew, R 'Strain, Personality Traits, and Delinquency: Extending General Strain Theory' p44

¹⁹⁵ op cit p45

¹⁹⁶ op cit p46

¹⁹⁷ Agnew, R 'Strain, Personality Traits, and Delinquency: Extending General Strain Theory' p46

¹⁹⁸ Baron, SW 'General Strain, Street Youth and Crime: A Test of Agnew's Revised Theory' p459

¹⁹⁹ ibid

²⁰⁰ op cit p460

Strain creates pressure to use crime or drugs as a coping strategy because it compensates for the negative effects of strain and/or satisfies a desire for revenge. For youth this is a more appealing way to solve problems as conventional opportunities to resolve problems are more limited.²⁰¹

The desire for money is a core goal in a capitalist economy and if individuals are unemployed this may lead to increased strain and these individuals may commit crime to overcome these economic problems.²⁰² If individuals believe they are worse off monetarily than those in their 'comparative reference groups' there is a heightened form of strain, which may lead to crime.²⁰³

Agnew does indicate that 'self-esteem' will influence individual's sensitivity to strain and their ability to engage in various coping strategies. The individuals with a high self-esteem will 'buffer' individuals from strain and leave them less likely to resort to criminal coping strategies.²⁰⁴ However, he also mentions that individuals who associate with deviant peers are more likely to react to strain illegally. Finally people who blame their adversity on others engage in crime as 'external attributions' lead to anger, which increases individual's feelings of injury and creates the desire for revenge and justification for criminal interaction.²⁰⁵

Messner and Rosenfield suggested in 1994 that inconsistencies within the 'American Dream' have resulted in criminal activity and they introduced the idea of 'relative deprivation'.²⁰⁶ *Relative deprivation* refers to the economic and social gap that exists in close proximity to one another.²⁰⁷ South Africa is one of the most unequal societies in the world with the wealthiest 5% consuming more than the poorest 85%.²⁰⁸ This is a

²⁰¹ op cit p461

²⁰² op cit p462

²⁰³ ibid

²⁰⁴ Baron, SW 'General Strain, Street Youth and Crime: A Test of Agnew's Revised Theory' p463

²⁰⁵ op cit p463/4

²⁰⁶ Schmallegger, F 'Criminology Today' p210

²⁰⁷ ibid

²⁰⁸ as quoted in Dixon, B 'Exclusive Societies: towards a critical criminology of post-apartheid South Africa' p215

glaring example of relative deprivation. According to Messner and Rosenfield this gap exerts pressure towards crime and encourages an 'anything goes' mentality in pursuit of personal goals.²⁰⁹ They suggest that structural changes in a society faced with such a disparity could lead to significant crime reduction. These changes should be in the form of 'rebalancing' social institutions and reducing the system of 'social stratification'.²¹⁰

P. Blau and J. Blau suggested that relative deprivation led to feelings of frustration and ideas of 'distributive justice' emerge. Distributive justice refers to the individual's perception of his or her 'rightful place' in the reward structure in society.²¹¹

Relative deprivation can take the form of personal and group relative deprivation. Personal being where the individual feels deprived compared to other people while the group refers to the communal sense of injustice that is shared by members of the same group.²¹²

Culture Conflict theories purport that the root cause of crime as the clash of values between variously socialised groups over what is acceptable or proper behaviour. Concepts that have emerged from this school include; Sellin's ideas in 1938 of 'conduct norms, primary and secondary cultural conflict'²¹³ - Sellin says groups formulate rules by referring to the way their members should act under particular conditions.²¹⁴ Sellin says these rules are known as 'conduct norms'. The violation of these norms is considered to be 'abnormal behaviour' which therefore arouses a group reaction.²¹⁵

Fundamental to the school of 'culture conflict' is the idea of subcultures. Albert Cohen introduced the concept of a sub-culture to criminology and differentiated it from the term culture.²¹⁶ Like the larger culture of which it is a part, a sub-culture is a collection of

²⁰⁹ Moyer, I L 'Criminological Theories' p66

²¹⁰ *ibid*

²¹¹ Schmalleger, F 'Criminology Today' p211

²¹² Schmalleger, F 'Criminology Today' p211

²¹³ *op cit* p212

²¹⁴ Bartollas, C 'Juvenile Delinquency' p214

²¹⁵ *op cit* p215

²¹⁶ Morrison, W 'Theoretical Criminology' p281

values and preferences, which are communicated to sub-cultural participants through a process of socialisation.²¹⁷ Subcultures differ from the larger culture in that they claim the allegiance of smaller groups of people.²¹⁸

Cohen tried to explain the contents of a delinquent subculture. Cohen points out that delinquency relates the behaviour in question to some set of rules.²¹⁹ These rules are sometimes common to all societies and sometimes only found in a few societies.²²⁰ He also stresses that breaches of these regulations are numerous and that no single factor can be found for them.²²¹ Cohen proposed that:

'A complete theory of subcultural differential would state more precisely the conditions under which subcultures emerge and fail to emerge and would state operation for predicting the content of subcultural solutions.'²²²

Cohen is a pioneer in his field of research, namely that of an adolescent subculture.²²³ Cohen proposes that 'certain children are denied status in the respectable society because they cannot meet the criteria of the respectable status system. The delinquent subculture deals with these problems by providing status criteria which these children can meet.'²²⁴

Sociologists use the term 'subculture' without imposing a value judgment.²²⁵ 'Sub' refers to a 'subcategory' of a culture that is a part of a whole. Every society is divided into numerous 'subgroups', each with their own values and norms that can only be acquired by participation in the subgroup.²²⁶ A subculture implies that there are value judgements

²¹⁷ Schmalleger, F 'Criminology Today' p212

²¹⁸ ibid

²¹⁹ Cohen, AK 'Delinquent Boys' p3

²²⁰ ibid

²²¹ Cohen, AK 'Delinquent Boys' p3

²²² quoted in Haft-Picker, C 'Beyond the subculture of violence' in Newman, GR 'Crime and Deviance' p186

²²³ Cohen, AK 'Delinquent Boys' p5

²²⁴ ibid

²²⁵ Wolfgang, M E and Ferracuti, F ' The Subculture of Violence' p95

²²⁶ Cohen, AK 'Delinquent Boys – The Culture of the Gang' p12

or a social value system, which is apart from and a part of a larger central value system.²²⁷

The values of the subculture set the 'central value system apart and prevent total integration'.²²⁸ A subculture differs in its 'focal concerns' from the culture from which it derives but will also share some things in common with the dominant culture.²²⁹ The dominant culture may directly or indirectly promote this separation where 'normative isolation and solidarity' of the subculture results.²³⁰

Deviant subculture takes its norms from the larger culture but then turns them 'upside-down'.²³¹ The deviant's conduct is in keeping with the standards of his subculture precisely because it is wrong by the norms of the larger culture.²³² 'Short-run' hedonism is another characteristic of the deviant subcultures.²³³ There is little interest in long-term goals.

Albert Cohen's theories in 1955 on 'gangs and reaction formation',²³⁴ proposed that much of the nature of delinquency was 'non-rational' in nature.²³⁵ Cohen accepted Merton's assumption that all classes are faced with the demand to strive for material success. Merton's theory could not account for Cohen's observations that criminal activity stemming from male gang formation was not conducted to gain wealth but was merely 'non-utilitarian or malicious'.²³⁶ Cohen concluded that gangs have a separate culture from dominant culture. Cohen's argument differed from Merton's theory, in that

²²⁷ Ndabandaba, GL 'Crimes of Violence in Black Townships' p4

²²⁸ ibid

²²⁹ Clarke, J et al ' Subcultures, Cultures and Class' in Hall, S & Jefferson, T '*Resistance Through Rituals*' p13

²³⁰ Ndabandaba, GL 'Crimes of Violence in Black Townships' p4

²³¹ Cohen, AK 'Delinquent Boys – The Culture of the Gang' p28

²³² ibid

²³³ op cit p30

²³⁴ Schmallegger, F 'Criminology Today' p217

²³⁵ Rock, P 'Sociological Theories of Crime' p54 in Maguire, M et al in 'The Oxford Handbook of Criminology'.

²³⁶ Cohen, AK 'Delinquent Boys: The Culture of a Gang' p25

Merton argued that the motivation for deviant behaviour was material gain, whilst Cohen put it down to social status.²³⁷

Cohen argued that the delinquent subculture is the product of the conflict between middle class values and working class values²³⁸ and noted that not everyone is prepared by virtue of the situation they are born in or subsequent socialisation for effectively meeting these middle class expectations.²³⁹ The delinquent acts were a *reaction formation* as these acts were the 'antithesis' of middle class standards.²⁴⁰ Reaction formation was adapted by Cohen to mean 'the process in which a person openly rejects that which he wants, or aspires to, but cannot obtain or achieve'.²⁴¹ The delinquent subculture is a way of dealing with problems of 'adjustment' and status problems. Alienated youths achieve status and a 'sense of improved self-worth' through participation in a gang of like-minded peers and crime and delinquency is the result.²⁴²

Miller in 1958 concentrated on 'focal concerns' within delinquent subcultures. Focal concerns or key values of delinquent subcultures include 'trouble, toughness, smartness, excitement, fate and autonomy'.²⁴³ Subcultural crime according to Miller is not a direct consequence of poverty and lack of opportunity but is a result of 'specific values' that are characteristic of subcultures. Lower-class culture is described by Miller as ' a long established distinctively patterned tradition with an integrity of its own'.²⁴⁴

A brief discussion to Miller's *focal concerns* is as follows:

Trouble is a dominant feature of lower-class culture and getting into trouble was not valued in itself but a necessary means to valued ends. Toughness was a product of being raised by female-headed families and reflected an 'obsessive' concern with masculinity and was a reaction to the lack of masculine role models within the

²³⁷ Vold, GB et al 'Theoretical Criminology' p167

²³⁸ Moyer, I L 'Criminological Theories' p67

²³⁹ Schmallegger, F 'Criminology Today' p217

²⁴⁰ Moyer, I L 'Criminological Theories' p69

²⁴¹ Schmallegger, F 'Criminology Today' p217

²⁴² Schmallegger, F 'Criminology Today' p217

²⁴³ op cit p213

²⁴⁴ ibid

household. Smartness was the capacity to achieve something valued like material goods or personal status through use of 'mental agility' that is to 'outsmart or con' others. Excitement was the search for thrills, which includes alcohol, music, drugs and sexual adventuring. Fate is related to the concept of being lucky as many lower-class persons feel that their lives are subject to a set of forces of which they have little control. Autonomy results in behavioural attitudes where individuals assert their ability to take care of themselves and refuse to be told what to do. Lower-class focal concerns provide a path to recognition of success of lower-class youth within the subculture.²⁴⁵

Sykes and Matza identified a theory called 'techniques of neutralisation' in 1957.²⁴⁶ This rationalisation technique was termed 'techniques of neutralisation' or 'drift' because the youth neutralises himself from the moral bounds of the law and drifts into delinquent behaviour.²⁴⁷ This was a bit different to Cohen's subcultural theory where delinquents commit crime because they reject norms and values of the larger society but with 'drift' they are able to embrace this other set of values (deviant), this allows members of this subculture to commit crimes without guilt because they are obeying their own set of rules.²⁴⁸ These justifications are not seen as valid by the legal system or the society at large.²⁴⁹

Matza and Sykes identified five techniques of neutralization:

- i. 'Denial of responsibility – delinquent sees his actions more as reactions to some external person or situation,
- ii. Denial of injury – the delinquent considers the consequences of his actions to be victimless,
- iii. Denial of the victim - the crime is viewed as something the victim deserved or as a retaliation,
- iv. Condemnation of the condemners - the attention moved from the

²⁴⁵ ibid

²⁴⁶ Moyer, I L 'Criminological Theories' p143

²⁴⁷ Bartollas, C 'Juvenile Delinquency' p197

²⁴⁸ Moyer, I 'Criminological Theories' p142

²⁴⁹ Sykes, GM & Matza, D 'Techniques of Neutralization' p209 in Muncie, J, McLaughlin, E & Langan, M 'Criminological Perspectives: A Reader'.

- deviant's acts to those who disapprove of the actions,
- v. Appeal to higher loyalties – social controls may be 'neutralised' by sacrificing the demands of the larger society for the demands of a smaller group such a gang, in order to prove an allegiance'.²⁵⁰

Matza and Sykes' theory of neutralisation basically provides an explanation of how an individual can remove himself from the bind to society's legal order but not necessarily the rejection of conventional morality. These techniques highlight how social controls can be reduced in effectiveness or 'neutralised'. This release from being bound is achieved by justifying his deviant actions by his supposed lack of control over them. These kind excuses not only rationalise behaviour of this sort but also provide motivation for further deviant involvement.

If a person is not harmed in the commission of a crime, a neutralisation technique is employed to justify the deviant behaviour. This results in deviants disengaging from the constraints of mainstream society. An internal justification is facilitated and there is a slow shift between deviant involvement and conformity. This in turn results in the moral bind to society being weakened.

Matza went on to develop his theory of '*drift*' after ideas around neutralisation had been introduced. His research found that delinquents were only partially committed to subcultural norms and the delinquent *drifts* in and out of deviant activity. Matza argues that deviancy is 'transient and intermittent' because the delinquent chooses to be in 'limbo' between 'convention and crime' and responding to each as the situation demands but 'postponing commitment' and 'evading decision'.²⁵¹ The delinquent is therefore able to feely move between deviance and conformity by 'adopting' various 'rationalisations' to justify their behaviour, which are the neutralisation techniques.²⁵²

²⁵⁰ Moyer, I 'Criminological Theories' p145

²⁵¹ Matza, D ' Delinquency and Drift' p28

²⁵² Muncie, J ' Youth and Crime: A Critical Introduction' p117/8

Cloward and Ohlin in the 1960's introduced the ideas of 'illegitimate opportunity structure and delinquent subcultures'.²⁵³ They identified two socially structured opportunities for success; namely legitimate and illegitimate. Individuals born into middle class culture generally had access to legitimate opportunities whilst those born into lower-class subcultures were often denied access to them and in turn illegitimate opportunities were seen as quite acceptable.²⁵⁴ These illegitimate opportunities did not receive the approval of the wider culture. They termed the two different available paths to success (legitimate and illegitimate) 'differential opportunity', as the availability of each differed to members of society.²⁵⁵

Cloward and Ohlin defined a delinquent subculture as 'one in which certain forms of delinquent activity are essential requirements for the performance of the dominant roles supported by the subculture'.²⁵⁶ They mentioned that the subculture's evolution depended on the 'opportunities' that was available in the neighbourhood,²⁵⁷ and as people living in sub-socio-economic areas they had limited access to achieving cultural goals and that they had to be introduced to alternative ways of taking advantage of these opportunities.²⁵⁸ The consequences was that young men were being 'pushed into crime' because of difficulties of acquiring money but were also felt the 'lure of lucrative unconventional criminal careers'.²⁵⁹

Cloward and Ohlin proposed three types of subcultures: criminal, conflict/violent and retreatist/drug. The criminal subculture is where the delinquent and criminal behaviour is accepted as a means of achieving goals and there is often a close bond between youth and adult criminals that provides the means for youth to participate successfully in economic gain through criminal activities.²⁶⁰ In conflict subcultures participants 'seek

²⁵³ Cavan, RS 'Readings in Juvenile Delinquency' p155

²⁵⁴ Schmallegger, F 'Criminology Today' p216

²⁵⁵ ibid

²⁵⁶ Cloward and Ohlin quoted in Moyer, I 'Criminological Theories' p71

²⁵⁷ Moyer, I 'Criminological Theories' p72

²⁵⁸ Vold, GB et al 'Theoretical Criminology' p164

²⁵⁹ Rock, P 'Sociological Theories of Crime' p54 in Maguire, M et al in '*The Oxford Handbook of Criminology*'

²⁶⁰ Moyer, I 'Criminological Theories' p72

status' through violence. For example fighting in gangs allows participants to acquire a reputation for toughness and they are admired for physical strength and masculinity.²⁶¹ The retreatist subculture is where the participants withdraws from wider society and indulges in a drug usage.²⁶²

Cloward and Ohlin then went on to divide lower-class youths into four categories:

- i. Type I – youths who desired entry into the middle class via improvement in their economic positions,
- ii. Type II – youth that desired entry into the middle class but not improvement in their economic positions,
- iii. Type III – youth that desired wealth but not entry into the middle class (this type was seen as the most crime prone),
- iv. Type IV – youth described as dropouts who retreated from the cultural mainstream through drug and alcohol use.²⁶³

Cloward and Ohlin therefore emphasised the positions of youth in the 'structure of opportunity' and the subculture of the gang needs to be understood in terms of these youth's realistic access to the legitimate labour market through the advancement of education.²⁶⁴

In conclusion subcultural theory is a sociological perspective that emphasises the contribution made by 'variously socialised cultural groups' to the phenomenon of crime.²⁶⁵ Taylor critiques subcultural theory as he asserts that it has limitations in making sense of the contemporary youth. Taylor mentions that one of the features of the market society is that the formation of youth cultures (as described in the classic literature) seems to have stopped. Taylor boldly states that references to 'subcultures' is significant in terms of the 'endless attempt' to create popular interest in 'each new commodity' that is being thrown into the youth market.²⁶⁶ Miles states that subcultural theory is in decline

²⁶¹ op cit p73

²⁶² Schmallegger, F 'Criminology Today' p216

²⁶³ ibid

²⁶⁴ Muncie, J ' Youth and Crime: A Critical Introduction' p163

²⁶⁵ Schmallegger, F 'Criminology Today' p213

²⁶⁶ Taylor, I ' Crime in Context: A Critical Criminology of Market Societies' p75

because 'ordinary' youth are the norm and there are fewer youths committed to subcultural norms.²⁶⁷

The **Social Process Theories** are also known as the **interactionist perspectives** and they depend on the process of interaction between individuals and society for the formulation of their theories. These theories have been developed from the 1930's until the present day. These theories of crime causation assume that everyone has the potential to violate the law and that 'criminality is not an innate human characteristic'.²⁶⁸ Social Process Theories assert that criminal behaviour is learned in interaction with others and the 'socialisation process that occurs as a result of group membership' is the primary forum through which learning occurs.²⁶⁹ Social Process Theories have resulted in the formation of the Social Learning Theory, Labelling Theory, Social Control Theory, and Dramaturgy.

The *Social Learning Theory* purports that all behaviour is learnt and that people learn to commit crimes from others and that includes the acquisition of norms, values and participation in deviant behaviour.²⁷⁰ This is known as Sutherland's 'Differential Association Theory'.²⁷¹ This was a landmark theory, as it did not incorporate biological explanations for criminality based on heredity but tried to promote a sociological definition of crime.²⁷² Differential Association may be a statement of 'cultural conflict' in relation to 'religion, politics, standard of living or other things' and it may also be a 'statement of conflict' from the perspective of the person who commits the crime.²⁷³ The perpetrator has associations with two types of culture and this is 'differential association' and Sutherland used this to explain individual criminal behaviour.²⁷⁴

²⁶⁷ Miles, S 'Youth Lifestyles in a changing world' p5

²⁶⁸ Schmalleger, F 'Criminology Today' p230

²⁶⁹ ibid

²⁷⁰ ibid

²⁷¹ Moyer, I 'Criminological Theories' p123

²⁷² Moyer, I 'Criminological Theories' p120

²⁷³ op cit p121

²⁷⁴ Moyer, I 'Criminological Theories' p121

According to Sutherland his '*Differential Association Theory*' was made up of nine principles:

- i. 'Criminal behaviour is learned,
- ii. Criminal behaviour is learned in interaction with others in the process of communication,
- iii. The principal part of the learning of criminal behaviour occurs within intimate personal groups,
- iv. When criminal behaviour is learnt, the learning includes;
 - (a) techniques of committing the crime, which are sometimes very complicated, sometimes very complicated, and
 - (b) the specific direction of motives, drives, rationalisations, and attitudes,
- v. The specific direction of motives and drives is learnt from definitions of the legal codes as favourable or unfavourable,
- vi. A person becomes delinquent because of an excess of definitions favourable to law violation over definitions unfavourable to law violation,
- vii. Differential associations may vary in frequency, duration, priority and intensity,
- viii. The process of learning criminal behaviour by association with criminal and anticriminal patterns involves all of the mechanisms that are involved in any other learning,
- ix. While criminal behaviour is an expression of general needs and values, it is not explained by those general needs and values, since noncriminal behaviour is an expression of the same needs and values'.²⁷⁵

According to Sutherland crime is learnt like any other behaviour and from associations with others the 'potential delinquent' learns definitions favourable to deviant behaviour.²⁷⁶ Learning does not necessarily have to occur through association with criminals but with people who do not 'consistently support or adhere to strict legal codes'.²⁷⁷ Muncie

²⁷⁵ Schmallegger, F '*Criminology Today*' p231

²⁷⁶ Muncie, J '*Youth and Crime: A Critical Introduction*' p103

²⁷⁷ op cit p104

criticised this theory as it does not explain why individuals living in the same areas, surrounded by the same people choose not to get involved in crime, also the definitions of exactly what kinds of 'associations' leads to deviant behaviour is not defined.²⁷⁸

Parson places the family at the centre of social learning and associated roles.²⁷⁹ These learnt roles provide a sense of stability from one generation to the next. Harriet Wilson proposed that parents who acted as 'chaperons', effectively prevented their children from offending.²⁸⁰ If they considered the neighbourhood they lived in dangerous, they sought to protect their children and keep them indoors or under close supervision, which in turn provided them with fewer opportunities to participate in deviant activities.

Young women tend to have a stronger role model because women fulfil an expressive role of nurturing, caring and trying to keep the family as a cohesive unit.²⁸¹ Hagan put forward that 'deviation' as a form of fun was more open to men as daughters were often subject to 'intense, continual and diffuse family control' in the home.²⁸² Young men living in social conditions where family structures are fragmented are often deprived of positive role models. The absence of a father figure early in the lives of young males tends to increase the probability of delinquency later in life.²⁸³ Although young men are exposed to female models when they are younger they realise that female behaviour will not allow them to be accepted as 'men' in their communities.²⁸⁴ They therefore engage in anti-social behaviour more than girls because they have to assert that they are 'powerful' and 'tough' to prove that they are 'men' and to ensure that they are recognised as such. In these cases young men commence their learning outside the family unit in order to prove their masculinity.

²⁷⁸ *ibid*

²⁷⁹ Walklate, S 'Gender and Crime' p165

²⁸⁰ Rock, P 'Sociological Theories of Crime' p58 in Maguire, M et al in 'The Oxford Handbook of Criminology'.

²⁸¹ Walklate, S 'Gender and Crime' p166

²⁸² Rock, P 'Sociological Theories of Crime' p58 in Maguire, M et al in 'The Oxford Handbook of Criminology'.

²⁸³ Schönteich, M 'Age and Aids : South Africa's crime time bomb?' p42

²⁸⁴ Walklate, S 'Gender and Crime' p166

The *Labelling Theory* places particular significance on society's response to the criminal and sees continued crime as a consequence of limited forms of acceptable behaviour as a result of the negative responses of society to those defined as offenders.²⁸⁵

Tannenbaum suggested that deviant behaviour was not so much the deviant's lack of adjustment to society but rather that he adjusted to a certain group.²⁸⁶ The community at large often considered the behaviour of the group to be inappropriate. This resulted in the child being 'tagged' if caught in a delinquent act. Tannenbaum proposed that this 'tag' or label resulted in the child being identified as a delinquent, which could change that child's self-image.²⁸⁷ He argued that labelling could cause deviant behaviour because once a person has been defined as 'bad' few legitimate opportunities remain open to him. This results in the labelled individual to interact with similarly labelled individuals and this association leads to continued crime.²⁸⁸

Lemert introduced the concepts of 'primary' and 'secondary' deviance to the Interactionist School. An offender's initial acts of deviance to meet the requirements of a subcultural group are known as 'primary deviance'.²⁸⁹ The label of deviant is then applied to that individual. 'Secondary deviance' comes into play when the labelled individual then internalises the negative labels that have been attributed to them and then assumes the role of the deviant.²⁹⁰

Becker emphasises that deviance is a social product that is created by society.²⁹¹ He advocates that social rules are the creation of specific social groups.²⁹² Deviance is defined by a society and that society also produces deviants who respond to the circumscribed behaviour and are then labelled by that society.²⁹³ Becker recognised four

²⁸⁵ Schmallegger, F 'Criminology Today' p230

²⁸⁶ Williams, FP & Mcshane, MD 'Criminological Theory' p133

²⁸⁷ ibid

²⁸⁸ Schmallegger, F 'Criminology Today' p236

²⁸⁹ op cit p237

²⁹⁰ Schmallegger, F 'Criminology Today' p237

²⁹¹ Williams, FP & Mcshane, MD 'Criminological Theory' p135

²⁹² Becker, HS 'Outsiders: Studies in the Sociology of Deviance' p15

²⁹³ Schmallegger, F 'Criminology Today' p237

types of deviant behaviour, namely the *falsely accused*, *conforming*, *pure deviant* and the *secret deviant*.²⁹⁴ The *Conforming* individual is engaged in obedient behaviour and is not perceived as deviant.²⁹⁵ The *Pure deviant* is an individual behaviour who disobeys the rule and is perceived as doing so.²⁹⁶ The *falsely accused* individual is not guilty of improper action but is labelled as having committed a deviant act.²⁹⁷ Finally the *secret deviant* violates social norms but his behaviour is not noticed and the negative societal reactions do not follow.²⁹⁸ Labelling theorists are interested to determine why certain types of individuals come to the attention of law enforcers more than others how they are affected by the 'label'.²⁹⁹

According to labelling theorists, the person that has been labelled deviant internalises society's negative label, assumes a deviant self-image is likely to become the member of a deviant subgroup. Labelling a person as a 'rule breaker' pushes the person further in the direction of 'continued deviance'.³⁰⁰ Although the labelling theory can explain continuing deviance it does little to explain the origin of crime and deviance. However, labelling theories are interesting to consider when one looks at the complexity of the term 'youth'. The connotation that comes along with the tag results in young people acting out to conform with the label.

Social Control Theory, developed in the 1950's focused on the 'strength' of the bond that people share with the 'institutions and individuals' around them.³⁰¹ This theory seeks to identify the features of environment and personality that keep people from committing crimes.³⁰² The 'social bond' theory was popularised by Hirschi in 1969. Hirschi asserted that through successful socialisation, a social bond forms between individuals within a

²⁹⁴ Becker, HS 'Outsiders: Studies in the Sociology of Deviance' p20

²⁹⁵ Williams, FP & Mcshane, MD 'Criminological Theory' p136

²⁹⁶ Becker, HS 'Outsiders: Studies in the Sociology of Deviance' p20

²⁹⁷ *ibid*

²⁹⁸ *ibid*

²⁹⁹ Williams, FP & Mcshane, MD 'Criminological Theory' p136

³⁰⁰ Schmallegger, F 'Criminology Today' p237

³⁰¹ Schmallegger, F 'Criminology Today' p230

³⁰² Schmallegger, F 'Criminology Today' p230

social group and if that bond is broken then deviance and crime may result.³⁰³

Hirschi stated that the social bond has 4 components; attachment, involvement, commitment and belief.³⁰⁴ Hirschi went on to develop a theory based on the strength of an individual's bond to society. He argued that the bond to society consisted of four interrelated elements. These were attachment, commitment, involvement and belief.³⁰⁵ *Attachment* suggests that the closer one's ties are to others in society, especially one's parents and peers, the more likely it is that one will conform to society's expectations.³⁰⁶ *Commitment* proposes that the more one aspires to invest in legitimate activities, especially in terms of success aspirations and long-range goals, the more likely one is to conform.³⁰⁷ *Involvement* indicates that the more time and energy one spends on legitimate activities, the more likely one is to conform. *Belief* advocates that the more one attaches moral validity to society's norms, the more likely one is to conform.³⁰⁸ Hirschi says a deviant can believe rules as he breaks them because many persons do not have an 'attitude of respect' towards the rules of society.³⁰⁹

As mentioned a relationship also exists between these four elements:

Attachment and commitment - the more attached a lower class adolescent is to his family and peers, the less committed he will be to conventional goals of getting ahead,

Commitment and Involvement – the more committed a person is to traditional activities (church, sport, family activities), the less likely they are to have the opportunities to become involved in crime,

Attachment and Belief – the more attached a child is to their parents the more likely they are to accept their rules.³¹⁰

³⁰³ op cit p234

³⁰⁴ Williams, FP & Mcshane, MD 'Criminological Theory' p189

³⁰⁵ McCaghy, CH & Capron, TA 'Deviant Behaviour – Crime, Conflict and Interest Groups' p75

³⁰⁶ ibid

³⁰⁷ ibid

³⁰⁸ McCaghy, CH & Capron, TA 'Deviant Behaviour – Crime, Conflict and Interest Groups' p75

³⁰⁹ Schmalleger, F 'Criminology Today' p235

³¹⁰ Moyer, I 'Criminological Theories' p150

In 1990, Hirschi together with Gottfredson further developed his social bonds theory and noted that a well-developed social bond resulted in the 'creation of effective mechanisms of self-control'.³¹¹ They claim that crime was a result of 'low self-control' and that it results instant gratification and it does not provide medium and long-term benefits.³¹² This was discussed earlier in the part of this chapter looking psychological and psychiatric theories.

This theory focuses on the relationships between the individual and social institutions that should have an influence on 'constraining criminal behaviour'.³¹³ In South Africa the breakdown between the generations and the diminished social influence of schools and other social institutions has resulted in weakening these bonds. As a result youth involvement in violent crime is not surprising as the individual has very weak bonds with its society and proportionality exercises less self-control.

The **Social Development Perspective** understands that development, which begins at birth, occurs within a social context and sees socialisation as only one feature of that context. According to this perspective human development occurs on many levels simultaneously including 'psychological, biological, familial, interpersonal, cultural, societal and ecological'.³¹⁴ This theory recognises that the transition from childhood to adulthood is a critical period. Life Course Theories is part of this perspective.

Life Course Theories highlight the development of criminal careers, which are seen as a result of various 'criminogenic influences' that affect individuals throughout the course of their lives. Developmental and Life-Course Criminology is concerned with three main issues - 'the development of offending and antisocial behaviour', 'risk factors at different ages' and the 'effects of life events on the course of development'.³¹⁵

³¹¹ Schmalleger, F 'Criminology Today' p235/6

³¹² Rock, P 'Sociological Theories of Crime' p57 in Maguire, M et al in 'The Oxford Handbook of Criminology'.

³¹³ Sheley quoted in Moyer, I 'Criminological Theories' p151

³¹⁴ Schmalleger, F 'Criminology Today' p242

³¹⁵ Farrington, DP 'Developmental and Life-Course Criminology: Key Theoretical and Empirical Issues- The 2002 Sutherland Address" p221

Life course theorists have identified about seven stages that adolescents need to tackle: establishing identity, cultivating symbiotic relationships, defining physical attractiveness, investing in a value system, obtaining an education, separating from family and achieving independence and obtaining and maintaining gainful employment.³¹⁶ Trying to tackle these stages of development is challenging under the best of circumstances, trying to do so when family structures are weak, social services limited, education inadequate and the onset of a global market economy so pressing, is nearly impossible.

Farrington suggests that 'criminal careers' is part of 'continuum' of criminal behaviour that arises in childhood, persists into adulthood and is reproduced in successive generations.³¹⁷ The National Academy of Sciences (NAS) defined a criminal career as 'the longitudinal sequence of crimes committed by an individual offender'.³¹⁸ According to the NAS, the criminal career had four aspects to it namely; participation (the criminally active population), frequency (number of crimes committed by an individual per unit of time), duration (length of a criminal career) and seriousness (of the offences).³¹⁹ Life course theory also considers three concepts that are central to pattern of a criminal career: Activation (ways how delinquent behaviour once initiated is stimulated), Aggravation (sequence of events that increases in seriousness over time) and Desistance (reducing the frequency of offending).³²⁰

Life course theories also recognises the concept of 'age differentiation', which recognises that certain forms of behaviour are more appropriate in certain parts of the life cycle than others. Criminality is relatively uncommon during childhood, tends to sporadically emerge during adolescence and early adulthood and thereafter diminishes or completely disappears by the age of 30 or 40 years.³²¹ Life course theorists therefore look for evidence of continuity between childhood, adolescent experiences and adult outcomes or lifestyles.

³¹⁶ Schmallegger, F 'Criminology Today' p243

³¹⁷ Farrington quoted in Muncie, J 'Youth and Crime: A Critical Introduction' p24

³¹⁸ Schmallegger, F 'Criminology Today' p244

³¹⁹ *ibid*

³²⁰ Schmallegger, F 'Criminology Today' p245

³²¹ Schmallegger, F 'Criminology Today' p243

Greenberg is a theorist who looks at association between crime and age. He firstly considered the sources of motivation for juvenile involvement in crime. Greenberg then considered that the involvement of crime is not the same amongst the age groups because the 'costs of apprehension' are different for persons of different ages.³²² What this means is that different life goals are prioritised at different stages of the life-cycle and when looking at delinquency we need to examine what goals are given a high priority by adolescents, and this serves as motivation for involvement in crime.

The transition from childhood to adolescence is a time when there is a strong desire to fulfil the expectations of peers while there is a reduction of concern with parental fulfilment.³²³ Popularity with peers is not problematic but participation in 'teenage social life' does require resources and if parents are unable or unwilling to finance their children's social life then children often seek out full or part-time employment.³²⁴ However, in an employment market like South Africa, which does not cater to casual employment, teenagers find it difficult to finance an 'increasingly costly social life'.³²⁵ This social life is elevated in importance during adolescence and leads to theft as a means to participate in the social activities with their peers with the absence of funds. As adolescents get older their vulnerability to their peers decrease and they often involved in other activities, which provide for alternative sources for 'self-esteem'.³²⁶

Farrington suggested the following variables with respect to predicting future criminality; socio-economic deprivation (low family income, poor housing), poor parenting and family conflict, criminal and anti-social families, low intelligence and school failure, hyperactivity/ impulsivity/ attention deficiency, and anti-social behaviour (heavy drinking, drug usage, promiscuous sex).³²⁷ Chronic offenders were found to have friends and peers who were also offenders and early anti-social behaviour included aggression,

³²² Greenberg, DF 'Delinquency and the Age Structure of Society' p194

³²³ op cit p195

³²⁴ op cit p196

³²⁵ op cit p197

³²⁶ Greenberg, DF 'Delinquency and the Age Structure of Society' p199

³²⁷ Farrington quoted in Muncie, J ' Youth and Crime: A Critical Introduction' p24/5

dishonesty.³²⁸ Farrington stated that individuals convicted at an early age (10-13) tended to become 'persistent offenders' and he went on to claim that a future 'chronic offender' could quite accurately be identified at the age of 10 years.³²⁹ Farrington found that offending tends to peak around the age of 17 and 18 years and then declines and by 35 years most offenders tend to lead a conforming lifestyle.³³⁰

Farrington designed a theory to explain offending by lower-class males and he called it 'Integrated Cognitive Antisocial Potential' theory. The theory is an integration of many theories that I have canvassed earlier in this dissertation including strain, control, learning, labelling, and rational choice approaches. The central idea is that the movement from antisocial potential to antisocial behaviour depends on 'cognitive (thinking and decision-making) processes that take account of opportunities and victims'.³³¹

Greenberg also notes that in addition to crime being more prevalent at certain ages, males are disproportionately more involved in crime than women. The prison population, cited earlier is a testament to this. Crime can be a response to masculine status anxiety. If children are raised in a community where there is a high rate of male unemployment, this could serve as a negative role model as opposed to their middle class peers.³³² Male involvement in crime is also a response to the 'structural constraints' that are imposed by the economic and political order coupled with the 'cultural expectations' for men in the new democratic South Africa.³³³ A strange contradiction is that in pursuit for masculine status, one would expect offences in pursuit of material gain but instead this anxiety results in more violent offences such as homicides, rape and assaults.³³⁴ Greenberg goes on to mention that violent crime involves less reflection than 'crimes of

³²⁸ Schmallegger, F 'Criminology Today' p247

³²⁹ Farrington quoted in Muncie, J 'Youth and Crime: A Critical Introduction' p25

³³⁰ Schmallegger, F 'Criminology Today' p247

³³¹ *ibid*

³³² Greenberg, DF 'Delinquency and the Age Structure of Society' p207

³³³ *ibid*

³³⁴ Greenberg, DF 'Delinquency and the Age Structure of Society' p208

acquisition' and violent crimes tend to decline less rapidly with age than property crimes.³³⁵

Social capital is a concept introduced by Laub and Sampson it refers to the degree of positive relationships with other people and social institutions that individuals build up during their lives.³³⁶ This social capital is 'enhanced' by education, consistent employment, enriching personal connections.³³⁷ The greater a person's social capital, the lesser the chance of criminal involvement. In South Africa the relationships between young people and older generations are quite strained and the State provision for enhancing a person's worth such as education, employment creation and provision of basic services is quite stunted. This results in young people having very little social capital, hence the greater chance of criminal involvement.

Foster criticises this theory as he states that it does not account for 'conflicting cultural and moral values embedded in different material realities'.³³⁸ Craine and Coles considered 'career' from a different perspective and looked at how young people in urban settings coped with unemployment with 'alternative careers' that they developed which included scamming, hustling stolen goods, street trading, theft, robbery and drug dealing.³³⁹ Craine and Coles suggest that a criminal career is a rational response to '(lack of) opportunities' available to young people.³⁴⁰ In South Africa with the high rate of unemployment and structurally impenetrable legitimate opportunities, young people in townships engage in the range of alternative careers suggested by Crain and Coles.

The final group within the Social Problems Perspective of theoretical criminology is known as the **Social Conflict Theories**. Within this group one can locate radical criminology, feminist criminology, left-realist criminology and peacemaking criminology. Social Conflict Theories emphasize the power of conflict within society, which is thought

³³⁵ op cit p211

³³⁶ Schmallegger, F 'Criminology Today' p245

³³⁷ ibid

³³⁸ Muncie, J 'Youth and Crime: A Critical Introduction' p25

³³⁹ Muncie, J 'Youth and Crime: A Critical Introduction' p26

³⁴⁰ ibid

to be based largely on inequalities between social classes.³⁴¹ This theory emphasises that conflict is a fundamental aspect to social life.

