

COMMUNITY PERCEPTIONS ON VIGILANTISM IN MATOME VILLAGE

BY

MAELE KGOHATSO MARRY

DISSERTATION

Submitted in fulfilment of the requirement for the degree of

MASTER OF ARTS

In

CRIMINOLOGY AND CRIMINAL JUSTICE

SCHOOL OF SOCIAL SCIENCES

FACULTY OF HUMANITIES

At the

UNIVERSITY OF LIMPOPO

TURFLOOP CAMPUS

SUPERVISOR: DR K.A MOTHIBI

CO-SUPERVISOR: DR C.E OLIVER

2018

DECLARATION

I declare that this dissertation for the degree of Master of Arts in Criminology and Criminal Justice at the University of Limpopo Turfloop Campus, hereby submitted by me has not been previously submitted for a degree at this or any other institution. It is my own work and all the sources used in the study or quoted have been indicated and acknowledged by means of complete references.

Signature.....

Date.....

DEDICATION

This dissertation is dedicated to my father Koos Mojapelo and my grandmother Meriam Maele.

ACKNOWLEDGEMENTS

First of all I would like to thank the Almighty God for his grace and giving me the strength throughout my studies;

My sincere gratitude goes to my supervisor, Dr K.A Mothibi and co-supervisor Dr C.E Oliver for their support, patience, commitment and encouragement throughout the study;

I extend my gratitude to community members of Matome Village for their participation in the study;

I further extend my appreciation to the Senior Lecturer from School of Languages and Communication Studies (Translation Studies and Linguistics), Dr S.J Kubayi for editing and proofreading my research report.

Special thanks to my father Koos, my aunt Nelly, my cousin Lebogang and Tlou for their support, persistence and guidance throughout my studies; and

Lastly I would like to thank everyone who supported me along the way either directly or indirectly.

LIST OF ACRONYMS

CJS- Criminal Justice System

SPSS- Statistical Package for Social Science

NPA- National Prosecuting Authority

SAPS- South African Police Services

SDIP- Service Delivery Improvement Programme

DSO- Directorate of Special Operations

IT- Information Technology

AFIS- Automated Fingerprint System

IJS- Integrated Justice System

NCPS- National Crime Prevention Strategy

CPF- Community Police Forum

CSF- Community Safety Forum

CDRS- Community Dispute Resolutions Structures

DSS- Department of Safety and Security

DCS- Department of Correctional Services

DSD- Department of Social Development

ABSTRACT

Vigilantism is a contentious issue that will persist into the future for as long as crime exists. This research aimed at determining community's perception on vigilantism. The Criminal Justice System has failed community of Matome Village, in the sense that they lost trust and lacked confidence in CJS. Actions involved in vigilantism are not only an expression of people's anger or frustration but also of their fear. This study adopted both qualitative and quantitative approaches. Probability sampling (Stratified sampling) was used to select participants. For qualitative approach an interview schedule with prearranged questions was conducted and used in both focus group¹ and 2 interviews. Focus group 1 consisted of 10 participants, while focus group 2 consisted of 8 participants. For quantitative approach, 80 questionnaires with close-ended and open-ended questions were distributed among community members who took part in the study, and the aim was to get their opinions and experience of vigilantism. The data collected was analysed (thematic content analysis was used) and interpreted by copying exactly words that were said by the participants. The study documented the disadvantages and consequences of vigilantism to fill in the existing gaps of the dangers of vigilante incidents in the literature. Strain theory by Robert Agnew was applied as the suitable theory which best explains why people resort to partake in vigilantism. The research identified factors which contributed mostly to vigilantism, such as: a way of protection and desire for revenge (anger and frustration).

KEY WORDS: Vigilantism, Crime, Culprit, Strain, Community participation, Matome Village, Criminal Justice System, Police Officers.

TABLE OF CONTENTS

Declaration	i
Dedication	ii
Acknowledgement	iii
List of Acronyms	iv
Abstract	v
Table of contents	vi
List of figures	xi
List of tables	xii
Annexures	xii

CHAPTER ONE
GENERAL ORIENTATION

CONTENTS	PAGE NO
1.1 INTRODUCTION	1
1.2 RESEARCH PROBLEM	2
1.3 PURPOSE OF THE STUDY	3
1.3.1 Aim	3
1.3.2 Objectives	3
1.4 RESEARCH METHODOLOGY	3
1.4.1 Research design	3
1.4.2 Population and Sampling	4
1.4.3 Data collection	4
1.4.4 Data analysis	5
1.4.5 Reliability, Validity & Objectivity	6
1.4.6 Bias	6
1.5 ETHICAL CONSIDERATIONS	6
1.6 SIGNIFICANCE OF THE STUDY	7
1.7 CONCEPTUAL DEFINITIONS	7
1.8 LIMINATIONS OF THE STUDY	7

CHAPTER TWO

INTERNATIONAL AND NATIONAL CONTEXT OF VIGILANTISM

2.1 INTRODUCTION	9
2.2 THE NATURE OF VIGILANTISM	10
2.2.1 The hugeness of vigilantism	11
2.2.2 The global context of vigilantism	12
2.2.2.1 Polarisation of the society	15
2.2.2.2 Racial and social marginalisation	17
2.2.2.3 The criminalisation of poverty and race	18
2.2.2.4 Securitisation of crime	19
2.2.2.5 Politicisation of vigilantes	21
2.2.3 South African context of vigilantism	23
2.2.3.1 Execution by necklacing	23
2.2.3.2 Witchpurging and necklacing	27
2.2.4 The determinants and actions of vigilantism	32
2.2.4.1 Lack of public trust in Criminal Justice System	32
2.2.4.2 Sense of desperation/worry/fear	33
2.2.4.3 Desire for revenge (anger and frustration)	34
2.2.4.4 Fighting crime	35
2.2.4.5 Apartheid history and South Africa's political transition	35
2.2.4.6 Weak law enforcement	36

2.2.4.7 Education	37
2.2.4.8 Unemployment	38
2.2.4.9 Poverty	38
2.3 COMMUNITY'S PERCEPTION ON VIGILANTISM	39
2.3.1 Understanding vigilantism	39
2.3.2 Support for vigilantism	43
2.3.3 The dangers of vigilantism	46
2.3.4 The effects of vigilantism	47
2.4 PREVENTATIVE MEASURES TO COMBAT VIGILANTISM	49
2.4.1 Improving the functioning of the Criminal Justice System (CJS) as a whole	49
2.4.1.1 Integrated Justice System (IJS)	50
2.4.2 Improving the conviction rates	51
2.4.2.1 SAPS Special investigation units	52
2.4.2.2 The National Prosecuting Authority (NPA)	53
2.4.2.3 Directorate of Special Operations (DSO)	53
2.4.2.4 Sexual Offences Courts	54
2.4.3 Improving service delivery to the public	54
2.4.3.1 Service Delivery Improvement Programme (SDIP)	55
2.4.3.2 Improving service delivered by prosecutors	56
2.4.4 Enacting laws that are tough on offenders	56

2.4.4.1 Bail legislation	57
2.4.4.2 Minimum sentencing legislation	58
2.4.4.3 Draft anti-terrorism bill	59
2.4.5 Assisting the police and courts through crime prevention partnerships	60
2.4.5.1 Community policing	60
2.4.5.2 Sector four in Alexandra	61
2.4.5.3 Community Dispute Resolutions Structures	62
2.4.6 Community Safety Forums (CSF)	63
2.4.7 The police force	63
2.4.8 Sensitisation	63
2.6 CONCLUSION	64

CHAPTER THREE

THEORETICAL FREAMWORK

3.1 INTRODUCTION	66
3.2 STRAIN THEORY	68
3.2.1 Robert Agnew's General Strain Theory	68
3.2.1.1 Links between Strain and Crime	69
3.2.1.2 Strains which most likely lead to crime	69
3.2.1.3 The Strain is seen as unjust	70

3.2.1.4 The Strain Is seen as High in Magnitude	70
3.3 Summary	71

CHAPTER FOUR

DATA PRESENTATIONS AND INTERPRETATIONS

4.1 INTRODUCTION	72
4.1.1 Demographic Categorisation for focus group 1 and 2 discussions	72
4.1.2 Community's awareness on vigilantism	73
4.1.3 Community's perception and experience on vigilantism	74
4.1.4 Demographic Categorisation for community members (80 participants)	76
4.1.5 Responses about community's awareness on vigilantism	80
4.1.6 Responses about community's perception and experience on vigilantism	82
4.2 Summary	86

CHAPTER FIVE

SUMMARY, FINDINGS, RECOMMENDATIONS AND CONCLUSION

5.1 INTRODUCTION	87
5.1.1 Summaries of chapters	87
5.1.2 Aim and Objectives of the study	88
5.2 RESEARCH FINDINGS	88

5.3 RECOMMENDATIONS	91
5.4 CONCLUSION	92
REFERENCES	93

LIST OF FIGURES

Figure 4.1 Gender of respondents	76
Figure 4.2 Age of respondents	77
Figure 4.3 Marital status of respondents	78
Figure 4.4 Educational level of respondents	79
Figure 4.5 Employment status of respondents	80

LIST OF TABLES

Table 4.1 Understanding of vigilantism	81
Table 4.2 Interest in vigilantism	81
Table 4.3 Views about vigilantism as an appropriate way of dealing with crime	82
Table 4.4 Involvement in vigilantism	82
Table 4.5 The occurrence of vigilantism	83
Table 4.6 The consequences of vigilantism	83
Table 4.7 Factors contributed to vigilante acts in the community	84
Table 4.8 Level of agreements and disagreements with statements	85

ANNEXURES

ANNEXURE 1: APPROVAL TO UNDERTAKE RESEARCH STUDY

ANNEXURE 2: SEMI-STRUCTURED INTERVIEW SCHEDULE

CHAPTER ONE

GENERAL ORIENTATION

1.1 INTRODUCTION

Vigilantism is a reality that will persist into the future for as long as crime exists. It has existed in South Africa for many years, its nature and shape changes over time, especially since the post-1994 democratic dispensation. Vigilantism in South Africa remains a highly emotional and contentious issue, not only politically, but also on a community and policing level (Minnaar, 2001:3). Vigilantism is an action whereby a group of people takes law into their own hands in order to enforce a higher law (Abrahams, 2003:65). Hence, for the purpose of this study, vigilantism was referred to as “taking law into one’s own hands” or Mob Justice.

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

Vigilantism usually occurs in communities ravaged by lawlessness and minimal police presence. As a result, community members regard taking law in their own hands as a legitimate effort to maintain semblance (the likeliness or impression) of law and order. They usually operate on the basis of an ‘eye for an eye’, which is the punishment that would correspond with the seriousness of the alleged crime committed. In vigilantism, the group usually kills a suspect, but murders are often never reported nor do any witnesses come forward. These actions are not only an expression of people’s anger or frustration, but also of their fear.

They are showing an indication of the breakdown in the Criminal Justice System as well as ineffective policing (Abrahams, 2002:135). Limpopo Province is experiencing vigilantism, especially in rural communities, including Matome Village.

1.2. RESEARCH PROBLEM

During the last three years, vigilantism at Matome Village occurred three times: twice in 2012 and once in 2014. In 2012, Joubert (2012:9) reported that 13 people appeared in court for murder in an act of 'mob justice'. Another incident occurred in September 2012, where mob justice claimed a young man's life (Ramoroko, 2012:13). Another incident of vigilantism occurred in June 2014. A 26-year old young man was stoned to death by the residents of Matome village for suspected murder and attempted murder. A 21 year old young man was burnt to death by angry mob after stealing in some plaza shop at Matome Village and for pointing a 42 year old man with a gun in his house for money. These incidents of vigilantism occurred in June 2014 and January 2016 and were reported to the researcher by her grandmother who attended the meeting circa June 2014 and January 2016.

The members of the community of Matome Village experienced high rate of crime, and community members had to travel long distance to access police services. This state of affairs made the community to resort to taking law into their own hands. As many offenders were never caught, conviction rates are low, bail conditions are too relaxed and most sentences are too lenient. Being a victim of recurring crime and the loss of trust in the Criminal Justice System is one of the reasons the community resorts to vigilantism as a way of protecting themselves.

"Vigilantism was commonly seen as the result of a lack of confidence in the Criminal Justice System" (Khuzwayo, 2000:16). Vigilantism is closely linked to perceptions concerning the rising levels of crime and the communities' frustrations about what is seen as police incompetence, the failure by the courts and other government authorities to deal with crime effectively. As a result, many communities in South Africa have lost trust in the Criminal Justice System, which causes them to engage in vigilantism. From their viewpoint, vigilantism was then regarded as the only effective crime prevention method or strategy (Khuzwayo, 2000:19).

1.3 PURPOSE OF THE STUDY

1.3.1. Aim

- To determine the community's perceptions on vigilantism.

1.3.2. Objectives

- To examine the community's experiences on vigilantism;
- To identify factors influencing vigilantism;
- To establish actions which are taken during vigilante incidents; and
- To highlight measures that can be taken to prevent vigilantism.

1.4 RESEARCH METHODOLOGY

Research methodology is a way to find out the results of a given problem on a specific matter or problem. In research methodology, the researcher always tries to search the given questions systematically in her own way and to find answers until conclusions are drawn. In methodology, a researcher uses different criteria for solving the given research problem (Industrial Research Institute, 2010: 67). This subsection discusses the following: the research design, population and sampling, data collection, data analysis, reliability, validity and objectivity and bias.

1.4.1 Research design

Research design refers to the overall strategy that one can choose to integrate the different components of the study in a coherent and logical way in order to ensure the effectiveness of addressing the research problem. The research design also constitutes the blueprint for the collection, measurement, and analysis of data (Burns & Grove, 2003:195).

The study employed mixed methods. Qualitative research method focused on people's opinions, attitudes and knowledge because the researcher wanted to gain a better understanding of the feelings, values and perceptions that underlie and influence behaviour. Qualitative research was effective in obtaining specific information about the opinions in a particular population. Quantitative research method was also employed in this study because it was helpful for studying a large number of people. It was more reliable and less time consuming.

The study used descriptive research design because the researcher wanted to gain a better understanding of a specific topic and to describe the data and characteristics of the issue that was under investigation at Matome Village. The researcher sought to know the community's perceptions about the causes of vigilantism at the village. Descriptive research design enabled the researcher to explore both known and unknown phenomena.

1.4.2 Population and sampling

The target population of the study was the community members of Matome Village in the Zebediela area in Limpopo Province. The study employed probability sampling as it achieved a representative sample, minimised sampling bias and enabled the selection of units using probabilistic methods. Stratified sampling was employed in order to improve representatively of the study population. It may be possible to reduce the sample size required to achieve a given precision. Stratified sampling makes a large number of people to become more manageable as it enabled the grouping of the population into strata. The focus group interview consisted of 2 groups, and each group consisted of 6-10 members. Group 1 consisted of 3 politicians, 4 priests, and 3 principals. Group 2 was made of 3 police officers, 4 business men and women and 1 induna. Quantitative method questionnaires were distributed to 80 participants.

1.4.3 Data collection

The study gathered primary data through the use of both semi-structured interviews and structured interviews using questionnaire as a technique of data collection. The questionnaire used Likert scales to gather data for the purpose of quantitative method. For qualitative method, focus group interviews and direct observations were used as tools of data collection. The questionnaires included close-ended and open-ended questions, and enabled the researcher to pose questions to the subjects.

The questionnaires were administered among community members who took part in the study. The questionnaire was translated from English into Sepedi because the majority of the residents in the community of Matome Village are Sepedi first language speakers.

1.4.4 Data Analysis

Thematic content analysis was applied to analyse qualitative data. The researcher adopted Braun and Clarke's (2006:83) method of analysing data. The following steps were followed:

- Familiarisation with data: the researcher read and reread data in order to familiarise herself with them;
- Generating initial codes: this is the systematic way in which the researcher organised and gained meaningful parts of data as they relate to the research question;
- Searching for themes among codes: searching for themes and considering what works and what does not work within the themes enabled the researcher to begin the analysis of potential codes;
- Reviewing themes: this phase required the researcher to search for data that support the proposed theory;
- Defining and naming themes: identification of themes' essences relate to how specific themes affected the entire picture of the data; and
- Producing the final report: this involved deciding on the themes that made meaningful contributions to the study.

In order to apply thematic content analysis, the researcher copied and read through the data transcripts and made brief notes on the margin when relevant information was found and went through the notes made in the margins to list the different types of themes within data.

The researcher then categorised the relevant information (such as themes) by rereading the original transcripts (Braun, et.al, 2006:83). Quantitative data was analysed with the use of the Statistical Package for Social Science (SPSS) program, version 23. Descriptive statistics was used to analyse the data.

Descriptive statistics is the process of generalising the findings based on the sample. Pie charts and bar graphs were used to present the findings.

1.4.5 Reliability, validity & objectivity

Validity was ensured through the use of a pilot study. The researcher distributed the questionnaires to the community of Moletlane Village which is approximately 10 kilometres away from where the study was conducted in order to identify possible mistakes in the questionnaire. Reliability was achieved when the study instrument consistently produced the same results each time it was used (De Vos, Strydom, Fouchè & Delport, 2011).

1.4.6 Bias

The researcher gave the respondents enough time to answer questions in the questionnaire in order to minimise bias, especially those difficult questions that needed more time. Therefore, the researcher was patient with the respondents.

1.5. ETHICAL CONSIDERATIONS

The study took the following ethical factors into account: voluntary participation, transparency, confidentiality and language when collecting data. Participation was on a voluntary basis and no one was forced to take part. The participants had the right to transparency and openness. The participants were assured that their information would not be revealed in any way and would only be used for academic purposes. The study, therefore, guaranteed the participants' privacy. The study used the local language (Sepedi) which was spoken by the participants to ensure that they understand the questions.

- **Voluntary participation**

The participants of the study participated on a voluntary basis. They were told that if they no longer feel free to continue, they were more than welcome to withdraw their participation.

- **Anonymity**

The participants were not asked to disclose their identity when completing the questionnaire. In this sense, they remained anonymous.

- **Confidentiality**

Specific information provided by participants was not revealed to any third party. No information was disclosed without their permission.

1.6 SIGNIFICANCE OF THE STUDY

The study will contribute to literature pertaining to vigilantism in rural communities in South Africa. The findings will hopefully help communities and authorities to develop and implement strategies to address vigilantism in South Africa. The study documented the disadvantages and consequences of vigilantism to fill existing gaps with respect to the dangers of vigilante incidents.