I would like to consider the impact of *Marxist thought* as it provides a basis for looking at deviance as a result of social conflict.³⁴² Marx's 'grand theory' looked specifically at the evolution of the contemporary industrial society.³⁴³

According to Marxist thought, deviance is inherent in capitalist societies. Marx perceived deviance/crime as an 'expression of a struggle in which the economically powerless attempt to cope with exploitation and poverty'.³⁴⁴ Marx also perceived criminal behaviour as breaking the monotony of everyday security of bourgeois life.³⁴⁵ The deviant therefore gives rise to that 'uneasy tension' which gives a stimulus to productive forces.³⁴⁶ Crime is seen to take a sector of the population off the labour market, which in turn reduces competition among labourers.³⁴⁷ The struggle against crime develops a whole new sector that includes the police, criminal justice system, legislative system and legal professors.³⁴⁸ That is to say, criminals create an entire labour sector. The criminal is seen as a 'counterweight', which brings about the correct balance and initiates a range of 'useful occupations'.³⁴⁹ Marx's observation of the relationship between the deviant and non-deviant aspects of society is that deviance serves many purposes in support of our existing society.

Marx's conception of society as consisting of conflicting economic groups remains an important contribution to social theory and is for this reason primarily a significant contribution to theoretical criminology. This idea has contributed to the development of many other theories in the field of criminology. It is of particular relevance in South Africa

³⁴¹ Schmalleger, F 'Criminology Today' p265

³⁴² McCaghy, CH & Capron, TA 'Deviant Behaviour – Crime, Conflict and Interest Groups' p52

³⁴³ ibid

³⁴⁴ op cit p53

³⁴⁵ Elster, J 'Karl Marx – A Reader' p321

³⁴⁶ ibid

³⁴⁷ ibid

³⁴⁸ Elster, J 'Karl Marx – A Reader' p320

³⁴⁹ op cit p321

because of the new emerging Black middle class. The discriminating factor in contemporary South Africa is 'class'. The gap is continually widening between the middle class and working class across the racial bar. The emerging class struggle jeopardises the very fabric of a peaceful and productive society.

The *Conflict Approach* sees delinquency as rooted in alienation and powerlessness. Some conflict theorists emphasise the importance of socio-economic class, some focus on power and authority and others look at group and cultural conflict.³⁵⁰ Theories that are based on class conflict are referred to as radical criminology because they support 'drastic, fundamental principles that are consistent with Marxist principles'.³⁵¹

Radicals believe that the cause of crime lies at the core of the capitalist society and its legal system and until the capitalist structure fails or is replaced by socialism the problem of crime will persist.³⁵² Radicals stress the importance of the ruling class in defining what is deviant and the importance of class position in determining whether one's behaviour will be termed deviant. Quinney, a radical theorist states that an understanding of crime in a capitalist society necessitates an understanding of the natural products and contradictions inherent in capitalism: 'alienation, inequality, poverty, unemployment, spiritual malaise and economic crisis'.³⁵³

Radical Criminologists asserts that the causes of crime are rooted in social conditions or structures, which empower the wealthy and the politically well-organised but 'disenfranchise' those who are less fortunate.³⁵⁴ Radical Criminology developed in the 1960's and is also known as Marxist criminology.³⁵⁵ Marx saw the struggle between the classes as inevitable to the evolution of any capitalist society. Vold helped to create the field of Radical Criminology in 1958 and he described crime as the product of political conflict between groups, seeing it as a natural expression of the ongoing struggle for

³⁵⁰ Bartollas, C 'Juvenile Delinquency' p213

³⁵¹ McCaghy, CH & Capron, TA 'Deviant Behaviour – Crime, Conflict and Interest Groups' p101

³⁵² *ibid*

³⁵³ Bartollas, C 'Juvenile Delinquency' p213

³⁵⁴ Schmallegger, F 'Criminology Today' p265

³⁵⁵ Walklate, S 'Understanding Criminology' p29

power, control and material well-being - conflict was perceived therefore to be normal.³⁵⁶ Vold also suggests that powerful groups make laws and those laws protect their interests. Vold produced a theory that emphasised the group nature of society and the various competing interests of those groups.³⁵⁷ Vold sees criminal acts as behaviour that results when groups are struggling for the control of power in the political and cultural organisation of a society.³⁵⁸ Vold argues that groups have to be watchful of their interests and must be ready to defend them.³⁵⁹ This was certainly the case with respect to the violent resistance against apartheid. The behaviour was termed deviant because it was in the interests of the ruling class to do so.

Turk in 1969 also considered the social order as a pattern of conflict and the laws served to control less prominent social groups.³⁶⁰ Turk extended the Weberian tradition that stated that political struggle exists among different groups attempting to promote or enhance their own life chances.³⁶¹ Turk argues that the social order of society is based on the relationship of conflict and domination between authorities and subjects.³⁶² This theory focuses on power and argues that conflict takes place over a range of social and cultural norms. This could be applied to South Africa youth today, who are involved in crime to improve their options.

Chambliss looked at the power gaps in the 1970's as a result of class struggle and introduced the radical idea that crime reduces surplus labour by creating jobs for not only criminals but also law enforcers.³⁶³ For Chambliss capitalism perpetuated crime as a result of the economic stratification of that society, Quinney concluded in 1974 that crime was inevitable under capitalist conditions as crime was a result of the material conditions of life and that there is a need for a socialist society in order to combat this.³⁶⁴

³⁵⁶ Schmallegger, F 'Criminology Today' p266

³⁵⁷ Williams, FP & McShane, MD 'Criminological Theory' p159

³⁵⁸ Bartollas, C 'Juvenile Delinquency' p216

³⁵⁹ Williams, FP & McShane, MD 'Criminological Theory' p159

³⁶⁰ Schmallegger, F 'Criminology Today' p267

³⁶¹ Bartollas, C 'Juvenile Delinquency' p214

³⁶² Bartollas, C 'Juvenile Delinquency' p214

³⁶³ McCaghy, C H & Capron, TA 'Deviant Behaviour' p100

³⁶⁴ Walklate, S 'Understanding Criminology' p28

Quinney's central argument is that the development of capitalism increases the level of class struggle and produces in the 'working class a need for actions that may be defined as criminal by the capitalist class'.³⁶⁵

A critique of radical-critical criminology is that there is general public consensus that crime is undesirable and that criminal activity is to be controlled.³⁶⁶ Low levels of crime in capitalist countries such as Japan also fall short of the explanations offered by radicals.

Left-realist Criminology is a branch of radical criminology that suggests that crime is a 'real' social problem that is a result of the class structure.³⁶⁷ This theory developed in the 1980's and has grown out of the fear of crime and everyday victimisation. DeKeseredy and J. Young in the 1980's and 1990's are credited with popularising left-realist notions. Left-realists argue that victims of crimes are often the 'poor and the disenfranchised who fall prey to criminals with similar backgrounds'.³⁶⁸ They also do not see the criminal justice system as pawns of the powerful but rather as useful institutions that can offer useful services if modified.³⁶⁹ According to left-realism, if criminology is to have any practical relevance then radical ideas must be translated into relevant social policies.³⁷⁰

Left Realism has its roots in earlier labelling theorists and Marxist criminology and forms part of the radical school of criminology. This form of criminology has been influential because it offered a wide-ranging critique of the then dominant form of criminology that looked for the cause of crime within the individual.³⁷¹ The work of Taylor, Walton and Young formed the basis of this theory. They place an emphasis on the nature of social rules and labels as well as the social reaction to individuals that contravene these rules.

³⁶⁵ Quinney, R 'Class, State and Crime' p99

³⁶⁶ Schmallegger, F 'Criminology Today' p270

³⁶⁷ Young, J 'Left Realist Criminology: Radical in its analysis, Realist in its Policy' p473 in Maguire, M *'The Oxford Handbook of Criminology'*

³⁶⁸ Schmallegger, F 'Criminology Today' p272

³⁶⁹ Young, J 'Left Realist Criminology: Radical in its analysis, Realist in its Policy' p492 in Maguire, M *'The Oxford Handbook of Criminology'*

³⁷⁰ Schmallegger, F 'Criminology Today' p272

³⁷¹ Walklate, S 'Understanding Criminology' p29

They were therefore sociological relativists i.e. what is deviant for one person may not be deviant for another.³⁷² Taylor, Walton and Young considered whether behaviour was deviant only when labelled as such and if it was possible that an individual becomes deviant due to social reaction to the initial rule-infraction.³⁷³ They also questioned whether social control agencies only reflect the indices of deviance that is processed.³⁷⁴

Taylor, Walton and Young contemplated whether being deviant meant that an individual was passive, ineffectual, stigmatised or rather if that being deviant was a decision-maker, who often actively violates the moral and legal codes of society?³⁷⁵ Deviance cannot only be grasped in respect of social reaction. The realists therefore offered a theory 'synthesizing labelling theory with Marxism' so that individual action and meaning could be considered alongside the power of State agencies to control and define.³⁷⁶

The New Criminology that was proposed by Taylor, Walton and Young has seven elements to it.

- i. The first argues that the *wider origins of the deviant act* should be considered.³⁷⁷ That is individual behaviour must be placed in a wider social, political and economic context, such as the advanced industrial society.³⁷⁸ Structural considerations, which involve recognition of intermediate structural questions such as: ecological areas, subcultural location and distribution of opportunities for theft should be considered.³⁷⁹
- ii. The second element considers the *immediate origins of the deviant act*. That is how and why individuals choose to respond to deviance and their structural

³⁷² Taylor, Walton & Young 'The New Criminology' p140

³⁷³ op cit p141

³⁷⁴ ibid

³⁷⁵ Taylor, Walton & Young 'The New Criminology' p147

³⁷⁶ Walklate, S 'Understanding Criminology' p29

³⁷⁷ Taylor, Walton & Young 'The New Criminology' p270

³⁷⁸ Walklate, S 'Understanding Criminology' p29

³⁷⁹ Taylor, Walton & Young 'The New Criminology' p270

location in the way that they do.³⁸⁰ This is often referred to as the social psychology of crime.³⁸¹

- iii. The third looks at the *actual act*.³⁸² This explores the relationship between beliefs and action, between the optimum 'rationality' that has been chosen, the behaviours that are actually carried through and the social dynamic surrounding them.³⁸³
- iv. The fourth emphasises the *immediate origins of social reaction* to the crime.³⁸⁴ This looks at the conditions that were crucial to the decision to act against the deviant.³⁸⁵ The deviant act itself may be precipitated by the reactions of the audience. The subsequent definition of the act itself is the product of close personal relationships so the social audience is perceived to have a degree of choice.³⁸⁶
- v. The fifth considers the *wider origins of deviant reaction* and considers the political and ideological concerns of the State.³⁸⁷
- vi. The sixth concern is the *outcome of social reaction on the deviant's further action* and the impact of that social reaction.³⁸⁸ That is whether that reaction leads to rejection and stigmatisation of the individual.³⁸⁹
- vii. The final characteristic considers a 'fully social theory'³⁹⁰ that is the nature of the deviant process as a whole, relationship between individual and society.³⁹¹

³⁸⁰ Taylor, Walton & Young 'The New Criminology' p270

³⁸¹ Walklate, S 'Understanding Criminology' p29

³⁸² Taylor, Walton & Young 'The New Criminology' p271

³⁸³ *ibid*

³⁸⁴ Taylor, Walton & Young 'The New Criminology' p272

³⁸⁵ Muncie, J 'Youth and Crime: A Critical Introduction' p127

³⁸⁶ Taylor, Walton & Young 'The New Criminology' p273

³⁸⁷ Walklate, S 'Understanding Criminology' p30

³⁸⁸ *ibid*

³⁸⁹ Taylor et al 'The New Criminology' p275

Left Realism requires that these seven requirements must be considered when embarking on a theoretical discussion of crime. This theory attempted to fuse Marxist principles with ideas that emerged from interactionism and labelling. This theory focused on the political and structural inequalities of race, class and gender as the causation of crime while examining patterns of crime and control.

The macro, social-psychological and situational aspects of this theory need to be given some additional attention.

The macro or 'wider origins of the deviant act', as the left realists describe it, can only be understood if it is situated in the contemporary context of an 'advanced industrial society', taking into account the constant flux of economic and political prospects of this time.³⁹² Taylor, Walton and Young refer to the macro-economic structure of this advanced stage of western capitalism as the breeding ground for the 'political economy of crime'.³⁹³ They argue that deviance is a mechanism utilised by people at different levels of the social class structure in order to resolve the demands imposed by the dominant class.

This friction in turn leads to the social psychology of crime where these theorists recognise that people may 'consciously' opt for the deviant road as a solution to close the gap of existing in a contradictory society.³⁹⁴ The choice is however also largely dependent on the person's 'individual attributes', which will direct how a person will react to situation that they find themselves in.³⁹⁵

The authors go on to describe the situational phase, where and individual carefully weighs the options of getting involved in a deviant act.³⁹⁶ A person with perceived

³⁹⁰ Walklate, S 'Understanding Criminology' p30

³⁹¹ Taylor et al 'The New Criminology' p276

³⁹² op cit p270

³⁹³ ibid

³⁹⁴ op cit p271

³⁹⁵ op cit p273

³⁹⁶ op cit p271

blocked opportunities, experiences status frustration and may want to engage in a hedonistic activities or try to assert control over some the opportunities available to him. The individual may evaluate the social dynamics of the situation and engage in a deviant act. As opposed to Lemert, the left realists believe that the deviant exercises some degree of control when engaging in deviance.³⁹⁷

Depending on the choice exercised by the deviant, this will result in various social agencies from the police to welfare department's utilising their discretion regarding the punishment of such individuals.³⁹⁸ The reaction of the social agencies will be limited to the options available to them. So for example if there are few rehabilitative facilities available, an deviant incident may result in an individual in continued law-breaking activity, rather than providing alternative opportunities for individuals who find themselves in such a situation.

Radical criminology was re-oriented to form the left realist school by theorists such as by Young, Taylor and Lea. Young recently developed a theory called 'The Exclusive Society', which looks at the phenomenon of social exclusion and crime in late modernity with an emphasis on the impact of economic and cultural globalisation and the tensions that has resulted. Young sees the transition from modernity to late modernity as a move from an inclusive to an exclusive society.³⁹⁹ The fragmentation of the post-fordist labour market has created a situation in market economies where very few workers have secure, well-paid employment. Young argues that the market forces have transformed a world of 'material certainty and uncontested values' with a world of 'risk and uncertainty'.⁴⁰⁰

As a result of the capitalist market a section of the population has been excluded, marginalized and relegated to the periphery – they have become the underclass. Market forces generate a more unequal society, which encourages individualism and this leads

³⁹⁷ op cit p272

³⁹⁸ ibid

³⁹⁹ Dixon, B 'Exclusive Societies: towards a critical criminology of post-apartheid South Africa' p209

⁴⁰⁰ Young, J 'The Exclusive Society-Social Exclusion, Crime and Difference in Late Modernity' p1

to decline of informal social control as communities and families living within them disintegrate, fragment and decline.⁴⁰¹ Pressures as a result of changes in production and consumption in the market lead to an increase in crime and disorder.

Young describes this phenomenon as 'bulimia' - that is as a direct consequence of globalisation cultural differences are diminished in society (wider culture implodes on the local culture) but the lower classes are excluded from the realisation of the consumer global culture by not including them in the job market. The income of the underclass is not sufficient to acquire the commodities of the late modern societies.⁴⁰² The underclass is then constructed as the 'other' who has 'defective' norms compared with the 'normal majority'.⁴⁰³

Young reworks the concept of 'relative deprivation' in the context of late modernity, where there is a cultural sense of inclusion but structural exclusion, an excess of 'expectations over opportunities'⁴⁰⁴ - the result is exacerbation of relative deprivation and a crisis of identity.⁴⁰⁵ Young refers to this as the 'dual city' where the poor are confronted daily with the inequality of the market economy. The poor (often in the role of nannies, kitchen help, waiters, cleaners, gardeners) directly experience this uneven distribution of poverty.⁴⁰⁶ The intensity of this exclusion leads to a vindictiveness where the motivation to commit crime is to revolt against economic insecurity and deprivation.⁴⁰⁷ The

⁴⁰¹ Young, J 'Crime and Social Exclusion' p459 in Maguire, M et al 'The Oxford Handbook of Criminology' Third Edition.

⁴⁰² Young, J 'Crime and Social Exclusion' p471 in Maguire, M et al 'The Oxford Handbook of Criminology' Third Edition.

⁴⁰³ Young, J 'Merton with energy, Katz with structure: The sociology of vindictiveness and the criminology of transgression' p389

⁴⁰⁴ Lea, J & Young, J 'Relative Deprivation' p141 in Muncie, J et al 'Criminological Perspectives: A Reader'

⁴⁰⁵ Young, J 'Merton with energy, Katz with structure: The sociology of vindictiveness and the criminology of transgression' p396

⁴⁰⁶ Young, J 'Merton with energy, Katz with structure: The sociology of vindictiveness and the criminology of transgression' p396

⁴⁰⁷ op cit p390/1

'perception of injustice' is what leads to friction within society.⁴⁰⁸ Exclusions occur by the labour market, civil society and the State. The economically excluded resent the fact that they are unable to participate in the global consumerism. Young concludes by stating that the young unemployed facing 'acute' political marginalisation and a greater sense of relative deprivation that leads to a rise in violent crime.⁴⁰⁹ Crime is seen as a reaction to an unjust society.

Dixon's comment on Young's argument as it pertains to South Africa is that the transition to democracy 'represents a shift from an exclusive to an bulimic' society.⁴¹⁰ The democratic government is being confronted instead with the exclusionary practices that come with neo-liberal global economies in late modern market societies. The nature of relative deprivation is so glaring in South Africa and the aspiration of Black South Africans in the democratic South Africa to the lifestyle of their White 'compatriots' seems even more elusive.⁴¹¹ According to Dixon macro-economic policies like GEAR⁴¹² perpetuates the 'structural exclusivity' of an increasingly marketwise post apartheid society and this policy has certainly failed to produce increases in employment as it predicted it would.⁴¹³

Taylor has considered the context of the increased levels of inequality in many new market societies where the gap between wealthy and poor is widening.⁴¹⁴ Parents are unable to pass on any possibility of escape from this poverty to their children. Taylor goes on to say that the marketing of the consumer items takes on a special significance to the young underclass as it provides a 'momentary distraction' from the strain of their

⁴⁰⁸ Lea, J & Young, J 'Relative Deprivation' p136 in Muncie, J et al '*Criminological Perspectives: A Reader*'

⁴⁰⁹ op cit p141

⁴¹⁰ Dixon, B 'Exclusive Societies: towards a critical criminology of post-apartheid South Africa' p213

⁴¹¹ op cit p216

⁴¹² GEAR = Growth, Employment And Redistribution

⁴¹³ Dixon, B 'Exclusive Societies: towards a critical criminology of post-apartheid South Africa' p218

⁴¹⁴ Taylor, I 'Crime in Context: A Critical Criminology of Market Societies' p68

daily lives.⁴¹⁵ Taylor re-iterates Young in stating that the markets of 'pleasure and leisure' that are pursued by young people in relation to their income are divergent. Taylor also emphasises that money has become the definitive of masculinity which lends itself to a more aggressive form of crime in pursuit of the cultural capital as the money does not only serve to allow the accumulation of consumables but also serves to define a man's sense of masculinity and self-worth.⁴¹⁶ Taylor says that the masculinism of the new poor then takes on a more 'desperate quality' which results in more violent and confrontational forms of crime.⁴¹⁷ The high rates of unemployment do not assist in creating a positive self-image for these young men. According to Lea the socially excluded had to innovate.⁴¹⁸ Types of crime that are tolerated are those, which lend itself to the survival of the perpetrator, hustling is seen as an adaptation of the socially marginalized.⁴¹⁹ The opportunity to supplement their low standard of living is seen as 'common sense' and not crime.⁴²⁰

Feminist Criminology is a radical criminological approach to the explanation of crime that developed in the 1970's and sees the conflict and inequality present in society as being based primarily on gender.⁴²¹ This strand of criminology is a 'self-conscious corrective model' that was intended to include gender awareness to the mainstream of criminology.⁴²² Smart in 1977 did much to sensitise criminologists to the sexist tradition within the field of criminology and the bias in male-centred theories of crime.⁴²³ She also emphasized the need for women to have a voice.⁴²⁴ Adler and Simon in 1975 asserted that the discrepancy between female and male crime rates was due to the fact that women were socialised to believe in personal limitations and that with the dawning of

⁴¹⁵ op cit p70

⁴¹⁶ Taylor, I 'Crime in Context: A Critical Criminology of Market Societies' p77

⁴¹⁷ op cit p79

⁴¹⁸ Lea, J ' Social Crime Revisited' in '*Theoretical Criminology*' p317

⁴¹⁹ op cit p319

⁴²⁰ Parker quoted in Lea, J ' Social Crime Revisited' in '*Theoretical Criminology*' p319

⁴²¹ McCaghy, C H & Capron, TA 'Deviant Behaviour' p79

⁴²² Schmallegger, F 'Criminology Today' p272

⁴²³ Jurik, NC 'Socialist Feminism, Criminology and Social Justice' p35 in Arrigo, BA 'Social Justice / Criminal Justice'

⁴²⁴ Schmallegger, F 'Criminology Today' p272

gender equity criminality between the genders would also equalise.⁴²⁵ This has not been validated to date.

Baron and Straus combine theoretical elements to form an integrated theory of rape. They state that when a community legitimises the use of violence to resolve any situation the 'spill over' effect is governed by similar norms in other interactions.⁴²⁶ They also state that gender inequality is related to rape and as women attain position of power in society, 'rape' is challenged as a mechanism of social control over women.⁴²⁷ Griffin states that rape is an expression of male power and serves as a 'kind of terrorism' that enables men to control women and make them dependant.⁴²⁸ Brownmiller states that rape is a conscious process of intimidation by which 'all men keep all women in a state of fear' and that men who do not rape do not do so because their power over women is already secure.⁴²⁹ Brownmiller's theory can be criticised for its sweeping generalisations, which are not universal. Segal indicates that sexual violence against women corresponds closely with the general levels of violence prevalent in a society.⁴³⁰ Some men may engage in violence to assert their masculinity but there are also men who worked in organisations committed to non-violence.⁴³¹

Segal goes on to say that there is a link between the rise in violent crimes generally and sexual assaults on women and she suggests that the creation of a 'permanent underclass' is the source of crime against people.⁴³² Segal suggests that contemporary capitalism as lead to the marginalisation of the lower working class, which has lead to an

⁴²⁵ Williams, FP & Mcshane, MD 'Criminological Theory' p233

⁴²⁶ Schmalleger, F 'Criminology Today' p304

⁴²⁷ *ibid*

⁴²⁸ Griffin as quoted in Segal, L ' Explaining male violence' in Muncie, J 'Criminological Perspectives: A Reader' p187

⁴²⁹ Brownmiller as quoted in Segal, L ' Explaining male violence' in Muncie, J 'Criminological Perspectives: A Reader' p189

⁴³⁰ Segal, L ' Explaining male violence' in Muncie, J 'Criminological Perspectives: A Reader' p190

⁴³¹ *op cit* p199

⁴³² *ibid*

increase in violent crime, including sexual assault.⁴³³ That is not to say that male violence does not exist in other groups, it is common to all social classes but it is particularly visible amongst those groups that are excluded from the status that is attained in 'educational and occupational success'.⁴³⁴

Daly and Chesney-Lind pointed out in 1988 that crime studies were 'andocentric' and that traditional understandings of crime as a normal part of life may be incorrect because these understandings are derived from the study of a relatively small group of men that commit crimes.⁴³⁵ Hagan introduced the Power-Control Theory in 1989, which suggests that family and class structure 'shapes the reproduction of gender relations' and therefore in turn the distribution of delinquency.⁴³⁶ Feminist criminology is useful as it adds a gendered perspective to the debates within criminology.

Peacemaking Criminology emerged in the 1980's and suggests that crime control agencies and citizens must work together to alleviate social problems and that includes crime.⁴³⁷ Pepinsky and Quinney in 1986 considered 'how to make peace' within the society and between citizens and justice agencies.⁴³⁸ This seeks to be a non-violent criminology based on compassion and service and seeks to eliminate suffering and in this way crime.⁴³⁹ In 1989 Lozoff and Braswell claimed that the criminal justice system is founded on violence and that it cannot overcome violence with violence. Lozoff and Braswell are quite 'new age' in their thinking and focus treatment on the inner-child as they propose that if there is no peace within us then there can be no peace in society.

Restorative and Participatory Justice is a model that has been adopted within Peacemaking Criminology. They suggest that crime control can be achieved if a peace model is based on cooperation rather than retribution.⁴⁴⁰

⁴³³ op cit p200

⁴³⁴ Muncie, J ' Youth and Crime: A Critical Introduction' p33

⁴³⁵ Williams, FP & Mcshane, MD 'Criminological Theory' p233

⁴³⁶ op cit p235

⁴³⁷ Schmallegger, F 'Criminology Today' p265

⁴³⁸ Williams, FP & Mcshane, MD 'Criminological Theory' p263

⁴³⁹ Schmallegger, F 'Criminology Today' p278

⁴⁴⁰ ibid

Conclusions

As is evident from the above, criminology is a field that has a multitude of theoretical explanations for the causation of crime. Each theory brings with it some relevance to the South Africa situation but also some limitations. There are many advocates of theory integration who have the ultimate goal of developing a unified theory for crime causation and prevention. However, for this dissertation I think that rather than try to integrate all criminological theories it is better to draw on theories that are relevant to the understanding of the specific concepts explored in the next chapter, namely; 'youth culture' 'subculture', 'marginalisation', 'deviance', 'crime', and 'violence'. I tend to lean toward the schools located within the Social Problems Perspective as I think that they assist in providing a more realistic understanding of the South African context than the Social Responsibility Perspective.

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CHAPTER 3: CONCEPTUAL DISCUSSION

Chapter 3.1 Youth Culture

After looking at the definition of 'youth' I would like to consider the term 'youth culture'. Talcott coined the term 'youth culture' to describe the 'unique and highly distinctive behaviour' amongst American adolescents.⁴⁴¹ Youth culture revolves centrally around age but the concept of youth culture exists together with class, ethnicity and gender.⁴⁴² Parsons saw youth culture as the time when young people break away from their dependence on families and indulge in 'hedonism, leisure consumption and irresponsibility' rather than productive work.⁴⁴³ Class inequalities amongst youth dictate the work and leisure opportunities available to young people.

Culture is a relative concept that relies on common terms and functions, which allow for comparisons of civilization and social development.⁴⁴⁴ In the comparative exercise, culture is a useful locator when examining social relationships and behaviours that are in transition. Cultures are very complex conversations within any social formation.⁴⁴⁵ A cultural context within which contemporary youth can be framed needs to be nominated.⁴⁴⁶ I would like to direct my focus now to what 'youth culture' means in contemporary South Africa.

Chapter 3.1 (a) Defining Culture

The term 'culture' refers to; 'knowledge, beliefs, values, codes, tastes and prejudices that are traditional in social groups and that are acquired by participation in such groups'.⁴⁴⁷

⁴⁴¹ Muncie, J 'Youth and Crime: A critical introduction' p160

⁴⁴² Wyn, J & White, R 'Rethinking Youth' p75

⁴⁴³ Muncie, J 'Youth and Crime: A critical introduction' p161

⁴⁴⁴ Findlay, M 'Globalisation of Crime' Footnote 1 on pvii

⁴⁴⁵ Chanock, M 'Culture and Human Rights' in Mamdani, M '*Beyond Rights Talk and Culture Talk*' p18

⁴⁴⁶ Findlay, M 'Globalisation of Crime' pvii

⁴⁴⁷ Cohen, AK 'Delinquent Boys – The Culture of the Gang' p12

Wolfgang considers Kroeber and Kluckhohn's definition of 'culture'. This definition states that :

'culture consists of patterns, explicit and implicit by symbols, constituting the distinctive achievements of human groups, including their embodiments in artefacts; the essential core of culture consists of (i.e. historically derived and selected) ideas and especially their attached values; culture systems may, on the one hand, be considered as products of action, on the other hand as conditioning elements of further action'.⁴⁴⁸

Culture can be said to 'provide the medium for human life and human expression' as it is the mechanism through which humans learn and 'internalise norms, values and attitudes' from birth.⁴⁴⁹ It is therefore one's culture that 'shapes, moulds, limits and develops' the human self.⁴⁵⁰ Bourgois thinks that cultures are never good or bad but rather that they have an internal logic.⁴⁵¹ Culture can also be seen in the way and 'form in which groups handle the raw material of their social and material existence'.⁴⁵² The culture of a group or class is the 'peculiar and distinctive 'way of life' of the group or class'. Culture reflects the meanings, the values and ideas embodied in institutions, in social relations, in systems of beliefs, 'in mores and customs', as well as in the use of objects and material life.⁴⁵³ Culture is therefore a notoriously ambiguous and multi-faceted concept to define.

As long as there is more than one class in a society there will always more than one major 'cultural configuration'.⁴⁵⁴ The structure that most adequately reflects the interests of the most powerful class will stand as the dominant social-cultural order.⁴⁵⁵ The

⁴⁴⁸ Wolfgang, M E and Ferracuti, F 'The Subculture of Violence' p96

⁴⁴⁹ Morrison, W 'Theoretical Criminology: from modernity to post-modernism' p273

⁴⁵⁰ ibid

⁴⁵¹ Bourgois, P 'In Search of Respect' p15

⁴⁵² Clarke, J et al 'Subcultures, Cultures and Class' in Hall, S & Jefferson, T '*Resistance Through Rituals*' p10

⁴⁵³ ibid

⁴⁵⁴ Clarke, J et al 'Subcultures, Cultures and Class' in Hall, S & Jefferson, T '*Resistance Through Rituals*' p12

⁴⁵⁵ ibid

dominant culture of a complex society is never a homogenous structure. It is layered and reflects the different interests of the dominant class. Although dominant and subordinate classes have distinct cultures each subordinate culture still 'experiences itself in terms prescribed' by the dominant culture and in this way dominant culture establishes the basis of a 'dominant ideology'.⁴⁵⁶ Cultural hegemony can only be maintained as long as the dominant classes can 'succeed in framing all competing definitions within their range' so that the subordinate groups, if not controlled, are at least contained within a certain ideological space.⁴⁵⁷ This was very much the case during colonialism and apartheid and now in the democratic South Africa which strives to participate in the global market economy.

Culture is often seen as a 'normative system' that is a functional requirement of a 'human social order'.⁴⁵⁸ Spiro basically advocates that custom and culture set limits to human behaviour as to what are acceptable norms for that culture. According to Thorsten Sellin, a 'cultural conflict' has arisen in modern society because various groups in that coherent society have had the strength to provide what is considered correct and incorrect behaviour.⁴⁵⁹ So what has emerged are various definitions of what is considered 'normal' or correct and acceptable behaviour.

South Africa is a complex society when it comes to a discussion pertaining to culture. The dominant culture in the past was that of the colonial and apartheid rulers, who promoted a capitalist culture of middle class values favouring White settlers. This dominant culture created an atmosphere steeped in fear for Black South Africans and ensured adherence to these cultural norms in a brutal manner that disintegrated the dignity of Black South Africans. The added context of a market economy structurally and politically included White people while systematically excluded Black people from participating in the system. In fact in order for the capitalism system to function optimally,

⁴⁵⁶ Clarke, J et al 'Subcultures, Cultures and Class' in Hall, S & Jefferson, T '*Resistance Through Rituals*' p12

⁴⁵⁷ Hebdige, D 'Subculture: The meaning of style' p16

⁴⁵⁸ Spiro, ME as quoted in Morrison, W 'Theoretical Criminology: from modernity to post-modernism' p273

⁴⁵⁹ Sellin, T as quoted in Morrison, W 'Theoretical Criminology: from modernity to post-modernism' p274

it was preferable for Black people to remain unskilled.

What we term 'culture' in South Africa has a history that was intertwined with a political agenda.⁴⁶⁰ Since 1994 the ruling apartheid regime has been replaced by the ANC ruling party. There has therefore been a dramatic cultural switch, so dramatic that that the New National Party is now adopting the 1955 ANC Freedom Charter.⁴⁶¹ The economic system is still that of a market structure. Although there has been political inclusion to some extent, the mechanisms for structural inclusion for participation in the formal market is still inadequate and remains inaccessible to the bulk of South Africans but they have greater recourse to the second economy. More resources on the part of Government needs to be directed to the development and regulation of the second economy as it realistically accessible to a greater percentage of the population.

The relative uniformity of a culture from one generation to another, the usual slow rate of change, is a clear indication that norms of the culture are uncritically accepted by a large majority of people. Some values may crystallize and become meaningful to the individual only after she/he has become an adult. Values that are uncritically accepted are generally learned, not by experience with the objects, persons, or groups to which the values are related, but by second hand contact with the values as reflected in the ideas and the behaviour of other people. Opinions are most often derived from the opinions of other people, rather than from any knowledge of or experience with the people or objects directly.⁴⁶² This can be clearly evidenced with the continuation of the neo-liberal capitalism economy.

It could be said that 'culture' in South Africa has come to be understood as 'the entire way of life followed by a people'.⁴⁶³ Cultures consist of rules that 'generate and guide behaviour' and people are able 'through culture to collectively adapt themselves to

⁴⁶⁰ Nhlapo, T 'The African Customary Law of Marriage and the rights conundrum' in Mamdani, M *'Beyond Rights Talk and Culture Talk'* p137

⁴⁶¹ SABC3 News Bulletin 5 June 2004 at 19h00

⁴⁶² Cantril, H 'The Psychology of Social Movements' p7

⁴⁶³ Ndabandaba, GL 'Crimes of violence in Black Townships'p17 .

environmental conditions and historical circumstances'.⁴⁶⁴ Ndabandaba, a conservative African writing in the 1980's, emphasises the connection between cultural values and 'situational and circumstantial adaptations'⁴⁶⁵ and concludes that contemporary Black culture is a synthesis of 'adaptations of Black tribal origins and also of White influence'.⁴⁶⁶ This notion is problematic as there is no single Black tribal or even urban Black culture.

Cultures do also specify the approved norms or means that individuals are expected to follow in pursuing culture goals.⁴⁶⁷ Merton mentioned that all persons in a society will not achieve all the goals of a culture but there should still be a strong emphasis on the 'institutionalised means' and it is necessary to follow these means for their own value.⁴⁶⁸

As Gramsci indicated, hegemony is not universal, rather it is a moving 'equilibrium' that has to be won, reproduced and sustained. Since it requires the consent of the dominant group it will change as the dominant majority changes.⁴⁶⁹

Chapter 3.1 (b) Cultural Conflict

There are two types of cultural conflict. The primary one occurs when the norms and values of different cultures clash and the second one emerges as 'social differentiation' occurs where different groups form in society which go on to evolve, create and interpret their own sets of values.⁴⁷⁰

In South Africa the primary cultural conflict is very clear and can be characterised quite clearly with the colonial settlement. This conflict was more deeply entrenched with the

⁴⁶⁴ Ndabandaba, GL 'Crimes of violence in Black Townships' p17

⁴⁶⁵ op cit p18

⁴⁶⁶ ibid

⁴⁶⁷ Vold, GB et al 'Theoretical Criminology' p159

⁴⁶⁸ ibid

⁴⁶⁹ Gramsci, A quoted in Hebdige, D 'Subculture: The meaning of style' p16

⁴⁷⁰ Sellin as quoted in Morrison, W 'Theoretical Criminology: from modernity to post-modernism' p274

urbanisation of the capitalist apartheid regime where the indigenous people were forced to adapt to an alternative way of life. According to Ndabandaba, the tribal mores of Blacks were weakened with prolonged contact with White culture and the migrant labour system weakened family structures. This contact influenced various spheres of the daily life of Black people including 'religion, business methods and liquor'⁴⁷¹ and the indigenous Black people of South Africa became subjected to Roman-Dutch law that often conflicted with Indigenous law.⁴⁷²

The secondary cultural conflict emerged within African society as a whole. The rural-urban divide became more marked with different norms and behavioural practices emerging that governed both societies independently. The conflict arose when migration between the two spaces occurred. Within each of these cultures various subcultures also emerged with their own cultural norms that were in conflict with the dominant colonial and Apartheid culture but also with the African urban and rural cultures. In these situations there is often a manifest conflict as to the values and standards and the result of this is often considered criminal behaviour.

'Culture conflict' is sometimes thought of as being a 'cultural growth process'. This can result in the growth of a civilisation, the transference of cultural norms from one cultural group to another or may even result in the 'clash of cultural codes'.⁴⁷³

It could be said that there is a present cultural conflict between youth and the post-1994 government. Youth have been relegated to the periphery of the political arena in which they were once the centre, which realistically may be seen as the normalisation of roles. This vacuum was not filled and there has been a marked decline in youth political organisations. The government has adopted a paternalistic stance, wanting the youth to return to education institutions, which are ill equipped to deal with militant youth who had done their duty in the fight against apartheid. The old guard of the struggle took up the reigns of power in 1994 and with that have tried to create a situation of normalisation where the older voices make the relevant decisions without consulting the young people.

⁴⁷¹ Ndabandaba, GL 'Crimes of Violence in Black Townships' p4

⁴⁷² *ibid*

⁴⁷³ Ndabandaba, GL 'Crimes of Violence in Black Townships' p19

This cultural conflict has succeeded in marginalising youth from the political process entirely. Post-1994 government has not been successful in re-integrating politicised youth into the market economy and has rendered them unemployable.

Chapter 3.1 (c) Cultural Revolution

Using violence as a means of resisting cultural norms has historical roots for Black South Africans, especially the youth, as can be seen in the cultural revolution of the 1980's.

During the 1950's younger activists participated in the campaigns of defiance and civil disobedience.⁴⁷⁴ A series of 'stayaways' was embarked upon to protest against Black education in the 1950's. With the declaration of the 'First State of Emergency' in 1960 and the banning of political parties involved in anti-apartheid mandates, resistance activity abated somewhat.⁴⁷⁵ School children were then brought up in homes by parents who were 'disillusioned and fatalistic' and were consumed with the difficult task of supporting their families.

It was only with leaders like Steve Biko in 1968 that renewed youth militancy re-entered the arena of schools and ethnically-based universities.⁴⁷⁶ With his formation of SASO,⁴⁷⁷ that 'embraced' all non-White university students and asserted a 'credo' of Black unity, Black self-reliance and psychological liberation, Black students overcame feelings of racial inferiority.⁴⁷⁸ It was at this stage that university students and children of school going age were recognised as a 'potential political constituency'.⁴⁷⁹ This culminated in

⁴⁷⁴ Johnson, S 'The Soldiers of Luthuli: Youth Politics of Resistance in South Africa' p97 in '*South Africa: No Turning Back*' ed Johnson, S

⁴⁷⁵ op cit p98

⁴⁷⁶ ibid

⁴⁷⁷ South African Students Organisation

⁴⁷⁸ Johnson, S 'The Soldiers of Luthuli: Youth Politics of Resistance in South Africa' p98 in '*South Africa: No Turning Back*' ed Johnson, S

⁴⁷⁹ op cit p97

the Soweto uprising of 16 June 1976 that 'catapulted' Black scholars into the forefront of militant opposition to apartheid.⁴⁸⁰

In the 1980's South Africa experienced a 'cultural revolution' where there was a 'metamorphosis in values and conventions of the profoundest type'.⁴⁸¹ The youth proved that direct mass resistance was possible. Black adults would have to 'redefine' their own actions in terms of this new reality and the apartheid government's response was also propelled to new strategies to fight this 'cultural revolution'. This uprising shook the White establishment with 'vigour' not witnessed since the Sharpsville shootings of 1960.⁴⁸² Slowly the culture of 'fear' that permeated the lives of Black South Africans was shifting. Their momentum was unstoppable. Youth injected a sense of pride of being Black to a society that was disillusioned and fatalistic.