1.7 CONCEPTUAL DEFINITIONS

In this study the following terms have been used as defined:

- **Vigilantism:** Is an action whereby a group of people takes law into their own hands in order to enforce a higher law (Abrahams, 2003:65).
- **Crime:** An action which constitutes an offence and is punishable by law (Johnson, 2009:62).
- **Community:** A group of people living in the same place or having a particular characteristic in common (Pelser & Louw, 2002a:108).

1.8 LIMITATIONS OF THE STUDY

The study limited the researcher in terms of:

- **Time constraints:** this study limited the researcher in the sense that it, data was collected at around past 4pm in the evening and has taken ten days. This was because principals, some police officers and businessmen and women were unavailable during the day due to employment commitments.

- This made it difficult for the researcher to conduct focus group interviews during the week.
- **Distance:** the researcher only focused on the community of Matome Village.

CHAPTER TWO

INTERNATIONAL AND NATIONAL CONTEXT ON VIGILANTISM

2.1 INTRODUCTION

The previous chapter outlined general orientation of the study. The chapter included an introduction, where the researcher introduced the topic to the readers. The background to the study, about the history of vigilantism, was also briefly explained. The researcher also examined the research problem by outlining the challenges that members of the community of Matome Village are facing. Some of the concepts included in the study were defined in order to give the reader a clear understanding of their meanings.

Furthermore, the researcher outlined the aim and objectives of the study. The researcher tried to explain how (methodology) the study is going to be conducted by outlining the research design, sampling, data collection, data analysis, the assurance of reliability, prevention of biasness, ethical consideration, and the significance of the study.

Vigilantism has increasingly become a prominent phenomenon of the contemporary world. Vigilantism was defined as a planned criminal act carried out by a private citizen in response to (the perceived threat of) a crime committed by a private citizen, targeting the (alleged) perpetrator of that crime. This (necessarily restricted) definition will provide a starting point for the empirical analysis of vigilantism. By describing vigilantism as a criminal act, it purposely excludes self-defence and citizens' arrest, which are related but quite distinct phenomena (Cohen, 2005:944).

This chapter outlines the nature of vigilantism, including its seriousness and its forms worldwide, its determinants and actions. In this chapter, the researcher also outlines the community's perceptions on vigilantism, which include understanding of vigilantism, support for vigilantism, the dangers of vigilantism and its effects.

The preventative measures of vigilantism are also discussed as well as what other researchers have found on the same topic. The literature review is given under different sub topics.

The researcher has identified gaps existing in the current research. Looking at what some other researchers have produced enabled the researcher to build on an existing knowledge base.

2.2 THE NATURE OF VIGILANTISM

Masiloane (2004:146) argues that established vigilante groups can be classified into two main categories: crime control vigilantism and social control vigilantism. Crime control vigilante group is directed at punishing people who are believed to be actually guilty of committing crime. Crime control vigilantism can involve either individuals or a group of people joined together by a common problem. These groups of individuals want revenge through a public order or informal secret police forces.

According to Waka-Zamisa (2009:10), vigilante feels like the social contract has avoided punishment and legal mechanism. As such, complex legal procedures and court rulings are seen as being unfair to victims and lead the vigilante perpetrators to retaliate. This type of crime control uses illegal methods and questionable practices to achieve justice. Crime control vigilante activities are fuelled by factors such as self-defence, attitudes of individuals, importance of property rights and the need to adopt unconventional means of protection. This happens when people lose trust in the Criminal Justice System. Individuals who engage in this type of vigilante activities purposefully seek out transgressors and punish them. An example of crime control vigilante act was when a man in Pietermaritzburg stoned and burned two guys who pick pocketed his daughter (Waka-Zamisa, 2009:11).

However, the social control vigilante group seeks to repair transgressions in the social order that threaten to affect the communal quality of life, communal values or a communal sense of honour. Situational factors contribute solely to social control vigilante activities and explain the occurrence of vigilantism. Social control measures are likely to occur in areas with high crime and socio economic disadvantages. Many crime control vigilante activities operate with community support and offer security to millions of South Africans.

Factors that contribute to social vigilante acts was when members of Mpumalanga community beat a suspected rapist to death in March 2009 (Kasozi: 2009:7). Vigilante groups are mainly formed when they perceive the government as failing to deal with crime or with some other threat to communal life (Anon, 2006:14). This is why the activities of vigilante groups assume the functions of the state. Both groups operate by instilling fear of punishment. Crime control vigilantism cannot be explained without reference to policing, as it originates by filling the gap left by the failing police system.

2.2.1 The hugeness of vigilantism

Vigilantism is not unique to South Africa and does not differ in tradecraft. Like the military profession, vigilante actions share common traits and drills regardless of geographic space or cultural identities. Several studies have reflected on incidents of vigilantism in the world. However, there are no consolidated studies conducted that reflect the seriousness of vigilantism. Nonetheless, there are existing reflections on individual countries in the broader security complexes.

Kempa and Shearing (2002:76) conducted a comparative study between South Africa and Northern Ireland on non-state formations. While the South African scenario presents examples of bona fide community formations for vigilantism, in Northern Ireland, vigilantism emerged differently. For example, the Royal Ulster Constabulary was created as a substructure of the police and later evolved into a vigilante group fighting on one side of the historic feud between Catholics and Protestants. The structure was then dismantled and members were investigated. The system was replaced with District Community Policing Partnership Boards similar to the South African Community Policing Forum.

Beaulieu (2007:21) writes on the atrocities committed by the Minutemen in Texas, observing that Minutemen feel autonomous and supplementary to the state machinery. Thus, the Minutemen continue to exist with impunity. An attempt has been made to look at the effects of vigilantism through the Global Burden of Armed Violence, yet it is convoluted by statistics of deaths caused by other violence rather than vigilantism alone. In its reflection, the challenge of vigilante justice continues unabated with impunity in Liberia and East Timor.

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

Recent studies on vigilantism in South Africa have suggested that it has emerged as a result of soaring crime rates and the state's failure to enforce its own laws. Many analysts of non-state actors argue that vigilantism is triggered when the government fails to police and protect its citizens (Dixon & Johns, 2001:58). It is this outcome that catalyses the resolution of communities, that had been socialised with state-engineered violence, to resort to self-protection. The problem, seen from mainstream perspectives on vigilantism, is that the law has not been applied either consistently or coherently.

2.2.2 The global context of vigilantism

This paper focused on one type of vigilantism occurring globally: the seemingly chaotic and spontaneous practice of lynching. As a component of a larger comparative study of lynching in Bolivia and South Africa, this paper focused on its occurrence in Bolivia. Though Bolivia is at the forefront of a growing global movement against the social injustices of neoliberalism, the country has also received international attention for the growing prominence of lynching within its borders, a form of summary 'justice' that is playing an increasing role in both the discourse and practice of security in Bolivia. Known as *linchamientos*, the word derives from the English cognate 'lynching', but carries with it important distinctions from the lynching of African Americans in the early twentieth century American South (Goldstein, 2004:35).

In its Bolivian context, the term lynching refers to the extrajudicial killing of an alleged criminal by a large group of citizens and is often perceived as 'mob violence'. Scholars have contended that contemporary lynchings are caused by a number of different factors: increasing crime, weak rule of law, a national history of violence due to decades of authoritarianism, and neoliberal economic policy. While each of these factors is likely to play an important role in the prominence of lynching in contemporary Bolivia, the occurrence of lynching also brings to light significant questions on the relationship between the state and its citizens, and how citizen 'rights' are both understood and experienced (Goldstein, 2004:35).

Communities have actively resisted police who attempt to disrupt lynching, in some cases blocking road passage, and in others throwing stones at patrol cars upon their arrival. It has been reported by Goldstein (2004:35) that in one case in March 2008, three police were lynched after their alleged attempts to extort money from the community. As Daniel Goldstein establishes in his anthropological study of lynching in Cochabamba, "People regard the police as another threat to their security: though officially an arm of the law, the police themselves are seen as lawbreakers, incapable of providing justice because they, too, are unjust" (Goldstein, 2004:36).

The prominence of lynching appears to not simply be a response to a gap in state control over crime, but rather a loud commentary on the very nature and practice of law in Bolivia. Lynching is an attempt to defend the socio-political order through the sustenance of a system of justice and security. It also perhaps represents a form of protest against the state, and thus works not simply to maintain a certain order but rather, to revolutionize its very basis in a hierarchy of rights contingent on socioeconomic status.

Spectacles of collective violence are "systems for not only the performance but also the creation or transformation of social order" (Goldstein, 2004:38). A closer look at how people in Bolivia experience law in practice and how they interpret and use the discursive power of 'rights' exposes the far more complex significance of lynching. They are witnessing transformation in the role of the state in regards to security worldwide, and the practice of lynching is intricately tied to the relationship between communities and the state in Bolivia (Goodale, 2009:58).

Bolivia and its observers worldwide have witnessed an increase in protests against neoliberalism, and collective rights have become “the preeminent discourse for subaltern groups” to petition the government for reform (Goodale, 2009:58). While much more violent in nature than other protests throughout Bolivia, lynching is a form of collective action in response to the state’s perceived violation of the collective right to security. It is clear that the relationship between lynching and other forms of collective political action utilized by Bolivia’s often silenced indigenous majority garners further attention.

Goodale (2009:59) argues that lynching is a form of popular protest through which a community objects to the state’s violation of its collective rights, and makes demands on the Bolivian state for security and freedom from crime through collective organisation. While shockingly violent in form, it shares significant similarities with other forms of collective organisation against the rights violations of an exclusionary state. Lynching has a number of parallels with the methods through which marginalised communities in the Andean region of Bolivia have made demands on the state for the fulfilment of their basic rights as citizens.

Mob justice can be explained as when a group of people, sometimes several hundred, take law into their own hands, act as accusers, jury and judge and punish an alleged wrongdoer on the spot. It is violent phenomenon. The person accused of a crime has no chance to defend him/her or claim innocence. The procedure often ends up with the victim being beaten to death or seriously injured. The victim of a mob is denied a fair trial and the right to life which violates the standards of human rights (Mugagga & Gyezaho, 2009:38).

The Annual Crime Report of 2008 from the Ugandan Police Force claims that homicide in connection with mob justice counts 368 persons in 2008 compared with 184 cases in 2007, an increase of 100 %. Nothing suggests that this negative trend is about to turn around (Nabende, 2010:71). These numbers can, however, have a discrepancy since these are only the cases reported. A reporter who has been interviewed at one of the major daily newspapers in Uganda claims that a lot of cases of mob justice in Uganda happen in remote areas to which the police have difficulties reaching, and the cases are never reported.

According to the reporter, mob justice is a growing issue in Uganda. The most common reasons for a mob to take law into their own hands is theft, murder, robbery, witchcraft and burglary. In the Ugandan media, there are articles almost daily regarding mob justice situations in different parts of the country and for different reasons. They often tell the same stories about victims beaten or burned to death on alleged accusations. There are also debates in the daily media on the subject of mob justice involving academics, police officers and civilians (Abimanyi, 2009:49). The general opinion through these debates is that mob justice is not a desirable way of solving issues and that something has to be done. Usually, there are accusations regarding the failure of the judicial system and corruption within the police force. This is an indication of an issue that should be addressed seriously.

Public tolerance of vigilante group is very high. After suffering years of violent crime, abuse by the security forces, and government inaction, people appear to have given up expecting the government or the police to provide protection or security. As centre for law enforcement and education, “when Bakassi Boys took on the task of fighting crime, they were hailed as heroes. The overwhelming feeling of many people was relief at being able to sleep with both eyes closed”. This is an indication that the emergence of Bakassi Boys in some eastern states of Nigeria was embraced by the public. The clause ‘being able to sleep with both eyes closed’ described post Bakassi era (Eke, 2002:66).

2.2.2.1 Polarisation of society

The mentioned deep-rooted social inequalities that characterise both South African and Brazilian societies are deeply intertwined with a historically grounded moral conception that divides society into good and bad. This division finds its expression not only on a national scale where it is reinforced by official policy choices, but also on a community level. Despite impressive macroeconomic contexts, poverty is widespread and has a racial dimension in both Brazil and South Africa. The South African government systematically deepened racial segregation and socio-economic divisions during the apartheid rule (Buur & Jensen, 2004:140).

In Brazil, the attempted “whitening of the society” was followed by racist repression during the military dictatorship. In the beginning of the twentieth century, colour discrimination was widespread within the Brazilian justice system, and the establishment of separate legal codes for different racial groups was justified by attributing to black people, “a natural proclivity toward criminal offending” (Huggins, 2000:120).

In Brazil, favelas are constructed in a moralizing discourse as a “threat to the city’s moral, hygienic, and ‘civilizational’ order,” and the South African elite presents township dwellers as “undesirable elements who act in a ‘sub-human’ way” and, “must be ‘cleansed’ from society.” As a result of this polarizing morality and its official support by public policies, society is divided into de facto citizens and noncitizens lacking protection by the state (Huggins, 2000:120). With the emergence of the drug trade and drug-related violence, the lives of the poor, which have long been seen as less valuable, “have been devalued even more.”

Brazil’s military police has a history of giving incentives to kill rather than to arrest suspected criminals justified by the economic reasoning that “it’s cheaper to kill than to capture.” After it was revealed that police killings accounted for the majority of intentional homicides in one of Rio’s favelas in 2007, the city’s top military police commander praised his troops as “best social insecticide”, comparing poor slum dwellers to vermin that has to be extinguished (Huggins, 2000:121).

On a community level, Arias and Rodriguez (2006:43) observe “selective marginalization” within deprived neighbourhoods. Sentences by quasi-courts in South African townships define the status of the defendant as either ‘human being’ or ‘outlaw’. This supports the elimination of presumed criminals as a positive social function. Drug traffickers who maintain order in favelas by creating a supposedly safe environment for critical parts of its population are classified by their protégés (dependants or charges) as either good traffickers or bad traffickers.

Abrahams (2002:135) rhetorically divides society by conceptualizing the phenomena of vigilantism in terms of a “triangular structure of connections between ‘good citizens, criminals and the state’.” This is because scholars have not always been able to escape this black-and-white thinking. In terms of this view, “good citizens” normally depend on the state to deal with ‘criminals’ but take action on their own in case the state does not help satisfactorily. It is against this background of polarized society and community that vigilantism emerges as a tool for the more privileged members of society and within deprived communities to maintain at least an illusion of order.

2.2.2.2 Racial and social marginalisation

As a result of the polarisation of society, Huggins (2000:126) observes that “a more and more isolated and segmented population of ‘true citizens’ is walling-off itself from the population”. In this sense, efforts to address crime do not focus on social welfare and education in order to prevent ‘pre-criminals’ at one end of the social stratum from becoming criminals, but rather try to prevent crime from spreading into privileged areas where citizens at the other end of the social stratum live.

Likewise, Wacquant (2008:72) argues that “the more sustainable “social treatment” of poverty and its causes is falling prey to the ‘penal treatment’ of the most vulnerable fractions of society, focusing on short-term electoral gains rather than complying with values of justice and solidarity”. The well-offs who live in white areas in the city enjoy functioning protection by the police and private security firms. Those living in neglected areas need to take care of their own security, which often takes on the form of vigilante groups. Even though police personnel was redistributed from former white neighbourhoods to former black areas after the end of apartheid, police structures themselves have not been changed.

Baker (2002:31) observes increasing spatial and social isolation in South Africa, which leads to the establishment of no-go areas within largely black townships, and the rise of gated communities in mainly white suburbs. Correspondingly, the provision and accessibility of state services in Brazil depends on a citizen’s economic and political standing. As a consequence, urban dwellers within the favelas are largely neglected. It is important to note, however, that spatial segregation and state absence in

marginalised urban areas have to be interpreted as the legacy of the deliberate political decision to neglect stigmatized segments of the population (Baker, 2002:31). During apartheid, the South African Police Force abandoned township residents to their fate while focusing on preventing crime from spreading into well-guarded white neighbourhoods.

In Brazil, by contrast, it was after the return to democracy that elected governors “made a deal with the police according to which they were not to enter the favelas.” As the Brazilian police are simply executing alleged criminals in the streets instead of taking them to the court, former criminal courts were converted into civil courts for the benefit of middle-class citizens, leaving the space of criminal justice to vigilante groups and pseudo-vigilante death squads. Considered as a whole, it appears that in both countries, a predominantly white upper class relies on public and private security mechanisms to separate themselves from a marginalised lower class of mainly poor blacks living in neglected areas where they are deprived of access to the formal security systems and, therefore, are forced to resort to vigilantism (Baker, 2002:35).

2.2.2.3 The criminalisation of poverty and race

Within the context of polarisation and marginalisation, the construction of an intrinsic connection between poverty, crime and violence leads to the stigmatisation of the poor as criminals. This criminalisation of poverty deepens the already existing social and racial cleavages and opens the door for discriminatory policies and practices. Democratic governments in both countries are wilfully reinforcing spatial segregation in the name of progress. On the one hand, black urban poor found within the boundaries of the neoliberal flagship project, ‘Cape Town Central City Improvement District’ are chased away, back to the townships, ‘where they belong’. In Rio, on the other hand, the government is cementing social boundaries by separating a number of favelas from the city centre through the construction of walls (Bénit-Gbaffou, 2008:95).

Moreover, Bénit-Gbaffou (2008:95) observes that both the inhabitants of former white upper class neighbourhoods as well as many lower-middle class residents within South African townships use the criminalisation of poverty as a tool to demonstrate

their distinction and their social separation from the poor. Likewise, by advocating policing methods and penal practices that are criminalising the lower class, the Brazilian upper class distances itself from marginalised sections and offers the police a blueprint for using violent means against the poor. This *carte blanche* has extensively been used by death squads, whose state-sponsored murders accounted for almost four times more deaths in democratic Brazil than during military dictatorship (Bénit-Gbaffou, 2008:95). As a means of social control predominantly deployed among or against the marginalised lower class, both death squads and militias are endorsed by many of Brazil's upper and middle class as well as by the political elite.

All in all, it becomes evident that the economically strong and mostly white population is criminalising the economically weaker and mainly black segments of the population that are living in neglected parts of Brazilian and South African cities (Bénit-Gbaffou, 2008:97). This further encourages and 'justifies' the formation of, and support for vigilante-style extermination groups as a cheap and effective form of protection from the supposedly dangerous parts of the population.

2.2.2.4 Securitisation of crime

The criminalisation of poor blacks combined with the securitisation of urban violent crime increases fear within society, and encourages state officials to adopt a more repressive security policy. This enables vigilante groups to operate largely without interruption and even with public and official support. Though developed in the context of international relations, the securitisation theory provides a suitable framework for the better understanding of scapegoating as part of a political strategy, be it on an international or a domestic level. According to Buzan, Wæver and De Wilde (1998:34), securitisation is the use of the notion of a security threat in order to proclaim a state of emergency which justifies extraordinary measures to counter the menace.