Chapter 3.1 (d) Subculture

Cultures within a dominant culture are defined as 'subcultures'.⁴⁸³ As mentioned in the theoretical section, the term was introduced by Cohen and he applied it to the study of delinquency and focused on the set of values that differed from dominant culture.⁴⁸⁴

This a concept on which there are a wide-ranging views in respect of understanding the topic and I do not wish to delve into another theoretical discussion on this topic but will make a few brief comments.

A distinction should be made with respect to subcultures that develop as a response to 'social and cultural structures' in a way that is an expression and extension of the dominant culture but then there is also a response to these structures in the form of deviant subcultures.⁴⁸⁵ In this dissertation I would like to limit my focus to deviant

⁴⁸⁰ Johnson, S 'The Soldiers of Luthuli: Youth Politics of Resistance in South Africa' p100 in 'South Africa: No Turning Back' ed Johnson, S

⁴⁸¹ op cit p100

⁴⁸² op cit p102

⁴⁸³ Cohen, AK 'Delinquent Boys – The Culture of the Gang' p12

⁴⁸⁴ Muncie, J 'Youth and Crime: A Critical Introduction' p311

⁴⁸⁵ Brake, M 'Comparative Youth Culture' p6

subcultures in South Africa. In the past as a result of political, social, spatial and structural exclusion youth often formed subcultures in the form of gangs as a response to all of these barriers. (I discuss this at greater length in chapter 4.2)

The nature of a deviant subculture must be considered in relationship to structural problems of the wider society. Looking at the context of South Africa, being a market economy that is beginning to assimilate with the global economy, which is in the post-fordist, uncertain state, that is late modernity. Given the history of South Africa where the majority of people were deprived of education and skills acquisition in order to create a wealthy class and the majority have as yet not been adequately been provided with structural opportunities to increase their legitimate access to the market.

As opposed to Cohen who thought that deviant subcultures have a value system that was different to the dominant culture, Young argued that the underclass shared the values with the dominant class and were excluded from legitimate access to this consumer culture. Young went on to extend Merton's theory by stating that it was the means to acquire the goals took on a vindictive, violent criminal response. Young did tap into cultural conflict theorists' ideas of the structure of opportunity where legitimate means were blocked then these subculture did look to deviant means to achieve their goals. Young emphasised that it is relative and not absolute deprivation, which leads to a subculture. The perception of injustice and economic deprivation results in that subculture, being driven to crime.⁴⁸⁶

Taylor however, suggests that modern subcultural theory is limited as presented in the classic literature as subcultural formation in that sense seems to have ceased.⁴⁸⁷ He suggests that youthful style is constantly being 'recycled' and interest tries to be generated around the latest commodity being thrown into the market.⁴⁸⁸ As presented in the classic subculture literature the marginal or 'unruly' youth operated within a relatively stable, although unequal social structure. Taylor indicates that the youth subcultural

⁴⁸⁶ Lea, J and Young, J 'Relative Deprivation' p136 in Muncie, J '*Criminological Perspectives: A reader*'

⁴⁸⁷ Taylor, I 'Crime in Context: A Critical Criminology of Market Societies' p75

⁴⁸⁸ *ibid*

styles of the post-war period have little relevance to the expectations of youth in market societies in the 1990's.⁴⁸⁹ There is a contradiction between the culture of instant gratification and a economic structure that demands medium to long-term investment and youth are increasingly being excluded from the full-time secure labour market.⁴⁹⁰ Although as Taylor suggests the understanding of subculture in the classic theoretical sense may not be as applicable, youth in today's market society still form groups in order to acquire commodities. Widdicombe and Woofit however, argue that the notion of 'subculture' is given importance by sociologists because it represents the 'most visible' aspect of the youth experience.⁴⁹¹

The structures of these contemporary subcultures tend to often be quite 'loose and variable' and preoccupation with leisure provides a favourable context for criminal behaviour to result.⁴⁹² Many theorists argue that deviant subcultural formation such as gangs is not actually rituals of resistance but rather alternative economic opportunities and communities of identity. This argument fits well with Young's theory of an excluded class that is trying to acquire the trappings of the dominant culture for the purposes of assimilation. Subcultures question the adequacy of the dominant cultural ideology.⁴⁹³ The group that is most vulnerable to economic changes are the working-class youth and belonging to a subculture fulfils a way of dealing with the unequal dominant culture.

Chapter 3.1 (e) Popular Youth Culture

There are various ways to define popular culture. Popular culture can be seen as a culture that is favoured by many people.⁴⁹⁴ However, popular culture is sometimes thought of as being a substandard culture that is a residual category after what has been ascribed to as being 'high culture'.⁴⁹⁵ Another way of defining popular culture is that of

⁴⁸⁹ Taylor, I 'Crime in Context: A Critical Criminology of Market Societies' p75

⁴⁹⁰ op cit p88

⁴⁹¹ quoted in Miles, S 'Youth Lifestyles in a changing world' p6

⁴⁹² Muncie, J 'Youth and Crime: A critical introduction' p164

⁴⁹³ Brake, M 'Comparative Youth Culture' p21

⁴⁹⁴ Storey, J 'An introductory Guide to Cultural Theory and Popular Culture' p7

⁴⁹⁵ ibid

'mass culture', that is a commercial culture that is produced for mass consumption.⁴⁹⁶ Popular culture can also be seen to be a culture that is made by people for themselves.

In attempting to understand youth culture we must not underestimate the power of popular culture, the allure of what is considered 'cool' and what it takes to belong. This may involve having a girlfriend, taking drugs or committing crimes. The size of the market for youth-orientated consumption is enormous.⁴⁹⁷ The presence of alcohol and drugs as part of this pleasure market of consumption cannot be ignored. In a society driven by market forces there is certainly demand for these commodities of which there is a ready supply that increases involvement in violent activity.⁴⁹⁸ The older youth gain the respect of the younger crop primarily because of being perceived as 'cool'. That perpetuates the desire for consumption. In order to fulfil this a subculture involved in deviant activity is formed. The younger children aspire to be like them and the older youth have their instant respect.

There are instances when this respect arises out of fear. Where young people are involved in deviant activity, they want to be perceived as being tough and in this way they instil fear in the community. This fear is therefore equated with respect. Members of communities affected by youth involved in deviant activity know who is involved and have a clear idea of what they are up to. There has however, been such an extreme breakdown between the generations that parents feel too vulnerable to confront their children about their involvement in deviant activities. According to Cohen, the latent function of a subculture is to 'express and resolve the contradictions that remain hidden in the parent culture'.⁴⁹⁹ Thus the deviant exhibits hostility towards non-deviant peers as well as adults.⁵⁰⁰ Being influenced by popular culture does however, not necessarily translate to deviant involvement but some forms of deviance have been popularised.

An example of deviance that has become a popular subculture in South Africa is the

⁴⁹⁶ Storey, J 'An introductory Guide to Cultural Theory and Popular Culture' p10

⁴⁹⁷ Taylor, I 'Crime in Context: A Critical Criminology of Market Societies' p81

⁴⁹⁸ op cit p84

⁴⁹⁹ Cohen quoted in Hebdige, D 'Subculture: The meaning of style' p77

⁵⁰⁰ Cohen, AK 'Delinquent Boys – The Culture of the Gang' p28

gang. Gangsterism is portrayed in the media as being 'cool'. Thug or tsotsi⁵⁰¹ culture in terms of dress, language usage, music and lifestyle has mass appeal to the youth of South Africa. This can be evidenced by the popularity of what was initially 'tsotsi' style of dress where young people wear 'All Stars'⁵⁰², 'spoties'⁵⁰³ and other name-branded gear⁵⁰⁴. Many kwaito and television stars in South Africa dress in this manner and these are people that young people aspire to become. Children are bombarded with messages through the media that it is cool to be a 'gangster for life'. I will embark on a more detailed discussion pertaining to youth gangs under Chapter 4.2 'Youth Marginalisation'.

Style within a subculture is denoted by dress, dance, slang, music etc.⁵⁰⁵ This is how a deviant subculture is able to enter the domain of popular culture where violent activity is all part of the image of the 'cool' in order to construct an alternative identity. Attitude is of course everything. The young audience considers themselves part of this 'imagined community' that has its roots in street culture but has been moulded for media consumption.⁵⁰⁶

A very good example of this is 'hip-hop graffiti art'. For a long time this art form was considered vandalism because of the gang tags and language.⁵⁰⁷ Now you find that graffiti artists are being commissioned to display their 'talents, legitimately'.⁵⁰⁸ Graffiti art emerged in the United States in the 1960's but soon became associated with the hip-hop subculture. Hip-hop also influenced other 'forms of cultural expression' such as fashion,

⁵⁰¹ Tsotsi refers broadly to the urban African criminal. This definition was taken from Glaser, C 'Bo-Tsotsi' p47

⁵⁰² Sneaker produced by Converse that is was initially made popular by tsotsis.

⁵⁰³ Floppy fisherman styled hat that has become so popular that all trendy fashion labels have been manufacturing them including Kangol, Polo etc.

⁵⁰⁴ Gear is a slang terms for clothes, cars, jewellery, cellphones and other items that denote belonging to a particular subculture.

⁵⁰⁵ Hebdige, D 'Subculture: The meaning of style' p101

⁵⁰⁶ Brunt, R 'Engaging with the Popular: Audiences for Mass Culture and What to Say about Them' P69 in 'Cultural Studies' ed by Grossberg, L et al

⁵⁰⁷ Klopper, S 'Hip-hop graffiti art' p178 in Nuttall, S & Michael, C 'Senses of Culture'

⁵⁰⁸ op cit p 180

dancing, disc jockeying and schoolyard rapping.⁵⁰⁹ All the markers of this 'tribe' asserted the rights of marginalised youth from 'poverty stricken' backgrounds. When graffiti art appeared in South Africa in the early 1980's it 'competed for space' with political anti-apartheid slogans.⁵¹⁰ Today you find what Klopper refers to as the 'second generation' of graffiti artists who are White, suburban skateboarders who remember very little about the struggle days.⁵¹¹

This is an example of an urban street subculture has entered the realm of popular media. It is even integrating youth along race lines. Participating in this subculture has lost the 'deviant' label, as it is being integrated into popular mainstream culture. Even though the roots of the subculture were considered 'deviant', aspects of hip-hop are considered a form of popular expression for young people. The originally deviant subculture has begun to define mainstream youth culture.

Chapter 3.1 (f) Influence of Globalisation on Culture

In South Africa there is a heightened awareness of the differences of the cultures and an understanding is emerging where different cultures in this country are being respected not to the detriment and shame of others. Isolating cultures in as polycultural a society as ours is a futile task.⁵¹² It is no longer possible to pose the concept of each culture as a united entity that is easily distinguishable from and opposable to other cultures.⁵¹³ There is no longer a single culture in any country due to globalisation brought on by increased ability to travel, communicate, migrate and trade across boundaries. National identity is very difficult to define. It is an intensely personal experience and at the same time part of a collective identity that is constantly being 're-negotiated, contested, re-

⁵⁰⁹ Klopper, S 'Hip-hop graffiti art' p180 in Nuttall, S & Michael, C 'Senses of Culture'

⁵¹⁰ op cit p181

⁵¹¹ ibid

⁵¹² Haft-Picker, C 'Beyond the subculture of violence' in Newman, GR 'Crime and Deviance' p190

⁵¹³ Chanock, M 'Culture and Human Rights' in Mamdani, M '*Beyond Rights Talk and Culture Talk*' p18

defined and re-imagined' in relation to changing conditions.⁵¹⁴

What has been attempted in South Africa after 1994, with the promulgation of our Constitution⁵¹⁵, is the development of a methodology whereby cultural groups can be represented in an inclusive way so that a 'generalised' South African identity can be established. We are trying to invent a culture or tradition.

Globalisation is the future of current social and cultural conditions. A simple definition of globalisation is the 'collapsing of time and space, which is a process whereby mass communication, multinational commerce, international politics and transnational relocation are all inextricably moving towards a single culture'.⁵¹⁶ Within the cultural arena attention is focused on the processes of 'transculturation', the 'interchange of cultural elements' and the breaking down of distinctive cultural identities and the loss of 'national sovereignty'.⁵¹⁷ In the process of cultural consumption, globalising forces have been interpreted as a desire for stability and security of identity in the midst of an era of turbulence and change.⁵¹⁸ Young mentions that the cultural globalisation that 'encompasses the global market' raises people's aspirations and desires but this market does not equip them to participate in it and this leads to discontent.⁵¹⁹

Globalised industrial production suggests that cultural formation is now significantly different in a world where the circulation of knowledge and images has been dramatically increased in volume and speed.⁵²⁰ To a growing extent the lines between culture and custom and chosen style are blurring. Mass media is attempting to create a universal

⁵¹⁴ Mahtani, M & Salmon, S 'Site Reading? : Globalisation, Identity and the Consumption of Place in Popular Music' p165 in '*Popular Culture – Production and Consumption*' ed by Harrington, CL

⁵¹⁵ Act 108 of 1996

⁵¹⁶ Findlay, M 'Globalisation of Crime' pviii

⁵¹⁷ Mahtani, M & Salmon, S 'Site Reading? : Globalisation, Identity and the Consumption of Place in Popular Music' p165 in '*Popular Culture – Production and Consumption*' ed by Harrington, CL

⁵¹⁸ op cit p176

⁵¹⁹ Young, J 'Merton with energy, Katz with structure: The sociology of vindictiveness and the criminology of transgression' p402

⁵²⁰ Chanock, M 'Culture and Human Rights' in Mamdani, M '*Beyond Rights Talk and Culture Talk*' p25

youth culture and youth identity⁵²¹ and South African youth today form part of this new global movement that aspires to a 'lifestyle'.

Lifestyle is a difficult concept to define but I will embrace Miles' broader definition, which is concerned with young people's active expression of a 'way of life'.⁵²² Reimer notes what unites young people is that they want to have fun.⁵²³ Miles does highlight the contradiction of youth lifestyles – although young people believe they can change their world, their options seem to be more limited and they do not seem to have anything to protest against.⁵²⁴ In his book Miles goes on at length to discuss the various ways in which the contradiction of youth lifestyles manifest themselves.

I would like to limit this discussion to the context of the consumerist lifestyle where the lifestyle that is aspired to is, of course, that of the dominant western capitalist culture. Globality works on culture through consumer capitalism as much as through globalist values that is bound up with global communication technology.⁵²⁵ The majority of South African youth are not structurally equipped to participate in this leisure, highly consumerist culture.

This is in direct contrast to the youth of the late 1970's and 1980's where the youth who fought with their lives for access to education and becoming a professional was seen as the ideal, as the goal. One did not need material abundance to fit into the struggle but one needs it now to attain the current ideal. A perfect example of this is the content of what was featured on the ANC Youth League (ANCYL) website earlier this year. The website had a section devoted to 'Lifestyle'. In this section issues that were canvassed was the importance of considering colour when choosing a couch, recommended movies (an African-American comedy that perpetuated comical stereotypes of African Americans), the hottest items to have (which included 'All Star sneakers, LACOSTE golf

⁵²¹ Wyn, J & White, R 'Rethinking Youth' p77

⁵²² Miles, S 'Youth Lifestyles in a Changing World' p16

⁵²³ op cit p33

⁵²⁴ ibid

⁵²⁵ Albrow, M 'The Global Age' p148

shirts... the latest BMW M3' which is meant to be a 'babe magnet')⁵²⁶ and hot spots to hang out in (Urban Note in Melville and Moyo's restaurant).⁵²⁷ The question is this, how accessible to the bulk of ANCYL's constituency is this 'lifestyle'? But according to this website this is what you have to aspire to even if there is no structural provision to attain this. I did try to contact Fikile Mbalula⁵²⁸ for a comment on this. His assistant assured me that 'Mr President, Mbalula' tried to make time to interact with students – numerous emails later and after taking the time to e-mail him an agenda for discussion, no response.

I would suggest that youth across the globe yearn to access a 'lifestyle'. The motto of the lifestyle professionals has become: 'the social classes are dead. Long live lifestyles'.⁵²⁹ Youth have been relegated to the consumption sector without the economic means to realise this.⁵³⁰ Haug suggests that 'consumption induces an imagination of identity'.⁵³¹ This translates to, if youth wear branded clothing, they all feel like they belong to a certain group and therefore have an identity and sense of self worth.

There is a continuing decline in attachment to a political culture by young people throughout the world.⁵³² Under globalised conditions it becomes less easy for individuals to affirm their identity within the confines of a nation, gender, age or any other categorical distinction and the great majority of individuals do not want to.⁵³³ An article in the Sunday Times illustrated this point rather well.⁵³⁴ This article looked at the popular SL (Student Life) Magazine, which does target a specific sector of South African society

⁵²⁶ The brands were emphasised in the article.

⁵²⁷ www.anc.org.za/youth/lifestyle - 26 May 2005

⁵²⁸ President of the ANCYL

⁵²⁹ Chanock, M 'Culture and Human Rights' in Mamdani, M *'Beyond Rights Talk and Culture Talk'* p25

⁵³⁰ Bartollas, C 'Juvenile Delinquency' p218

⁵³¹ quoted in Chanock, M 'Culture and Human Rights' in Mamdani, M *'Beyond Rights Talk and Culture Talk'* p25

⁵³² Quicke, J 'A Yuppie Generation' p113 in Bates, I et al *'Youth and Inequality'*

⁵³³ Albrow, M 'The Global Age' p151

⁵³⁴ www.suntimes.co.za/2003/10/26/arts/gauteng/aneq02.asp "The changing face of youth in South Africa"

but the focus of the article was on the nature of the content of the magazine, which has shifted markedly since its launch in 1994. The target audience is no longer concerned with the 'state of the nation' but rather on the 'hottest performers, fashion, hip-hop and the latest sex gadgets on the market'.⁵³⁵ The fashion editor of SL, Sara Carrow states in the article that students are now 'trendy and have expensive tastes' and that she has to market fashion to this group of readers.⁵³⁶

Although young adults do aspire to this lifestyle, very few of them have the means to access the cultural capital that defines it. This does not necessarily mean that all young people who cannot access it turn to illegitimate means to do so. There are many young South Africans who want to work hard within a legitimate framework to attain what they desire but the structural constraints do make this challenging. However, there is the sub-group or subculture of youth who do turn to illegitimate means in order to access this global culture and often this leads to a life filled with violence, theft, deception and confidence tricking. Cohen argues that the 'latent function' of subcultures is to solve the 'unresolved contradictions' of the parent culture.⁵³⁷

Haft-Picker proposes that if a culture does not have a judicial system that becomes an integral institution in that culture's tradition - then violence will be the institution around which that culture organises itself.⁵³⁸ Unfortunately this seems to be occurring in South Africa where violence is becoming a form of social control and could be considered a means of communication and 'language for the expression of temporary relationships' of dominance and submission.⁵³⁹ Crime is culturally relative but has the potential to fragment social order.⁵⁴⁰

Regardless of definitions of culture and how they change, the effects of cultural conflict and the 'cultural revolution' that has occurred in South Africa, a popular lifestyle is the

⁵³⁵ www.suntimes.co.za/2003/10/26/arts/gauteng/aneq02.asp "The changing face of youth in South Africa"

⁵³⁶ *ibid*

⁵³⁷ Cohen quoted in Miles, S 'Youth Lifestyles in a Changing World' p5

⁵³⁸ Haft-Picker, C 'Beyond the subculture of violence' in Newman, GR 'Crime and Deviance' p192

⁵³⁹ *op cit* p206

⁵⁴⁰ Findlay, M 'Globalisation of Crime' pviii

new 'cultural capital' that South African youth feel entitled to belong to. It can be argued that globalisation offers more choices for people today than they ever had previously and it is these choices that have led young people on diverse paths even within a global community.⁵⁴¹ If a person cannot access the globalised culture, alienation occurs because assimilation to this culture cannot be attained. This leads to feeling of frustration. I would again like to emphasise that only a subculture of today's young adults embark to criminal and often violent means to acquire this consumerist, popular lifestyle and engage in a life that involves violent activity.

Chapter 3.1 (g) Contemporary Youth: Marginalisation and the Underclass

In contrast to the politicised culture of the struggle years, 2005 witnesses a consumer culture where instant gratification is the only accepted form of conduct in global youth discourse. This raises numerous questions, such as: How do lower income youth access this globalised lifestyle culture? Considering that they have few ties and connections to the 'youth' of South Africa's past, how do young people living in South Africa in 2005 access this new universal identity? How can their desired sense of belonging to this globalised youth network be realised in a legitimate manner? The situation has developed where this materialistically saturated society has begun to contribute to the youth's perception of self-awareness, self-esteem and self-worth.

Marginalisation

Young people often don't have the power to shape their choices. Marginalisation is a term used to describe structural inequality in aspects of life experience.⁵⁴² That is young people are 'disenfranchised' from major institutions and benefit of a consumer society.⁵⁴³ As the market society is not structured to combat this inequality, the marginalized person sinks further down the class stratum and becomes referred to as the underclass. Muncie defines 'marginalisation' as the result of changes in the labour market that has pushed young people to the periphery of the social order by preventing their transition to social

⁵⁴¹ Albrow, M 'The Global Age' p199

⁵⁴² Wyn, J & White, R 'Rethinking Youth' p121

⁵⁴³ op cit p123

and economic independence.⁵⁴⁴ The marginalized are people who come from the poorest townships, they have small incomes and often share 'subsistence living', sell their labour for a low wage.⁵⁴⁵ They are generally forced to enter the job market early due to economic pressure and are ejected prematurely from the education system, which leave them with limited skills to compete with in the capitalist market.

People living on the margins of society do so with continuing frustration and anxiety and interaction with those privileged enough to be included tend to increase the problem. Opportunities to the formal economy is closed and creates a palpable pressure for young people in trying to gain a livelihood whilst being targeted by aggressive marketing campaigns for the latest designer clothes, labels and music.⁵⁴⁶ Lower working class youth are not being guided towards institutions around production but are included in the consumption sector. This contradiction is often overcome by crime.

Bourgois, in his study of crack dealers in East Harlem, speaks of the anguish youth experience of growing up poor in New York City. This 'anguish' spawned what he labelled 'inner-city street culture'.⁵⁴⁷ His description does not differ markedly to the inner turmoil that I think urban Black South African youths face as well, when they are faced with the blatant disparity between the races. He goes on to describe this culture as being the 'concentration of socially marginalized population into the politically and ecologically isolated inner-city enclave',⁵⁴⁸ which allows the creation of a street culture of resistance which then becomes the operational style. Bourgois suggests that this can be attributed to extreme responses to poverty and segregation.⁵⁴⁹ This might account for why street cultures can be so brutally self-destructive. However, on the street when you are faced with violent, substance-abusing individuals the political-economy explanation for cause and effect is not so evident.⁵⁵⁰

⁵⁴⁴ Muncie, J 'Youth and Crime: A Critical Introduction' p307

⁵⁴⁵ Wyn, J & White, R 'Rethinking Youth' p121

⁵⁴⁶ op cit p121/2

⁵⁴⁷ Bourgois, P 'In Search of Respect' p8

⁵⁴⁸ ibid

⁵⁴⁹ Bourgois, P 'In Search of Respect' p11

⁵⁵⁰ op cit p53

He goes on to mention that the media assists in perpetuating this operational style by recycling these street styles as popular culture.⁵⁵¹ The media plays a crucial role in defining the 'cool' experience for youth. Through the press, television, film and radio the experience of the subculture is 'organised' and 'interpreted'.⁵⁵² So even youth who are not confronted with the reality of 'gangster culture' want to access the style that the subculture embodies because it is portrayed as being so 'cool'.

Even if young adults were to embark on lengthy study at the legitimate institutions of tertiary education, attracting gainful employment upon completion is not a guarantee.⁵⁵³ The rate of youth unemployment in South Africa has reached very high levels.⁵⁵⁴ It is a critical area that faced the apartheid government as well. The root cause could be attributed to the apartheid education system, which did not equip Black youth with sufficient skills to secure employment.⁵⁵⁵

The apartheid government tried to introduce various schemes that were meant to try and incorporate these youth but these schemes have clearly failed as the high level of unemployed youth can stand as attestation to this. The 1980's attempt by the State to deal with the issue of youth unemployment was not to provide youth with employment and economic empowerment but rather to assert control and legitimacy in the context of the 'national insurrection', in which youth played an important part.⁵⁵⁶ Unfortunately the situation has not improved with respect to youth being equipped with skills and the rate of unemployment is still endemically high.

⁵⁵¹ Bourgois, P 'In Search of Respect' p8

⁵⁵² Hebdige, D 'Subculture: The meaning of style' p85

⁵⁵³ According to a survey conducted by the HSRC (HSRC Review Vol 1 No3, September 2003), of 2672 graduates surveyed who obtained their first degrees between 1990-1998, 59.5% of new graduates were able to find work immediately after graduating – www.hsrc.ac.za

⁵⁵⁴ In a survey conducted by the HSRC (Factsheet1), of 1 million matriculants surveyed for the 2000-2002 period, only 37% of new entrants will be able to find work – www.hsrc.ac.za

⁵⁵⁵ Chisholm, L 'Youth unemployment and policy in South Africa , 1976-92' in *Development Southern Africa* vol. 10 no. 4 November 1993 p 461

⁵⁵⁶ *ibid*

During apartheid youth were culturally, politically and structurally excluded from dominant White society. Although Africans are included culturally in the new South Africa, the youth during the time of negotiation was relegated to the periphery so they were marginalized politically. The education system was not equipped to address this and still eleven years after democracy, the education available to majority of Black scholars in townships is quite inadequate. This in turn does not equip the Black young people for the formal economy, so they are structurally excluded from formal employment.

Underclass

This term was first used in the USA to describe the economically marginalised and then reworked to include those dependent on State benefits.⁵⁵⁷ According to conservative writers such as Murray, three phenomena identify an underclass; illegitimacy (single mother depend on welfare and children in an entire community have no male role models), violent crime (criminals is the classic member of the underclass) and unemployment (not a lack of work but a lack of willingness to work).⁵⁵⁸ The underclass is perceived to have different values, which are considered to be 'deficient' and is often described as 'short-term hedonistic, lacking in restraint, displaying an unwillingness to forego present pleasures, aggressiveness, willingness to use violence to achieve desired goals'.⁵⁵⁹ The conservatives refer to the underclass as individuals who are involved in crime, child abuse, drug dependency, single mothers and promiscuity.⁵⁶⁰

The left sees the underclass more as label to describe those who have been structurally excluded from the labour market, that is, victims of recession, deprivation and political marginalisation.⁵⁶¹ The underclass does not refer to a separate culture of poverty but

⁵⁵⁷ Muncie, J 'Youth and Crime: A Critical Introduction' p311

⁵⁵⁸ Murray, C 'The Underclass' p123 in Muncie, J et al '*Criminological Perspectives: A Reader*'

⁵⁵⁹ Young, J 'Crime and Social Exclusion' p468 in Maguire, M et al '*The Oxford Handbook of Criminology*' Third Edition.

⁵⁶⁰ Muncie, J 'Youth and Crime: A critical introduction' p140

⁵⁶¹ Mann quoted in Muncie, J 'Youth and Crime: A critical introduction' p311

rather reflects a breakdown of the culture of capitalism.⁵⁶² As a consequence of globalisation, the mass media, the consumer market in actual fact diminishes cultural differences.⁵⁶³ The irony according to Young is that the underclass is that they share the mainstream culture's 'obsession' with 'worshipping success, money, wealth, status'.⁵⁶⁴ The breakdown in 'spatial and social' isolation has led to a resentment of exclusion from legitimate realisation of this culture. Young refers to this phenomenon as 'bulimia', where people are included in the global culture but systematically excluded from its realisation. That is the societies are based on liberal values such as 'liberty, equality and fraternity' but are then systematically excluded from the job market.⁵⁶⁵

Spergel mirrors this opinion by stating that the drastic reduction in the demand for low-skilled workers in an increasingly 'high tech economy' has locked them out of the labour market and has cut off routes of upward mobility.⁵⁶⁶ The underclass is constructed as the 'other', even as they try to become more like the wealthy.⁵⁶⁷ The relative deprivation experienced in South Africa is very marked and fuels the discontent of the underclass. The intimate knowledge of the lives of the affluent and the physical proximity serves to heighten the sense of relative deprivation.⁵⁶⁸ Spergel goes on to say that these alienated youth sometimes can form gangs as a response to unavailable legitimate employment.⁵⁶⁹ Young summarises the underclass as being the 'casualties of globalisation' and they are treated with disdain by the included because they are viewed

⁵⁶² Young, J 'Crime and Social Exclusion' p468 in Maguire, M et al *'The Oxford Handbook of Criminology'* Third Edition.

⁵⁶³ Young, J 'Merton with energy, Katz with structure: The sociology of vindictiveness and the criminology of transgression' p401

⁵⁶⁴ Young, J 'Crime and Social Exclusion' p469 in Maguire, M et al *'The Oxford Handbook of Criminology'* Third Edition.

⁵⁶⁵ *ibid*

⁵⁶⁶ Spergel, I A 'Youth Gangs: An Essay Review p128

⁵⁶⁷ Young, J 'Merton with energy, Katz with structure: The sociology of vindictiveness and the criminology of transgression' p401

⁵⁶⁸ Young, J 'Crime and Social Exclusion' p471 in Maguire, M et al *'The Oxford Handbook of Criminology'* Third Edition.

⁵⁶⁹ Spergel, I A 'Youth Gangs: An Essay Review p128

as a dangerous class, which is the source of crime and incivilities and also places a burden on the taxpayer.⁵⁷⁰

The notion of 'flexible capitalism' that is beginning to define our society arouses anxiety because people do not know which paths to pursue, as they do not know what risks will pay off.⁵⁷¹ Flexibility gives people more choice in shaping their lives. Sennett asserts the most confusing aspect of flexibility is its impact on personal character.

The meaning of 'character', as defined by Sennett, is the 'ethical value we place on our own desires and on our relations to others'.⁵⁷² Horace is quoted as saying that the character of a man depends on his 'connections to the world'.⁵⁷³ Character is expressed by loyalty and mutual commitment, or through the pursuit of long-term goals, or for the sake of delayed gratification for the sake of a future end.⁵⁷⁴ The question is; how do we decide on what is of value in a society which is impatient, which focuses on the immediate moment? How can long-term goals be pursued in an economy devoted to the short term?⁵⁷⁵ How can loyalty be sustained if institutions are constantly breaking apart? According to Sennett these are the questions about capitalism that are posed by the new, flexible capitalism.

Increased flexibility exposes youth to greater risks than their parents, especially where youths are unlikely to follow in their parent's footsteps. For the older generation, linear time reflected their lives – slow and steady achievement for material comforts that were cumulative.⁵⁷⁶ There is a sense of the older generation not understanding the mindset

⁵⁷⁰ Young, J 'Crime and Social Exclusion' p471 in Maguire, M et al 'The Oxford Handbook of Criminology' Third Edition.

⁵⁷¹ Sennett, R 'The Corrosion of Character- The Personal Consequences of work in the New Capitalism' W.W. Norton & Company (1998) –p9

⁵⁷² ibid

⁵⁷³ Quoted in Sennett, R 'The Corrosion of Character- The Personal Consequences of work in the New Capitalism' p10

⁵⁷⁴ ibid

⁵⁷⁵ ibid

⁵⁷⁶ Sennett, R 'The Corrosion of Character- The Personal Consequences of work in the New Capitalism' p16

and work ethic of the newer generation. However, the younger generation watched their parents toil and strive with little to show for it at the end. This provides little motivation for the children to follow the same path. These youth are more open to taking risks than their parents.

Young adults consider criminal activity as legitimate 'employment' as they are structurally excluded from the legal economy and they slide into the underground illegal economy with much more ease. Shaw suggests that alternative opportunities with a focus on initiatives that seek to undercut causes of crime should be provided so that young men will not be pressured to become involved criminal activity.⁵⁷⁷

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⁵⁷⁷ Shaw, M 'Crime and Policing in Post-apartheid South Africa : Transforming under Fire' p62

Chapter 3.2 Crime/Deviance/ Delinquency

After considering the concepts of 'youth' and 'youth culture', I turn my focus to the next topic of 'crime'. Crime, deviance, delinquency are terms frequently used to describe youth misconduct.

Delinquency is a term often used by criminologists to refer to 'youth misconduct', this may include behaviour that is considered to be a 'nuisance' as well as that which is 'liable to criminal sanction'.⁵⁷⁸

Deviance is a social rather than a legal concept to delineate rule breaking.⁵⁷⁹ Deviance and delinquency are often used interchangeably to refer to extend the parameters of crime to include trivial misconduct of youth.

Crime is commonly understood to be behaviour that is prohibited by criminal law.⁵⁸⁰ However, some theorists extend the term to include all social injuries and social harms.⁵⁸¹

In South Africa a crime is defined as 'unlawful, blameworthy conduct punishable by the State'.⁵⁸² Using Snyman's definition, a crime is almost invariably injurious to public interest, that is the interests of the State or the community. If a person is convicted of a crime then a punishment is imposed on them such as imprisonment or a fine.⁵⁸³ Crimes can be broadly classified as crimes against the State and the Administration of Justice, Crimes against the Community, Crimes against the Person and Crimes against Property.⁵⁸⁴ There are numerous further classifications under which individual crimes then fall. For the purposes of this dissertation it is not necessary to delve into that aspect in any detail.

⁵⁷⁸ Muncie, J 'Youth and Crime: A Critical Introduction' p37

⁵⁷⁹ op cit p305

⁵⁸⁰ Muncie, J 'Youth and Crime: A Critical Introduction' p37

⁵⁸¹ op cit p304

⁵⁸² Snyman, CR 'Criminal Law' p6

⁵⁸³ ibid

⁵⁸⁴ Snyman, CR 'Criminal Law' p301

Crime is a definition of behaviour 'that is conferred by people in power'⁵⁸⁵ and agents of the law (such as legislators, police, prosecutors and judges) are responsible for formulating and administering criminal law.⁵⁸⁶ Crime is 'centrally bound up with the state's attempts to impose its will through law'.⁵⁸⁷

Sociologists have however suggested that 'crime' is not simply a 'violation of criminal law but occurs whenever social and moral codes are infringed'.⁵⁸⁸ Sociologists therefore add a dimension to the term, which looks at the behaviour (such as corporate fraud, swindling, domestic violence, abuse, harassment, violations of human rights), which often are not seen as crime. Terms such as 'deviance' and 'delinquency' are used to capture acts of 'wrongdoing' that are missed by the law. Muncie proposes that focusing on the law and official statistics provides a partial view of where and why 'offending' occurs in society.⁵⁸⁹ When considering 'youth crime' he suggests that we should look at 'ideas of transgression', 'of doing wrong', of 'desire seeking and excitement' because only then will we be able to have a sense of 'wrongdoing's' nature, its presence throughout all sections of society and its essential motivations.⁵⁹⁰

Gottfredson and Hirschi concluded that nearly all crimes are 'mundane, simple, trivial, easy acts' aimed at satisfying the desires of the moment. Their theory is based on the Rational Choice Perspective is that crime is the 'unrestrained' desire to seek pleasure and avoid pain.⁵⁹¹ Gottfredson and Hirschi state that the commission of criminal and deviant acts is the result of the inability to exercise 'self-control'.⁵⁹² Their theory does however not take into account differences in respect of race and class as well as structural inequalities in the South African situation.

⁵⁸⁵ Quinney, R 'The Social Reality of Crime' (1975) p123

⁵⁸⁶ *ibid*

⁵⁸⁷ Rock, P 'Sociological Theories of Crime' in Maguire, M et al (eds) *The Oxford Handbook of Criminology* p235

⁵⁸⁸ Muncie, J 'Youth and Crime: A Critical Introduction' p38

⁵⁸⁹ *op cit* p39

⁵⁹⁰ *ibid*

⁵⁹¹ Schmalleger, F 'Criminology Today' p235

⁵⁹² Moyer, I 'Criminological Theories' p155

Quinney proposes that crimes are 'composed of behaviours that conflict with the interest of the dominant class'.⁵⁹³ That is, he suggests that definitions of crime are formulated according to the interests of those who have the power to 'translate their interests into public policy'.⁵⁹⁴ Definitions of what constitutes criminal behaviour change as the interests of the dominant class change and the law is administered to ensure that the dominant class is protected in order to secure its hegemony. The social reality of crime is constructed by the formulation and application of definitions of crime and the development of behaviour in relation to these crimes.⁵⁹⁵

Quinney proposes that the social reality of crime creates a series of phenomena that increases the probability of crime. All relevant phenomena contribute to creating definitions of crime, development of behaviours by those involved in criminal defining situations and constructing an ideology of crime. All the time class and racial struggle and conflict impact on the social reality of crime and contribute to the way in which that it is constructed in society.⁵⁹⁶

Crawford has listed a number of risk factors that he thinks suggests a greater likelihood of involvement in crime:

- Gender – boys are more likely to offend than girls,
- Family influence – social class, family size, family poverty, lone-parenting, inadequate parenting, physical abuse, parental conflict and separation,
- Individual personality and behavioural factors, such as hyperactive behaviour in early childhood, impulsiveness and restlessness,
- Living conditions – poor housing and unstable living conditions,
- School influences – poor schooling, bullying, poor educational achievement, truancy and exclusion from school,
- Peer group pressure – delinquents tend to have friends also involved in deviant activities,

⁵⁹³ Quinney, R ' The Social Reality of Crime' p123

⁵⁹⁴ *ibid*

⁵⁹⁵ Quinney, R ' The Social Reality of Crime' p126

⁵⁹⁶ *op cit* p127

- Employment opportunities – lack of training or unemployment.⁵⁹⁷

Crime does not occur in a vacuum. Every crime has a unique set of causes, consequences and participants.⁵⁹⁸ The wider social, political context that South African youth are located has a history of violent, deviant behaviour. The deviance originated as a reaction to the apartheid government and participation in deviance was rationalised because of it being a legitimate cause to fight against.

Chapter 3.2.1 Youth –Crime

Relative deprivation, marginalisation from the mainstream economy leads to feelings of depleted self-worth as youth cannot have the external validation that comes with material acquisition. In order to access the lifestyle that they cannot afford youth join deviant subcultures such as gangs because constructive family, community and broader-social networks have broken down. The wider reasons for the deviant involvement is due to a depleted sense of self-worth, lack of vision or hope for the future and loss of faith in government. If deviant youth are prosecuted they are then stigmatised and rejected and no rehabilitation occurs. These youths are relegated to the periphery of society and this can lead towards a continuance of marginalisation through violent deviant behaviour.