In this respect, Rumford (2008:639) suggests that "the practice of labelling something dangerous is at the same time a strategy to mobilize discourses of security." Concerning highly unequal and polarised countries like South Africa and Brazil, the securitisation of lower class crime is a convenient tool for the politico-economic elite to justify discriminatory and extra-legal measures, which in turn increases the spread

of vigilantism. For South Africans from all walks of life, crime has become the single most important explanation for all kinds of obstacles and problems arising in the post-apartheid era.

In this respect, Buur (2008:75) underlines how crime functions as a unifying factor for parts of society after the end of the struggle against apartheid, which nevertheless creates its own social cleavages and exclusions. Similarly, the extrajudicial killings of supposed criminals in Brazil can be understood as an attempt to eradicate what is seen as the embodiment of crime, which in turn is perceived as the evil underlying all social problems. The use of metaphors of war is a common tool of securitisation; Rio's governor declared that his state was "at war with criminal elements, a war that could not be won without bloodshed." Similarly, politicians and the media are justifying the "war on the poor" by fusing images of *favelados* (favela residents) and *bandidos* (criminals). As a result of the combination of marginalisation, criminalisation and securitisation, "fear takes the form of systematic defiance" against black and poor people (Buur, 2008:76).

In reality, however, poor young black males and not wealthy whites are most likely to be victims of violence in South Africa as well as in Brazil. Moreover, independent sources estimate that only between one per cent and three per cent of *favelados* are involved in drug trafficking or other crime. For instance, it was calculated that only one per cent of residents in Rio's *Cidade de Deus* (City of God) are somewhat connected to the drug trade. As most victims of police killings have neither a criminal record nor any connection to crime, Gay (2009:48) seems to have a point that they are "simply the wrong type of person caught at the wrong place and the wrong time." Similarly, doubting the credibility of many post-apartheid crime data in South Africa explains that crime rates are actually stable but have been exaggerated for the most part by white citizens. This can be explained by the securitization of crime by white parties during the campaign of the 1999 elections.

However, Baker (2002:53) holds the opinion that "no matter how high the true crime rate may be, what is important is that the perceived personal insecurity increased without doubt". As a result, the feeling of insecurity in combination with the marginalisation and criminalisation of the poor encourages political leaders to adopt

Draconian measures to fight the universally disdained scapegoat called crime. Although proven inefficient and at times even counterproductive, both Brazil and South Africa have adopted former New York mayor Rudolph Giuliani's zero tolerance approach. Its strictness might have been interpreted by vigilantes as a blueprint for making extensive use of violence without being prosecuted according to the law. In a nutshell, by fuelling fear within society and inciting governments to resort to repressive means of social control, the securitisation of urban lower class crime further contributes to the emergence of vigilante groups in securitised areas and ensures widespread public support for their often Draconian punishments.

2.2.2.5 Politicisation of vigilantes

Vigilantism and politics appear to be deeply interwoven phenomena that should not be analysed separately. In a threefold analysis of this connection, the appearance of vigilantism has intentionally been caused by policy choices; vigilantes are collaborating with the political elite, and they often develop their own political agenda. First of all, as outlined above, the emergence of vigilantism can be analysed as the outcome of socio-political processes such as polarisation, marginalisation, criminalisation and securitisation. These processes themselves are triggered by policy choices, or at least, governments are not preventing them from occurring. This can be interpreted as a policy choice as well. From an historical perspective, the targets of vigilante groups as tools of the elite changed during the period of democratisation. With the transition from strong authoritarian regimes that controlled large parts of the countries' economies to free-market democracies, the victims of state-encouraged vigilantism also changed from politically to socioeconomically 'undesirable' elements of the population (Abrahams, 2002:145).

During the time of apartheid, South African authorities used death squads and private vigilante groups as a weapon against political enemies. Their contemporary counterparts encouraged the formation of informal street patrols in order to transform Johannesburg into a clean and crime-free global city. Likewise, Brazil's authoritarian regime has driven the emergence of pseudo-vigilante death squads to carry out murders in order to send a message to political 'subversives', while the victims of

today's death squads are the poor rather than the politically dangerous classes. Second, though involved in illegal activities, vigilante groups and political elites regularly work together in pursuit of their own interest, but to the detriment of the poor. As Abrahams (2002:149) points out, "the 'frontier' between vigilantes and the state may be more fictional than one is invited to assume." In this respect, governments are using vigilantes as 'a cheap form of law enforcement', as happened with vigilante groups in South Africa that are not only accepted and encouraged by the state, but even incorporated into official security mechanisms.

In the case of Brazil, Arias and Rodrigues (2006:75) argue that rather than constituting a parallel form of governance conflicting with the state, drug gangs involved in vigilantism are part of the existing political system and are actually supporting its persistence. Building on Agamben's notion of a "permanent state of emergency", Penglase (2005:63) makes a case for the collaboration of traffickers and state actors in creating a "state of (in)security," in which drug gangs depend on the collapse of the official Criminal Justice Systems in order to be able to present themselves as alternative providers of law and order. Moreover, many militia leaders in Rio de Janeiro simultaneously hold legislative mandates.

Third, vigilantes tend to develop their own political agenda to turn criminal and to challenge the very state that has formerly promoted their formation. Yoroms (2005:34) observes that most vigilante groups turn into lawless criminal organisations that impose 'jungle justice' upon the community they are supposed to keep safe. An example par excellence is the People Against Gangsterism and Drugs (PAGAD) vigilante group in the Western Cape. The group was formed by a group largely made up of Muslims in 1995 as a response to racist police practices and murders caused by street gangs.

When PAGAD started to punish and kill gang leaders, the South African authorities first did not intervene and some government members openly supported their activities. Soon however, with the adaptation of a more radical religious and political agenda, the attacks switched against police officers and Western capitalist targets. Subsequently, PAGAD lost all initial state, media and business support. A comparable development can be observed in the case of *Comando Vermelho* (CV) in Brazil. CV

has been established as a prison gang that provides a certain degree of security behind bars. When many of its members returned to Rio's favelas after having served their sentences, they kept the network alive and continued to maintain law and order in their neighbourhoods. Becoming the dominant force behind Rio's drug trade, CV set up a policy of "neighbourliness," described by Penglase as "a system of forced reciprocity in which traffickers provided security in exchange for the silence or complicity of favela residents" (Yoroms, 2005:35)

However, once the group split into strictly profit-oriented factions such as *Terceiro Comando* and *Amigos dos Amigos*, the initial pretension to maintain law and order was completely spoiled. The time CV unleashed a "wave of violence" over Rio in 2006, including attacks on public targets such as police stations and an interstate bus, many commentators suspected specific political motives behind the actions. These incidents exemplify the ambiguous relationship between the state and vigilante groups, which on one side are politicised and cooperate with authorities, but on the other side they politicise and radicalise their own agenda. In summary, vigilantism is an inherently political phenomenon penetrated by both external policy choices and internal political objectives and positions (Yoroms, 2005:36).

2.2.3 The South African context of vigilantism

This subsection focuses more on types of vigilantism that occur in South Africa at large, including the methods of vigilantism used by different people from different provinces. The methods below are discussed in detail from province to province and area to area.

2.2.3.1 Execution by necklacing

The necklace method of execution, which involves placing petrol filled tyre (the petrol assists the tyre to burn fiercely) around the neck of the victim then setting that alight, is a particular South African activity. It apparently originated in the townships surrounding Uitenhage and Port Elizabeth in the Eastern Cape in 1985 as a method of getting rid of political opponents, especially unpopular town Councillors of the Black Local Authorities Council. Victims suffer excruciating pain in the process with death

sometimes being caused not only by the burns, but by asphyxiation either from the fumes released by the burning rubber, or the sudden extraction of oxygen surrounding the tyre as it bursts into flame (Minnaar, 2001:65).

One of the motivations behind this method of killing is the link to traditional religious beliefs whereby it is believed that if you burn a person, you destroy the spirit or soul. This in turn means that the link to the ancestor is destroyed for the surviving family. These motivations were lost in the events surrounding the political violence of the time the necklace method became the accepted and preferred form of getting rid of people considered to be particular 'enemies' of the community. There was a particular sense of finality about that method (Khupiso & Hennop, 2008:9).

Vigilante action by members of a community involves a conspiracy of silence by the whole community. There have been incidents of vigilante action whereby a group of residents kill a suspect, and this often is never reported, nor do any witnesses come forward. The first suspicion the police have of a crime having been committed is when they find a body lying in the streets either burnt or beaten to death. In some instances, police merely receive an anonymous phone call telling them where they can find the necklaced body (Minnaar, 2001:9). Very few arrests are made in cases of necklacing unless the police are actually present, but even then, arrests sometimes do not occur. One reason for this being that the crowd perpetrating the necklacing is often too large and aggressive for the police to act to control the situation. Another is that the crowd sometimes physically prevent the police from arresting anyone.

Police say that it is extremely difficult to catch those involved in vigilante attacks. They believe that prospective witnesses fear that they might themselves be arrested for assault (participating in mob beating, for how else would they have been a witness and be able to give graphic evidence) as participants if they talk. Witnesses may also realise that after seeing or being involved in a mob killing, the mindlessness and savagery of such an act may make them to imagine the same wrath turning on them if they break the silence. Whatever the reason, it seems that fear, self-recrimination or mob retribution effectively offers impunity to those who participate in vigilante assaults and killings (Minnaar, 2001: 10).

The spontaneous nature of actions by a crowd punishing a suspected criminal also means that the police have little chance of arresting the guilty culprits. In an incident which occurred at a taxi rank in Pietersburg in 1994, a person who tried to assassinate a taxi driver was chased and caught by the passengers of the taxi, he was first severely beaten, had his own pistol taken off him and then ironically killed with his own weapon (Minnaar, 2001:16). Again no one was arrested for this. However, as the phenomenon of necklacing has increased and it became a feature of some rallies, marches and funerals, in part as a form of grandstanding for foreign TV networks and members of the media, the subsequent video footage or photographs of the act have been used in a number of trials to convict the perpetrators.

Minnaar (2001:66) argues that the significance of necklacing is evident from the following incident. In March 1994 the body of an IFP member in the township of Kwa-Makhutu South of Durban was allegedly killed by ANC supporters in the township. He was dug up the day after his burial and then an attempt was made to necklace his (burnt) body. The burning and destruction of the body was a blatant attempt to drive home the insult and to stigmatise the person (and his spirit). In the 1980s, the necklace method of execution was used most frequently for getting rid of those identified as 'collaborators', 'government stooges', 'sell outs', 'informers' (the so-called *impimpis*) or 'enemies of the people'. In the 1990s, it also began to be used for killing criminals (Makoe & Masipa, 2005:25).

During the late 1980s and early 1990s, years when political violence was at a high level, and prior to the April 1994, many incidents occurred where township residents took law into their own hands. Much of this community justice was labelled political, and took the form of People's Courts and 'necklace' executions of political opponents (Minnaar, 2001:68). This indicates that even before the 1994 elections, vigilantism was the order of the day.

In July of the year 1999, each resident of Winnie Mandela squatter camp in Tembisa paid an amount of R24 in order to pay bail for a suspect alleged to have murdered someone in the camp. The man (the suspect) thought that was bail from his relatives; he was then released into the hands of the residents and was taken before the local People's Court (Khupiso, 2010:10).

He was sentenced to death because that night he was stabbed, doused with petrol before a tyre was put round his neck and set on fire. Many donors responded after the incident saying: "This idea of paying bail for criminals and then killing them seem to be liked by everyone". They have always been told that there is a shortage of police, so they will protect themselves, since well they did not trust the police and the justice system (Khupiso & Hennop, 2008:10).

Timeslive news platform published a news clip from Sapa on 06 February 2012 wherein two men died and two were critically injured when they were attacked by Diepsloot community members in the early hours of that morning. This was reported by the Johannesburg emergency management services. The men were accused of stealing in the Diepsloot area, so the community went looking for them and started beating them, spokesman Robert Mulaudzi recounted. All four men suffered multiple injuries, including head and spinal injuries. Two died on the scene and the other two were taken to the Tembisa Hospital. Mulaudzi said, "The incident was handed over to the police to investigate". He appealed to the community not to take justice into their own hands, and to let the law runs its course (Timeslive: 2012:1).

The neighbour of a man killed in a mob justice attack in Diepsloot that Monday said he would have been beaten if he had tried to intervene. The man who witnessed the attack on 32-year-old Nkululeko Mathwasa maintained that he was wrongfully attacked and murdered by a mob in the northern Johannesburg Township.

Police arrested two suspects and had appealed to the public to come forward with any information. The two injured residents were in a critical condition in hospital (Timeslive, 2012:3). In one incident in June 2012, a man from Malawi was seen naked and bleeding, sitting in the centre of a pack of men, as the camera was recording everything. The men around him were clearly holding sticks; some had stones and others had bricks in their hands.

The man was pelted with rocks which bounced off his head and his bare back. He was kicked and whipped, and when he tried to run away, he was tripped and yet more stones were thrown at him. They left him to recover only to be hauled in front of a mob; again only to be beaten further.

At one stage, two women whipped him, while at the same time deliberately aimed at his genitalia as the crowd yelled in encouragement (Crawford, 2012:4). He had been found with a gun, and in Diepsloot that is interpreted in only one way: you are a criminal and up to no good. The man pleaded and begged for his life. He repeatedly shook his head as the vigilantes shouted questions at him: *No, No*.

However, witnesses recounted that he had lost consciousness by the time the police and medics arrived and he died in hospital. Every man and woman who was asked did support vigilantism. Bessie Tsimo (47) with six children said: *"If someone broke into your house or attacked you, who would you call?"* She responded, *"The community would come"*. She was asked further, *"and you would want that?"* *"Yes, I support it"*, she responded (Crawford, 2012: 6).

2.2.3.2 Witchpurging and necklacing

The necklace of execution was also common in witchpurging incidents. People accused of practising witchcraft are 'removed' from society through this method because of the number of beliefs attached to community actions in ridding themselves of suspected 'witches'. The belief is that the community can only be protected from being further bewitched if the suspected 'witch' or 'wizard's soul is destroyed. This can only be done if the accused person is burnt. This is why suspected witches are not simply killed but are either tied up and thrown back into their houses or huts, which are then set alight or have a tyre filled with petrol put around their necks and then set alight (Minnaar, 2001:70).

After the guilty person or persons have been identified, a joint communal decision is taken to rid the community of such a witch. Such community justice is felt to be a completely justifiable action since it rids a community of someone who is causing a perceived harm. An 18-year-old man was killed by an angry mob at Matome Village recently after he was acquitted of murder and released from police custody. A young man (18) was stoned to death by a group of people while returning to his home from brick compound where he was working. His grandfather, according to Ramoroko, 2012:23), said that the deceased was arrested in July along with six other people for the murder of two elderly women. "He was acquitted of the crime and he was allowed to return home."

On the 27th of August, four women and nine men were due to appear in the Mokopane magistrate's court later that week for the murder of a 28-year-old man. The group accused the man of being involved in the murder of two people in the Zebediela area. The couple were found killed in their homes at Matome Village in July. Both had been strangled and robbed of cash, cell phones and small household items. Six suspects were arrested following the murders, but four were released as they could not be linked to the incident, which angered the community. On the very same day (27 August), the group of residents overpowered a 28-year-old young man who had been released, and took him to the bush, where he was hanged from a tree and died on the scene (Joubert, 2012:7).

A 26th year old young man was stoned by the community of Matome Village for murdering a three-month old baby and for chopping a 64-year-old woman with an axe on the head (attempted murder). A 21-year-old young man was burnt to death by angry mob after stealing in some spaza shop at Matome, and for pointing a 42-year-old man with a gun in his house because he needed money from him (Ramoroko, 2012:7). These incidents of vigilantism occurred in June 2014 and 2016, and were reported to the researcher by her grandmother who attended the meeting circa June 2014 and January 2016.

In Johannesburg, five people thought to be criminals were killed on Sunday (3rd November 2001) by an enraged mob in a South African township, the police said, and was the latest act of vigilantism in a country plagued by high rates of violent crime. The killings in the township of Khutsong followed other flare-ups in the area known as the West Rand, a sprawling group of communities west of Johannesburg that has fallen on hard times as gold mines have closed (Minnaar, 2001:82). Another township in the area, Bekkersdal has been the scene of periodic riots by residents angry at the failure of local officials to provide services like garbage collection.

New Brighton residents reported murders as the result of vigilante violence or self-help against crime in 2009 and 2010. In 2011 there has been an increase in the killing of suspected criminals by the 'necklace' method. In the period under review, the upsurge in necklacing began in June 2011 in New Brighton (Port Elizabeth) after two young men broke into the home of an elderly woman, stole her television, and stabbed her tenant to death.

Nosipho Magaqa, a New Brighton resident said: "*We are tired of these criminals. The system protects the criminals more than the victims of crime, so we will mete out our own justice*". Another angry woman added: "*Even if criminals are arrested today, tomorrow you will see them walking the street*". *Enough is enough. We are going back to the tyre* (Jeffery, 2012: 21).

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

The community members of Khutsong first attacked a 61-year-old traditional healer, setting his house afire and burning him to death. Two young men who the police said belonged to a criminal grouping known as the Casanova Gang were then burned to death. The vigilantes then moved to another neighbourhood, where two others thought to be gangsters were stoned to death. Several people were also injured during the rampage (Reuters, 2013:19).

In Chesterville a group of about eight hundred women tied up a man accused of raping a 5-year old girl. They pulled down his pants, frog-marched him down the street before whipping him and stoning him to death. In the very same month (March) in White City section of Soweto South of Johannesburg in Gauteng Province, a man accused of killing three high school pupils and terrorising young women was shot dead, and his body doused and set on fire with a car tyre (Makoe & Masipa, 2005:28).

In the mid-March, the residents of the Umlazi Township in Durban in the KwaZulu-Natal Province tied a 29-year old man to a lamppost and stoned him to death. He was accused of raping a 21-year old girl. During the very same time in Chatsworth, a 43-year old man was burnt alive for allegedly raping a 14-year old girl.

Farai Kujirichita, 26, was clubbed to death in Diepsloot on 22 January 2011. His final moments were captured on a video. Farai was still alive when one of the men methodically destroyed his face and skull with a heavy wooden plank. He was probably dead or dying when another man grasped his belt and punched him repeatedly in the groin and a grinning teenage girl raised a large chunk of cement above her head. Farai's crime was that he was a Zimbabwean in the wrong place at the wrong time (Mtika, 2011:3).