The study of deviance is a window into the terms by which every individual is inducted into institutional life. An easy way to understand deviants is to consider that every person is an 'outsider' to what is considered proper conduct in some respect.⁵⁹⁹ When trying to discuss the complex issue of deviance we generally search for 'universals' that is, modes of conduct that all human societies consider as unacceptable.⁶⁰⁰ However, we also sometimes construct acceptable methods of deviance within our cultural norms, so that if these behaviours become acceptable and do not fall within the definition of the

⁵⁹⁷ Crawford, A 'Crime Prevention and Community Safety: Politics, Policies and Practices' p110/111

⁵⁹⁸ Schmallegger, F 'Criminology Today' p22

⁵⁹⁹ Pollack & Smith 'Crime and Delinquency' p25

⁶⁰⁰ *ibid*

socially unacceptable.⁶⁰¹ It is important to bear in mind that defining deviance often lies with the groups in society who have the power to define behaviour as such.

Notions of deviance differ depending on the time period in history. At one time acts such as the use of contraception, abortions, homosexuality, inter-racial relations and gambling were considered criminal but today they are legal. However, there are acts today such as 'consumer fraud, tax evasion, profiteering and 'sharp dealing' which do not carry the social stigma of being deviant but are illegal.⁶⁰² Society is very selective in its description of what acts are considered deviant. We must therefore bear in mind that the perceptions of what are considered 'legal' often shift depending on the needs of society.

In order to formulate a definition of deviance Pollack and Smith suggest that we should steer away from trying to determine who is wrong and who is right but that we should rather focus on what kinds of conduct society can 'tolerate and still exist as a viable society and what kinds it cannot accept'.⁶⁰³ Perhaps behaviour by deviants that causes harm to citizens results in them living in fear could be considered intolerable. In order to answer this we must consider what the general perception of a 'desirable society' is. Can the American Jeffersonian model be used as an ideal that can be striven for? In other words, can we strive for an 'open society predicated on a belief in equality of opportunity and equality before the law, with a reasonable level of material comfort and economic security for all'?⁶⁰⁴

A group of people who share the same values and adhere to a set of social norms with respect to conduct often define what is acceptable behaviour in a community, and those who do not adhere to these norms are referred to as deviants.⁶⁰⁵ It is interesting to observe the relationships between people who are involved in deviant behaviour and the group that defines what behaviour is considered as deviant. In many societies and communities the person that deviates acquired a negative label and is then seen to

⁶⁰¹ David, K 'The Sociology of Prostitution' in American Sociology Review vol 2 p746

⁶⁰² Pollack & Smith 'Crime and Delinquency' p26

⁶⁰³ op cit p27

⁶⁰⁴ ibid

⁶⁰⁵ Sutherland quoted in Muncie, J 'Youth and Crime: A critical introduction' p104

represent the group that is partaking in deviant acts. Certain forms of deviance are 'objectively and measurably harmful to the community' or the behaviour may violate 'rational and institutionalised expectations.'⁶⁰⁶ The responsibility for control lies with the individual and the community at large.⁶⁰⁷

The discussion of crime or deviance is clearly a subject where many perspectives can be applied and the development of a coherent analytic perspective can only be achieved if the substantive area is expanded to various areas. Many of the themes that I highlighted in the theoretical section canvass the various possible explanations of crime in South African context. Constructing an integrated understanding of crime would be an intricate procedure. It would have to explain the existing rules and what behaviour is defined as deviant. Elements that would have to be considered are: 'who has the right to define?', 'who has the moral high ground?', 'moral power versus political power' .

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⁶⁰⁶ Pollack & Smith 'Crimes and Delinquency' p33

⁶⁰⁷ ibid

CHAPTER 3.3: VIOLENCE

Violence is unfortunately one of the most prevalent manifestations of deviance in South Africa post-1994. I devote this section to examining some theories of violence.

Chapter 3.3.1 Crime vs. Violence

In this part of the sub- chapter, I highlight the difference between crime and violence. A distinction should be made between 'crime' and 'violence'. These two concepts, although often used interchangeably, are not two aspects of the same problem.⁶⁰⁸ A high crime rate does not necessarily correlate to a high rate of lethal violence. Crime as defined in chapter 3.2 refers to the violation of legal rules while violence refers to crime that occurs in a physically harmful way. Many developed nations have very high crime rates but really low rates of lethal violence. Violent crime has a different source to ordinary crime and tackling the two concepts as if they were the same would be ineffective. Violence is a phenomenon that is separate from crime, in the sense that the source of violence is the 'fear and anger' that has been experienced in South Africa.⁶⁰⁹ Although there can be crime without violence, there is rarely violence that is not criminal.

A prime example of the difference between the two concepts can be illustrated in a comparison between two cities such as Los Angeles and Sydney. Both cities form part of the developed world, they have roughly the same population of about 3,5 million, they are both situated on the Pacific Coast and have an ethnically diverse population. In Sydney you are 10% more likely to be burgled than in Los Angeles, however you are 95,2% more likely to be killed in Los Angeles than Sydney.⁶¹⁰ This and other studies allow one to deduce that it is the levels of lethal violence rather than that of crime that determine the level of public fear.⁶¹¹

A further illustration is portrayed in the graphs on the 'nationmaster' website. Leading the

⁶⁰⁸ Zimering, FE & Hawkins, G 'Crime is not the Problem – Lethal violence in America' p3

⁶⁰⁹ *ibid*

⁶¹⁰ Zimering, FE & Hawkins, G 'Crime is not the Problem – Lethal violence in America' p5

⁶¹¹ *op cit* p11

list for total crime per capita are the United States, Germany, United Kingdom, France and then South Africa. If you look at the graphs for the most murderous countries you find Colombia leading the pack followed closely by South Africa. For murders with a firearm, South Africa tops the list. For rape the leading country is the United States followed by South Africa.⁶¹² These comparisons are for the period 1998 – 2000.

The interest that is threatened depending on whether an act is violent or criminal is quite different. If a crime of theft or robbery has been committed the loss involved is of a material nature and the victim can seek compensation through the insurance sector, if they are lucky to have insurance and possibly even the courts. However, if an act of lethal violence has incurred then there is no 'commensurate compensation'.⁶¹³ A person's life cannot be replaced.

What is emerging in South Africa is the perception that there is no control over the risk of becoming a victim⁶¹⁴ and the level of fear permeating the fabric of our society seems to be steadily rising. Jensen states that individuals are 'victimised by violence' either directly or indirectly through 'collective fear'.⁶¹⁵ There are very few effective precautions that a person can take in order to reduce the risk of victimisation.⁶¹⁶ South Africans therefore have a heightened anxiety pertaining to perceived harms, as there seem to be few effective precautions that can set citizens at ease.⁶¹⁷ South Africa youth are in a position where they are the 'primary perpetrators' of violence as well as being its 'primary victims'.⁶¹⁸ When attending to intervention strategies, the biggest aim is to prevent youth from becoming involved in the 'cycle of crime and violence'.⁶¹⁹

South Africa has both a problem with respect to crime and violence. South Africa has

⁶¹² www.nationmaster.com

⁶¹³ Zimering, FE & Hawkins, G 'Crime is not the Problem – Lethal violence in America' p9

⁶¹⁴ *ibid*

⁶¹⁵ Jensen, S 'Discourses of Violence: Coping with Violence on the Cape Flats' p89

⁶¹⁶ Zimering, FE & Hawkins, G 'Crime is not the Problem – Lethal violence in America' p10

⁶¹⁷ *ibid*

⁶¹⁸ Dissel, A 'Youth, Street Gangs and Violence in South Africa' p409

⁶¹⁹ *ibid*

high rates of violent crime by global and African standards.⁶²⁰ Lethal violence certainly demands our attention as it justifies the amount of public concern that it generates.⁶²¹ Every third crime in South Africa is 'violent in nature'.⁶²² South African victims of violent crime are more likely to be attacked or threatened with a weapon. South Africa has the highest rate of murders with a firearm worldwide.⁶²³ There is a proliferation of firearms in the country due to the armed struggle, theft of firearms as well as the old government outfitting vigilante organisations.⁶²⁴ The violent nature of crime has led to a fundamental threat to the social life of South Africans, as citizens are afraid of crime that is 'life-threatening' because of the high levels of interpersonal violence that is experienced in South Africa.

Crimes of violence can be defined as 'the unlawful, intentional infringement of the rights of others by forcible conduct of the aggressor or aggressors'.⁶²⁵ What is conventionally called 'crime' is the kind of violence that the legal system calls illegal, and 'punishment' is the kind that it calls legal.⁶²⁶ But the motives and the goals that stimulate both are often identical – they both aim to 'achieve justice or revenge for past injuries and injustices'.⁶²⁷ The people involved in perpetrating crime often react to what they perceive as a present injustice or one in their past.

Chapter 3.3.2 Difficulty in Defining Violence

Manganyi and Du Toit point out that the primary challenge when focusing on violence is the 'multiplicity of meanings' that it evokes.⁶²⁸ Freud's psychoanalytic school conceives of violence as the actualisation of the 'death instinct' and basic to this formulation is the

⁶²⁰ Schönteich, M 'South Africa's position in Africa's crime rankings' p51

⁶²¹ Zimering, FE & Hawkins, G 'Crime is not the Problem – Lethal violence in America' p10

⁶²² Schönteich, M in 'South African Survey' (ed) Kane-Berman, J p97

⁶²³ www.nationmaster.com - the rate is 0.74/1000 people in the year 2000

⁶²⁴ Schönteich, M 'South Africa's position in Africa's crime rankings' p64

⁶²⁵ Ndabandaba, GL 'Crimes of Violence in Black Townships' p1

⁶²⁶ Gilligan, J 'Violence' p18

⁶²⁷ op cit p19

⁶²⁸ Beinart, W 'Political and Collective Violence in Southern African Historiography' in *Journal of Southern African Studies* Vol 18 no 3 September 1992 p456

universality of this drive.⁶²⁹ The medical and biological studies have only contributed partially to the understanding of the nature of violence.⁶³⁰ A clear differentiation between fear and aggression cannot be adequately assessed,⁶³¹ as no physiological evidence for spontaneous stimuli for fighting arises within the body of a normal organism.⁶³²

Beinart suggests that legal systems and widely held social perceptions may recognise a phenomenon to some extent but there maybe 'intense disagreement' as to what extent violence is legitimate or illegitimate.⁶³³ Beinart continues in this vein by stating that 'military and 'legitimate' force was sharply distinguished from 'informal' or 'barbarous' violence'.⁶³⁴

In moralistic terms, when facing young individuals one feels that no amount of 'historical apology' and 'structural victimisation' exempts them from the consequences of their often 'violent, self-destructive and parasitical actions'.⁶³⁵ Gilligan has coined a term 'the pornography of violence'. He uses this term to outline the phenomenon whereby violence is sensationalised and in this way one can distance oneself from it and in this way render it 'less frightening and more manageable by reducing it to the dimensions of titillation and entertainment'.⁶³⁶

There can be no non-violent crime, if we use broad definitions of violence to include 'injury of any kind and positive goodwill or love respectively,⁶³⁷ however, when we refer

⁶²⁹ Wolfgang, M E and Ferracuti, F 'The Subculture of Violence' p141

⁶³⁰ Wolfgang, M E and Ferracuti, F 'The Subculture of Violence' p142

⁶³¹ *ibid*

⁶³² *ibid*

⁶³³ Beinart, W 'Political and Collective Violence in Southern African Historiography' in *Journal of Southern African Studies* Vol 18 no 3 September 1992 p457

⁶³⁴ *ibid*

⁶³⁵ Bourgois, P 'In Search of Respect' p54

⁶³⁶ Gilligan, J 'Violence: Reflections of a National Epidemic' p30

⁶³⁷ Unnithan, TKN, Ahuja, R 'Subculture of Violence: The Indian Context' in *Perspectives in Criminology* p63

to violent crimes we refer primarily to physical violence or behaviour that leads to injury to a person or property.⁶³⁸

The most lethal violence is committed by men - violence is primarily men's work, it is carried out most frequently against men, and it is about the maintenance of 'manhood'.⁶³⁹ This is not to minimise the violence against women or the extent to which violence is committed against other vulnerable individuals, rather it is a step towards understanding violence against men and women. The most lethal and life-threatening violence that is committed on this earth has always been violence by men against other men.⁶⁴⁰ Polk suggests that violence between men is often unpremeditated and that young men often engage in situations where something trivial becomes life threatening, especially if it pertains to honour.⁶⁴¹ The motives that give rise to such criminal violence are extremely broad. I would like to reiterate, the vast majority of physically violent acts are engaged in by young males.

The victims of this 'displaced aggression' experienced by young males are the weaker members of society over whom they can assert their control, that is women, children and the elderly, this violence tends to be less lethal than the violence between men.⁶⁴² Violence against women in South Africa, especially sexual violence is 'widespread' and 'deeply entrenched'.⁶⁴³ Eagle and Vogelmann describe the violence against women in South Africa as being 'endemic'.⁶⁴⁴ According to a study conducted by Mokwena, mothers living in townships feel that their daughters are not safe at home alone, nor are they safe walking in the streets alone or at school.⁶⁴⁵ The threat of being raped by young

⁶³⁸ Unnithan, TKN, Ahuja, R 'Subculture of Violence: The Indian Context' in Perspectives in Criminology p63

⁶³⁹ Gilligan, J 'Violence: Reflections of a National Epidemic' p17

⁶⁴⁰ ibid

⁶⁴¹ Polk, K 'Masculinity, honour and confrontational homicide' p170 in Newburn, T '*Just Boys Doing Business?*'

⁶⁴² Simpson, G 'Jack-asses and Jackrollers: Rediscovering gender in understanding violence' p4

⁶⁴³ op cit p6

⁶⁴⁴ Vogelmann, L & Eagle, J 'Overcoming Endemic Violence Against Women' p13

⁶⁴⁵ Mokwena, S 'Marginalisation, Youth and Violence' quoted in Simpson, G 'Jack-asses and Jackrollers: Rediscovering gender in understanding violence' p10

men with weapons, 'Jackrollers',⁶⁴⁶ permeates the entire community. Simpson describes South Africa as a society where 'men have been taught to define their power in terms of their capacity to effect their will'.⁶⁴⁷ Women are taught to be subordinate and submissive, while young men are taught to be assertive and masculine.⁶⁴⁸

Wood has conducted a detailed analysis of how young men define different categories of rape.⁶⁴⁹ There is a clear distinction between 'forced sex' and rape. Rape, according to these young men, occurs with a complete stranger in a location other than a bedroom. Forced sex however, occurs between people in 'established sexual partnerships' where men 'persuade' women to have sex albeit by violent means.⁶⁵⁰ This 'persuasion' is 'synonymous' with seduction, where initiates are encouraged to be 'real' men and masculinity is achieved by verbal persuasion.⁶⁵¹ Persuasion often involves verbal threats and physical violence. If a girl refuses sex, it implies that she is either seeing someone else or is unsatisfied by the sex, both of these being humiliating to the young man's construction of manhood.⁶⁵²

'Stream-line' is an adaptation of the traditional structure of an African household. Young men believe that they will be able to have more than one wife so they should be allowed to practice by having numerous girlfriends. They have a 'queen', which is the first girlfriend in the hierarchy. The young man can then have other girlfriends as well. This can get competitive, as the newer girlfriends may want to get rid of the 'queen'.⁶⁵³ If the young man wants to get rid of this newer girlfriend, he will 'organise' his friends to have

⁶⁴⁶ Jackroll is term used to describe the undisguised use of sexual violence against young women in the township by young armed men.

⁶⁴⁷ Simpson, G 'Jack-asses and Jackrollers: Rediscovering gender in understanding violence' p10

⁶⁴⁸ *ibid*

⁶⁴⁹ Wood, KM 'Defining 'forced' sex, rape, 'stream-lining' and gang-rape: Notes from a South African township' Medical Research Council Pretoria, p25

⁶⁵⁰ *ibid*

⁶⁵¹ Wood, KM 'Defining 'forced' sex, rape, 'stream-lining' and gang-rape: Notes from a South African township' Medical Research Council Pretoria, p26

⁶⁵² *ibid*

⁶⁵³ Wood, KM 'Defining 'forced' sex, rape, 'stream-lining' and gang-rape: Notes from a South African township' Medical Research Council Pretoria, p27

sex with her, thereby giving him a legitimate reason to dump her.⁶⁵⁴

Another expression of 'stream-line' is where a group of men take advantage of drunk women or women who are sleeping. The young perpetrators do not consider this to be rape as they often know the women or the women do not protest and show their consent by silence. 'Stream-line' is characterised by males taking advantage of a particular situation or humiliating a woman.⁶⁵⁵ A gang-rape on the other hand is considered to be an 'unequivocal violation', an attack on 'undeserving victims' who are raped at knife/gun-point by unknown men.⁶⁵⁶

Today, Black males seem to assert their masculinity because of the inferiority and powerlessness they experience in society and the workplace.⁶⁵⁷ This is compounded by the high rate of unemployment of Black males and they boost their self-esteem through the use of sexual violence.⁶⁵⁸ The excessive exposure to violence that children face living in urban ghettos results in violence being part of their everyday lives. The media compounds this exposure as violence is contained in images in television programmes, films, video games and music lyrics.⁶⁵⁹ With the technological revolution this information is passed around the globe within seconds.

The migrant labour system had a significant impact on the attitudes to women and violence. The attitude of the traditional African male to women is more conducive to violence because of the women's low status and power. With the men being separated from their wives for months, they often had mistresses in the city and this contributed to the cycle of violence.

If you head out to a township on any given working day, you will observe young men wondering around rather aimlessly and very young children in the care of older women.

⁶⁵⁴ Wood, KM 'Defining 'forced' sex, rape, 'stream-lining' and gang-rape: Notes from a South African township' Medical Research Council Pretoria, p27

⁶⁵⁵ *ibid*

⁶⁵⁶ *ibid*

⁶⁵⁷ Simpson, G 'Jack-asses and Jackrollers: Rediscovering gender in understanding violence' p10

⁶⁵⁸ *op cit* p11

⁶⁵⁹ De Vos, L 'The Influence of Violent Media on Children'

The younger women are out working together with the adult men and women. The young men haunt the township streets, feeling emasculated and they assert their macho power over women, with or without their consent. Young men also indulge in dagga⁶⁶⁰ and alcohol to escape their reality but this only compounds the situation. It is for this reason that school-going girls feel really vulnerable walking home and around their streets.

I would like to now direct this discussion to the impact various forms of collective violence have had on the people of this country. This is not to diminish the role domestic and personal violence plays in the prevalence of the continuing violence in these spheres. It is often the violence experienced in the public sphere that carries into the homes. Hopefully in understanding the roots of violence in South Africa, this understanding will clarify how we can most effectively address such behaviour.⁶⁶¹

Violence does not have a single root cause, especially not in the South African context. Beinart suggests that it is an 'expression of a wide range of conflicts, crises or catharses'.⁶⁶² He also mentions that much 'public violence is part of an assertion of political power – either an attempt to monopolise coercion and control or to break that monopoly'.⁶⁶³

Fanon asserts that 'in colonial countries, ... the police and the soldier, by their immediate presence and their frequent and direct action maintain contact with the native and advise him by means of rifle-butts and napalm... It is obvious here that the agents of government speak the language of pure force'.⁶⁶⁴ Colonisation does not happen with impunity, a nation that colonises, justifies the use of force.⁶⁶⁵ Colonial activity, enterprise and conquest were based on contempt of the 'native': already then the process of

⁶⁶⁰ South African term for marijuana

⁶⁶¹ Gilligan, J 'Violence: Reflections of a National Epidemic' p17

⁶⁶² Beinart, W 'Political and Collective Violence in Southern African Historiography' in *Journal of Southern African Studies* Vol 18 no 3 September 1992 p457

⁶⁶³ *ibid*

⁶⁶⁴ Fanon, F 'The Wretched of the Earth' p29

⁶⁶⁵ Césaire, A 'from Discourse on Colonialism' p176 in Williams, P et al '*Colonial Discourse and Post-colonial Theory*'

dehumanisation was introduced to South Africa.⁶⁶⁶ It was through this process of violence that fear was instilled in the psyches of Black South Africans and they were taught to have an inferiority complex.⁶⁶⁷ They in turn passed this fear of the coloniser and sense of despair and inferiority to their children for generations.

The apartheid era served to reinforce this fear and inferiority through legislation and the brute force of the State. It was against this background that youth ascended to a militant struggle against the apartheid rulers. Many people died in the frequent clashes with the security forces of the apartheid government and many youth leaders experienced police detention for the first time.⁶⁶⁸ Violence was therefore a central feature in the struggle against apartheid.

Simpson has defined political violence as:

'violence which occurs between individuals or groups where the dominant motivation is based on political difference or the competing desire for political power'.⁶⁶⁹

Historically many people have felt a sense of 'awe' in relation to violence, so that the people involved in violence are glorified for excelling in killing others.⁶⁷⁰ This phenomenon can be witnessed in South Africa with respect to past MK⁶⁷¹ cadres. This leads to a necessary question relating to the 'viability of violence as a survival strategy'.⁶⁷² The use of violence was justified as it was perceived to be utilitarian in aim.

⁶⁶⁶ op cit p177 in Williams, P

⁶⁶⁷ Césaire, A 'from Discourse on Colonialism' p178 in Williams, P et al '*Colonial Discourse and Post-colonial Theory*'

⁶⁶⁸ Johnson, S 'The Soldiers of Luthuli: Youth Politics of Resistance in South Africa' p108 in '*South Africa: No Turning Back*' ed Johnson, S

⁶⁶⁹ Simpson, G, Mokwena, S & Segal, L 'Political Violence: 1990" p201 in Robertson, M. & Rycroft, A. (eds) '*Human Rights and Labour Law Yearbook 1991*'

⁶⁷⁰ Gilligan, J 'Violence' p30

⁶⁷¹ Military wing of the African National Congress (ANC).

⁶⁷² Gilligan, J 'Violence' p30

The struggle for democracy was seen as a noble cause to engage in violence for but also to lose one's life for.

Youth became associated with acts of collective violence. These acts of violence seemed to be purposeful even if disorganised at times⁶⁷³ and aided in extending the prevalence of violence in the region. This is not to say that there were no incidences of violence prior to colonisation. Violence was even then a feature of region with wars between the various tribes that were living in the region, but fewer people died.

The fact that we managed to negotiate our way to democratisation is nothing short of a miracle. There were horrific levels of violence present in many areas in South Africa during the late 1980's and early 1990's. The negotiation process put pressure on certain parties such as the Inkatha Freedom Party (IFP) and the National Party to move away from being ethnic and race based organisations. The result was unprecedented violence on the Witwatersrand.⁶⁷⁴ At the same time the ANC was unbanned and the armed struggle was suspended. The violence however continued especially in respect of conflict between the ANC and IFP.

With all those decades of compounded, fear and inferiority the fact that we did not explode into a cathartic war is astounding (although many authors do argue that the violence experienced did resemble one). The negotiated settlement introduced a new way of addressing challenges in South Africa, one that takes cognisance of the needs of all South Africans. We need to continue in this vein when addressing the glaring needs of youth. During the early 1990's the youth felt marginalized and continue to do so and they are turning to behaviour that is detrimental to not only themselves but also to the vision of the society that South Africa is trying to achieve. Fear is once again becoming a feature in the South Africa landscape.

⁶⁷³ Marks, M 'Young Warriors' p5

⁶⁷⁴ Simpson, G, Mokwena, S & Segal, L 'Political Violence: 1990" p201 in Robertson, M. & Rycroft, A. (eds) *Human Rights and Labour Law Yearbook 1991*

Instead of trying to achieve the unachievable of attempting to prevent violence – perhaps ask the question how can we live?⁶⁷⁵ How can violent offenders be helped ‘when they are drowning in their self-righteous hate and despair, feeling justified in exterminating others, and feeling that they have to take others down with them?’⁶⁷⁶ Admittedly, moral approaches to violence do not help us to understand the causes and the prevention of violence.

Gilligan asserts that some ‘moral assumptions actually inhibit us in our attempts to learn about its causes and prevention’.⁶⁷⁷ He thinks that it is mistaken to conclude that to understand violence is to excuse it. Punishment requires much less effort than is required to understand the many different forms of violence. It is easier and less threatening to condemn violence (morally and legally) so that we can punish it, rather than seeking its causes and working to prevent it.⁶⁷⁸ Gilligan suggests that a ‘naturalistic, non-moralistic approach to violence should be taken where ‘forgiveness is simply beside the point’, since the concept of ‘forgiveness is meaningless if one had not condemned it in the first place’.⁶⁷⁹

Unnithan suggests that one of the number of theoretical perspectives that could be used to explain behaviour of this nature is the ‘sociological perspective’ that focuses its attention on ‘situational stimulus’. Unnithan goes on to mention that this particular theoretical perspective is useful as it accounts for ‘environmental influences’ and it is also applicable when it comes to explaining both group and individual violent behaviour in crimes. The sociological perspective views violence as a learned response for which no biological basis exists.⁶⁸⁰ Commenting on violence in India, Unnithan hypothesises that violence in crime is the result of what happens in situational interaction.⁶⁸¹ However,

⁶⁷⁵ Gilligan, J ‘Violence: Reflections of a National Epidemic’ p19

⁶⁷⁶ Gilligan, J ‘Violence: Reflections of a National Epidemic’ p20

⁶⁷⁷ op cit p24

⁶⁷⁸ ibid

⁶⁷⁹ Gilligan, J ‘Violence: Reflections of a National Epidemic’ p25

⁶⁸⁰ Unnithan, TKN, Ahuja, R ‘Subculture of Violence: The Indian Context’ in Perspectives in Criminology p68

⁶⁸¹ Unnithan, TKN, Ahuja, R ‘Subculture of Violence: The Indian Context’ in Perspectives in Criminology p69

the Indian model is markedly different from what is being experienced in South Africa. For example Unnithan mentions that if a situation develops in India that could involve violence and if one of the people involved is non-violent that situation does not result in a violent occurrence.⁶⁸² Similarly if both parties involved in the dispute exhibit the same response then the result is often serious physical assaults or murders.⁶⁸³

In South Africa we find this not always to be the case though. People who are not inclined to violence are often confronted with it. However, if there are groups of people who are involved in violent behaviour and they have to solve a dispute with another group of people who are also inclined to violence, the result is disastrous. This can be evidenced by the rivalries between the various gangs in the country.

The pain and suffering of violence in crimes assumes a special significance because its impact is 'sudden and therefore much more frightening'.⁶⁸⁴ The question is therefore whether crime in societies can be reduced. Although Durkheim insists that there is a functional importance of crime in society, this does not justify the undue increase of crime in society nor the brutal violent nature that it is now taking.⁶⁸⁵ A society without crime is utopian ideal that will never be realised.

Wolfgang states that there is a potent theme of violence current in the cluster of values that make up lifestyle, the socialization process and the interpersonal relationships of individuals living in similar conditions.⁶⁸⁶ Wolfgang's thesis is that the individual uses violence because he interprets a situation as requiring violence due to his cultural background or his sub-cultural normative definitions. However, Unnithan says that this is not applicable when both individuals are from the same normative subculture and one of the individuals resorts to violence but the other does not.⁶⁸⁷

⁶⁸² Unnithan, TKN, Ahuja, R 'Subculture of Violence: The Indian Context' in Perspectives in Criminology p69

⁶⁸³ *ibid*

⁶⁸⁴ *ibid*

⁶⁸⁵ *ibid*

⁶⁸⁶ Wolfgang, M E and Ferracuti, F 'The Subculture of Violence' p140

⁶⁸⁷ Unnithan, TKN, Ahuja, R 'Subculture of Violence: The Indian Context' in Perspectives in Criminology p68

Gilligan in his study of prison inmates reflects that only the 'living dead would want to kill the living'.⁶⁸⁸ Gilligan claims that anyone who loves life would not want to kill another human being and goes on to mention that when the inmates say that they feel dead, they mean that they cannot feel anything.⁶⁸⁹ Gilligan says that often people who commit brutal crimes have no feelings about what they did and moreover, the more violent the criminal, the more notable the lack of feelings.⁶⁹⁰ According to Gilligan the most violent men already 'feel numb and dead' by the time they begin killing.⁶⁹¹

Gilligan used the word 'shame' to refer to the 'absence or deficiency of self-love'.⁶⁹² By this he means a healthy sense of 'self-esteem, self-respect and self-love'. He goes on to expand on this by saying that although 'shame' is initially a painful feeling 'constant shaming' leads to the deadening of feeling, an absence of feeling.⁶⁹³ The threat of shame often causes people to act in a manner that is compliant with the law. The threat of shame does not act as a deterrent for persons who feel no responsibility to their communities, as their consciences are not sensitised to other people in that community.

Braithwaite identifies two types of shaming, namely that of 'Stigmatic shaming' and 'Reintegrative shaming'.⁶⁹⁴ His theory is an offshoot of the labelling theory. He asserts that 'stigmatic shaming' destroys the moral bonds between the individual and the community. While reintegrative shaming condemns the crime and not the criminal and gives offenders the opportunities to rejoin the communities. Offenders must express remorse for their actions, apologise to victims and repair the harm caused by the crime. Shame therefore brings into effect two different types of punishers, namely social disapproval and conscience.⁶⁹⁵

⁶⁸⁸ Gilligan, J 'Violence: Reflections of a National Epidemic' p32

⁶⁸⁹ op cit p33

⁶⁹⁰ Gilligan, J 'Violence: Reflections of a National Epidemic' p36

⁶⁹¹ ibid

⁶⁹² Gilligan, J 'Violence: Reflections of a National Epidemic' p47

⁶⁹³ ibid

⁶⁹⁴ Schmallegger, F 'Criminology Today' p238

⁶⁹⁵ Braithwaite, J ' Crime, Shame and Reintegration' p75

Wolfgang hypothesises that there are basically two forms of criminal homicide namely premeditated, felonious, intentional murder and slaying in the heat of passion (or killing as a result of intent to do harm but without intent to kill).⁶⁹⁶ According to Wolfgang a very low percentage of homicides are premeditated, intentional killings and the individuals who commit them are likely to be episodic offenders who have never had prior contact with criminal law.⁶⁹⁷ The major concern, as Wolfgang points out, are the violent slayings that are not premeditated or psychotic manifestations.⁶⁹⁸

In South Africa people are living in fear because of the perceived prevalence of violent crimes. According to Zimmering there are at least three major causes for fear regarding serious crime.⁶⁹⁹ This includes (1) the amount and seriousness of violent crime, (2) the level of fear-arousing social conditions in the immediate physical environment of the subject, and (3) the amount and perceived seriousness of fear-arousing cues in the mass media and the personal social universe of the subject.⁷⁰⁰ The larger the risk of serious violence, the stronger the associations between the fear of violence and various fear arousing cues in the citizen's immediate social environment.⁷⁰¹

The Cape Times ran the following article on the front page on 16 June 2003, Youth Day:⁷⁰²

Top sports agent dies after violent attack⁷⁰³ By Kashiefa Ajam and Judy Damon

One of the country's top sports agents and a household name in the rugby and cricket fraternities has died in a Cape Town hospital a day after being wounded in an apparent hijacking attempt.

⁶⁹⁶ Wolfgang, M E and Ferracuti, F 'The Subculture of Violence' p141

⁶⁹⁷ ibid

⁶⁹⁸ ibid

⁶⁹⁹ Zimmering, FE & Hawkins, G 'Crime is not the Problem – Lethal violence in America' p13

⁷⁰⁰ ibid

⁷⁰¹ Zimmering, FE & Hawkins, G 'Crime is not the Problem – Lethal violence in America' p14

⁷⁰² Day (16 June 1976) where students in Soweto protested against the apartheid government's law of education in Afrikaans in Black schools and were killed as a result of their commitment. This day has been declared a public holiday to commemorate the bravery of these young activists.

⁷⁰³ The Cape Times 16 June 2003

Neil Ward, 50, of Port Elizabeth, was shot in the head and his wife Helen, 46, pistol-whipped by the attackers in Avenue Orleans, Constantia, shortly before midnight on Friday.

Ward died in the Constantiaberg Medi-Clinic on Saturday night.

His wife was given four stitches to her right cheek, four to the top of her head and three in her forehead.

No one has been arrested.

The couple, from Port Elizabeth, were in Cape Town for the weekend to visit their two sons, Andrew, 23, and Mark, 21. Their daughter, Janine, 17, remained at home.

On Sunday, a tearful Helen recalled the attack: 'We were returning to my sister's house after a family supper in Claremont. Neil was on the passenger side because he always insisted that I drive when he had a few drinks.

'I had just parked the car in the driveway. When I opened the door, one of the men shoved a gun in my face. One of them then asked me for the car keys. They started to beat me with the gun.'

She said one of the attackers grabbed her handbag, which was on her lap.

'I don't know how I got out of the car. I was screaming so loudly I didn't even hear the gunshot when Neil was shot.

'There was so much blood and all I could think was 'stay calm, you have to stay strong for your children', but all the while I was screaming hysterically.'

Helen said the next thing she heard was several home alarms wailing and curious neighbours had lined the street.

Their son Andrew said that when he called his mother on her cellphone, a man answered and said: 'We are on our way to Khayelitsha via Muizenberg'.

Neil was taken to the Constantiaberg Medi-Clinic where he was in a critical condition on Saturday.

'But, I had done nursing and knew that there was no hope for my husband,' said Helen.

He died on Saturday evening, just a few hours short of Father's Day.

'I want these guys to be caught. This has to stop. I want to make a special appeal to everyone to be careful. This can happen to you,' said Helen.

Ward was the agent for cricketer Mornantau Hayward as well as former South African cricket captain Kepler Wessels.

He was also a political activist during the apartheid years and joined the African National Congress in the late 1980s.

* Three weeks ago a police case management team of top detectives was set up to investigate house robberies in the southern suburbs.

These occur when the victims are held up or killed while criminals clean out their homes and steal their vehicles.

The Ward killing was a worse-case scenario come true, said deputy provincial police commissioner, Mzwandile Petros. 'A crime pattern has revealed that house robberies are on the increase in the southern suburbs which is why we have established this case management team,' said Petros.

'We don't want to create paranoia among the residents, but we must warn people to be extremely vigilant.'

Many people respond to violence with a mixture of 'horror, revulsions, outrage, fascination, arousal and valorisation'.⁷⁰⁴ The majority of South Africans on some level have had an experience of violence this may lead people to distancing themselves from it as much as possible or it may draw people into trying to research more about it. Whatever the approach of the various theories of violence the greater majority of South Africans it can be said have a 'working theory of violence' – be this on a conscious or unconscious level – and this theory will direct our attitudes, behaviours and judgments.⁷⁰⁵ Although we may wish to avoid violence it does not always avoid us.

⁷⁰⁴ Gilligan, J 'Violence' p30

⁷⁰⁵ ibid

CHAPTER 4: SOUTH AFRICAN CONTEXT WITH A PARTICULAR EMPHASIS ON SOCIAL AND ECONOMIC DISEMPOWERMENT

In this chapter I shall consider the historical and transitional contexts of youth in South Africa. These are two pivotal influences on deviancy and violence among South Africa youth.

CHAPTER 4.1 HISTORICAL CONTEXT

Crime cannot be understood outside its social and political context.⁷⁰⁶ Crime does not occur in a vacuum and every crime has a unique set of causes, consequences and participants.⁷⁰⁷ Context is constituted by 'physical space, institutional process, patterns of relationships and individual variation'.⁷⁰⁸ These four factors constitute a state within which crime influences and is influenced by a 'variety of social and cultural, political and economic determinants'.⁷⁰⁹

In understanding the behaviour of people it is imperative to consider the historical background. A historical perspective is often valuable in order to determine what has influenced the shaping of the contemporary situation that we are faced with. Although the historical account is not all-encompassing in its relay of information, it does provide one with a context that enables one to gain a fuller perspective of factors which shaped a society.

South African people belong to a nation that has a poignant history. It has been subject to colonialism, to the discrimination of apartheid, to a struggle to free itself from apartheid and is now in a transitional state of democratic independence. The detrimental effects of these regimes are like a legacy that is handed down from one generation to the next. The negative harm that is caused is ensured longevity in the next generation.

⁷⁰⁶ Findlay, M 'The Globalisation of Crime' pvii

⁷⁰⁷ Schmallegger, F 'Criminology Today' p22

⁷⁰⁸ Findlay, M 'Globalisation of Crime' pvii

⁷⁰⁹ *ibid*

Colonial privilege was not solely economic. The daily humiliation of the colonised and his objective subjugation resulted in the poorest coloniser thinking himself to be superior to the colonised.⁷¹⁰ This inferior construction of self has been handed down from generation to generation to the extent that it was considered normal for both the coloniser and the colonised. With the dawning of apartheid this sense of inferiority was legitimised in the form of brutal laws that governed the regime.

The 'origins of a divided society' as put forward by Hein Marais in his book, is a complex account of how urban Black South African people got to be in the position that they now find themselves in. South Africa was set up as a 'two-nation' society, where there was a marked segregation between privilege and deprivation. The development of this divided society lies in the late nineteenth century with the acceleration of capitalism as a result of the gold and diamond mining.⁷¹¹ Urbanisation in South African has been characterised by a history of 'repression' and the escalating poverty of certain segments of the population⁷¹².

With the discovery of gold and diamonds there was a rush of skilled and semi-skilled European labour into South Africa and this increased the number of White settlers in South Africa compared to any other African colony.⁷¹³ South Africa was the first country in Africa to undergo a 'fully-fledged' industrial revolution.⁷¹⁴ This also created the need for a steady supply for cheap, unskilled labour. Until this point in large parts of South Africa 'an economically independent African peasantry' existed.⁷¹⁵ The need for unskilled labour dismantled the African peasantry that was to become the primary source of labour. Other measures would still be implemented to ensure that the supply of labour would be 'guaranteed and regulated'.⁷¹⁶

⁷¹⁰ Memmi, A 'Dominated Man' p47

⁷¹¹ Marais, H ' South Africa limits to change, the political economy of transition' p8

⁷¹² Dissel, A 'Youth, Street Gangs and Violence in South Africa' p405

⁷¹³ Marais, H ' South Africa limits to change , the political economy of transition' p8

⁷¹⁴ Van Onselen, C 'Studies in the Social and Economic History of the Witwatersrand 1886 – 1914' p171

⁷¹⁵ Marais, H ' South Africa limits to change , the political economy of transition' p8

⁷¹⁶ ibid

Apartheid laws and the discrimination against non-White people resulted in the stunted economic development of people of these races.⁷¹⁷ A racial division of labour was established and an 'alliance' was formed between the capitalist class and White labour. This alliance was to remain entrenched until the 1970's. Capital transformed the Witwatersrand and left a 'well-entrenched' White ruling class.⁷¹⁸

The African peasantry dwindled due to a combination of factors, particularly through the administrative and punitive measures that were instituted. This 'surplus-producing peasantry' was thus transformed into a source of labour for the mines and the 'emergent capitalist agriculture'.⁷¹⁹ The factors that caused the rapid reduction of the African Peasantry from 2,5 million in 1936 to 832 000 people in 1946 was the mechanisation of agriculture, the crushing effects of the Depression and the State expropriation of land.⁷²⁰ Large numbers of people moved to the cities due to the resulting rural poverty.⁷²¹ This 'downward economic-spiral' must have been a confusing, frustrating time for Black South Africans.⁷²² By the early 1950's, according to the Tomlinson Commission, about two-thirds of the Africans working in urban areas were 'permanently urbanised'.⁷²³ Black South Africans were 'reduced' to the status of 'workers' and were separated from their families.⁷²⁴ The migrant labour system also led to women being devalued and marginalised as men had wives in the rural areas and mistresses in the urban areas, in this way women's worth was depleted.

With the establishment of capitalist mining at the centre of the South African economy, systematic divisions in society were also introduced. There was a racial division of

⁷¹⁷ Dissel, A 'Youth, Street Gangs and Violence in South Africa' p405

⁷¹⁸ Van Onselen, C 'Studies in the Social and Economic History of the Witwatersrand 1886 – 1914' p171

⁷¹⁹ Marais, H ' South Africa limits to change , the political economy of transition' p9

⁷²⁰ *ibid*

⁷²¹ Dissel, A 'Youth, Street Gangs and Violence in South Africa' p405

⁷²² Van Onselen, C 'Studies in the Social and Economic History of the Witwatersrand 1886 – 1914' p172

⁷²³ Karis, T & Carter, G "From Protest to Challenge" vol 2 p79

⁷²⁴ Van Onselen, C 'Studies in the Social and Economic History of the Witwatersrand 1886 – 1914' p171

labour in the urban areas between the skilled White labour and unskilled African labour.⁷²⁵ Since African people were denied their primary means of production, namely land, they were physically 'barricaded into 'native reserves' outside the mining and industrial zones'.⁷²⁶ This policy of confining members of different racial groups to different geographical locations on the peripheries of cities played a central role in the 'evolution' of an 'urban identity' that was determined along racial and economic lines.⁷²⁷ In this way Black people could provide a constant reserve of labour but were denied access to health care, education, welfare and recreational networks that were established in the urban areas.⁷²⁸

These haphazard and 'anarchic waves' of urbanisation dissolved the 'elusive and delicate substance that allowed us to treat each other as human beings'.⁷²⁹ Adjusting to urban life affected the traditional family system and extended family networks and their supportive and disciplinary roles were destroyed by the apartheid system.⁷³⁰ The effect of the breakdown of the family was most 'profoundly felt by children and young people'.⁷³¹ This is still true today and is a crucial point, as children often leave this dysfunctional setting either permanently or spend more time on the street and join gangs which often draws them into criminal activities. I have attended to this theme of gangs in a more detailed manner later in this chapter.

The National Party (NP) Government of the 1950' identified the 'youth' of the time as the root cause of crime in the urban areas. Prior to the NP getting into power, a conference was held in 1938⁷³² to deal with the causes of juvenile delinquency among urban African communities.⁷³³ The most import factors identified as contributing to delinquent

⁷²⁵ Marais, H ' South Africa limits to change, the political economy of transition' p9

⁷²⁶ op cit p10

⁷²⁷ Dissel, A 'Youth, Street Gangs and Violence in South Africa' p405

⁷²⁸ Marais, H ' South Africa limits to change, the political economy of transition' p10

⁷²⁹ Steinberg, J 'Crime Wave' p3

⁷³⁰ Dissel, A 'Youth, Street Gangs and Violence in South Africa' p406

⁷³¹ ibid

⁷³² Conference on Urban Juvenile Native Delinquency held in Johannesburg.

⁷³³ Van Der Spuy, E, Schärf, W & Lever, J 'The Politics of Youth Crime and Justice in South Africa' p166

behaviour was 'poverty, inadequate housing, instability at home, lack of education and lack of recreational facilities'.⁷³⁴ The need for an intervention strategy was strongly suggested. The Afrikaner government introduced a 'total solution' where they tried to stem the influx of Black people to the urban centres through legislation, policing and then harsher punishment. By the 1950's juvenile delinquency increased substantially accommodating social disorder in the form of youth gangs.⁷³⁵

Today the flood of people fleeing rural poverty and migrating to the cities is still increasing. The endless shacks and shanties that border the perimeters of the cities bear witness to this.⁷³⁶ This wave of urbanisation led to the establishment of Black townships during apartheid. The townships resulted in an urban space where 'each individual struggled for his/her survival' in an 'interrelated, mutually dependant community'.⁷³⁷ Crime cannot be understood without understanding the context in which it occurs and the most immediate contexts are the neighbourhoods where people live.⁷³⁸ A link must be established between space and offenders.

Shaw and McKay and other Chicago School Theorists believe that participation in deviant activity was somehow bound with their environment.⁷³⁹ Shaw noted that these neighbourhoods had characteristics that were conducive for deviant activity to thrive in. The structural characteristics of these neighbourhoods include density, poverty, mixed use, transience and dilapidation.⁷⁴⁰ So even in their neighbourhoods children are under little or contradictory forms of control. Sampson concluded that poverty itself did not result in crime.⁷⁴¹ He stated that in neighbourhoods where there was 'social capital' that

⁷³⁴ Van Der Spuy, E, Schärf, W & Lever, J 'The Politics of Youth Crime and Justice in South Africa' p166

⁷³⁵ op cit p168

⁷³⁶ Steinberg, J 'Crime Wave' p3

⁷³⁷ Vold, G et al 'Theoretical Criminology' p141

⁷³⁸ op cit p156

⁷³⁹ Vold, G et al 'Theoretical Criminology' p144

⁷⁴⁰ op cit p150

⁷⁴¹ Vold, G et al 'Theoretical Criminology' p151

is social relationships among the residents in the community there was less crime.⁷⁴² High crime and violence therefore promotes further disintegration of the community.⁷⁴³

The township has come to represent a way of life as well as a social space.⁷⁴⁴ Initially migrants had no social networks through which people could find jobs or spouses or through which children could be taken care of while parents were at work.⁷⁴⁵ Without these social networks in place children grow up on the streets and are reared by other children.⁷⁴⁶ These children then instil fear in their elders, becoming adults before their time, but are yet still children even when they are fully grown up.⁷⁴⁷ The crisis in the relationship between adults and youth is certainly a contributing factor for the heightened crime wave in South Africa.⁷⁴⁸ Since 1994 many middle-class Blacks have left townships and moved to former White suburbs so there are fewer positive role models left in the township to instil young people with goals and aspirations. Applying Bandura's modelling theory, young people do not have the opportunity to observe and model behaviour on these people.⁷⁴⁹

The Group Areas Act introduced the forced removals of entire communities during the height of apartheid (the 1950's to the late 1980's), which contributed to the breakdown of physical space as well as the social networks that operated in that space.⁷⁵⁰ This occurred throughout South Africa but had a greater impact in the Cape area. It was a different process of urban migration to that which was happening on the Witwatersrand, where rural people were and still are migrating to the 'Rand'. In the Cape established communities in an urban setting were forced to the periphery. Forced removals and urbanisation resulted in the collapse of social control over young people. It eroded the

⁷⁴² Vold, G et al 'Theoretical Criminology' p151

⁷⁴³ op cit p152

⁷⁴⁴ La Gory, M 'Urban Social Space' p244

⁷⁴⁵ Steinberg, J 'Crime Wave' p3

⁷⁴⁶ ibid

⁷⁴⁷ ibid

⁷⁴⁸ ibid

⁷⁴⁹ Williams, FP & McShane, MD 'Criminological Theory' p207

⁷⁵⁰ Pinnock, D 'The Brotherhoods' p55

'extended family' networks and traditions.⁷⁵¹ Parents had to adhere to rigid work schedules and young people were left unsupervised for lengthy periods of time. Older people were no longer available to spend time with young people and provide them with a support structure.⁷⁵² Youth then turned to gang structures where deviant activity occurred. The deviants in this context sanction idleness and with South Africa's unemployment rate, they are not short of recruits.

The systematic division of society along the lines of race in South Africa was not only enforced through the legislation of the Apartheid State but also through the various arms of the paramilitary police. The harmful repercussions of this have been incalculable. Eleven years after the formal collapse of apartheid there is still incredible mistrust of the police service where members of the community still do not feel that they can call on the police for assistance. In the victim survey conducted by Louw, less than 37% per cent of the people surveyed thought that the police were doing a 'good job' at controlling crime.⁷⁵³ The most frequent complaints about the police are concerning corruption and ineffectiveness.⁷⁵⁴

⁷⁵¹ Pinnock, D 'Gangs: rituals and rites of passage' p76

⁷⁵² op cit p77

⁷⁵³ Louw, A 'Comparing crime in South Africa's major cities: Results of four city victim surveys' p8

⁷⁵⁴ op cit p9

Chapter 4.2 Youth Marginalisation

The Verwoedean dictum stated that 'there was no place for [Blacks] above the level of certain forms of labour'⁷⁵⁵ and education reforms were not considered with respect to politics and education but primarily with a focus on the 'changing needs on the labour market'.⁷⁵⁶ The apartheid system was premised on under-educating Black South African and 'ejecting' them from the education system very early.⁷⁵⁷ Outside of this system, life for young Black South Africans was marked by 'structural violence, including denial of decent employment, housing and family life'.⁷⁵⁸ As a result unemployment amongst African males under the age of twenty-five has always been very high.⁷⁵⁹ This experience flowing from structural violence has led to 'substance abuse, political violence, rape, [and] teenage pregnancies', amongst many other problems.⁷⁶⁰

The theoretical perspective of social disorganisation emanating from the Chicago School suggested that the process of industrialisation and urbanization created communities in which there are competing norms and values and as a result there is a breakdown of the traditional norms and values.⁷⁶¹ This is what results in social disorganisation.⁷⁶² The Chicago School Project has been criticised because although events occur within a certain setting it is not sufficient to deduce that the setting is responsible for the events. However, this Project introduced the concept of urban space as contributing to deviant behaviour and has therefore led to a greater understanding of deviance in a geographical context and the impact it has on a society. During this sub-chapter I argue that as a direct result of creation of urban space to house Blacks two very different scenarios emerged. The urban ghetto was a setting, which imposed inaccessibility to youth and this resulted in two very different responses. The one was the involvement of

⁷⁵⁵ Everatt, D 'Creating a Future – Youth Policy for South Africa', p3

⁷⁵⁶ *ibid*

⁷⁵⁷ *ibid*

⁷⁵⁸ *ibid*

⁷⁵⁹ Schärf, W 'The resurgence of urban street gangs and community responses in Cape Town during the late eighties' p234

⁷⁶⁰ Everatt, D 'Creating a Future – Youth Policy for South Africa', p3

⁷⁶¹ Walklate, S 'Understanding Criminology' p21

⁷⁶² *ibid*

youth in the fight against apartheid and the other lead to the formation of gangs. This setting was responsible for the reaction of youth.

In addition, youth of all races are faced with violence in their homes, from partners and from members of their community, which means that the social bonds within families and communities are weak. In a recent survey David Everatt documented that there are very high levels of violent abuse and sexual abuse of children in South African society.⁷⁶³ Extremely high rates of rape was reported by the group surveyed in 1991 and participants in the survey knew of an even higher number that had been raped.⁷⁶⁴ The survey claims that of the population of South Africa, over half-a -million people are being beaten by their partners. An even higher number were aware of other people involved in violence of this nature.⁷⁶⁵

The concept of individualism is one that is characteristic of our times and it stresses the right of each person to develop her/himself as an individual, to choose freely a suitable and satisfying lifestyle.⁷⁶⁶ This concept pertains to general and legal culture and does not necessarily reflect the truth and reality of the world. Individualism is a concept that is quite foreign in African society, where the focus is placed on communalism.

Communalism provides for responsibility for members of the community but also individual responsibility. With the migration to the urban setting and disintegration of the relationships between the generations this ethos of 'communalism' is not being passed on the present younger generations.

Youth Deviance in the Struggle

During the 1950's there were campaigns of defiance that eventually led to the banning of Black political parties. This did not stop the pursuance of dismantling apartheid by the Black majority and other likeminded people. It simply moved it underground where it

⁷⁶³ Everatt, D 'Growing up tough- A national survey of South Africa youth' p23

⁷⁶⁴ ibid

⁷⁶⁵ ibid

⁷⁶⁶ Friedman, LM 'The Republic of Choice' p60

adopted a military approach⁷⁶⁷ with which to address inequality. With the student uprising of 1976 there was a renewed vigour in the struggle and young people were committed to the fight for freedom. The 'defiant mood' of Black consciousness appealed to many young Africans growing up in an unsettling time.⁷⁶⁸ This led to a greater 'dissonance in intergenerational' relationships.⁷⁶⁹

The armed struggle in the 1980's extended the prominence of violence in the region.⁷⁷⁰ Many young Africans joined the armed struggle against oppression. Training a cadre of 'committed and astute activists' was important so that when the time was right, they could guide 'future political action'.⁷⁷¹ The availability of weapons coupled with military training and combat experience intensified the violent conflict. The young people in these political formations were often highly trained 'both in political strategy' and later 'militarily' for the armed struggle.⁷⁷² We have the level of criminal violence we do because of the way our social and economic life was arranged.⁷⁷³

During the negotiated transition to democracy, the armed struggle was 'suspended' and the political leaders called on youth to curtail their resistance activities.⁷⁷⁴ Mandela was quoted as saying 'take your knives, guns and pangas and throw them into the sea, close down the death factories and end this war now'.⁷⁷⁵ It was at this point that political violence sanctioned by the ANC ceased and these youth were marginalized from the political process. The process of negotiation resulted in the further marginalisation of

⁷⁶⁷ The military wing of the ANC was formed in 1961 and was called Umkhonto we Sizwe (MK)

⁷⁶⁸ Karis, TG and Gerhart, GM "From Protest to Challenge: A Documentary History of African Politics in South Africa 1882-1990" Volume 5 'NADIR and Resurgence 1964-1979' p157

⁷⁶⁹ *ibid*

⁷⁷⁰ Beinart, W ' Introduction: Political and Collective Violence in Southern African Historiography' p455 in *Journal of Southern African Studies*, Vol 18 No. 3 September 1992

⁷⁷¹ Karis, TG and Gerhart, GM "From Protest to Challenge: A Documentary History of African Politics in South Africa 1882-1990" Volume 5 'NADIR and Resurgence 1964-1979' p157

⁷⁷² Dissel, A 'Youth, Street Gangs and Violence in South Africa' p407

⁷⁷³ Gilligan, J 'Violence' p22

⁷⁷⁴ Dissel, A 'Youth, Street Gangs and Violence in South Africa' p408

⁷⁷⁵ Nelson Mandela, Rally at Kingspark Stadium –Durban, 25 February 1990

these youth while their leaders were swept up into government and parliament, further alienating them.⁷⁷⁶

Not all youth were noble in their involvement in the struggle. There were 'comrades' that enforced compliance to consumer boycotts in their communities through brutal means. They were referred to as 'abosiyayinyova' or thuggish, lawless youth.⁷⁷⁷ There were also the gangs of apolitical tsotsis that exploited the legitimacy of the youth who were politically involved and extorted money from the residents.⁷⁷⁸ In 1981, the ANC even added a category called 'exploiters' to their definition of youth.⁷⁷⁹ This group of youth damaged the relationship of trust and mutual respect that existed between the youth and adults. This led to the breakdown between the generations in South Africa that has been evident for the last few decades.

Student politics did offer an alternative against gangsterism but many of the street networks were involved in both crime and politics.⁷⁸⁰ Adults supported youth activism but objected to the gruesome violence that some youth were involved in. The outbreak of violence in Soweto took leaders of the underground liberation movements by surprise as students were developing their own contacts and strategies.⁷⁸¹ Winnie Mandela, after being unbanned in 1975, supported the student activists who did not really need much urging. The students had 'spontaneously' demonstrated their 'rage' against State-sponsored institutions in the June riots.⁷⁸²

Many adults were alienated by what they saw as the 'unbridled' power of the youth in

⁷⁷⁶ Dissel, A 'Youth, Street Gangs and Violence in South Africa' p408

⁷⁷⁷ Johnson, S 'The Soldiers of Luthuli: Youth Politics of Resistance in South Africa' p118 in *'South Africa: No Turning Back'* ed Johnson, S

⁷⁷⁸ *ibid*

⁷⁷⁹ Seekings, J 'Heroes or Villains? Youth Politics in the 1980's' p8

⁷⁸⁰ Glaser, C 'Swines, Hazels and the Dirty Dozen: Masculinity, Territoriality and the Young Gangs of Soweto, 1960-1976' p735

⁷⁸¹ Karis, TG & Gerhart, GM 'From Protest to Challenge' vol. 5 p181

⁷⁸² *op cit* p182

township life where they used the necklace⁷⁸³ to instil fear and control in the communities.⁷⁸⁴ The apartheid government used youth gangs for political motives to counter politicised youth involved in the resistance movements.⁷⁸⁵ Sieberg reflected that gangs were not 'raging and out of control' as is often perceived but rather that they were tightly controlled, coldly calculating economic and political enterprises.⁷⁸⁶ Gang activity like this led to the further dissolution of trust between the generations, as well as between the youth themselves. During the Soweto uprisings youth sought unity within their own generation and began to distance themselves from their parents and spoke with a 'self-aware' voice as 'we, the youth of South Africa'.⁷⁸⁷

Adults realise that freedom was achieved because of the youth but they insist that they should still respect people.⁷⁸⁸ I think that the lack of respect for other people is rapidly increasing. Usually in traditional African society it is an accepted norm that elders are respected. We find since the 1980's that parents are too scared to question the deviant behaviour of youth. It is also important to bear in mind that the 'People's Courts' and street committees had been weakened by the police in the African townships by the mid-eighties, so there was no disciplinary body in the communities.⁷⁸⁹ Street gangs were therefore able to grow in strength as the police did not prevent deviant activity of this nature.⁷⁹⁰ At this time the sole concern of the police was protecting the Apartheid State.

⁷⁸³ A rubber tyre that was filled with petrol was placed around a victim's neck before setting it alight.

⁷⁸⁴ Johnson, S 'The Soldiers of Luthuli: Youth Politics of Resistance in South Africa' p119 in *'South Africa: No Turning Back'* ed Johnson, S

⁷⁸⁵ Kynoch, G 'From the Ninevites to the Hard Livings Gang: Township and Gangsters and Urban Violence in twentieth century South Africa' p34

⁷⁸⁶ Sieberg, KK 'Criminal Dilemmas' p122

⁷⁸⁷ Bundy, C 'Action, comrades, action: The politics of youth-student resistance in the Western Cape, 1985' p206 in James, WG 'The Angry Divide'

⁷⁸⁸ Johnson, S 'The Soldiers of Luthuli: Youth Politics of Resistance in South Africa' p119 in *'South Africa: No Turning Back'* ed Johnson, S

⁷⁸⁹ Schärf, W 'The resurgence of urban street gangs and community responses in Cape Town during the late eighties' p252

⁷⁹⁰ *ibid*

The SDU's⁷⁹¹ were established in South Africa during 1991 and were a para-military wing trained by MK.⁷⁹² ANC leaders such as Chris Hani supported the establishment of 'self-defence units' (SDU's) in the local townships to guard against the IFP⁷⁹³ and the security forces.⁷⁹⁴ These youth later became involved in undisciplined criminal activity. They became unaccountable to no political organisation. As a result of their military training they became involved in 'car hijackings, rape, extortion, bribery and murder'.⁷⁹⁵ Many of these SDU youth have found a niche for themselves by providing alternative policing called in the townships where police prove to be inefficient.⁷⁹⁶ Matza's drift theory applies to this situation where these youth seem to have drifted from resistance politics to crime.⁷⁹⁷ These youth continued to view themselves as 'comrades' and legitimated their behaviour as protecting the community.

These youth were further marginalized by the new democratic government as they were not incorporated into State structures, while the leadership of MK and APLA⁷⁹⁸ joined the SANDF⁷⁹⁹. The ANC and the new government found them to be uncontrollable. The suspension of the armed struggle broke the hierarchical ties with the ANC, which placed the SDU's in a vacuum. Many SDU members have been stigmatised as murders and have become social outcasts in their communities.⁸⁰⁰

Dissel suggests that without the disciplined structure of the resistance movements, many youth have become involved in criminal activities.⁸⁰¹ These youth have been highly trained in the use of weapons and with weapons being so freely available, violent involvement in criminal activity is alluring activity. Many younger people look up to these

⁷⁹¹ Self Defence Units

⁷⁹² Umkhonto we Sizwe – Military wing of the ANC.

⁷⁹³ Inkatha Freedom Party (a Zulu Nationalist Party)

⁷⁹⁴ Marks, M 'Young Warriors' p76

⁷⁹⁵ op cit p112

⁷⁹⁶ op cit p1

⁷⁹⁷ Matza, D 'Delinquency and Drift'

⁷⁹⁸ Azanian People's Liberation Army

⁷⁹⁹ South African National Defence Force

⁸⁰⁰ Rakgoadi, PS 'The Role of the Self-defence Units (SDUs) in a Changing Political Context' p5

⁸⁰¹ Dissel, A 'Youth, Street Gangs and Violence in South Africa' p408

youth as role models and are often recruited for deviant activity, which take on the structure of a gang.

The reason the NYP defined 'youth' as anyone between the ages of 15-35 years was to include young people who were involved in the political struggle.⁸⁰² It was to allow the youth access to institutions such as the National Youth Commission so that they could participate in skills development.⁸⁰³

The violence being experienced between 1994–2005 in South Africa is the significant social cost resulting from our violent past.⁸⁰⁴ There has been a brutal systemic compounding of internal violence that has been stencilled in the psyches of the majority of South Africans. This manifests itself in the negative sense of self-esteem and self-worth that youth today have. These young people have grown up with the effects of their parents living in fear and shame under an unjust regime. In addition to the political violence, the structural violence has limited access to lawful income opportunities for Black people.

Add to this the political promises of the present government of 'a better life for all' that has simply not materialised. The slow delivery of decent sanitation, housing and equal education compounds the level of frustration that these youth are experiencing. The economic marginalisation that is still being experienced only adds to the desire by youth to acquire wealth elsewhere.⁸⁰⁵

Gangs Formation in South Africa

The townships, squatter camps, hostels and mining compounds which have 'comprised of the living space' for Africans from the last century onwards have always seen a high level of violence, much of which was gang-related.⁸⁰⁶ The gang subculture in South

⁸⁰² National Youth Policy, approved on 9 December- p7

⁸⁰³ Marks, M 'Young Warriors' p130

⁸⁰⁴ Gilligan, J 'Violence' p22

⁸⁰⁵ Dissel, A 'Youth, Street Gangs and Violence in South Africa' p409

⁸⁰⁶ Kynoch, G 'From the Ninevites to the Hard Livings Gang: Township and Gangsters and Urban Violence in twentieth century South Africa' p1

Africa has a very long history and is certainly not a recent development.

According to Thrasher:

The gang is an interstitial group originally formed spontaneously and then integrated through conflict. It is characterised by the following types of behaviour: meeting face to face, milling, movement through space as a unit, conflict and planning. The result of this collective behaviour is the development of tradition, unreflective internal structure, esprit de corp, solidarity, morale, group awareness, and attachment to local territory.⁸⁰⁷

La Hausse's historical account of gang activities in Durban during 1900 – 1930 provides an interesting starting point to consider the history of youth gangs in South Africa. His account is of young, mainly migrant workers.⁸⁰⁸ La Hausse elaborates on the 'Amalaita', a pejorative, generic term that referred to an urban African male criminal.⁸⁰⁹ La Hausse proposes that the 'Amalaita' was foremost a 'traditionalist youth organisation' and that the State did not grasp the 'complexities of African cultural responses to proletarianisation'.⁸¹⁰ Belonging to the Amalaita, according to La Hausse, was how the African youth struggled for control over their daily lives in early industrial South Africa by transforming cultural practices (such as stick fighting), which were bound with rites of passage in rural areas, and adapting them to urban life.⁸¹¹ A generational conflict began to emerge as the Amalaita were involved in activity that was not in keeping with rural custom and this was considered disrespectful to the elders.

Van Onselen documented how Mzoozepi Mathebula, a Zulu migrant youth in Johannesburg learnt from a group of White robbers how to prey on the other migrants en

⁸⁰⁷ Thrasher, F 'The Gang' p57

⁸⁰⁸ La Hausse, P ' 'Mayihlome!': Towards an understanding of Amalaita gangs in Durban C.1900-1930' in Clingman, S 'Regions and Repertoires: Topics in South African Politics and Culture' p30

⁸⁰⁹ ibid

⁸¹⁰ La Hausse, P ' 'Mayihlome!': Towards an understanding of Amalaita gangs in Durban C.1900-1930' in Clingman, S 'Regions and Repertoires: Topics in South African Politics and Culture' p31

⁸¹¹ op cit p31

route to the mines whilst hiding in the surrounding hills.⁸¹² Mathebula (also known as Jan Note) soon formed his own band of followers and eventually ended up in prison, where gangs were also formed.

A powerful apolitical gang culture dominated the world of township youth from the 1930's to the 1970's in Johannesburg.⁸¹³ This culture generated tension along gender and generational lines. Parallels of a prevalent gang culture can be witnessed in the Cape, beginning during the period of the forced removals of the 1960's and 1970's.⁸¹⁴ The economic and social marginalisation that was intended is still being felt and is compounded by the 'degradation' of the social infrastructure.⁸¹⁵

Belonging to a gang forges an identity that delineates⁸¹⁶ many aspects of the participants' lives. Often the subculture of a gang has style that is adhered to by the members and this includes image (jewellery, hairstyles), demeanour (expression, gait, posture) and argot (special vocabulary).⁸¹⁷ Belonging to a gang also regulates the 'relations with other gangs', deciding on methods of support, creating rituals, territorialism and political affiliations.⁸¹⁸ An identity as a group is forged so that the members of the gang are identifiable within a community.⁸¹⁹ In the past, the territorial nature of gangs could thrive in a fractured township community and within a broader society whose government policies enriched and empowered Whites at the expense of

⁸¹² Van Onselen, C 'Studies in the Social and Economic History of the Witwatersrand 1886-1914' vol 2

⁸¹³ Glaser, C 'Bo-Tsotsi - The Youth Gangs of Soweto, 1935 -1976' p3

⁸¹⁴ Pinnock, D 'Gangs - Rituals and Rites of Passage'

⁸¹⁵ Standing, A 'Out of the Mainstream: Critical Reflections on Organised Crime in the Western Cape' p33

⁸¹⁶ Klein, MW & Maxson, CL 'Street Gang Violence' p203 in Weiner, NA & Wolfgang, ME '*Violent Crime, Violent Criminals*'

⁸¹⁷ Brake, M 'Comparative Youth Culture' p12

⁸¹⁸ Kynoch, G 'From the Ninevites to the Hard Livings Gang: Township and Gangsters and Urban Violence in twentieth century South Africa' p7

⁸¹⁹ *ibid*

Blacks.⁸²⁰ Gangs could exploit the divisions in these urban populations and were able to sustain the level of violence that was forged within this environment.⁸²¹ Needless to say, it was in the interest of the apartheid government and police not to interfere in conflict that arose in the townships, especially the conflict that was due to gangs selling information about resistance organisations to the apartheid authorities.

With the absence of 'State-sanctioned' alternatives these young men provided a form of criminal governance, which highlight the failings of social security and State authority to regulate poor neighbourhoods.⁸²² The informal and underground economy that these gangs generate provides a dependable source of income for many people living in that community. Cloward and Ohlin's ideas around illegitimate opportunity structures can explain this phenomenon, where these youth desired wealth but at the onset not entry to the middle class, they may desire that later.⁸²³ Gang bosses in the Cape area view themselves as latter-day 'Robin Hoods' as they often provide handouts to community members. In reality, this results in people being indebted to the gangs, which elevates the gangs powerful status in a community.⁸²⁴ It is not surprising that young people in this situation grow up admiring gangsters, wanting to emulate them.

Gang structures and dynamics are not uniform through out the country. Looking at the Johannesburg gang dynamics we find that the tsotsi gangs rejected middle class values such as the work ethic and held the law in contempt. Instead they 'revered violence' and experimented with drugs in their pursuit of wealth and expensive clothes in the townships.⁸²⁵ Being able to have the luxury of spending freely was a symbol of success in

⁸²⁰ Kynoch, G 'From the Ninevites to the Hard Livings Gang: Township and Gangsters and Urban Violence in twentieth century South Africa' p8

⁸²¹ Kynoch, G 'From the Ninevites to the Hard Livings Gang: Township and Gangsters and Urban Violence in twentieth century South Africa' p9

⁸²² Standing, A 'Out of the Mainstream: Critical Reflections on Organised Crime in the Western Cape' p32

⁸²³ Schmallegger, F 'Criminology Today' p216

⁸²⁴ Standing, A 'Out of the Mainstream: Critical Reflections on Organised Crime in the Western Cape' p45

⁸²⁵ Glaser, C 'Bo-Tsotsi - The Youth Gangs of Soweto, 1935 -1976' p6/7

the townships.⁸²⁶ Ironically gangs identify very closely with the dominant culture of consumer capital, the means they chose to acquire it is in conflict with the law as defined by the dominant culture but the goals attained are identical.⁸²⁷ Needless to say young children aspire to this especially when they face the stark reality of watching their parents scrimp together their meagre means to survive.

Gangs provide role models and deviant activity is a collaborative social activity. Often the deviant activity is non-utilitarian and purposeless where middle class values are inverted. The activity does however take place in a group context that binds participants together.⁸²⁸ The gang therefore fulfils many functions for those who join, such as economic gain, power, protection and a sense of family that is absent from the lives of many.⁸²⁹ Young people often become involved in violent gang subcultures in opposition to the culture that their parents represent.⁸³⁰ The involvement in gang activities is compounded by the high rate of unemployment and the high cost of living. This also leads to more people migrating to urban areas where there is a higher rate of gang related activities

Gangsterism is not a situation that is unique to South Africa: it seems to occur wherever 'employment and income' are a 'privilege and not a right'.⁸³¹ Racial and class disadvantages both reduce opportunities and heighten the prevalence of certain forms of 'manliness'.⁸³² Structurally excluded young males therefore 'accomplish masculinity' by creating a street culture of 'spectacular consumption, drug use and 'living on the 'edge''.⁸³³

⁸²⁶ Glaser, C 'Bo-Tsotsi - The Youth Gangs of Soweto, 1935 –1976' p6/7

⁸²⁷ Dixon, B 'Exclusive Societies: towards a critical criminology of post-apartheid South Africa' p222

⁸²⁸ Cohen, A K 'Delinquent Boys' p25

⁸²⁹ Sieberg, KK 'Criminal Dilemmas' p109

⁸³⁰ Pinnock, D ' The Brotherhoods' p59

⁸³¹ op cit p99

⁸³² Jefferson, T 'Wheelin' and Stealin' p6

⁸³³ McGuire et al ' The Oxford Handbook of Criminology' p550

Social and political events supporting gang formation

Legislation such as the Group Areas Act and urbanisation on the Witwatersrand served to further erode family bonds especially with the extended family. Prior to the occurrence of the forced removals, children would be cared for by extended family within the community.⁸³⁴ There was also a form of social policing where older members of the community would watch the behaviour of young people and report misbehaviour to their parents.⁸³⁵ With the forced removal these social links broke down and there was no social control over young people.⁸³⁶ The social bond cited by Hirschi breaks down.⁸³⁷ Pinnock stresses the importance of 'older people' and kin in communities.⁸³⁸ He points out that urban life has increased the need that young people have for 'support, discipline, assistance, protection, teaching, basic physical requirements', as well as for experiences of 'trust, love, values, customs and spiritual traditions'.⁸³⁹ The urban setting has reduced the support available to young people from elders and adolescents then turn to gang structures to fulfil these needs.⁸⁴⁰

It must be mentioned that in the Western Cape urban Black youth seldom form gangs but in Gauteng they join them more frequently. This could be due to the fact that in the Western Cape there is a stronger link with the cultural traditions of the Xhosa in the rural Eastern Cape (most urban Black people in the Western Cape have migrated from the rural Eastern Cape). The youth are still involved in initiations and rites of passage, which instil a stronger sense of identity and belonging for the young person. However, young coloured youth have grown up in the ghettos as a result of the apartheid relocation and lack those same rituals, which could explain their heightened involvement in gang activities. The Black youth growing up in Gauteng are geographically so far removed

⁸³⁴ Pinnock, D 'The Brotherhoods' p56

⁸³⁵ *ibid*

⁸³⁶ *ibid*

⁸³⁷ Williams, FP & McShane, MD 'Criminological Theory' p189

⁸³⁸ Pinnock, D 'Gangs: rituals and rites of passage' p76

⁸³⁹ *op cit* p77

⁸⁴⁰ Pinnock, D 'Gangs: rituals and rites of passage' p76

from traditional practices, so they too turn to gang affiliations to fill the void for positive support structures.

According to a study cited by Schönteich, poor parental supervision was the 'best predictor' of violent and property offenders.⁸⁴¹ Pinnock asserts that the forced population removals led to gang formation, as it was a reaction to the loss of community and erosion of social bonds.⁸⁴² In addition the social space did not lend itself to a safe environment but rather created ghettos and slums. Stark's proposal that the physical state of a neighbourhood contributed to an increase in crime can also be applied to this situation.⁸⁴³

Glaser mentions that since the adult working population of an area like Soweto were absent during the day, children were unsupervised and often got involved in petty crime, which gave them access to money, which their parents did not have. There was little incentive to conform as the youth saw little dignity in the employment of their parents whose ambition was blocked by poverty and racial discrimination.⁸⁴⁴ Glaser goes on to say that gang life offers a more immediate route to dignity and status rather than the 'arduous' route through an under-resourced school system, which does not guarantee success.⁸⁴⁵

Bandura considers the concept of imitation or modelling to be central to the learning process. If a person is observed as being rewarded for certain behaviour then the observer is 'vicariously reinforced' to participate in similar activity to achieve similar results.⁸⁴⁶ The role models that these children are surrounded by are unfortunately often involved in behaviour that is not positive. If children observe violence on a daily basis they perceive that to be the *modus operandi*. That is they are desensitised to it and engaging in such behaviour is not considered to be an unusual act.

⁸⁴¹ Schönteich, M 'Age and Aids: South Africa's crime time bomb?' p42

⁸⁴² Pinnock, D 'The Brotherhoods'

⁸⁴³ Vold, G 'Theoretical Criminology' p150

⁸⁴⁴ Glaser, C 'Swines, Hazels and the Dirty Dozen: Masculinity, Territoriality and the Young Gangs of Soweto, 1960-1976' p723

⁸⁴⁵ *ibid*

⁸⁴⁶ Williams, FP & Mcshane, MD 'Criminological Theory' p207

In 2005 the role models young people look up to are people with money, and in underprivileged areas these are often gangsters and drug dealers⁸⁴⁷ who tend to have the most influence in that sector of society. Glaser does mention that gangs indulged in 'conspicuous consumption', where they steal to look good and acquire social status rather than survive.⁸⁴⁸ The adherence to a principle where in the past people have achieved success despite adverse conditions due to sheer will and a dedicated work ethic seem to have been erased from the mindsets of young people today. If something cannot be achieved in record time then it is not worth the commitment. Cohen referred to delinquent acts as 'short-run hedonism', that is for immediate pleasure and a reaction to the imposed middle class standards.⁸⁴⁹

Social learning theory also helps us understand why young men seem to be more disposed to involvement in deviant activity than young women. I will briefly discuss why this is, but will not embark on a discussion of the relations between the genders themselves or the horrific nature of the violence that is highly prevalent in these relationships. Proponents of the women's liberation and opportunity hypothesis argue that female crime rates should increase as women move toward greater equality with men in the social, economic and political spheres in their societies.⁸⁵⁰ This has not proved to be accurate as women still play relatively minor roles in violent crime.⁸⁵¹ Crime is primarily a masculine activity and women who engage in criminal activity are 'doubly deviant' because they are breaking the laws and they are 'gender-benders'.⁸⁵²

Sutherland's theory that deviant and masculine behaviour is learnt is extended to theory of gangs. He proposes that the young men are more frequently exposed to the kinds of

⁸⁴⁷ Fisher, R 'Taking Issue' p8 in the Big Issue

⁸⁴⁸ Glaser, C 'Swines, Hazels and the Dirty Dozen: Masculinity, Territoriality and the Young Gangs of Soweto, 1960-1976' p733

⁸⁴⁹ Moyer, I 'Criminological Theories' p68

⁸⁵⁰ Simon, RJ & Baxter, S 'Gender and Violent Crime' p175 in Weiner, NA & Wolfgang, ME '*Violent Crime, Violent Criminals*'

⁸⁵¹ op cit p194

⁸⁵² Jefferson, T 'Wheelin' and Stealin' p9

learning situations in which crime becomes a possibility.⁸⁵³ He mentions that the value attached to certain forms of behaviour is in the same way learnt.⁸⁵⁴ Boys are more likely, according to Sutherland, to become involved in delinquent behaviour than girls because the socialisation process less strictly controls boys and boys are taught to be tough and aggressive.⁸⁵⁵ These traits are pre-requisites to be involved in the criminal world. This is a useful theory because it provides an understanding of the mechanisms through which deviant learning takes place in relation to gangs.