Mtika (2011:3) asserts that in Diepsloot, the killings continue unabated. In a different incident, two Zimbabweans were kicked and beaten to death after being accused of robbery. Another incident is of a suspected thief who narrowly escaped with his life when police arrived just in time to prevent a mob from killing him. *"The police should have given him to us. We know what to do with people like him. We will continue to kill tsotsis"*. The police are always called out to attend to these attacks. Warrant Officer Mavimbela said: *"People here take law into their own hands. All too often foreigners are the targets of their rage"*.

Freelance journalist, Golden Mtika, who witnessed Farai's murder, said: *"I have witnessed more than 300 mob justice cases, but that one is the scariest Mtika recounted"*. Even children have become desensitised to the violence around them, Mtika said. *"They could be playing soccer on a field and there would be a dead body next to them and they wouldn't be bothered"*. According to Mtika, Diepsloot residents do not ask questions when someone is accused of a crime. *"Mob justice is the people's way of dealing with criminals because they don't feel protected by the police. It is so common that people get necklaced almost every week (Mtika, 2011: 4)"*.

Between 1990 and 1995 Gugulethu, a township in Cape Town, was seen as a model for popular justice activities. This coincided with the direct intervention of external assistance to the community. However, external assistance diminished and Gugulethu's community elements of popular justice developed their own course. Since

1996, external help to the community provided by NGOs to assist in the process of developing organs of popular justice decreased. This was probably because of decreases in international funding for such activities (Nina, 2000:10).

It is in light of this history that the phenomenon of mob justice in Gugulethu needed to be analysed from August 1998 when the Cape Amalgamated Taxi Association (CATA) took action against criminals. For example, alleged rapists, murderers, burglars and thieves were being physically assaulted and paraded naked down the streets of Gugulethu (Nina, 2000:10). The community appointed its own representatives to deal with the problem of crime during a period when the police had no credibility among members of the community. In August and September 1998, during the period of vigilante action, the area's police station was first closed and then reopened.

A number of its police officers were deployed to other areas (Nina, 2000:10). Then there was a lull in vigilantism until recently when mob justice resurfaced. A man accused of stealing a stove was beaten to death in an incident of vigilante violence on 17 December 2012 in KTC, Nyanga. Malibongwe Lugala, 35, from Gugulethu NY3, was allegedly killed by four residents of Nyanga. According to Lugala's friend and an eyewitness to the incident, he and two other friends were walking with Lugala looking for a cigarette when five men from KTC called Lugala. "We were four, when these men called Lugalo he stopped and we continue with our journey.

When we came back these men were beating him (Lugalo). I tried to stop them and asked what was happening but they pushed me away. They grabbed him (Lugalo), he was kicking trying to escape. I asked them why they are beating Lugalo but they did not reply, they just told me to stay out of it.

I asked one of my friends to go to Lugalo's place while I was looking for a police van, but was not able to find help in time". According to the residents, Lugalo was accused of stealing a stove from a local shop in the area. However, no one presented or questioned about when the stove was stolen (Damba, 2012:1).

2.2.4 The determinants and actions of vigilantism

Vigilantism has a long history in South Africa. Its growth in the post-apartheid era, particularly in poor areas, remains an indictment of the state's inability to effectively police poor areas. Vigilantism is driven by the desire to bring about justice by restoring violated order. In a study conducted by Bronwyn (2001:73), the former project manager at the Centre for the Study of Violence and Reconciliation, the respondents indicated that the police's inefficiency and reluctance to address crime is the reason people take law into their own hands (Masiloane, 2004:149). Their argument is that vigilantism is a necessary and inevitable reaction to police lethargy. Some of the factors that may contribute to vigilantism are discussed below.

2.2.4.1 Lack of public trust in the Criminal Justice System

Bronwyn's (2001:75) study reveals that vigilante violence is frequently justified by its supporters as 'filling a policing gap' caused by police inefficiency and corruption, as well as by the practical failings of the Criminal Justice System. This is corroborated by the very same study by Bronwyn, which reveals that the police's slow reaction time to complaints, their poor detective work, their failure to make follow-ups on cases and police corruption are reasons why the community has lost trust in them. Corruption causes deterioration in relations between the community and the police, thus compromising effective policing. When this happens, the public is tempted to resort to vigilantism (Masiloane, 2004:150).

Another popular motivation for vigilantism suggests that the police are reluctant to address crime, that they are inefficient and unhelpful. For these reasons, people feel that they are forced to take law into their own hands to deal with crime. Rather than being viewed as a considered choice, vigilantism is presented as a necessary and inevitable reaction to police lethargy.

Thus, the argument here suggests that community mistrust fuels perceptions about police inability and opens a space for community members to take law into their own hands (Harris, 2001:56).

According to Beaver (2008:12), in most incidents, criminals were caught in the act and either beaten up, stoned and burnt or killed outright by an angry community. In terms of ineffective policing and breakdown in the Criminal Justice System, it has been the experience of ordinary people that if cases are reported to the police, mostly/usually nothing happens (due to police manpower shortages, case overload, and police being overworked). Hence, communities lose faith and confidence in the ability of the state to prosecute any criminal effectively, especially when they see criminals out in the streets soon after being arrested. The fact that the perpetrator will be out on bail to commit other crimes results in people taking law into their own hands (Harris, 2001:59).

Weak laws are regarded as an important factor which creates public distrust towards the judicial system in Uganda. Another reason of the cause of mob justice that can be found in the villages is that when somebody commits a crime, they are arrested and taken to the police, and they even go to court. But the public is not satisfied with the judgment. So, when next time somebody commits such a crime the public say *“Ah, they will just release this person after all, why can’t we beat him to death?”* That is loss of trust in the judicial sector; that can cause mob justice. The same offenders may even serve prison sentences, and after a period of time they come back. And yet the one he assaulted died, and (for him) he is still alive. That is why the public decides to take law into their own hands. Uganda citizens feel that the law gives light punishment compared to the offence committed (Kanaabi, 2004:38).

2.2.4.2 Sense of desperation/ worry/fear

On the 12 June 1998, a vigilante mob killed four murder suspects in one of the most brutal vigilante murders. The community in the informal squatter settlement in Diepsloot southwest of Pretoria in Gauteng Province took law into their own hands (Coetzee, 2000:11). They first severely assaulted the four alleged murderers and then hacked them with pangas (Bush knives) before burning their bodies. The four had been accused of murdering two men at a local shebeen (informal tavern/ bar). Those actions are not only an expression of people’s anger and frustration but also their fear. However, an hour later the police had not yet arrived after they had been called and informed about the matter.

The community had taken the matter into their own hands and arrested the suspects, beat them up, hacked them and set them alight. When the police finally arrived, they were confronted by a pile of charred bodies with three corpses piled on top of each other with the fourth suspect one hundred meters away still in flames. The police thought that some of the victims might still have been alive when set alight. No arrests were made in connection with this incident although when the police found the charred bodies of the victims (Coetzee, 2000:12).

2.2.4.3 Desire for revenge (anger and frustration)

There have also been cases in South Africa where individuals' private citizens, acting completely on their own, took law into their own hands to punish/kill suspected criminals. One such case in 1994 was that of Harry Joshua in the Delft suburb in Cape Town. His wife was robbed, apparently of what remained of Harry's weekly wages.

The wife had called the police but when Harry arrived home four hours later the police had still not arrived; so he decided to take matters into his own hands. From his wife's description of the perpetrators, he guessed that they were members of the Hard Living Gang. Armed with a short gun, he went looking for the gangsters so as to make a 'citizen arrest'. When he found them and challenged them, they turned on him and he was forced to open fire (according to his statement to the police) and killed three on the spot. Not satisfied with this, he followed those who ran away and killed another two and wounded two more. At his trial it was reported that the residents of Delft lived in daily fear of rampant gangsterism. They were also afraid of intimidation and paybacks if they ever reported the gangs to the police. One resident stated that the message to this case was very clear to them, if they don't defend themselves, no one else will (Vernon & Browyer, 2002:11). It is this anger that is often translated into mob action fuelled by high level of frustrations.

In the Barcelona squatter camp in Soweto, a young man accused of raping an 8-year old girl was arrested but no charges were laid against him; the police released him due to lack of evidence. This apparently angered the community, and a group of women from that squatter camp caught him and beat him up, tore down his pants and then castrated him with a broken bottle (Makoe & Masipa, 2005:62). Apparently, the new trend in vigilante justice was to spread fear among the perpetrators of crime. After

this incident, many perpetrators begged not to be granted bail and to be kept in jail safe from such revenge attacks.

According to Khupiso (2010:10), a person who has been arrested for fighting crime is not viewed as a murderer, but as a noble fighter. This was because when the gangs are terrorising the community, the police do not come and this frustrates them as they are tired of crime. However, this leads them to take responsibility as residents to fight it tooth-and-nail.

This serves as a lesson to other criminals that death is the only punishment. In the absence of any strong civic organisation in certain areas as well as the widespread lack of police presence or response to crime (especially at night), vigilantism has been able to morally claim the high ground on the basis of 'protecting the community' or of administering justice for the benefit of residents in their area (Nagoor, 2006:14).