Parson places the family at the centre of social learning and associated roles.⁸⁵⁶ These learnt roles provide a sense of stability from one generation to the next. The institution of kinship played an important role in Black tribal society and these bonds directed almost every aspect of that culture.⁸⁵⁷ These bonds were created by the extended family, which was an alien concept to South Africa's White society.⁸⁵⁸ The child in this culture therefore grew up surrounded by a host of relatives beyond the nuclear family construct.⁸⁵⁹

The main emphasis of the 'parent-child' relationships was that of strict obedience.⁸⁶⁰ With the formation of gangs in urban areas there was a clash between the two forms of masculinity on generational lines that is between the middle-aged males in the townships and gang members.⁸⁶¹ This central feature of respect in Black culture seems to be eroding at a rapid pace. Fanon proposes that behaviour to authority is also something that is learned within the family.⁸⁶² Involvement of males in delinquency is also a 'masculine protest' against maternal domination, especially in females headed

⁸⁵³ Walklate, S 'Gender and Crime' p164

⁸⁵⁴ op cit p165

⁸⁵⁵ ibid

⁸⁵⁶ ibid

⁸⁵⁷ Ndabandaba, GL 'Crimes of violence in Black Townships' p19

⁸⁵⁸ ibid

⁸⁵⁹ ibid

⁸⁶⁰ ibid

⁸⁶¹ Glaser, C 'Swines, Hazels and the Dirty Dozen: Masculinity, Territoriality and the Young Gangs of Soweto, 1960-1976' p735

⁸⁶² Fanon, F 'Black Skins White Masks' p 134

households. In South Africa as a result of migration and the effects of forced removals, family bonds have disintegrated and there is often an absence of a male figure. The young male often when he gets older rejects the values of the mother and engages in masculine activities, which often takes the form of deviant behaviour. It is also interesting to note that the youth are more likely to be unemployed in female-headed households than male-headed households.⁸⁶³

Violent activities amongst gang members serve important social and psychological functions with respect to masculinity.⁸⁶⁴ The emphasis on machismo and honour legitimates violent behaviour. These are played out in challenges on fellow gang member's courage and territory fights.⁸⁶⁵ Belonging to a gang may be related to higher levels of offending and violent offences may be part of this pattern (however, some gangs facilitate violent forms of behaviour disproportionately). Gangs are therefore an expression of 'young urban masculinity'.⁸⁶⁶ Glaser explains that the masculine identity of the *tsotsi* gangs centred on 'fighting skill, independence, street wisdom, feats of daring, law-breaking, clothing style, proficiency in the slang (*tsotsitaal*) and success with women'.⁸⁶⁷

Urbanisation and forced removals resulted in the streets being left to 'younger, rougher, more casually employed males'.⁸⁶⁸ It is this group that now rule the streets. The streets then come to form the location where young men 'work'⁸⁶⁹ and play. Physical toughness is a requirement in order to survive on the streets. These features are contained in Miller's 'focal concerns' where ideas such as; 'toughness, smartness and fate' is canvassed.⁸⁷⁰ I discussed this theory in more depth in chapter 2.

⁸⁶³ Chisholm, L, Harrison, C & Motala, S 'Youth Policies, Programmes and Priorities in South Africa 1990-1995' p217

⁸⁶⁴ Klein, MW & Maxson, CL 'Street Gang Violence' p203 in Weiner, NA & Wolfgang, ME '*Violent Crime, Violent Criminals*'

⁸⁶⁵ *ibid*

⁸⁶⁶ Glaser, C 'Bo-Tsotsi - The Youth Gangs of Soweto, 1935 -1976' p4

⁸⁶⁷ *ibid*

⁸⁶⁸ Jefferson, T 'Wheelin' and Stealin' p10

⁸⁶⁹ often involvement in deviant activities

⁸⁷⁰ Schmallegger, F 'Criminology Today' p213

Tolson recognised that masculinity was not a 'unidimensional phenomenon' that was the opposite of femininity⁸⁷¹ and goes on to mention that it is varied across both cultures and generations.⁸⁷² Morgan, however, locates the understanding of masculinity within the broader context of gender relations. He emphasises the concepts of power and difference, which are themes central to deviant culture. Their subculture is distinct from mainstream culture and their difference equips them with a power that they equate as being respect.⁸⁷³

Given the importance of sexuality to the construction of masculinity, young men participate in sexual crimes. Messerschmidt is quoted as saying that sexual violence is a 'resource' for the 'situational accomplishment of gender'.⁸⁷⁴ Young men with reduced opportunities to 'accomplish hegemonic masculinity' turn to sexual crime to realise this.⁸⁷⁵ These young boys are trying to build a 'powerful sense of masculine identity' in social contexts that render them powerless.⁸⁷⁶

There are a few broad social factors, which contribute to sexually aberrant behaviour in South Africa, these include:

- the socio-political history of South Africa which has eroded family and community life;
- migrant labour where men have several women and women's worth is depreciated;
- the loss of traditional methods of teaching young people sexually responsible behaviour;
- the reinforcement by the media of messages that sexual expression should be unfettered by values, faithfulness and self-control;

⁸⁷¹ Walklate, S 'Gender and Crime' p161

⁸⁷² ibid

⁸⁷³ op cit p162

⁸⁷⁴ Jefferson, T 'Masculinities and Crime' p542 in Maguire, M 'The Oxford Handbook of Criminology'

⁸⁷⁵ ibid

⁸⁷⁶ Jefferson, T 'Masculinities and Crime' p547 in Maguire, M 'The Oxford Handbook of Criminology'

- poverty, which contributes to the sexual vulnerability of children; the lack of service delivery from all sectors;
- the developing culture of human rights in South Africa that does not focus on personal responsibility for protecting the rights of others;
- there is an increase in programmes focusing on the empowerment of women but very few focusing on the emasculation of men (which may result in power being expressed through sexually aggressive and controlling acts against women and children).⁸⁷⁷

Cohen reiterates that this is a difficult time for young men due to the lack of positive role models and this is easily resolved by the involvement in a street gang.⁸⁷⁸ Cohen's presumption was that delinquency was primarily a working-class phenomenon and that 'status frustration' was at the centre of such behaviour. The assertion of power by these young men through 'physical prowess', taking risks and the thrill of breaking the rules allows them to be perceived as 'men' in their social arena.⁸⁷⁹

Pinnock suggests that when children reach the age of adolescence there is a need for ritual.⁸⁸⁰ A ritual is necessary for the child to locate himself within the community and to understand his social position and the responsibility that comes with that. Urban cultures are losing their traditional roots, 'through migration, poverty or dilution' but young people still have similar needs.⁸⁸¹ Traditional society provided support and a sense of direction to young people entering adulthood, where they were made to feel 'accepted and important' in society.⁸⁸² Goals were set which motivated and challenged them to strive for 'social acceptance'.⁸⁸³ What Pinnock suggests is that young people, particularly young males create their own form of rituals, often through gang involvement, that

⁸⁷⁷ De Grandpre, T 'Childline Sexual Offenders Training Manual' p13

⁸⁷⁸ Walklate, S 'Gender and Crime' p166

⁸⁷⁹ op cit p167

⁸⁸⁰ Pinnock, D 'Gangs – Rituals and Rites of Passage' p11

⁸⁸¹ ibid

⁸⁸² Dissel, A 'Youth, Street Gangs and Violence in South Africa' p406

⁸⁸³ ibid

involve various initiation rites.⁸⁸⁴ Pinnock argues that belonging to a gang is therefore a 'survival technique' in order to cope with living in urban centres.⁸⁸⁵

Factors relating to family and personal history which may influence why young men participate in deviant behaviour are the following:

- early deprivation with regards to emotional bonding and relationship opportunities;
- exposure to domestic violence;
- lack of opportunity to develop the skill of empathy for others and understanding the impact of one's behaviour;
- physical abuse during childhood;
- poor/absent male role models;
- sexual abuse;
- early exposure to overt sexual behaviour of adults, especially in poor overcrowded situations;
- exposure to pornography;
- difficulty in establishing positive peer relationships;
- lastly, difficulty in establishing intimate relationships.⁸⁸⁶

In the chapter on prevention I briefly discuss a diversion programme (SayStop) that seeks to address these issues with respect to young males.

An intriguing question concerns those individuals that have grown up in the most brutal apartheid years but have managed to engage in life choices that have led them to being dignified law-abiding citizens earning an honest wage, albeit a humble one. There are numerous factors that shape a person's choices in life but it does come down to the individual and the family as Hirschi and Gottfredson proposed with their theory of social bonds and self control.⁸⁸⁷ Agnew's introduction of 'personality traits' in his GST accounts that children with stronger self-esteem, made individual choices.⁸⁸⁸

⁸⁸⁴ Pinnock, D 'Gangs – Rituals and Rites of Passage' p11

⁸⁸⁵ Pinnock, D 'The Brotherhoods' p99

⁸⁸⁶ De Grandpre, T 'Childline Sexual Offenders Training Manual' p14-15

⁸⁸⁷ Schmallegger, F 'Criminology Today' p235

⁸⁸⁸ Agnew, R 'Strain, Personality Traits, and Delinquency: Extending General Strain Theory' p44

Children living in risk-filled communities should be surrounded by as many positive outlets as possible so that these children can feel like they have choices available to them. Fanon expands on Freud's theories in stating that it is not 'always a single event that was the cause of the symptom; most often, on the contrary, it arose out of multiple traumas, frequently analogous and repeated'.⁸⁸⁹ This is emphatically the case with South Africans. We have inherited the trauma our parents experienced. We have inherited the fear and humiliation that they experienced. With both gangs and participation in youth politics, young people seem to be looking outside of their homes to fulfil feelings of belonging to a family. Work needs to be done to strengthen these bonds.

Fanon goes on to say that in every community there must exist a 'channel', an outlet through which forces accumulated in the form of aggression can be released.⁸⁹⁰ The 'collective catharsis' that Fanon refers to was intended to be achieved through the TRC process.⁸⁹¹ This process was to send a clear message that reconciliation between the races was fundamental in rebuilding the nation.⁸⁹² I do not wish to embark on a discussion on the effectiveness of the TRC in achieving its aims. I refer to the TRC purely to comment on the attempt that was made to try to heal South Africa of its traumatic past.

Challenge facing youth

South Africa is a country hugely dichotomised between the poor and the really wealthy⁸⁹³. The large majority of South Africans live in poverty where they are engaged in a daily struggle for adequate nutrition, health care, housing, transport and employment.⁸⁹⁴ With such blatant structural inequality, many people therefore turn to

⁸⁸⁹ Fanon, F 'Black Skin, White Masks' p144

⁸⁹⁰ op cit p145

⁸⁹¹ Nelson Mandela as one of his first presidential acts signed the Promotion of National Unity and Reconciliation Bill which established the Truth and Reconciliation Commission (TRC) headed by Archbishop Desmond Tutu.

⁸⁹² Yamamoto, EK 'Interracial Justice' p255

⁸⁹³ The Gini Index for (1993/1994) was at 59,3% as indicated on the CIA website.

'alternative incomes' to provide them with the finances to survive.⁸⁹⁵ The majority of youth are too poor to access the trappings of the 'globalised lifestyle' such as branded clothing, electronics or music CDs and so resort to crime to acquire them.

Youth of 2005 who want to fit into today's globalised youth culture cannot access the trappings of the culture, as it is simply financially unattainable. Failure is the great modern 'taboo'.⁸⁹⁶ This is one of the motivating factors as to why the youth get involved in criminal activity. It is to try to access the trapping of the image of what successful, 'cool' youth should look like. The process of attaining the trappings in a legitimate fashion is no longer favoured as the process of acquiring a trade, skill or academic education takes too long. In addition and then trying to establish one's self is now more difficult due to the high rate of unemployment. So accessing the trappings at the time when it is essential in a youth's development often results in deviant behaviour. The participation in the culture of consumption does alleviate the strain of daily exclusion, however as Taylor points out this provides only a 'momentary distraction'.⁸⁹⁷

South Africa's past has had a devastating effect on young urban Black youth by socially and economically marginalising them.⁸⁹⁸ This is of course compounded by the effect of globalisation. Additionally, there is recognition of a dominant or mainstream version of masculinity, which young men also aspire to.⁸⁹⁹ Given this context, a 'rational choice' as proposed by Gottfredson and Hirschi cannot realistically be applied by intervals in this setting.⁹⁰⁰

Involvement in criminal deviant activity is the 'fastest growing equal opportunity employer'⁹⁰¹ of young men in South Africa. The nature of criminal activity in South Africa is unusual because of the violent nature that the activity takes. With the 'demobilisation'

⁸⁹⁵ Bourgois, P 'In Search of Respect' p2

⁸⁹⁶ Sennett, R 'The Corrosion of Character- The Personal Consequences of work in the New Capitalism' p118

⁸⁹⁷ Taylor, I 'Crime in Context: A Critical Criminology of Market Societies' p70

⁸⁹⁸ Mcguire et al ' The Oxford Handbook of Criminology' p550

⁸⁹⁹ op cit p551

⁹⁰⁰ Williams, FP & McShane, MD 'Criminological Theory' p223

⁹⁰¹ Bourgois, P 'In Search of Respect' p2

of youth comrades, Glaser mentions that there has been a 'resurgence' of gang culture'.⁹⁰² Involvement in this subculture leads to quick money so there is no reason why youth who are unequipped with skills should try to find low-wage employment in a country where securing employment is in itself quite a feat. Scarcity of jobs and work requiring skilled employment are just two of the plethora of reasons for encouraging involvement in deviant activity.⁹⁰³

Unemployment ensures that many families in South Africa are sustained through activities in the informal and underground economies. According to the World Bank definition, the informal economy is 'the exchange of goods and services not accurately recorded in government figures and accounting'.⁹⁰⁴ The informal economy is generally untaxed and in South Africa it is largely unmeasured and unregulated.⁹⁰⁵ The underground economy often refers to the exchange of goods or people that are illegal such as drugs, woman and children for the sex trade, weapons, poaching of protected animal species, manufacturing required documentation etc. The underground economy is linked to the formal economy through various means. The most prominent being that of corrupt officials who allow crime to take place whilst themselves perpetrating deviant acts. In Apartheid South Africa, the State was directly involved in 'large-scale' organised crime and also 'colluded' with prominent criminal operators for mutual gains.⁹⁰⁶

It is really difficult to estimate the extent of the underground economy. However, many families continue to be sustained with no wage, salary or income⁹⁰⁷ being reflected.⁹⁰⁸ Some people who are involved in underground economies also have legal jobs. This underground economy offers a 'persuasive, even if violent and self-destructive,

⁹⁰² Glaser, C 'Swines, Hazels and the Dirty Dozen: Masculinity, Territoriality and the Young Gangs of Soweto, 1960-1976' p736

⁹⁰³ Bourgois, P 'In Search of Respect' p2

⁹⁰⁴ www.worldbank.org

⁹⁰⁵ www.southafrica.info

⁹⁰⁶ Standing, A 'Out of the Mainstream: Critical Reflections on Organised Crime in the Western Cape' p32

⁹⁰⁷ 50% of people in South Africa live below the poverty line according to the www.cia.gov

⁹⁰⁸ Bourgois, P 'In Search of Respect' p6

alternative lifestyle' to the youth growing up around them.⁹⁰⁹ Jensen accounts how people live with physical and structural violence and how they develop various strategies to cope with it.⁹¹⁰ In lower working class areas, families who have members who participate in the underground economy often do not question where the goods or money is coming from because of the desperation. Merton⁹¹¹ and later Agnew's⁹¹² ideas of anomie and strain reflects the turmoil when people experience external strain when trying to access the goals of material success in a capitalist economy.

The South Africa education system does not equip youth for the legal economy. They glide into the informal economy more easily and often this means the underground, illegal economy. The high rate of unemployment and the lack of skills marginalize these youth even further and they look to unsuitable role models for advice and so begins the development of a criminal career as described by Farrington.⁹¹³ The education system as it stands is not providing the suitable support for young people. I am briefly including a report by Human Rights Watch on the status of South African schools to evidence the difficulty facing the government in combating violence.

Scared at School: Sexual Violence in South African School⁹¹⁴

We all throw around the phrase 'improve education' quite freely but we are unaware of the present situation that students face in South African schools. I wish to briefly highlight the violence that learners, particularly female learners face daily as they attend school in South Africa.

It is often suggested that the education system should be improved so that youth can be provided with legitimate opportunities to achieve their goals and this will result in a

⁹⁰⁹ Bourgois, P 'In Search of Respect' p10/11

⁹¹⁰ Jensen, D 'Discourses of Violence: Coping with Violence on the Cape Flats' p75

⁹¹¹ Vold, GB et al 'Theoretical Criminology' p159

⁹¹² Agnew, R 'Strain, Personality Traits, and Delinquency: Extending General Strain Theory'

⁹¹³ Farrington, DP 'Developmental and Life-Course Criminology: Key Theoretical and Empirical Issues- The 2002 Sutherland Address'

⁹¹⁴ www.hrw.org/report/2001/safrica - report prepared by Human Rights Watch in March 2001.

reduction of violence and crime. Education is seen as the means to cure all social ills and is recognised internationally as a fundamental human right.

According to the United Nation Children's Fund, 21% of all school going children worldwide have no access to basic education.⁹¹⁵ Of that 21%, nearly two-thirds are female. South African girls are on the receiving end of that discrimination as school environments provide a barrier to receiving an equal education.

South African girls encounter sexual violence and harassment on a daily basis preventing them from getting to school. If they do manage to arrive at school they encounter sexual assault, abuse and sexual harassment by male classmates and even by their teachers. Teachers and school employees abuse their authority and take advantage of their vulnerability. As a result some girls have left school entirely. Children learn that this sort of violence is legitimate and this reinforces gender inequality. Gender violence also has a significant impact on the health of girls.

Historically, during the resistance to apartheid, schools were transformed into centres for political struggle and frequently became violent spaces. Government is faced with the formidable task of transforming school violence and inculcating a 'culture of learning' among youth who remain 'disillusioned and marginalised'.⁹¹⁶

The education system has not been effective in changing attitudes towards violence, as schools are spaces where violence remains prevalent and youth attitudes towards violence are perpetuated in this environment. The school has become a space where individuals are further marginalized and pushed further towards that excluded group who will find it more challenging to enter the legitimate economy and will likely be pushed further to the periphery that is the underclass.

The challenge facing the State is much more difficult than simply improving the content of the education programme. The entire context has to be overhauled. So simply using

⁹¹⁵ 1998 statistic

⁹¹⁶ Human Rights Watch Report, 'Scared at School- Sexual Violence in South African Schools' March 2001

the Education Department as a catch-all is not possible. All government departments are going to have to face the challenge with regards to young adults in South Africa.

Changing a country's value system where a 'culture of violence' is prevalent is difficult. Trying to heal past wounds while people continue to grow up in environments conducive to criminality and violence is extremely challenging.⁹¹⁷

We are definitely in a crisis with respect to the youth in South Africa. As Van Zyl Slabbert points out, the youth are not a 'unified identity with a collective consciousness in pursuit of clearly defined objectives'.⁹¹⁸ Since our society is in crises with respect to our youth it has a direct impact on our potential for a better future.

The primary theme that I have tried to highlight is that violence and youth have always been connected in South Africa. It is not a recent phenomenon but rather one that has a long and complex history. Regardless of whether the goals have been noble or self-serving the message that has been communicated is that violent involvement gets you what you want. What needs to occur is an entire mind shift and change in the modus operandi in the consciousness of the youth, where there has been a transition from political to criminal violence. Approaching this task is the real challenge. These young people need to have these skills developed so that they can be 'equipped' for different, more positive roles in a community.⁹¹⁹

Presently there is no vision, dreaming and wanting to build for the future. The task facing South Africa is how to communicate this to the youth that there is no longevity in indulging in deviant violent activity and try to instil in them the will to strive for a positive life. Globalised youth culture cannot be sufficiently satisfied because what is considered 'cool' today will not be tomorrow. Issues pertaining to status, lifestyle and materialism underpin the lives of these youth and draw them further into a life of criminal activity. A cycle of perpetual criminal involvement then emerges in order to sustain the image of this lifestyle as the trends are ever evolving. Yet simple desire for material goods,

⁹¹⁷ Shaw, M 'Crime and Policing in Post-apartheid South Africa : Transforming under Fire' p62

⁹¹⁸ Van Zyl Slabbert, F et al 'Youth in the New South Africa - Towards Policy Formation' p15

⁹¹⁹ Dissel, A 'Youth, Street Gangs and Violence in South Africa' p409

poverty and unemployment cannot however explain behaviour such as the following:

Woman gang-raped by ten men – IOL - December 16 2002 at 05:33PM

Bethlehem, Free State - A 26-year-old woman from Moemaneng township near Marquard in the eastern Free State was gang-raped by 10 men on Monday afternoon, police reported.

Police spokeswoman Captain Motarafi Ntepe said in a statement the woman was walking in a street in the township with her 28-year-old brother when they were approached by 10 men.

The men began chasing her brother, but one stayed behind, grabbing the woman and holding her until the others returned.

The gang allegedly dragged the woman into a patch of grass, where they all raped her.

The woman was examined by a doctor, who confirmed that she had been raped, said Ntepe.

Arrests were expected soon, as the woman knew at least three of the assailants.

The woman's brother had not been seen since. - Sapa⁹²⁰

In South Africa's past, Blacks were scared of the State so there was a society that was steeped in fear. Is it a possibility that the subculture of these youth is instilling fear rather than living in fear? They want to be feared rather than live in fear? The cycle of constantly blaming the past need to reduce so that constructive healing and building can occur.

It is generally agreed that the compounded damage that was caused by centuries of brutal violence has had a deep and scarring effect on the psyche of South Africans. There comes a point where this has to be accepted and people need to start working towards building the future rather than using past pain to justify behaviour that is introducing more fear into a society that has been saturated with it for centuries.

In order to achieve a society where children are instilled with a sense of responsibility to community and to contributing to the growth of the country, the bonds within the community need to be rebuilt. In order to do this, new leaders need to be cultivated. The struggle leaders are getting old and there is little interest from youth to participate in

⁹²⁰ www.iol.co.za on 16 December 2002

politics. Positive leadership skills are not being passed on to the next generation. Young adults are surrounded by role models who are involved in illegitimate activities, such as gangsterism, and they are learning that to be a good leader you have to be a strong, macho and instil fear in people.

The people involved in violent activities in year 2005 are between the ages of 16 and 25 years old. That would make them five and fourteen at the time of our negotiation to democracy. One could argue that these young people hardly felt the brunt of discrimination. Rushdie encapsulates this idea quite poignantly when he says 'when one is too young to have accumulated the bruises of one's own experience, one can choose to put it on, the sufferings of one's world'.⁹²¹ Such profound aggression and disregard for life is however partly inherited in the experiences of their parents. More profoundly, unlike their parents, this generation grew up with a sense of hope and expectation, which has not been realised in our new dispensation. The resulting frustration can lead to aggressive behaviour amongst youth.

South Africa is not a utopia where there is harmony between races, classes or within communities of the same class. The contents of our Constitution are ideals that we aspire to. In South Africa we face racial discrimination and class disparity on a daily basis. Living in fear and being surrounded by violence has had a profound impact on the psyches of our people. Our country and its people have been subject to 'colonial ascendancy, violent State control, police brutality and coerced labour'.⁹²²

In order to develop an in depth understanding of the complexity of the present situation in South Africa, we need to consider the context of the preceding historical events. Violent activity at a microscopic level can only be understood fully when it is seen as part of the macrocosm, the culture and history of violence, in which it occurs.⁹²³ The chain of events in South Africa's history needs to be reflected on so that we can understand what occurrences have led youth to the point where they are unable to distinguish between

⁹²¹ Rushdie, S 'Fury' p65

⁹²² Beinart, W ' Introduction: Political and Collective Violence in Southern African Historiography' p455 in *Journal of Southern African Studies*, Vol 18 No. 3 September 1992

⁹²³ Gilligan, J 'Violence: Reflections of a National Epidemic' p15

the desire to live and die.⁹²⁴ I realise that there is far more depth to South African history. I have simply commented on the aspects that I considered relevant for this discussion.

What is Deviant Behaviour in South Africa?

Social order can be defined as a 'series of complex, interconnected and variable patterns of interaction amongst people in various social settings'.⁹²⁵ Sellin, as mentioned previously, introduced the theory of 'cultural conflicts' where he mentions that offenders respond to the norms and values that are in conflict with their own culture or alternatively that offenders derive from groups that are more or less culturally isolated.⁹²⁶ A modern culture however has many competing contradictory messages.

This can be clearly evidenced in South Africa where the norms and values of the dominant apartheid government were thought to be immoral by much of the world, as well as the African culture over which it dominated. The armed struggle, clearly termed deviant by the apartheid government, has been justified by showing the 'sustained imperial and settler violence in conquest and dispossession as well as the coercive nature of the South African State which did not permit peaceful opposition'.⁹²⁷ Individuals were openly defying the laws of the country that were blatantly discriminatory.

The apartheid government in turn sponsored teams of armed vigilantes. The Apartheid State sanctioned 'large-scale' criminal activity with regard to the economic and political threat.⁹²⁸ This, together with the armed caches of militarised political organisations, is

⁹²⁴ Segal, L; Pelo, J & Rampa, P: 'Into the heart of darkness : Journeys of the amagents in crime, violence and death', contained in *Steinberg, J 'Crime Wave'* p96

⁹²⁵ Morrison, W 'Theoretical Criminology: from modernity to post-modernism' p273

⁹²⁶ op cit p275

⁹²⁷ Beinart, W 'Political and Collective Violence in Southern African Historiography' in *Journal of Southern African Studies* Vol 18 no 3 September 1992 p459

⁹²⁸ Standing, A ' Out of the Mainstream: Critical Reflections on Organised Crime in the Western Cape' p36

the reason that South Africa has such a large accessible number of weapons.⁹²⁹ The violent resistance that was engaged in by political activists was deemed justified because the goal that it aimed to achieve was perceived to be utilitarian in nature. In this case what emerged was a collective denial of the social order. Open disrespect was shown for the laws of the country and the government that was enforcing those laws. It is ironic that the ANC now has to deal with the violence it once encouraged.⁹³⁰

This behaviour was of course condemned by the government at the time and the sectors of South African society that were benefiting by the apartheid institution. Who was the criminal? A 'tug-of-war' of blame emerged and the "deviant behaviour" of the freedom fighters was not only condoned but also celebrated by the peers of the individuals partaking in it. In protests and rallies activists would obstinately flaunt their refusal to be subjugated and their behaviour was welcomed by many because it was seen as serving the noble purpose of attaining freedom for the people of the country. Historically the authority of the Apartheid State had been undermined by a deviant subculture, which was legitimated by their community. Now that the State is democratically elected and therefore legitimate the subculture of deviance has continued into our new dispensation but without the vision of social upliftment.

In contrast, the South African Police were a legitimate institution whose behaviour during apartheid is now regarded as deviant by the present government.

The South African Police was established in 1913 and was responsible for combating crime, in a semi-military manner. They preferred the British colonial tradition of indirect rule, so their aim was to keep African people in the rural areas unless cheap labour was needed for the mining sector. The South African Police focused on the struggle

⁹²⁹ Ellis, S 'The New Frontiers of Crime in South Africa' in Bayart, et al 'The Criminalisation of the State in Africa' p59

⁹³⁰ Ellis, S 'The New Frontiers of Crime in South Africa' in Bayart, et al 'The Criminalisation of the State in Africa' p60

movements so intently that they ignored the upsurge in criminal activity in the townships and often used the criminal syndicates and gangs as allies against the ANC.⁹³¹

Crime and violence was rife in the Black and Coloured townships but police did not respond to calls of assistance from ordinary citizens.⁹³² Young males formed gangs in the communities as discussed earlier in this chapter and are still involved in underground activities such as selling drugs, money lending, protection services etc. If anything the police allowed this situation to continue as the criminals instituted their own means of social control causing those communities to live in fear of them as well as in fear of the apartheid government.

It is out of crises like these that the communities formed organisations of Popular justice. 'Non-State' law as referred to by Nina is a collective participation by communities to remedy a situation where they State is thought not to be providing a service.⁹³³ Communities doled out their idea of justice to offenders (often not in keeping with a human rights ethos). These forms of popular justice again illustrate the difficulty of defining deviant behaviour.

Upon democratisation in 1994, the police was one of the first entities to begin a transformation process that is still underway. This has been a difficult process as the State developed the police as an 'institution of violence'.⁹³⁴ The new police 'service' had to adapt to a new democratic society, where all sectors of the population had rights and information gathering had to happen in a manner that was consistent with principles of human rights. They inherited the criminal syndicates that were able to thrive during apartheid without fear of legal sanctions, as well as the residue of the struggle movement that was not incorporated into the government. The evidence of continued

⁹³¹ Ellis, S 'The New Frontiers of Crime in South Africa' in Bayart, et al 'The Criminalisation of the State in Africa' p55

⁹³² Shearing, C.D & Mzamane, M 'Community Voices on policing in transition' p9

⁹³³ Schärf, W & Nina, D 'The Other Law' p105

⁹³⁴ Scheper-Hughes, N 'Death Without Weeping: The Violence of Everyday Life in Brazil' p220

widespread police corruption and 'collusion' with organised crime frustrates residents as the police are viewed as one of the crime syndicates rather than law enforcers.⁹³⁵

The 'crime wave' that is being presently experienced in South Africa is disappointing as a 'considerable' number of people presumed that there would be a decline in violence in the country after the demise of apartheid.⁹³⁶ There are crimes that are generally accepted as being considered deviant across the many cultural lines. These include the acts of murder, rape, assault, robbery and burglary. In some instance there are legitimations for engaging in such behaviour, however, instances where this occurs are generally quite rare. Engaging in this type of activity is considered 'taboo' because trying to build a viable society condoning this type of conduct is not possible.⁹³⁷ The difficulty that results, of course, is how one goes about attempting to institute a form of social control or containment of such conduct. The South African Police Service, which is undergoing a change is attempting this but has not really been successful.

In this brief discussion I have tried to highlight the complexity when looking at violent criminal conduct in South Africa. Who holds the power had the right to determine what actions are criminal or not. Regardless of moral discussions the reality is that violence was a salient feature of the social and political landscape of South Africa.

⁹³⁵ Standing, A ' Out of the Mainstream: Critical Reflections on Organised Crime in the Western Cape' p39

⁹³⁶ Ellis, S 'The New Frontiers of Crime in South Africa' in Bayart, et al 'The Criminalisation of the State in Africa' p51

⁹³⁷ Pollack & Smith 'Crime and Delinquency' p27

SOCIETY

The term 'transition' when referring to youth looks at the transition from childhood to adulthood and with this comes the movement from school to employment. There is multiple meanings of 'becoming adult'.⁹³⁸ Often there is a focus on 'independence' that is assumed when growing up but there is also a need for 'interdependence' with families and friends during this time as well.⁹³⁹ As Pinnock and Glaser point out many communities mark this period with a rite of passage, as mentioned earlier, where the community and family acknowledge the transition and through ritual assist in easing the way into the phase of adulthood.

There is no fixed route to adulthood, nor is it a clearly defined status but there are markers – which include; a first sexual experience, leaving school, leaving home, getting married, having children or getting a job.⁹⁴⁰ These markers are 'transitory, reversible and impermanent'. The transition to adulthood is not a linear but a rather complex process. Factors such as gender, class, ethnicity and nationality amongst others play added roles in this process and result in multiple transitions occurring. Chisholm suggests that age is one dimension to the transition but then this is intersected by other facets such as greater understating of one's culture, education through family experience, family and neighbourhood networks.⁹⁴¹ German literature does not really speak of transitions but looks at 'life course' which does not see adulthood as the arrival point but a 'continuum' throughout life which does involve changes in status.⁹⁴²

The primary concern when a person is undergoing this transition is the risk of becoming marginalized. This is where the institutional processes should be structured in a way to make the transition less alienating. The education system should equip school leavers to

⁹³⁸ Wyn, J & White, R 'Rethinking Youth' p95

⁹³⁹ op cit p96

⁹⁴⁰ ibid

⁹⁴¹ Chisholm quoted in Wyn, J & White, R 'Rethinking Youth' p98

⁹⁴² Wyn, J & White, R 'Rethinking Youth' p99 /100

enter the job market. If this is not adequate additional mechanisms should be introduced to provide entry to the labour market, this may be in the form of tertiary education but can also take the form of apprenticeships. Institutions that fail to provide a pathway towards a livelihood result in leaving youth vulnerable to social and economic marginalisation.

Youth are already undergoing transitions in their lives and they find themselves in a country that is in an enormous state of flux. A transitional period is usually a time during which instability permeates a society undergoing a significant change. The State institutions are at their weakest and that allows deviant behaviour to thrive, as the mechanism for containment is restricted.

On the other hand, transitional societies can be really positive phenomena. Change is the primary instigator and this energy can be harnessed during this time to redefine many aspects of the society. Transitions can be used to profoundly change the political, social and economic life of a country.

During a time of social change, a period of social disorganisation occurs between institutions and groups. This disorganisation weakens social controls on youth (mainly adolescent males), which creates the need for alternative institutions to families, schools, and legitimate employment.⁹⁴³ So deviant subcultures such as gangs come to serve a social purpose. As Greenberg pointed out deviance tends to be concentrated amongst young males in their late teenage years. This is already a volatile period in the life of an adolescent male and added to that is the social context of South Africa is also undergoing immense changes. This leads to increased uncertainty and anxiety.

During the transition of our South African society, we are in search of a form of democracy that allows people in their communities and workplaces to control their lives and livelihoods. The aim is one of empowerment, of grasping the tools of 'political action, of group discipline, of economic and social will.'⁹⁴⁴

⁹⁴³ Spergel, I A 'Youth Gangs: An Essay Review' p129

⁹⁴⁴ Kaufman, M 'Community Power, Grassroots Democracy, and the Transformation of Social Life' p1

The practical and intellectual roots for organizers and researchers of community-based participation lie in the search for a road to 'rebuild community life' and the more secure (if far from idyllic) human relationships 'shattered by industrialization, urbanization, internationalisation of capital, colonization and proletarianization'.⁹⁴⁵ Its roots also lie in the 'progressive decomposition' of the too prevalent 'development paradigms' of the twentieth century – 'centrally planned socialism and market-driven capitalism'.⁹⁴⁶

A challenging question during a period of transition is; how does one go about building 'inclusive structures of social, economic and political power' that overcome inequalities and could fundamentally shift the basis of social power.⁹⁴⁷ This process involves transition, 'transformation and empowerment'.⁹⁴⁸

These four words – 'process, transition, transformation, empowerment' – are key to a transition. 'Process' suggests that change is ongoing and implicitly, difficult and full of conflict and struggle. 'Transition' suggests that this process is not simply one of modernization and development, but it is a process leading to an alternative future.⁹⁴⁹ This prospective future may not be well articulated and is indeed unknown, but it is an alternative in the sense that it is a future substantially freed from the nightmare of the past (although the present is typified in most countries by the existence of waste, greed and corruption alongside malnutrition, inadequate housing, poor health care, illiteracy, alienation, unemployment, racism, sexism and fear). The word 'transformation' suggests that this process of transition is 'not simply one of quantitative or linear improvement', but a 'substantial and qualitative shift in the political, economic, social and cultural

⁹⁴⁵ Kaufman, M 'Community Power, Grassroots Democracy, and the Transformation of Social Life' p3

⁹⁴⁶ *ibid*

⁹⁴⁷ *ibid*

⁹⁴⁸ Kaufman, M 'Community Power, Grassroots Democracy, and the Transformation of Social Life' p5

⁹⁴⁹ *op cit* p5

relations of the day'.⁹⁵⁰ Finally 'empowerment' refers both to a method of change and to a definition of these new relations.⁹⁵¹

South Africa is a society that is presently in a transition from the oppressive apartheid regime to a democracy. Fundamental issues around 'democracy and liberty are being tackled'.⁹⁵² South Africa attained its democracy through the medium of a 'protracted negotiated settlement'.⁹⁵³ The South African transition according to Huntington can be classified as a 'transplacement' transition where the process of democracy is as a result of the government and the opposition switching positions.⁹⁵⁴ This entire process was quite a feat given the violent nature of apartheid rule as well as the violent forms of protest opposing the apartheid regime.⁹⁵⁵ However, this negotiated pact is quite elite in nature and structurally isolated people from the process. Youth were excluded as they were not the ones in power, so they played no role in the negotiation as new rules for a new regime are being formulated.

Amidst all the dramatic changes that have occurred at the political and constitutional level, for the vast majority of people little seems to change for the better and this is evidenced by the sustained levels of violence that were witnessed in the 'uncivil war of the late apartheid era'.⁹⁵⁶ The process of transition has 'generated deep-rooted insecurity' and has resulted in 'widespread social fear' and a 'pervasive sense of loss of control'.⁹⁵⁷

⁹⁵⁰ Kaufman, M 'Community Power, Grassroots Democracy, and the Transformation of Social Life' p5

⁹⁵¹ op cit p5

⁹⁵² Shearing, C 'Policing the New South Africa' p25

⁹⁵³ Schärf, W & Nina, D 'The Other Law' p4

⁹⁵⁴ Huntington, S 'The Third Wave: democratisation in the late twentieth century'

⁹⁵⁵ Simpson, G 'Shock Troops and Bandits: Youth, Crime and Politics' in Steinberg, J '*Crime Wave, The South African Underworld and its Foes*' p 115

⁹⁵⁶ ibid

⁹⁵⁷ Simpson, G 'Jack-asses and Jackrollers: Rediscovering gender in understanding violence' p3

The nature of the State continues to change, globally, as the world transforms its economic organisation.⁹⁵⁸ South Africa finds itself in a period of flux, amidst this global change so there are 'no established models' to provide guidance.⁹⁵⁹ Upon the commencement of the democratic government transformation within the State had to begin, it was agreed that none of the civil servants from the previous regime would lose their jobs. As a result, intense 'internal negotiations' occurred with respect to restructuring departments, integrating staff in terms of the demographic reality of the country and creating a vision that was consistent with the new dispensation.⁹⁶⁰ The service delivery by the State has been much slower than expected as the first four years centred on 'policy formation and internal transformation'.⁹⁶¹ It is during this time that a 'shared belief system' is trying to establish itself in South Africa. The common interests and moral values of all South Africans are forming an equilibrating force that has social integration as its primary objective. The next five years (1999-2003) were meant to focus on increased service delivery.

At an individual level, the political process is inaccessible to the average person and adds to the frustration and social insecurity being experienced. It is perceived that there is little follow through with respect to implementation or attainment of the liberal constitutional goals. Many of these problems have to do with relations and not just living conditions. The majority of the population do not have ready-made means to change either their lot in life or the societies in which they live. They do not have access to effective means of political power.⁹⁶² They do not have access to sufficient means of economic production. They do not have the education, the training or the self-esteem or self-confidence to engage in a successful process of change. Other classes and social groupings have defined for them and for all of society what is important and how society should be structured and managed.

⁹⁵⁸ Schärff, W & Nina, D 'The Other Law' p9

⁹⁵⁹ Shearing, C 'Policing the New South Africa' p24 Institute of Criminology

⁹⁶⁰ Schärff, W & Nina, D 'The Other Law' p4

⁹⁶¹ op cit p5

⁹⁶² Kaufman, M 'Community Power, Grassroots Democracy, and the Transformation of Social Life' p6

South Africans face the challenge of deciding how they would like to shape the society. Shearing suggests that the struggle against oppression has established ways of challenging, re-thinking, questioning institutions and sculpting new realities under difficult circumstances.⁹⁶³ What people contribute to the society is what is going to grow and thrive therein. There are many organisations that have resources to pour into the country but initiative has to come from within, as the members of the majority of the population know more clearly what is needed in their communities.

South Africans need to be more demanding in order to initiate change in their surrounds. Children also learn from their elders and will learn to be part of the democratic process and become more politically aware if they see their parents participating more actively. If youth can see positive energy being poured into them, they will realise their importance in our new democracy and will want to contribute.

The salient feature in a transition is the lack of power by the majority of the population – a lack of power to identify problems and mobilize the society's resources to solve them. The term 'participation' is a broad but vague concept and the new dispensation must play an essential role in fostering involvement from all sectors in order to change the fundamental social, political, economic and social relations that have created inadequate living conditions in the past. Since the State structure is weak in a transitional phase, non-State structures should be more involved in the process of change, as they have a profound effect in the regulation of individuals and society.⁹⁶⁴

The result of living in uncertainty with limited service delivery, amongst many other factors, has resulted in a dramatic increase of crime⁹⁶⁵ as well as the 'fear of crime'.⁹⁶⁶ This in turn has led many professionals to leave the country for safer havens. While the majority of the population are trapped in the second economy and they have little social security. Many young adults are also disappointed with the lack of legitimate

⁹⁶³ Shearing, C "Policing the New South Africa' p25

⁹⁶⁴ Schärf, W & Nina, D 'The Other Law' p10

⁹⁶⁵ Between 1994 and 1999, violent crime increased by 22% and property crime increased by 22% in Schönteich, M & Louw, A 'Crime in South Africa: A country and cities profile' p3

⁹⁶⁶ Schärf, W & Nina, D 'The Other Law' p5

employment opportunities and so get involved in criminal activity. They are beginning to consider criminal involvement as a legitimate business opportunity.⁹⁶⁷

Institutions of South Africa's transitional State continue to be inadequate to facilitate a smooth transition with State institutions unable to cope with the demands of a new democracy. The State mechanisms that are meant to assist youth in their transition to adulthood in a county that it is transition to democracy is ineffective and is resulting in youth being socially and economically marginalized which explains the high rise in violent crime which the State institutions are too weak to tackle.

This concept is further explored by Schärf and Nina - where they discuss 'the other law' which is essentially 'non-State ordering' in South Africa.⁹⁶⁸ Popular justice is where local communities developed their own 'mechanisms of dispute resolution.'⁹⁶⁹ Principles of human rights are not always adhered to in these expressions of popular justice. Buur has conducted a study of the 'Amadlozi' in the Eastern Cape.⁹⁷⁰ The State is trying to integrate the 'Amadlozi' as a functioning local justice extension in New Brighton.⁹⁷¹ The 'Amadlozi' are apparently chosen by the community and are accountable to them. They initially began functioning as a resident's group to combat crime. However, the 'Amadlozi' are known for using excessive force and violence. This is a dangerous situation, as explained by Buur, as the State is managing the use of violence and force on a local level. The authorities, according to Buur, are 'outsourcing' the 'sovereign power of the State'.⁹⁷² In this way they are trying to introduce a form of social control to combat deviant behaviour in areas where people believe that the State is failing them. This in turn could lead to another form of deviance. A return is being made to 'non-State' forms of social ordering, where the communities formulate an alternative means of social control to that provided by the government.

⁹⁶⁷ Shaw, M 'Crime and Policing in Post-apartheid South Africa: Transforming under Fire' p62

⁹⁶⁸ Schärf, W & Nina, D 'The Other Law' p10

⁹⁶⁹ op cit p103

⁹⁷⁰ Buur, L 'Outsourcing the Sovereign' p1

⁹⁷¹ op cit p3

⁹⁷² Buur, L 'Outsourcing the Sovereign' p40

As the pace of delivery falls short of the people's expectation there is a shift to vigilantism where ordinary citizens try to achieve what the government ought to.⁹⁷³ These are some of the harsh challenges of 'large-scale transformation' of South African society. Van der Spuy *et al* realistically point out that there is still much to be done before systems will be 'functioning' at optimum levels.⁹⁷⁴ This includes 'youth justice', which will oscillate from crisis to crisis as our society grapples with initiatives that are 'implementable' and 'sustainable'.

Attempting to construct the elements of social control to be exercised is a difficult exercise in stable countries but is even more complex for countries, which are undergoing social 'reconstruction'.⁹⁷⁵ The challenge facing South Africa is whether it will be possible to contain 'criminal activity' so that the political and economic sector can continue to develop.⁹⁷⁶ Cohen proposes that social control is only effective if it changes the behaviour of potential deviants, this he labels as 'instrumental success'.⁹⁷⁷ Cohen considers 'normative success' to be where social control generates a space where 'value choices' can be clarified.⁹⁷⁸ These criteria are oriented towards the 'means' rather than the 'ends', the ends being 'social justice, democracy and human rights'.⁹⁷⁹

⁹⁷³ Schärf, W & Nina, D 'The Other Law' p6

⁹⁷⁴ Van Der Spuy, E, Schärf, W & Lever, J 'The Politics of Youth Crime and Justice in South Africa' p176/177

⁹⁷⁵ Cohen, S 'Social Control and the Politics of Reconstruction' p85 in Nelken, D 'The Futures of Criminology' p85

⁹⁷⁶ Ellis, S 'The New Frontiers of Crime in South Africa' in Bayart, et al 'The Criminalisation of the State in Africa' p68

⁹⁷⁷ Cohen, S 'Social Control and the Politics of Reconstruction' in Nelken, D 'The Futures of Criminology' p85

⁹⁷⁸ *ibid*

⁹⁷⁹ *ibid*

Chapter 4.4 GOVERNMENT POLICY REGARDING YOUTH POST-1994

In this Chapter I focus on only three policies of Government that has an impact on youth. The first is the National Youth Commission, the reasons for its creation and its impact. The second is the National Crime Prevention Strategy (NCPS), what it was meant to target and its influence. Finally I give a very brief discussion on the stance of government regarding HIV and I do this using the perusal of popular print media sources so as to ascertain the information that is being conveyed to the public.

Chapter 4.4.1 National Youth Commission (NYC)

In this sub-chapter I consider the government's plan to deal with youth post-1994.

Former President of South Africa Nelson Mandela in the preface of the National Youth Policy stated:

'Celebration, because for the first time in the history of South Africa the aspirations and conditions of young women and men have been formally recognised and articulated through a major policy initiative. Commitment, because if the vision and strategies outlined in this Policy are to become a reality, we must commit ourselves to work even harder to create better opportunities for our youth.

'... Yet we dare reiterate that youth development cannot be left to youth alone. Everyone, including government, political parties and civil society has a crucial role to play in ensuring the implementation of youth policy.'⁹⁸⁰

The country faces a challenge with respect to marginalized youth as well as trying to establish a comprehensive definition with respect to youth. In 1961 the youth in the ANC defied the old-guard by forming the military wing, 'Umkhonto we Sizwe'. In 1976 the youth of this country again asserted themselves and remained involved in the unrest and

⁹⁸⁰ National Youth Policy – approved by the National Youth Commission 9 December 1997 p4

strife of the 1980's and the political transformation of the 1990's.⁹⁸¹ The challenge facing South Africa's new dispensation is therefore in how to deal with these youth who were able to resist dominance and authority. These youth was a threat to the power that had just been attained. The government of 1994 wanting to ensure a relatively peaceful transition to democracy marginalised 'youth' from the political process. They did this by suspended the armed struggle and advised these youth to return to school in order to equip themselves with useful skills to help rebuild the country.

It was with this in mind that the National Youth Commission (NYC) was initiated. The Commission was established by way of the National Youth Commission Act 1996, in order to develop a comprehensive strategy to address the problems and challenges facing young women and men in South Africa.

The objects of the Youth Commission amongst others, as stated in section 3 of the Act⁹⁸² are 'to co-ordinate and develop an integrated national youth policy; to develop an integrated national youth development plan that utilises available resources and expertise for the development of the youth and which shall be integrated with the Reconstruction and Development Programme (RDP)'. The RDP has been abandoned by government.

Transitional arrangements were made whereby the Youth Commission was formed in order to politicise the youth for the future of the new South Africa. This commission was also meant to deal with youth who were politically scarred by the violence of the struggle against apartheid. This did not occur and now the question of 'taming the beast' faces us. The youth of today are not interested in politics, they are disillusioned with transformation and they are now more preoccupied with material status and the image of what is 'cool'. The youth have been politically alienated and seem not to be included in the State's political agenda. Implementable and sustainable policy has not been visibly achieved by the NYC.

⁹⁸¹ Van Zyl Slabbert, F 'Youth in the New South Africa - Towards Policy Formation' p9

⁹⁸² National Youth Commission Act 19 of 1996

I wanted to speak with a representative of the NYC and obtain their comments regarding their inefficient performance. After numerous telephone calls to the NYC I managed to locate a person with whom I could conduct an interview. It took about 2 weeks of persistent telephone calls and none of my messages were returned. I eventually was able to conduct a telephonic interview with the Communications Director, Monde Mkalipi. I e-mailed Mr Mkalipi an agenda prior the interview. My first question revolved around accessibility of the NYC. Mr Mkalipi acknowledged that the attempts by the NYC to inform the youth about the NYC's service programme have not been that successful. The youth service information programme was promoted through a booklet, a toll-free telephone line and the Internet. Needless to say, the Internet is not readily accessible to the bulk of the youth population, and the site is often 'under construction'.

Mr Mkalipi mentioned that they were working on a more integrated style of service delivery where they could send the message of the 'opportunities availed by our new democracy' to the youth. Mr Mkalipi also mentioned that the NYC was forming more partnerships with the Education Department, community organisations and organisations such as ORBICOM.⁹⁸³ He went on to mention that the youth in South Africa now have a very different role to fulfil but that they seem to be more apathetic and that it was part of the task of the NYC is to make opportunities available in order for them to acquire the necessary skills to address the market needs of the country. He conceded that ongoing education is necessary to educate the youth about acquiring material comforts through legal means as the media overemphasises the acquisition through illegal means.

Mr Mkalipi also reflected that these youth were caught in a society that perpetuated a cycle of violence. He elaborated that violence was an accepted way of dealing with situations in these communities and that these youth from a young age are exposed to violence, consider it normal and, as a result, become completely insensitive to the brutality of it. In Mkalipi's opinion, regular crime during apartheid was not dealt with at all and it has now simply spiralled out of control.

Mr Mkalipi ended the interview by stating that the NYC has to intensify their message to the youth in a way that appeals to them so that they can achieve their objectives of

⁹⁸³ Partnership with a correctional service organisation that in involved in skills development.

nation building, increased community service and skills development.

'COMMISSION has failed the YOUTH'⁹⁸⁴

Observers and role players within the youth sector expect the National Youth Commission (NYC) to be addressing issues of youth unemployment, HIV/Aids and apathy. But there is little sign of any direct action at the commission's plush offices, where more than three directorates deal with policy, communications and finance.

Its electro-magnetic doors must be costly to maintain, but with the more than R10-million annual budget things seem much easier for the "lucky few" in the commission.

During 1999 and last year NYC executives used more than R1,4-million on unauthorised expenditure and then improperly promoted some of their members. The R1,4-million was used to pay service providers, without following the government's tendering procedures. The commission said it was not aware that it had to follow these procedures and vowed it would not happen again.

The youth are expecting the commission to provide optimal access to economic, political and social opportunities, but the NYC says this is unlikely to happen as its current mandate does not allow direct implementation of projects. It is statements such as this that have attracted howls of outrage and attacks from opposition parties.

The NYC has spent the past few years defending itself and accusing its critics of failing to read its mandate

A recent report on the NYC's website was the Annual Report: March 2000 – 31 March 2001.⁹⁸⁵ According to the report the NYC has 4 flagship programmes, namely; The National Youth Service Programme, Youth Economic Participation Programme, Youth HIV/AIDS Programme and National Youth Information Services. The report highlighted a number of other strategic programmes, which the NYC was intending to be involved in. The report indicates a limited impact of the NYC's flagship programme. This is quite disappointing considering that projects such as 'The Youth for Environmental Accessibility' received funding of R50 Million to develop technical skills to modify public buildings. The success of this project was not reported.

Another document that was recently developed by the NYC was the National Youth Development Policy Framework (2002-2007).⁹⁸⁶ This document had as its aim the integration of national youth initiatives and programmes. In this policy the target age

⁹⁸⁴ Mabe, PM 'Commission has failed the youth' in Mail & Guardian 15 June 2001

⁹⁸⁵ Annual Report March 2000 – 31 March 2001 at www.nyc.gov.za

⁹⁸⁶ National Youth Development Policy Framework (2002-2007) at www.nyc.gov.za

group that constitute 'youth' has been altered to 15-28 years as opposed to the 15-35 years as set out in the National Youth Policy. The reasons are quite vague. The remainder of the document is clouded in aspirational terms and little of its vision is evidenced since its inception.

The youth of today have no common goal. In comparison, the youth of the 1970's were striving for the realisation of the same dream of a free country. These youth had a communal goal, which was to improve the quality of life of everybody. Today the youth tend to be more individualistic and a much more competitive, aggressive culture has emerged. The youth need to be imbued with a mission. They should be treated as contributing members of our society. They must realise that with the dawning of adulthood comes responsibility and as a society we must provide the opportunities to allow them to get involved in the process of building.

We must bear in mind that civil disobedience is inculcated within South African youth culture. Although the youth of the 1970's and 1980s were motivated and had this burning desire for freedom and equal education they did set the precedent of making South Africa ungovernable for transition to a better social order. It was for this reason that they were relegated to the periphery in 1994. It is a part of South Africa's legacy that was addressed at CODESA, which led to the formation of the NYC, whose performance in equipping the youth with relevant skills has been rather disappointing.

Simply trying to revamp the NYC has proved to be fruitless. The NYC tried to develop inter-departmental links with different government organisations and still they have not achieved their mandate. Projects are initiated in a piece-meal manner and it is not effectively communicated to their target audience, which results in the limited initiatives being ineffective.

Government has no comprehensive plan in place to deal with 'youth'. It suffices to say that the NYC has failed and has not achieved a fraction of the tasks set out for them. The present approach to youth issues by the State is a fragmented one where the Departments of Education, Social Development, Sport and Recreation and Correctional Services are all mandated to address issues pertaining to 'youth'. There is no single structure in government that develops effective implementable youth policy even though

we are nearing a crisis with respect to our 'youth, because of the underlying trend of criminal involvement and unemployment. The fact that the NYC is established within the office of the president may contribute to its ineffectiveness.

The future of this country lies in the hands of our youth. This is an extraordinary challenge especially if they have not been given the assistance that is needed to fulfil this challenge. It is therefore the responsibility of those who govern to assist the youth to respond to these problems and challenges.⁹⁸⁷ It must be realised that politics, education, culture, economics and the media all have a profound impact on the youth.

The challenge is to have a well-integrated and co-ordinated structure which has at its central focus, the 'youth'. This organisation must be highly visible and well branded directing itself towards 'youth'. Adding the 'youth crises' onto other departments as an afterthought without a comprehensive strategy is futile and a waste of resources and the impact will be largely ineffective. This is presently glaringly self-evident in South Africa. The challenge facing government is to realise that it is in the country's interest for the State, together with other sectors, to harness the 'youth' constructively. A more focused intervention needs to occur on the part of government. The youth need to stop being marginalised and given more attention.

Perhaps the NYC needs to be kept in check by a portfolio committee or a Chapter 9 institution (in terms of the Constitution) and be kept independent of the Office of the President and be subject to the law and Constitution.

I must mention that at the time of writing this dissertation, The Umsobomvu Youth Fund was established and seems to be attempting the mandate that was set out for the NYC. It is still in its infancy but at this stage it certainly has a higher visibility in the media than the NYC ever did. It still seems to be a rather bureaucratic process to navigate in order to access assistance.

Treating 'youth' as an afterthought during elections and ignoring their needs between voting periods does not bode well for an emerging democracy. Young people globally

⁹⁸⁷ Van Zyl Slabbert, F et al 'Youth in the New South Africa - Towards Policy Formation' preface.

'have lost interest in politicians' but should not lose interest in politics.⁹⁸⁸ In developed countries young people who are interested in politics are not given much attention. This could be why young people threaten power through destructive behaviour, which yields greater results. Perhaps this deviant behaviour is a method that young people are using to catch the attention of the government and South Africa society. A precedent was set in South Africa's past that violent behaviour attracted the attention of those in power. Since youth were relegated to the periphery post-1994, deviant, violent behaviour seems to evoke a response and could be plea of South Africa youth for intervention.

Chapter 5.4.2 National Crime Prevention Strategy (NCPS)

The official South African crime prevention policy is contained in the National Crime Prevention Strategy of 1996. The NCPS was included as one of the 6 pillars of government's national growth and development strategy.⁹⁸⁹ The NCPS recognised the relationship between the causation of crime, the history of the country and the socio-economic realities.⁹⁹⁰ Röntsch indicates that 'youth marginalisation, gender inequality, inadequate support for victims of crime and access to firearms' were canvassed.⁹⁹¹

The NCPS considered crime prevention as a 'shared task' of all sectors of government and civil society.⁹⁹² The NCPS took the form of four pillars:

- i. enhancing the deterrent effect of the criminal justice by increasing efficiency and certainty in the system;
- ii. blocking opportunities for crime in the physical environments and in systems by redesigning environments and systems, using an approach known as crime prevention through environmental design (CPTED);

⁹⁸⁸ Monbiot, G 'When the young threaten power' p33 Mail & Guardian

⁹⁸⁹ Simpson, G & Rauch, J 'Reflections on the first year of the National Crime Prevention Strategy' p296 in Maharaj, G (ed) *'Between Unity and Diversity'*

⁹⁹⁰ Röntsch, R 'Crime Prevention: Theory, South Africa Policy and Legislation since 1996' p31

⁹⁹¹ ibid

⁹⁹² Simpson, G & Rauch, J 'Reflections on the first year of the National Crime Prevention Strategy' p297 in Maharaj, G (ed) *'Between Unity and Diversity'*

- iii. public education programmes about crime and its prevention, as well as programmes aimed at changing the moral climate of the society into one which does not tolerate violence and law breaking; and
- iv. tackling the multinational dimension of the crime problems through more effective border security and building strong and developmental relationships with neighbouring and friendly countries.⁹⁹³

The crimes of major concern to the government were the following:

- crime involving firearms;
- organised crime;
- white-collar crime;
- gender violence and violence against children;
- violence associated with intergroup conflict;
- vehicle theft and hijacking; and
- corruption within the criminal justice system.⁹⁹⁴

I do not wish to delve into the intricacies of the document looking at the aims of the NCPS, the principles underlying the NCPS and implementation of the NCPS. These issues are well canvassed in the articles referred to by Rauch and Röntsch. I simply wished to point out an initiative by government which subsequently has had limited implementation. Röntsch states that the document is only of historical value while Rauch concluded that South Africa still lacks an 'up-to-date, coherent and implementable national framework for preventing crime'.⁹⁹⁵

Samara comments that the abandonment of the NCPS must be seen in tandem with the shift of government from the social welfare approach contained in the Reconstruction and Development Programme (RDP) to the market-oriented approach of GEAR (Growth, Employment and Redistribution)⁹⁹⁶ GEAR is a macro-economic orientated policy which has at its focus budget deficit reduction which means that cost-cutting, cost-recovery are

⁹⁹³ Simpson, G & Rauch, J 'Reflections on the first year of the National Crime Prevention Strategy' p296 in Maharaj, G (ed) *'Between Unity and Diversity'*

⁹⁹⁴ op cit p297

⁹⁹⁵ Röntsch, R 'Crime Prevention: Theory, South Africa Policy and Legislation since 1996' p31

⁹⁹⁶ Samara, TR 'Youth, Crime and Urban Renewal in the Western Cape' p213

pivotal to its formulation at all government levels, including government crime prevention initiatives.⁹⁹⁷ With unemployment reaching 'epidemic' levels, market-orientated policies such as GEAR further alienate youth from access to the legitimate economy as there has been no emphasis on strengthening institutions to combat the effect of such an economic policy.

Chapter 5.4.3. HIV /AIDS

HIV/AIDS is another significant factor that has an impact on the lives of young people in South Africa. The Medical Science Research Council survey⁹⁹⁸ found that among 15-24 year old South Africans the HIV prevalence was 10,2%. Prevalence was significantly higher among women (15,5%) than among men (4,8%) as well as in the 20-24 year old age group (16,5%) compared to the 15-19 year old age group (4,8%). Young women are disproportionately affected by HIV. Among the 10% of South African youth who are HIV positive, 77% are women. Nearly 1 in 4 women aged 20-24 are HIV positive compared to 1 in 14 men of the same age.

The reason this epidemic has spread so rapidly in South Africa is quite complex and includes poverty, unemployment, social and economic conditions, status of women in society, migration and the challenges of a developing country.⁹⁹⁹ I mention this by reason of background information; I do not intend to enter into a vigorous debate on the disease. I wish to simply highlight the situation as it impacts on South African youth. The disease can affect young people in different ways in South Africa; they can be living with the disease, they may be orphans as a result of it and this may require them to look after younger siblings, they could be infected and have to look after younger siblings who may or may not be HIV positive as well.

Regardless of how young people find themselves affected by HIV/AIDS, it still constitutes a responsibility that they are not really equipped to deal with. There are

⁹⁹⁷ Samara, TR 'Youth, Crime and Urban Renewal in the Western Cape' p214

⁹⁹⁸ 'HIV and Sexual Behaviour Among Young South Africans: A national survey of 15-24 year olds – 2003' p29

⁹⁹⁹ Sampson, D "Aids Guide 2003/4" p144

organisations that have been involved in protest, support and education¹⁰⁰⁰ for a number of years, however, the Government response to the epidemic has been insufficient.

The lethargic manner in which Government has approached this epidemic has resulted in painful premature termination of many of its people inflicted with AIDS. In 2003 the Government finally agreed to anti-retroviral treatment and launched the 'Khomanani'¹⁰⁰¹ campaign. It has only been in 2004 (after the third democratic elections) that I have seen comprehensive media coverage by government with respect to prevention and treatment of HIV. The bulk of these initiatives have been tapping into the existing organisations such as 'Soul City' and 'Love Life'.

The government's entire approach to this disease has been rather confusing to understand. When the new democratic government was introduced in 1994, the approach to HIV was quite different. The then Minister of Health, Nkosazana Zuma berated the apartheid health ministers for not giving enough attention to the scourge of HIV.¹⁰⁰² Zuma then went on to spend R14-million on an AIDS awareness play by Mbongeni Ngema called 'Sarafina 2'¹⁰⁰³, what happened to that play still remains a bit a mystery to all, what is of importance is that Zuma recognised HIV/AIDS as a serious threat that needed to be challenged. The second democratic cabinet initially intended to intensify all efforts relating to the HIV/AIDS epidemic.¹⁰⁰⁴ However, statements by the new health minister Manto Tshabalala-Msimang and the newly elected president, Thabo Mbeki removed the focus from the real issues at hand: Tshabalala-Msimang blamed AIDS on apartheid¹⁰⁰⁵ and Mbeki stated publically that HIV did not cause AIDS and that AZT was a harmful drug.¹⁰⁰⁶ The government refused to engage in a constructive,

¹⁰⁰⁰ The various national campaigns include; ThethaJunction (lovelife project), Soul City, Treatment Action Campaign, the Triangle and Equality project. (this list is not exhaustive but are the ones that stand out in my mind as a lay person and media consumer).

¹⁰⁰¹ Khomanani means Caring Together

¹⁰⁰² Bulger, P '1,8-m people are infected with HIV, says Zuma' in The Star 4 June 1996

¹⁰⁰³ The Cape Times 29 May 1996 'First 'Sarafina2' play, now the video' – www.iol.co.za

¹⁰⁰⁴ Address of the President of South Africa: Thabo Mbeki at the opening of Parliament National Assembly, Cape Town 25 June 1999.

¹⁰⁰⁵ The Star 4 August 1999 – www.iol.co.za

¹⁰⁰⁶ The Sunday Independent 18 March 2000, Sulcas, A 'Mbeki's Aids call alarms scientists'.

realistic approach to this epidemic.

The perception that Government has created is that the lives of certain people are not important. There has been a rapid shift to improve government's image in this regard. Finance Minister Trevor Manuel, handed over R12-billion for the roll-out of anti-retrovirals in November 2003¹⁰⁰⁷, as a result of extreme civic pressure from the TAC¹⁰⁰⁸ which resulted in a ruling from the Constitutional Court.¹⁰⁰⁹ Mr Nelson Mandela launched his own HIV campaign,¹⁰¹⁰ as an awareness initiative.¹⁰¹¹

Failure by the media and government to actively engage around HIV/AIDS has led to the spread of much misinformation. An aspect of this is the myth that HIV/AIDS can be cured if sexual intercourse is had with a virgin. This has led to an increase in child rape cases, primarily affecting young girls. These girls then end up contracting the disease at a very young age. So in addition to dealing with the trauma of rape, they also have to deal with being infected with an incurable disease and the life-long stigma associated with this.

As mentioned above, HIV/AIDS affects the lives of our children in different ways. One reality rapidly emerging in South Africa is the situation where young people and even children are heading households where they have parents who are ill or deceased. Children are taking care of children; this means that they have to become adults, with all its responsibilities and challenges, earlier than they should. This is one of the facets of what comprises 'youth' in the new South Africa.

The impact on these children is profound, as their immediate family environment and

¹⁰⁰⁷ The Argus 12 November 2003, Koopman, A & Phalane, C 'Budget hands over R12bn to fights Aids'.

¹⁰⁰⁸ Treatment Action Campaign

¹⁰⁰⁹ Minister of Health and Others v Treatment Action Campaign and Others (2) 2002(5) 721[CC].

¹⁰¹⁰ Mr Mandela launched the "46664" campaign to fight HIV/AIDS, as he considered it to be a Human Rights violation. The number used his Mr Mandela's prison number from his days spent incarcerated in prison on Robben Island.

¹⁰¹¹ The Independent on Saturday 28 November 2003, Williams, K 'Fight Aids like apartheid, Madiba urges'.

support system is 'challenged'.¹⁰¹² What 'youth' encounter is the reduced ability of infected parents to take care of them and to sustain a livelihood for their needs. These children and young adults are confronted with sickness, disability and premature death from AIDS by one or both parents.¹⁰¹³ Most of these orphaned children grow up without parental supervision, guidance and discipline.¹⁰¹⁴ As a result of being orphaned these children will be economically marginalised and the likelihood of them engaging in criminal activity at a young age is higher.¹⁰¹⁵ They may be forced to leave school in order to secure a financial contribution to the household, this may lead to involvement in deviant activity or, if it is employment, it often takes the form of work in the sex trade, especially if the young person is female. What one finds is that these young people have limited education and enter a world where their probability of infection is high. The cycle of abuse, illness and poverty therefore continues.

The impact of HIV cannot be ignored as the present figures of HIV infection is at 15.6% for the 15-49 year age group.¹⁰¹⁶ According to Schönteich as a result of the increase of orphaned children there will be an increase in deviant behaviour for the next 20 years, until this generation moves into their mid-thirties where they will be less likely to be involved in crime.¹⁰¹⁷ Using Hirschi's social bond theory, crime will also increase as familial bonds further disintegrate.

Conclusion

According to Stan Cohen there is a 'widespread decline of the myth' that the sovereign State can provide 'security, law and order'.¹⁰¹⁸ According to him the State is losing legitimacy with the people due to their involvement in corruption scandals and international crimes. In many instances this is certainly the case, but South African government is at least making a nominal attempt to deal with the crime problem,

¹⁰¹² Sampson, D "Aids Guide 2003/4" p152

¹⁰¹³ *ibid*

¹⁰¹⁴ Schönteich, M 'Age and Aids: South Africa's crime time bomb' p42

¹⁰¹⁵ *ibid*

¹⁰¹⁶ www.hsra.ac.za 'Social Aspects of HIV/AIDS : Health'

¹⁰¹⁷ Schönteich, M 'Age and Aids : South Africa's crime time bomb?' p43

¹⁰¹⁸ Rock, P 'Sociological Theories of Crime' p56 in ' The Oxford Handbook of Criminology'.

unfortunately their attempts are not proving effective enough to ease public anxiety and create a feeling of security within the country.

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CHAPTER 5: PREVENTATIVE INITIATIVES TO REMEDY THE SITUATION

Having analysed the various theories, discussed the relevant concepts to this thesis and applied it to the South African situation, I turn in this chapter to consider the prevention initiatives that the State could adopt to remedy the problem.

As mentioned earlier, youth in South Africa are the 'primary perpetrators' of violence but also according to the National Injury Mortality Surveillance System¹⁰¹⁹, the 'primary victims' of violence.¹⁰²⁰ In order to tackle this seemingly unstoppable trend, 'effective' ways need to be found to prevent young people from becoming involved in the cycles of crime and violence.¹⁰²¹

Prevention is a strategy that must be given more attention. Crime admittedly is a feature in all societies and will never be able to be completely erased. Total prevention will not be possible but perhaps a reduction of involvement in violent acts will be a feasible goal. Prevention of youth deviance is one of the most elusive concepts in criminological theory and literature.¹⁰²² Crawford states that crime prevention is a concept of 'almost ending elasticity' as it involves planning for an event that is anticipated but has as yet not occurred.¹⁰²³ The term prevention is in itself an ambiguous concept that often is an obstacle in itself when trying to discuss prevention. The 1998 South Africa White Paper on Safety and Security states that 'prevention' amounts to 'all activities which reduce, deter or prevent the occurrence of specific crime'.¹⁰²⁴

Lejins outlines three types of prevention that differentiate between aspects of the concept and gives it a more distinct meaning.¹⁰²⁵ They are:

¹⁰¹⁹ Matzopoulos, R 'A Profile of Fatal Injuries in South Africa 5th Annual Report 2003'

¹⁰²⁰ Dissel, A 'Youth, Street Gangs and Violence in South Africa' p409

¹⁰²¹ *ibid*

¹⁰²² Trojanowicz, RC 'Juvenile Delinquency – Concepts and Control' p187

¹⁰²³ Crawford, A 'Crime Prevention and Community Safety: Politics, Policies and Practices' p6

¹⁰²⁴ White Paper on Safety and Security 1998 p14

¹⁰²⁵ Lejins, P 'The Field of Prevention' in Amos, W & Wellford, C 'Delinquency Prevention: Theory and Practice' p3

1. *Punitive Prevention* – this is the threat of punishment and it presumes that the punishment will 'forestall' the criminal act.
2. *Corrective Prevention* – this looks at eliminating potential causes, factors or motivations before criminal behaviour actually takes place.
3. *Mechanical Prevention* – here there is an emphasis on placing obstacles in the way of the potential criminal so that he will find it difficult to commit an offence.¹⁰²⁶

A clear distinction should be made between crime prevention and a theory of criminality or crime causation.¹⁰²⁷ They both deal with the problem of crime but from very different angles. The various organisations involved in alleviating crime should identify where they fit into the whole scheme of things and how this shapes how they approach the situation.

There are two significant types of prevention of deviance. The one is named *pure prevention* or primary prevention, which attempts to inhibit delinquency before it occurs. The other is called *rehabilitative prevention* or secondary prevention where the strategies are employed when the youth is already in contact with the formal criminal justice system.¹⁰²⁸ Needless to say, it is most desirable to try and prevent crime before it occurs. This is pure prevention. However, when the crime has already occurred, it is also necessary to try to prevent the commission of more offences.¹⁰²⁹ This latter type falls into the category of rehabilitative prevention.

Crawford also explains that social crime prevention 'is concerned with preventing criminality or crime propensities from within a person or group rather than preventing crime opportunities.'¹⁰³⁰ This type of crime prevention according to Röntsch can be individual-based, that is assessing the risk of individuals, or it can be community focused

¹⁰²⁶ Lejins, P 'The Field of Prevention' in Amos, W & Wellford, C 'Delinquency Prevention: Theory and Practice' p3

¹⁰²⁷ Lunden, WA 'The theory of Crime Prevention' p24 in Stratton, JR & Terry, RM 'Prevention of Delinquency: Problems and Programs'

¹⁰²⁸ Trojanowicz, RC 'Juvenile Delinquency – Concepts and Control' p188

¹⁰²⁹ Lunden, WA 'The theory of Crime Prevention' p26 in Stratton, JR & Terry, RM 'Prevention of Delinquency: Problems and Programs'

¹⁰³⁰ Crawford, A 'Crime Prevention and Community Safety: Politics, Policies and Practices' p104

crime prevention. Situational crime prevention and crime prevention through environmental design suggests that certain environments provide easy opportunities for the commission of particular crimes and the proposed solution is to alter the environment to reduce opportunities.¹⁰³¹ This theory is however criticised as it is not concerned with reducing the causes of crime.

Prevention is great challenge that faces every society and programmes should be instituted to ensure that crime does not continue to spiral out of control like it seems to be in our country. Abrams and Fine suggest as a starting point, that the gap between local schools and the surrounding community needs to be closed.¹⁰³² That is, the parents, students, teachers and school staff need to have a more positive interaction with each other. Abrams also indicates that relationships between the local authorities, service providers and community leaders need to be enhanced.¹⁰³³ The interaction between community leaders themselves should be more organised and structured, with respect to their focus and goals within the community. Abrams and Fine emphasise the lack of positive contact that exists between men, their families and their communities.¹⁰³⁴ They particularly highlight the absence of adult male figures in younger men's lives.¹⁰³⁵ Like Pinnock they indicate the crucial need for positive mentorship at this crucial transitional state in the lives of young men.

As a starting point, relationships need to be built before we can even tackle larger issues. With stronger relationships in societies, the channels of communication are open, there is some level of commitment, support as well as responsibility within communities.

I would, also like to embrace Durkheim's anomie here and state that we are not going to eliminate crime from our country entirely. We may not even want to as such a subsidiary economy has grown around it which includes all aspects of society from legislative

¹⁰³¹ Röntsch, R 'Crime Prevention: Theory, South Africa Policy and Legislation since 1996' p27/28

¹⁰³² Abrams, M & Fine, N "Cooking up Community" p5-10

¹⁰³³ *ibid*

¹⁰³⁴ *ibid*

¹⁰³⁵ *ibid*

promulgation, criminal justice and prevention programmes, not to mention policing and private security. However, what I, like many other South Africans, would like to see at this initial stage is a reduction in violence.

When dealing with deviant youth, imprisonment is the option that is least desirable. The jails and reformatories serve to act as schools for these youth to enhance their knowledge of the underworld. There is not enough opportunity for youth in prisons to try and develop other skills that will allow them to embark on an honest life once out of prison. Our response to crime remains a 'blunt and expensive instrument' that more often seems to scar the criminal than reform him.¹⁰³⁶ The criminal justice system in South Africa has not been conceptualised from the perspective of young offenders, where restorative justice may be a more constructive option for society at large, including the offender.

I visited Pollsmoor Prison and spoke to youths between the ages of 14 and 25 years old, some even older. The one thing they all seem to lack is motivation. They are bored and they are learning nothing but how to become better criminals. When they are eventually released there is no support structure waiting for them and they often seem to find their way back to their old circles of friends who are involved in deviant activity. Many of the young people I chatted to admitted to me that the sentence they were serving was not their first sentence and certainly not their first deviant act. When these young people leave, they do not leave the gangs that they affiliate to in the prison for protection. They seem to leave unskilled, unsupported and with their sense of self-worth stripped. It is not surprising that it is not soon before they return within the prison walls.¹⁰³⁷

Instead of adopting a reintegrative approach to justice, we seem to be adopting the United State's rhetoric of a 'war on crime' and building expensive 'Max C' prisons. They are building more prisons¹⁰³⁸ and reformatory goals are only paid lip service. The US locks up six times as many citizens per capita as England and seventeen times as many

¹⁰³⁶ Conover, T 'Newjack' p21

¹⁰³⁷ Visit to Pollsmoor Prison 20 May 2004

¹⁰³⁸ New York has 71 prisons, 50 of them have been built in the last 25 years.

as Japan, both of which are developed industrial nations.¹⁰³⁹ We should therefore look to these nations when adopting a policy in order to deal with deviant behaviour rather than the US. The supermax prisons are already failing miserably as institutions of reform. The extreme deprivation that is found in these institutions literally drives people crazy.¹⁰⁴⁰

The modern prison models itself on Bentham's panopticon which is the architectural figure of a system based on complete surveillance that he derived from the way the Europeans responded to the great plague.¹⁰⁴¹ In this instance every movement is supervised, all events are recorded and this leads to a construction of a compact model of the disciplinary mechanism.¹⁰⁴² In-depth surveillance and control aims to achieve an intensification and ramification of power and therefore leads to the exercise of disciplinary power as the utopia of the perfectly governed city is strived for.¹⁰⁴³ According to Bentham the power should be visible and invariable.¹⁰⁴⁴

The panopticon is therefore a mechanism for dissociating the person surveying from the person being surveyed.¹⁰⁴⁵ There is always the presence of being looked at but the surveyed does not always know when this is occurring. Is there a move to a situation where the only way of attempting to institute discipline not only in prisons, but also factories, shops, offices, school and even the public streets is through the panopticon?

Discipline is being generated through the fear of being watched which actually constitutes a major invasion of privacy.¹⁰⁴⁶ What is even more unbelievable is that law-abiding citizens are consenting to this level of intrusion so that they can feel less fearful. The US has developed a heightened form of this after the attacks of 9/11 in New York. The Homeland Securities Act has been established that allows the national surveillance of the American public. This system allows that the Privacy Act of 1974 be amended and

¹⁰³⁹ Conover, T 'Newjack' p19

¹⁰⁴⁰ Abramsky, S 'Return of the Madhouse' in The American Prospect, 11 February 2002

¹⁰⁴¹ Foucault, M 'Discipline and Punishment' p201

¹⁰⁴² op cit p197

¹⁰⁴³ Foucault, M 'Discipline and Punishment' p198

¹⁰⁴⁴ op cit p201

¹⁰⁴⁵ Foucault, M 'Discipline and Punishment' p202

¹⁰⁴⁶ op cit p228

this could lead to a gross infringement on the civil liberties of the American Public.¹⁰⁴⁷ This kind of legislation instantly reminds me of the horrific apartheid past that we have just tried to combat. Needless to say that I do not think that we should be looking to adopt the approach advocated by the United States with respect to their approach to crime related issues. The 'war on drugs / crime / terrorism' rhetoric, seeped in its fake bravado has proved to be hopelessly ineffective.

As Muntingh states; 'it is not in the best interests of the offender, victim, prosecution or community' that in certain instances a case should proceed and lead to conviction.¹⁰⁴⁸ Braithwaite is credited with developing the theoretical foundations of the approach now termed 'restorative justice'¹⁰⁴⁹, which is being implemented in New Zealand in terms of the New Zealand 'Children, Young Persons and Family Act',¹⁰⁵⁰ and it is slowly beginning to enter our judicial system. This approach requires the young person to be accountable for his offences. The restorative programme is located within the criminal justice system but 'diverts' the young person away from prison and encourages 'conflict resolution' within family groups and communities.¹⁰⁵¹ The young person is also a central player in the decision making process.

This model has also been employed in Rwanda to deal with the crimes committed during the genocide. In this respect the acts of criminals were divided into three classes, the first being the people who instigated the murders and rapes, the second class included those that partook in the massacres and pillaging and the third class were people who allowed the crimes to happen.

The conventional western courts in Rwanda were completely overburdened by the number of cases, to the extent that unconvinced people were awaiting trial in prisons for

¹⁰⁴⁷ New York Times, November 9 2002 – Markoff, J 'Pentagon plans a computer system that would peek at the personal data of Americans'

¹⁰⁴⁸ Muntingh, LH 'Children in Conflict with the Law: A Compendium of Child Justice Stats 1995:2001' p40

¹⁰⁴⁹ Braithwaite, J 'Crime, Shame and Reintegration'

¹⁰⁵⁰ Act 24 of 1989

¹⁰⁵¹ Dissel, A 'Youth, Street Gangs and Violence in South Africa' p410

six years.¹⁰⁵² The Commission thus decided that people of the second and third classes would be subject to justice of traditional community courts (Gacaca) that would be held in the communities where the atrocities took place. Gacaca received training in order to change the role of this court. The deviant person had to face the community and the victims were allowed to question him and have an input into what would be considered fair and suitable restoration. This process tends to be more cathartic as the victims get to confront the perpetrator. He in turn gets to face the reality of what he has done and also has to assume the responsibility of what he has done.¹⁰⁵³

South African organisations such as NICRO have responded to the juvenile justice reform process by framing their diversion programmes within the restorative justice framework and the South Africa Law Commission has culminated with proposals that include statutory recognition of restorative justice.¹⁰⁵⁴ The anonymity of the western court system allows the perpetrator to remain fairly detached from the entire process and the effect of what he has done. If a young person has to answer to a community for his acts, he will feel like he belongs to a community but will also realise that he owes a sense of responsibility to the community. If youth are seen as an integral part of community, and are made to feel responsible for deviant acts committed within that community, this will begin to foster a sense of the rights and duties that come with belonging to a society. This process will hopefully introduce a sense of belonging and a positive sense of identity for the youth.

Restoration is not returning the situation to the way things were but rather to the way things should be. Restorative justice programmes need to become a regular feature of justice programmes. The State should not only rely on ngo's to provide programmes of this nature. If there is statutory recognition given to this process, it needs to be translated into reality.

¹⁰⁵² A lecture given by Kassim Kayiren, a Rwandan journalist at Boalt School of Law, University of California, Berkeley on 9 October 2002.

¹⁰⁵³ *ibid*

¹⁰⁵⁴ Sloth-Nielsen, J 'The role international law in Juvenile Justice Reform in South Africa' P93, quoting Issue Paper par 7.2, Discussion Paper par8.17 –8.22, Report par1.11 –1.15, par7.4 and par7.35

What also needs to be attended to is victim support. Presently it is largely inadequate and due to the cyclical nature of violence, if victims are not provided with effective support and treatment, then they are likely to become perpetrators themselves.¹⁰⁵⁵ Further incarceration in the over-burdened correctional facilities certainly does not seem to be a positive resolution to the situation facing youth.

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¹⁰⁵⁵ Dissel, A 'Youth, Street Gangs and Violence in South Africa' p411

A Brief Discussion Of Three Preventative Initiatives:

There are numerous prevention initiatives presently being implemented in South Africa. I will briefly discuss three of them to highlight the potential that can result if alternative paradigms of tackling challenges can be explored. In isolation these prevention schemes do not make much impact. SayStop, Yizo Yizo and Hearts of Men programmes attempt to integrate various criminological voices. The challenge still remains for a comprehensive youth policy to be developed into which they can slot.

CHAPTER 5.1 SAYSTOP DIVERSION PROGRAMME¹⁰⁵⁶

SayStop is a diversion programme for young sex offenders.¹⁰⁵⁷ Diversion can be defined as the 'referral of cases away from the criminal justice system to an approved programme, mediation or community service'.¹⁰⁵⁸ SayStop has piloted a diversion programme, designed as a 'first line intervention' for youth between the ages of 12 and 16 years who have been accused of committing a sexual offence and who admit responsibility for it.¹⁰⁵⁹ The format of the programme is that of ten lifeskills sessions, two hours in length, held once a week.¹⁰⁶⁰ Children who are potential participants are thoroughly assessed in order to determine if SayStop is an appropriate option.¹⁰⁶¹

The SayStop programme is responding to the need for alternative sentencing options for young sex offenders.¹⁰⁶² These diversion programmes are greatly needed as the age of young offenders is getting younger, which in turn increases the number of children that

¹⁰⁵⁶ South African Young Sex Offenders Project

¹⁰⁵⁷ The programme is a joint project between Nicro, Institute of Criminology (University of Cape Town), RAPCAN and Community Law Centre (University of the Western Cape).

¹⁰⁵⁸ Sloth-Nielsen as quoted in Muntingh, LH 'Children in Conflict with the Law: A Compendium of Child Justice Stats 1995:2001' p40

¹⁰⁵⁹ Eliasov, N "Evaluating the SayStop Diversion Programme : Third Follow-up study conducted from June- November 2003" p1

¹⁰⁶⁰ *ibid*

¹⁰⁶¹ *ibid*

¹⁰⁶² *op cit* p3

are sexually abused in South Africa.¹⁰⁶³ In this way the vicious cycle is perpetuated. Diversion programmes, use ideas developed in peacemaking criminology by theorists such as Pepinsky, Quinney and Lozoff. These theories encourage accountability on behalf of the individual and also provide a space for the victim to receive a compensation that is agreed upon.¹⁰⁶⁴ In this manner, reconciliation can be achieved and the individual can re-integrate into the community rather than enter prison life at a very young age, where the probability of recidivism is high, as is the temptation to branch out into other deviant acts. The prison is a school in deviance as sexual predation and abuse are well-known practices.

If a young person is involved in a sexually deviant act and is a suitable candidate for the SayStop programme involvement in the diversion affords a greater benefit to that individual. Saystop has identified that cognitive behavioural models are the most effective as they can reduce the recidivism risk. Skills-based group interventions have also proved to be useful. Elements of Bandura's frustration-aggression theory is also evident in this prevention programme, as is Hirschi and Hagen's identification of the importance of the role of the family.

My overview of the SayStop programme is rather brief. I mention it simply to highlight the possibilities that are available, the benefits of which are likely to be higher than those experienced by the 14-25 year olds that I met whilst visiting Pollsmoor Prison.¹⁰⁶⁵ The document prepared by Eliasov overviews the programme in a comprehensive and detailed report. It is emphasised that interventions are more successful, if they are initiated early.

CHAPTER 5.2 YIZO YIZO

This is a series that was commissioned by the Education Department and was created for television by Tebogo Mahlatsi. The Education Department is trying to use the popular

¹⁰⁶³ Quoted in The Star 2003

¹⁰⁶⁴ Eliasov, N "Evaluating the SayStop Diversion Programme : Third Follow-up study conducted from June- November 2003" p2

¹⁰⁶⁵ Visit to Pollsmoor Prison 20 May 2004 .

medium of television to educate and inform the youth. This is based on the idea that television can play a role in social change by 'helping viewers engage critically' with what is happening in their local communities.¹⁰⁶⁶

The series was first aired on SABC1¹⁰⁶⁷ on 3 February 1999 at 20:30. The name 'Yizo Yizo' is derived from the slang term meaning 'it is what is it'. The intention of the director was to reflect lives of a group of urban, township youth as it is, with no filters.¹⁰⁶⁸ Upon its debut in 1999, it created a storm of controversy provoking parents and teachers to the extent that they wanted the series to be taken off screen.¹⁰⁶⁹

The series has been geared for the urban, Black youth market. This is reflected in the language, the style of dress, the kwaito music and the prevalence of weapons, drugs, gangs, sexual activity and rape, which are elements that are endemic to the education process.¹⁰⁷⁰ Yizo Yizo has grown in popularity, probably as a result of the 'shock-tactics' and it has completed its third season on air.

What this series has managed to do is initiate dialogue between the generations. The ANC Youth League even issued a statement in support of the series as it was reflecting the reality that South Africa Black, urban, youth experience.¹⁰⁷¹ This series generated much needed discussion, which in the process caused 'unprecedented public focus' on aspects of education, youth, sexuality and violence.¹⁰⁷²

¹⁰⁶⁶ Perold, H " The discussion generated by Yizo Yizo" in '*An Evaluation of Yizo Yizo*' by the Research Partnership p213

¹⁰⁶⁷ South African Broadcasting Corporation, which is a public television channel.

¹⁰⁶⁸ Interview with Teboho Mahlatsi on 2 September 2001 in Rosebank, Johannesburg

¹⁰⁶⁹ Chetty, I "Film and Publications Board on the classification of Yizo Yizo" 28 March 2001 www.pmg.org.za

¹⁰⁷⁰ Motanya, P " Yizo Yizo on the screen, show us the way it is" in "The Teacher" February 1999

¹⁰⁷¹ www.anc.org.za/youth/docs/pr/2001 "ANC Youth League speaks on Controversial Yizo Yizo" 16 March 2001

¹⁰⁷² Perold, H " The discussion generated by Yizo Yizo" in '*An Evaluation of Yizo Yizo*' by the Research Partnership p213

The controversy that this series ignited was around areas that need attention and discussion both in the private and the public realm. The hope is that this provocation will initiate a change in behaviour on the part of the audience as the consequences of reckless choices are visually portrayed. Other types of media such as print, radio and television chat shows added to the discussion process.

Mahlatsi mentioned that the initial controversy sparked by Yizo Yizo has helped the creators with later seasons. He mentioned that they were better prepared to ensure discussion forums were in place to facilitate discussion that may emerge. He also mentioned that he was a film maker and that other organisations were better equipped to deal with the impact of the series. This results in more of an integrated approach to the series, which is a great catalyst for communication. Communication is the vital step that can lead to behaviour change according to Dr Garth Japhet who is part of the Edutainment, Soul City project.

The evaluation conducted for both Yizo Yizo 1 and 2 by the "The Research Partnership" is extensive in its depth. The reports conducted numerous focus groups and surveys and have produced reports that are informative and comprehensive. I cannot improve on their research and mention it as a valuable source for evaluation of the series.

This series uses a number of criminological theories in its portrayal of realistic youth. It draws significantly on the Chicago School theorists such as Park, Burgess, Shaw, McKay and Starke when developing the neighbourhood. Stark's theories of deviant neighbourhoods are used extensively as is the thesis on the 'broken window' and defensible space.¹⁰⁷³

Cultural conflict is used to highlight the distance between the generations. The theories around subcultures and gangs by Cohen, Sykes, Matza, Ferracuti and Cloward, all add dimension to this television series. The strain theories by Merton and Agnew, are evident when looking at how youth in the township develop means to access their goals. The social process theories such as the learning, control and labelling theories can also be found at different intervals in the series. Works by South African authors such as Glaser

¹⁰⁷³ Schmallegger, F 'Criminology Today'

are crucial to understanding the dynamics in the series. There is also a place for radical and left-realist criminology as power conflicts are highlighted throughout the different seasons of the series.

My brief referral to this series was to indicate that varied media sources, when used responsibly could lead to widespread discussion and provocation. Granted, the media is a controversial because of the violence that young people are exposed to. It is not a settled debate as to the influence media violence has on children.¹⁰⁷⁴ However, youth are already attracted to this medium of communication as information is visually accessible. Television is a powerful medium because it is able to depict people and their social actions in a way that is understandable to the viewer, shaping the lives of the audience.¹⁰⁷⁵ The programmes have to be crafted in an authentic manner otherwise they will be discredited by the target audience. This was the aim of Yizo Yizo, to be a portrayal of the reality facing young adults in South African townships. It was shocking to encounter an unedited version of this reality. Being in denial of the situation will not assist in remedying it.

Deviant prevention schemes using the media should seek to integrate their programmes so that information can be more far-reaching and should perhaps be presented in a manner that is also captivating to the youth. Television is a difficult arena to work in as information is relayed at a fast pace. This requires the creators of these programmes to carefully consider their projects and the possible ramifications in the conceptual phase. It is also important to include other facets of the media in the prevention strategies as this provides more opportunities to reach the youth. Using the media in conjunction with other programmes is very useful in today's fast-paced information relay society.

CHAPTER 5.3 HEARTS OF MEN

Abrams and Fine suggest that the reality that we are facing with respect to the youth is as a result of the breakdown of a number of vital relationships within our country. The deterioration of relationships between: men and women, parents and children, older men

¹⁰⁷⁴ De Vos, L 'The influence of violent media on children'

¹⁰⁷⁵ Lembo, R 'Thinking through Television' p21

and younger men in terms of youth programmes, teachers and students. There is too little involvement of parents in their children's schools, there is not enough co-operation between community leaders and there is a lack of interaction between local government and service providers.¹⁰⁷⁶

Fine thought that it was important to focus on men's issues because:

- The greatest physical threat to men and women in South Africa today is posed by men;
- Men control the gangs, commit most of the crime and fill our prisons;
- Too many young men and women have children before they are ready;
- Too many of our men have absent fathers, and so many boys and girls are fatherless;
- Too many mothers and grandmothers are left to parent children all on their own.¹⁰⁷⁷

Fine et al developed the 'Hearts of Men' programme, which provided mentorship for young men. Together with the community and schools, boys are identified who would benefit from the programme. For many boys a high risk period was when they moved from primary to high school, between the ages of 13 and 16. The focus of the programme was to give support the boys during this transition phase.

The co-ordinators of the programme felt it was critical to mobilise older men in the community to work with boys and to create positive role models. The programme was designed to recreate the role older men have traditionally played in guiding young men from boyhood into manhood through rites of passage. This programme takes cognisance of Pinnock's theories relating to the need for ritual amongst adolescents.

For the programme, men are recruited from the selected area and are offered intensive mentorship training. About 10 to 15 mentors were selected per programme. The focus was on 'activating and capacitating' both old and young men to take a 'leadership' role, so that they will participate in building communities as opposed to destroying

¹⁰⁷⁶ Abrams, M & Fine, N 'Cooking up Community' p3

¹⁰⁷⁷ op cit p15

communities.¹⁰⁷⁸ Ongoing support was provided to the older men with their work with younger men.

This programme integrates a variety of criminological theories. In identifying youth at risk, the programme creators call on Chicago School theorists in identifying the neighbourhoods at risk and the young men in those spaces. Starke's theory of deviant neighbourhoods is important, as are Thrasher, Cohen, Cloward, Ohlin, Matza, Sykes and Wolfgang in identifying zones of cultural conflict and the presence of deviant subcultures.¹⁰⁷⁹ South Africa voices such as Pinnock, Schärf and Glaser are used to provide a realistic localised understanding of the locations and the associated challenges.

Tarde's theory of 'imitation' and Bandura's idea of 'modelling' seems to be central to the programme. There is evidence of Skinner's behaviour theory, where rewarded behaviour will increase in frequency and punished behaviour will decrease.¹⁰⁸⁰ The social learning theories developed by Sutherland, Glaser and Burgess are relevant as they propose that all behaviour is learnt, including criminal behaviour. Hirschi's theory on social bonds and attachment, involvement and commitment to family, community and school is also emphasised. With Gottfredson, Hirschi believed that if social bonds were stronger, at risk youth would be able to exercise self-control when faced with deviant choices.¹⁰⁸¹

Crawford's contribution is well considered as it emphasises the importance of:

- Strengthening families and supporting good parenting;
- Strengthening and improving parental supervision;
- Strengthening schools;
- Reducing truancy;
- Reducing school exclusions;

¹⁰⁷⁸ Abrams, M & Fine, N 'Cooking up Community' p15

¹⁰⁷⁹ Schmallegger, F 'Criminology Today'

¹⁰⁸⁰ op cit p176

¹⁰⁸¹ Schmallegger, F 'Criminology Today'p230

- Family-school partnership.¹⁰⁸²

If young adults can learn from positive association they may not be drawn to deviant behaviour. Labelling theories are also relevant, especially Becker's idea of being an 'outsider'.¹⁰⁸³ This programme also incorporates feminist theorists. It takes cognisance of ideas such as Hagan's power-control theory, which suggests that family and class structure shapes the reproduction of gender relations.¹⁰⁸⁴ If this programme is a positive experience it will gain popularity and will not make participants feel like outsiders.

The training programme is spent in a wilderness area. This forms a vital part of the programme - the connection with open spaces and land, the men and boys are able to connect with themselves. For most of the men and boys it provided a space to spend time in uninhibited quiet spaces away from the urban environment. It was time to sit alone, sometimes in silence, and to listen. Being in the wilderness provided a time for reflection and healing. It also provided a place to 'dream and visualise a world' that could be different from the past.¹⁰⁸⁵

The programme was intended to challenge all the men who participated in the programme to rediscover what it is to be a man, and what it requires to build and nurture a 'sense of family and community'.¹⁰⁸⁶

The goal of the programme is to create a powerful community-based support system for both young and older men, and to mobilise older men in the community to become mentors and role models for young men.¹⁰⁸⁷

¹⁰⁸² Crawford, A 'Crime Prevention and Community Safety: Politics, Policies and Practices' p112-116

¹⁰⁸³ Becker, HS 'Outsiders – Studies in the Sociology of Deviance'

¹⁰⁸⁴ Williams, FP & Mcshane, MD 'Criminological Theory' p233

¹⁰⁸⁵ Abrams, M & Fine, N 'Cooking up Community' p24

¹⁰⁸⁶ op cit p15

¹⁰⁸⁷ Abrams, M & Fine, N 'Cooking up Community' p130

CHAPTER 6: RECOMMENDATIONS

After considering a few preventative initiatives in the preceding chapter, I shall now briefly consider broad recommendations for the reduction of violent youth deviance.

Since South Africa has become culturally inclusive other sectors need to be more accessible to marginalized communities. The State does need to translate policy into workable structural opportunities that provide access to the market consumer economy. More involvement by citizens in the political process will also be more positive as politicians can be held more accountable for the lack of service delivery.

A large majority of people around the country are realising that an emphasis has to be placed on youth development. Various sectors of our society are generously willing to contribute to this challenging task. I have observed business, the State, community organisations, non-governmental organisations, religious organisations and even youth themselves attempting to address the obstacles facing youth development. This in itself indicates that the people of South Africa have sufficient foresight in wanting to empower the youth so that our unique vision of what we want South Africa to be can be realised.

These groups have launched attempts at prevention, control and treatment with respect to deviant behaviour at a juvenile stage. However, these efforts have been somewhat isolated and uncoordinated. The various State departments, such as Education, Housing, Social Development, Correctional Services and Justice and Constitutional Development are quite uncoordinated in their service delivery regarding youth.

The State has as yet not managed to implement any youth policy (with the failure of the National Youth Policy) and has no integrated approach for youth development. There is also a lack of communication between the various government departments and the sectors outside of government. So what is happening is different government departments are targeting areas they identify as important and the same approach is being taken by other sectors. This is resulting in a chaotic scramble. The need for action is strongly felt, so a cohesive coherent plan is unable to be established. If each relevant government department and other appropriate sectors was able to meet in order to identify what it was that they were aiming to achieve and how they were going about

achieving this, this would avoid duplication of projects and also establish the most effective methods to approach various challenges. This process can also facilitate the sharing of approaches of successful models.

If reference is made to some criminological debates then it will at least lend an understanding of what the present situation is. Perhaps this could identify what is trying to be achieved in terms of the larger picture. This is not to say that these debates are by any means exhaustive. There is a plethora of knowledge available in respect of criminological theory that can be used to co-ordinate and facilitate further research. I mentioned a select number of theories in the prevention initiatives chapter as an illustration of what can be achieved if there is a general understanding of what the target is. The primary goals, involving deliberation and intervention can then at least occur in a more rationally thought out and coordinated fashion.

In this way it can be established which organisation is more adequately equipped to deal with the different types of prevention strategies. The criminological approach will be useful to this process. There are numerous theories on various subjects and the challenge lies in deciding on the combination of theories that could best assist in aiding a situation. Suffice to say, no single theory will be able to result in an understanding of the situation and lead to a solution. However, using the best of what is available will certainly provide a more workable proposition in dealing with what is presently establishing itself as the status quo.

A more effective approach towards violent crime in this country must be implemented. Communities around the country are getting frustrated with the legitimate justice that is dispensed and are resorting to vigilantism. Communities are showing that they are not prepared to again live in fear. It is their way of displaying a lack of confidence in the due process of our legal system. This is illustrated in the following article:

'Dragged, stripped, bound, stoned and burnt' ¹⁰⁸⁸ By Judy Damon

Three alleged train robbers were dragged from a shebeen in Philippi at the weekend, stripped, stoned to death and then set alight with their hands tied behind their backs, witnesses told police. This brings to four the number of people who have died in suspected vigilante action in the Nyanga area in the past three days, despite a year-long anti-vigilantism campaign mounted by the local police.

Nyanga station commander Solomon Thembile William rushed to the scene under the footbridge at the Philippi railway station on Sunday where the charred, naked and bound bodies of three unidentified men lay.

'It was terrible to see people burnt in that way, but it wasn't the right time to start telling an emotional crowd about the evils of vigilantism,' he said. Police spokesperson Nina Kirsten said the three men had allegedly robbed train commuters and one of their victims had followed them to a nearby shebeen.

Kirsten said the police had received an unclear report at 7pm about an incident in Nyanga. A police Nyala had arrived at the scene minutes after the lynching but could not get through the large crowd and had to wait for back-up.

A witness to the lynching, who did not want to be named, said the men were brought naked to the bridge with their hands already bound.

The witness said the men were first stoned to death by a group of men and then their bodies were set alight.

'What happened here is not good. It is another crime which will harm this community. By the time police arrived it was too late to save the men. If one has to watch dead people burn because they committed crimes, it means the police are not doing enough,' the witness said.

Kirsten said that the body of an unidentified man had also been found in Samora Machel late on Friday night. The partly clothed man, his hands tied behind his back, had been stoned to death. Police had found the scene littered with stones and bricks.

The serious and violent crimes unit is investigating these murders. No arrests have yet been made.

'Last year a number of anti-crime campaigns were held, most of them focused on vigilantism,' said William.

'But it seems the message did not get across to the residents. There is an element in the community that allows people to act in this way. It is difficult to speak to residents when they are in an emotional state.'

¹⁰⁸⁸ Cape Times 24 June 2003

He said police would continue to strengthen and increase campaigns against vigilantism.

William said a permanent high police visibility in the densely populated township would be an effective way of regaining residents' trust

A movement needs to be established that is all-inclusive and places emphasis on the reality that our embryonic democracy lies in the hands of youth. If a unified goal is developed with a collective conscious that is in pursuit of clearly defined objectives we may have more direction. Continued emphasis needs to be placed on programmes that focus on building up self-esteem and self-worth. Projects that bridge the gap between the generations and community injecting respect back into those spheres are also crucial. Projects that expose young adults to role models that inspire respect through hard work need to be instituted.

We also need to invest more time in projects that occupy the youth outside of the school environment. If they are involved in interesting projects that they find stimulating they will be too busy to be distracted by negative elements and they may acquire the ambition to excel at their new interest.

A more integrated approach between the various sectors of society needs to be created, where information can be exchanged. If projects are doing well, they need to be shared and method passed on. If projects are ineffective they should be stopped but also documented so that the errors are not repeated. Duplication is a waste of time.

Policy developers who introduce methods for controlling crime should consult more extensively with criminologists and other people working in the field in order to develop feasible strategies as they have an in-depth understanding of the theory and how it manifests itself in practice.

If this can be achieved we may be able to communicate to the youth that they are a precious resource that needs to flourish so that the country and its people can possibly lead a life that the Constitution envisions.

CHAPTER 7: CONCLUSION

In this dissertation I have attempted to analyse the motivation behind youth crime/deviance, particularly the violent manifestation of it in South Africa. I shall briefly conclude with a few remarks.

The historical atrocities of our past, together with the precariousness of a transitional State, place us in a challenging position with respect to our youth. Our young people find themselves in a transitional phase of growth but are also in a country that is politically in transition. In the context of this transitional society their new role has not been clearly outlined and they also carry with them the residue of years of compounded violence. Living in marginalised uncertainty with limited service delivery has resulted in a dramatic increase in crime and violence. The violence gives a voice to the feelings of exclusion from the recent insertion into the global market economy. Limited, inadequate training and skills development initiatives have been introduced with no special emphasis on youth, which leaves youth not only unemployed but unemployable which makes sliding into the second or underground economy more accessible.

Criminal involvement is considered by youth as a legitimate employment opportunity as the access to legitimate employment is limited. Since state structures are weak, the probability of being caught is reduced and indirectly this is an incentive to continue involvement in criminal activity. They carry the scars of fear and insecurity having been victims of brutal regimes and violent rebellion. They have learnt that the only way to deal with dissatisfaction and injustice is through violence. Violence has become the 'means' to attain a goal. Violence has been 'normalised' as these youth are simply adhering to different norms and values, where violence is endorsed as the means for attaining material commodities. There is therefore a conflict between the new dominant cultural norms of South Africa and the reality of these youth being politically and economically marginalised.

The government's approach to this challenge was far too simplistic. A National Youth Policy was developed as a 'catch-all' policy in order to address the needs facing youth generally and to attempt to generate a new political identity for young adults. This attempt was hopelessly inadequate as it not only failed to address what the term 'youth'

embodies but also did not acknowledge or deal with the situation by recognising that 'youth culture' is a fragmented term that required a more intricate approach. The group being addressed is not a homogenous one and neither are their needs. It is possible that the new government wanted to limit the power of the youth as they had shown in at least two episodes the struggle against apartheid, their ability to defy authority. Palmary, a researcher on social crime prevention in South Africa's four largest cities observes that crime prevention projects aimed at addressing the deeply entrenched social inequalities such as poverty or family instability have as yet not been tackled by South African cities.¹⁰⁸⁹

With respect to deviant youth, the criminal justice system was not constructed with young people in mind and there are limited options for rehabilitation and diversion. It is focused on punishment and retribution and results in more ruthless criminals being created. Since State departments' are not focusing on the youth in an integrated manner, their efforts are haphazard and uncoordinated. It seems that most of the departments have no idea what other departments initiatives entail. A comprehensive integrated policy with a unified vision needs to be created. The departments with the expertise and resources relative to an identified challenge should be mandated to attend to that challenge. The identified department should also then be responsible for setting up links with community organisations, religious groups, NGOs and business partners. Unless a multi-directional, coordinated approach is adopted, tackling this challenge is really going to prove limited in success. The present approach is marginalising youth further, rather than zoning in on their needs.

Violence is an economic commodity that is thriving as the value of a person's life dwindles to nothing. The level of violence that our society has experienced from the onset of South Africa as a nation is an inevitable point of discussion, as it has maliciously shaped and affected who we as South Africans have become. This I believe, is the central reason our youth lack a sense of self-worth. The compounding of collective violence over the generations has produced a society that is predisposed to violent involvement. Regardless of our past, there is a sense of human respect that should be unequivocal. Instead, a sense of entitlement to this globalised culture has emerged that

¹⁰⁸⁹ Palmary, I ' Social Crime Prevention in South Africa's major cities' CSV

seems to justify the brutal behaviour in order to access it. A sense of respect has been lost and our social fabric is disintegrating at a rapid rate.

South African society still sees 'youth' as unruly and violent and some deviant subcultures of our youth do try to live up to that image. The environment that these young people grow up in also contributes to the choice to be involved in deviant activity. The role models that young people are surrounded by are often involved in illicit activities. The effects of the Group Areas Act and urbanisation caused a severe breakdown in community relations. This in turn led to a rift between the generations where respect for parents and responsibility to the community has been severely depleted. The formation of gangs and other deviant subcultures fulfils many functions *inter alia* familial loyalty. In the process engaging in deviant behaviour is learnt within these subcultures. These youth continue to look outside of the family to fulfil needs of belonging and approval. Attention needs to be given to strengthening that family unit.

Although this youth culture may originate from the contexts of poverty and enforced urbanisation, it has certainly grown into a subculture all of its own. This subculture attracts not only the poor and unemployed but also the 'well-heeled and well-educated'.¹⁰⁹⁰ Being part of this subculture has more to do with a lifestyle, its ethics and values than about earning a living. Structural unemployment, the erosion of nuclear families and the violence worshipping youth cultures are factors that beckon young people to crime.¹⁰⁹¹ Criminal youth culture however thrives on the virtues of bravery, fearlessness and strength - involvement in crime is dangerous and there is a chance that you can get caught or even killed is part of the appeal.¹⁰⁹²

The youth of this country have in the past shown their ability to help 'engineer socio-political transformation'.¹⁰⁹³ The difference then was that they had a collective political identity. They believed that their political involvement had a purpose. The elders in the political community had confidence that the youth would be able to initiate change in our

¹⁰⁹⁰ Steinberg, J 'Crime Wave' p4

¹⁰⁹¹ op cit p6

¹⁰⁹² ibid

¹⁰⁹³ Van Zyl Slabbert, F et al 'Youth in the New South Africa - Towards Policy Formation' p10

society. The question to ask now is why this confidence in our youth has depleted. It is rather short sighted of the present government not to have refocused the political energy of the youth, as this hard earned struggle will have a limited longevity if the youth are not included in our new dispensation in a more meaningful manner.

A combination of factors, from lack of skills and education to the high rate of unemployment and HIV, act as catalysts for youth to embark on a life of crime. Youth are relegated to the consumption sector but do not have the economic means for consumption.¹⁰⁹⁴ Although there is a chance of arrest or of dying, the odds are quite slim for either and the payoff seems to be worth the risk. Engaging in violence in order to attain what is considered valuable is part of the deviant alteration of the 'means' that Merton mentions to achieve what is desired. The loss of another person's life is not a factor that is given much attention.

Youth do not have confidence in their legitimate capabilities and seem to want to achieve goals without hard work and labour. The work ethic of adhering to a goal through adversity has been eroded. A culture of 'entitlement' is emerging within the youth.¹⁰⁹⁵ Being ruled by 'aliens' may have undermined the self-confidence of the average Black South African.¹⁰⁹⁶ As a result the 'self-image or self-worth' of Black people in South Africa is low.¹⁰⁹⁷ Our youth may lack competitive and innovative traits because of the over-dependence on authority in the past.¹⁰⁹⁸ However, this does not account for the large number of Black people that did succeed under the apartheid regime.

South Africa used the means of a negotiated settlement in order to create a new set of cultural norms, thereby diluting the power of the group defining the social order. This system did of course have its flaws but the protection of the well being of the majority of

¹⁰⁹⁴ Bartollas, C 'Juvenile Delinquency' p218

¹⁰⁹⁵ Unnithan, TKN, Ahuja, R 'Subculture of Violence: The Indian Context' in Perspectives in Criminology p66

¹⁰⁹⁶ *ibid*

¹⁰⁹⁷ *ibid*

¹⁰⁹⁸ Unnithan, TKN, Ahuja, R 'Subculture of Violence: The Indian Context' in Perspectives in Criminology p64

people was envisioned. A constant thread that runs throughout the Constitution¹⁰⁹⁹ is that of affording dignity and freedom to its citizens. If fear is slowly consuming our society it puts the freedom that was so hard fought for in jeopardy.

A new wave of youth leadership does not exist in South Africa to be positive role models to enable values to be passed on from older leaders to the young adults of today. Youth today are impressed by people in their communities who have money, (albeit earned illegitimately), as they are seen as being influential. They instil fear in that society, this fear is equated with respect and together with material possessions serves to construct a sense of identity that the younger children aspire to.

Young people are motivated by status, successful lifestyles and materialism.¹¹⁰⁰ Success in the global arena is defined in material terms with symbols such as cars and designer clothes being seen to denote ones 'self-worth'.¹¹⁰¹ The fact that young people desire these trappings is in itself not problematic. It is of concern when it begins to define who they are and they want to access it at any cost. The means of attaining the 'lifestyle' is relevant. Youth need to be provided with legitimate opportunities access their desires. Young people have learnt that violence gives you a voice. Perhaps the violent means that youth utilise is to draw attention to the limited legitimate opportunities available to them.

Although violence has been a constant feature of the South Africa landscape our landmark road to transformation should be teaching our children something different. That is that we attained goals with limited bloodshed. Even though violent behaviour can be rationalised due to our past it is time to stop using it as a reason for non-deliverance of services. Responsibility for our acts needs to be accepted from the leadership down. This is an element of neo-classic free will but is necessary in order to foster positive growth.

¹⁰⁹⁹ of the Republic of South Africa Act 108 of 1996

¹¹⁰⁰ Segal, L ; Pelo, J & Rampa, P : 'Into the heart of darkness : Journeys of the amagents in crime, violence and death', contained in *Steinberg, J 'Crime Wave'* p97

¹¹⁰¹ *op cit* p98

I have spent the bulk of this dissertation looking at the deviant/criminal, violent youth subcultures. I would like to re-emphasise that there are many positive elements to youth culture as well. When looking at the HIV/AIDS epidemic one hears on a daily basis how young children who are orphans are taking on adults responsibilities, running households and taking care of their younger siblings. As children, they should not have to give up their childhoods, but they are and are showing a mature sense of responsibility for those other than themselves.

In answer to the question I posed at the onset of the dissertation, the combination of marginalisation together with a consumer driven global culture is what is leading to increased violence as relative deprivation is heightened. The context of a transitional society and the history of violence that was experienced in the country only add to the volatile combination. The fact that young people do not form one homogenous group, makes the challenge of addressing their needs more complicated.

There are instances that are inspiring that one does see occurring. Our efforts simply need to be more co-ordinated as mentioned earlier or they will result in being ineffective. Another example of positive efforts being made by youth is evident in this article.

'The sky is the limit' ¹¹⁰²

The first Desmond Tutu Emerging Leadership Programme awards for 20 young achievers, which will be launched nationally next year and ultimately internationally, will be presented by the archbishop at Cape Town's Mount Nelson Hotel on Monday next week.

Co-project manager Clem van Wyk, from the Desmond Tutu Peace Centre, said on Monday: 'We went to 63 schools and told them about the programme. We had an overwhelming response.

'Eight judges looked at a set of criteria, then we short-listed 35 entrants and then again 30.'

The criteria included sustained commitment, enabling others, community involvement, values and ethics and innovation.

'There were people looking at the racial issue, others who have developed their own music group, good leadership and fantastic projects in Hout Bay and Khayelitsha, where young people were developing programmes for people with HIV.'

One of the winners is Nombulelo Moeti, 16, a grade 11 pupil at Fezeka High School in Gugulethu. For

¹¹⁰² www.iol.co.za (original article in The Cape Times on 8 July 2003).

four years she has helped Grade 4 and 5 children with their maths and English homework. Three years ago she started a dancing group at a nearby primary school to keep youngsters away from drugs and crime and she now has 20 in her class. She attends a journalism course every Saturday and has written articles on various teenage issues.

Nombulelo feels the most important issues affecting teenagers are HIV/Aids, teenage pregnancy and peer pressure.

After seeing an HIV/Aids group at work in Khayelitsha, she approached the organiser who introduced it at her school. She and 15 peer counsellors now run the project themselves.

A friend and manager of the Amy Biehl Foundation introduced Nombulelo to Biehl's parents, who took her to America in January where she taught traditional and modern dancing to children at a private school.

She still finds time for another hobby - reading.

Her mother, a domestic worker, has raised her, her twin brother and an older brother on her own since Nombulelo was a baby. She must be very proud.

'Yes, she is,' says Nombulelo. 'Sometimes she cries.'

Nombulelo says the programme has taught her how to make friends, have respect and speak out about her views.

Her message to youngsters: 'I want to tell them that if one youth can make a difference, we can all make a difference. And if they open a book they are unlocking a new life for themselves and they must keep on reading.'

Archbishop Tutu said in a statement: 'I am tremendously encouraged by our young South Africans.

They are not letting the grass grow under their feet, waiting for people to tell them what to do. No, they see the challenges facing our society and they are doing something about them. South Africa will succeed because our young people believe in themselves and in our future. The sky is the limit.'

The winners will get a medal and a certificate, and tea with Tutu at the Mount Nelson on Monday, where they will be able to ask questions and discuss leadership issues with him.

Archbishop Tutu is an inspirational voice in South Africa and his advice to the youth is:

'You have been given a wonderful opportunity as young people and we know that you will cherish your freedom and go on to even better than we as your elders were able to achieve. You have the world before you and the sky is the limit.'¹¹⁰³

¹¹⁰³ Giljam, M "Desmond Tutu: Towards Freedom and Justice" in Southern Anglican p23

Tutu goes on to mention that we are family and young people need to work to promote peace and justice, but above all to 'promote compassion and to be altruistic'.¹¹⁰⁴

Fortunately there are some of young adults that are accepting the challenge of living in the new South Africa together with the benefits that it brings. Their example, which is one of many, infuses us with hope that there can be yet another mass mobilisation of such a vibrant energy. It is hoped that their work will be given the publicity that is needed to influence their counterparts whom are less inspired. Young people must cease to allow themselves be marginalised. Initiatives must be developed with their needs as the central focus of that project rather than absent-mindedly adding their concerns onto other programmes.

I would like to conclude using the words of Graça Machel as they encapsulate the challenge facing us rather succinctly:

'The task that we face, is indeed a challenging one. But the cost of failure- for this generation's children and the next – is simply too high to bear.'

¹¹⁰⁴ Giljam, M " Desmond Tutu: Towards Freedom and Justice" in Southern Anglican p23

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B: LEGISLATION

1. National Youth Commission Act 19 of 1996
2. The Constitution of the Republic of South Africa Act 108 of 1996
3. New Zealand Children, Young Persons and their Families Act 24 of 1989

C: PRINT MEDIA ARTICLES

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E: WEBSITES

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6. www.iol.co.za (Last checked 10 August 2005)
7. www.nationmaster.com (Last checked 15 July 2005)
8. www.nyc.gov.za (Last checked 7 June 2004)
9. www.pmg.org.za (Last checked 13 June 2004)
10. www.socialistworld.net (Last checked 12 June 2004)
11. www.suntimes.co.za (Last checked 13 June 2004)
12. www.teacher.co.za (Last checked 13 June 2004)
13. www.worldbank.org (Last checked 12 June 2004)

F: INTERVIEWS

1. Interview with Teboho Mahlatsi 2 September 2001, Rosebank, Johannesburg.
2. Attended Lecture of Kassim Kayrien, Rwandan journalist at Boalt School of Law at University of California, Berkeley, 9 October 2002. Attended the informal discussion session after the lecture.
3. Telephonic interview with Communications Director of the National Youth Commission, Monde Mkalipi on 11 July 2003 at 16:00pm.
4. Informal conversation with young inmates at Pollsmoor Prison, Cape Town on 20 May 2004.