2.2.4.4 Fighting crime

According to official statistics of the SAPS, the levels of recorded crime in South Africa began to increase in the mid 1980's, and dramatically so in the early 1990's. The high crime rate, and the subsequent public perception that the Criminal Justice System is inadequate led communities to take law into their own hands. "Punishment typologies" and "punishment to fit the crime" became popular responses to justify the fight against crime (SAPS, 2000:67).

2.2.4.5 Apartheid history and South Africa's political transition

South Africa's policing history is offered as the reason for poor community relations with the police. History creates a space for vigilantism today because people "do not want to work with the police" and would rather take law into their own hands.

The perception exists that during the time of apartheid, the police did not take action when black people reported crimes. Black people then used to take law into their own hands as a way of dealing with crime (Minnaar, 2003:44).

Vigilantism is conceptualized as a consequence of expectations about democracy, specifically, disappointed expectations (unemployment) about the political change. It is portrayed as a form of empowerment, as a way to take control unfettered by state

intervention and policy (Minnaar, 2003:45). Vigilantism is also seen as a product of criminals 'getting away with it' in the new order due to negligence, overcrowded jails, easy parole conditions, badly trained prosecutors, corruption and poor investigations.

2.2.4.6 Weak law enforcement

When it comes to explaining why the phenomenon of mob justice exists in the Ugandan society, the police point out a slow legal process as crucial. Sometimes somebody could have come to report a case but it is delayed, and the suspect is not arrested. So people who are offended can just decide for mob justice on that person, because of the delay of the police (Kanaabi, 2004:41). The way the police work also causes the community to resort to vigilantism because they do not immediately arrest the culprit, but instead they make reports and statements. In this way, the arrest of the culprit is delayed.

Some community members in Uganda claim that a slow legal process is more of a public opinion and not strictly a limitation of the Ugandan Police Force. This indicates that people think that the legal system is ineffective, and that the police take too long to bring perpetrators to justice. So they think that they can do it better than the police. In this way, they decide to participate in mob justice (Kanaabi, 2004:42).

There are cases like witchcraft which take long, very difficult to prove. So it is found that the legal process takes longer. When someone knows that somebody has committed a crime related to witchcraft, they know that it is better to deal with it than take it to the police. Police take time to gather evidence. They (the community) may find that somebody has killed a person deep in the village, and they inform the police who take time to come (Nalukenge, 2001:67). This lag of time can lead to mob justice because the people may gang on that person and beat him to death.

Mostly it may be due to lack of funds, because the police are not well-equipped to reach crime scenes immediately. The police delay may lead to mob justice. Distance also counts. The police are not able to cover all the villages. You may find a police post fifty kilometres away (Kanaabi, 2004:46). So when people think about reporting a suspect to the police, they now feel that they should punish that person themselves (resorting to vigilantism).

2.2.4.7 Education

Ignorance of the law among the public as a cause of mob justice has been highlighted, where people should know that mob justice is a crime. People may not know that when someone resorts to mob justice, he or she is committing crime. For instance, when they suspect that a person has stolen something, he still remains innocent until proven guilty by a competent court. Unfortunately, people are not aware of this.

This is connected to mob justice in this way: at times the victim of a crime may be ignorant, he may not know the law. He may not know that he should go and report the matter to the police, but for him, he decided just to do revenge (Kanaabi, 2004:47).

One of the citizens indicated that there is a lack of sensitisation by the law enforcement officers to the public. Because whatever the procedure that the police follow to arrest a person, if they had sensitised the public about it, they (the public) would be patient. It is important to educate the public about the law because many people know that mob justice is not allowed, but they do it in the absence of the police. According to some citizens of Uganda, ignorance of the law is caused by a high rate of illiteracy among the Ugandan public. Many people are not fortunate enough to go to school when they are young, and thus have not learned how to read and write (Kanaabi, 2004: 49).

Some of the citizens in Uganda mentioned illiteracy as a possible cause of mob justice because people who are not educated do not know the laws or how the legal system works. They also have difficulties reading and understanding the law and knowing where to find information about it.

This covers the issue of ignorance of the law, as the students also discussed as a reason to mob justice. Most of the Ugandans are illiterate; they cannot read the constitution. They do not know their rights and the consequences of carrying out mob justice, so they end up committing it, maybe without knowing that they are offending the law (Kanaabi, 2004:50).

According to Robin's study, it is mostly the people from the rural areas who suffer from illiteracy and the difficulties that come with it. It is said that these people have not developed views on how to solve legal problems, or to find other ways of dealing with

alleged criminals. The law not being integrated in the educational system is another point the citizens of Uganda considered to be a factor to why mob justice occurs (Robin, 2010: 55).

2.2.4.8 Unemployment

The unemployment rate in Kampala is very high, which caused mob justice. Many people are idle and reside in the streets. Therefore, the idlers are often seen in big groups in the city, and are activated when someone shouts “thief”! Where there are unemployed people that are where they are always in groups, with nothing to do. Because they are sitting there and they have nothing to do, when the public say “thief!” they think: “let’s mess him up”. Unemployed people are just walking around the streets with nothing to do. In this way, they end up forming gangs, which deal with criminals in their area. The high rate of unemployment and big groups of idle people is an issue (Kanaabi, 2004: 52).

2.2.4.9 Poverty

Poverty was also mentioned where the public talks about bribes, and it is highlighted that justice in Uganda is for the rich and not the poor. One the residents indicate that: *“because of corruption, poor people simply cannot afford justice. So they end up taking the law in their hands”*. Corruption is also one of the main causes of mob justice, as it breaks trust in the system. For as long as corruption is still there, the system is not taking care of the problem (Kanaabi, 2004:53). People are very poor, so when you steal their goat or a duck, their frustration in life is brought out through mob justice. Because they have worked so hard to get these things, and you deprive them of their enjoyment, their right of that thing, so they have to kill that person.

It brings poverty to a victim such as a teacher who earns one hundred dollars per month, and can only afford to buy a small TV screen, and a thief steals it. The first reaction is not taking that case to court, because victims have suffered all of their lives. Therefore, this is the only position that they treasure. Due to poverty, they are going to call their neighbours to kill him. They do not want anyone to deprive them of their home. The question is how does poverty cause mob justice? *“If someone is poor, most likely they don’t know what their rights are. Then secondly, they don’t know what happens in court and thirdly, they don’t care what happens in court, because they think*

they are just surviving basically. So if someone (criminal) come and deprive them, and one of the common causes of mob justice is theft, which is a “trigger” to mob justice (Kanaabi, 2004: 55)

Because people struggle so hard to get just little or few items, if someone deprives them of those items, the basic act is to kill that person so that he or she does not have a chance to deprive any other person. However, society comes together and mete out justice on this person because a similar thing has happened to them. This is how poverty causes mob justice in the area of Uganda and other areas (Kanaabi, 2004:58). Poverty points to mob justice in a way that probably, poor people would not mind about being arrested because they have nothing. If they kill the culprit, and then go to jail, they will not worry about anything. More importantly, poverty blooms frustration and lack of hope. Sometimes what people have is what they have. If someone makes some small money, he thinks that the moment he is deprived of it, he knows that at the end of the day he (the culprit) is going to bribe and come back because he is rich he has more money.

2.3 COMMUNITY’S PERCEPTIONS ON VIGILANTISM

This section deals with how well the community understands vigilantism, and what their view/insight about it is. The concepts understanding vigilantism, support for vigilantism, the dangers of vigilantism and the effects of vigilantism are well discussed. This will give the reader a clear understanding of what exactly the researcher means by ‘community’s perceptions on vigilantism’.

2.3.1 Understanding vigilantism

As has been pointed out by Baker (2008:33), organised activities, whether by the state or non-state groups, that seek to ensure the maintenance of communal order, security and peace in Africa through elements of prevention, deterrence, investigation of breaches and punishment, are surprisingly largely understudied. What is evident from Baker’s study is that policing in Africa is not a monopoly of the state police. Policing is carried out by formal and informal agencies outside the realm of the police and often outside the realm of the state.

Yet, 'non-state policing,' as Baker (2008:36) calls this type of informal security provision, is a valuable asset for advancing safety and security among the poor, especially since poor communities tend to be excluded from formal security provision. In fact, when it comes to security, African citizens have a range of alternatives and actors (state and non-state, legal and illegal) that they must navigate in order to secure their everyday protection.

Moreover, evidence also points to the fact that African citizens rarely see formal and informal security provisions as mutually exclusive categories. Baker (2008:44), for example, argues that as people move about their daily business, or as the time of the day changes, people also move from one sphere of security agency to another one, which may be better suited for their protection at that very moment. In this sense, formal and informal security providers are part of a complex pattern of overlapping actors that, from a citizens' point of view, interact and complement each other, rather than appear as incompatible alternatives.

It is interesting to see the circumstances under which people choose one alternative over another. Nevertheless, it is precisely this analysis of the multiplicity of choices that is often neglected in the initiation of security sector reform processes, as reforms to security actors solely focus on state agencies. One form of non-state policing that is often cast aside, although plays a significant part in the security context, is vigilantism. While there is no precise scholarly definition or understanding of what vigilantism exactly is, generally, it is understood as a form of protection by organisations or movements, which seek to provide security for their local communities (Abrahams, 2003:66).

More precisely, Abrahams' (2003:66) comprehensive definition describes vigilantism as "an organized attempt by a group of 'ordinary citizens' to enforce norms and maintain law and order on behalf of their communities, often by resorting to violence, in the perceived absence of effective official state action through the police and courts." Vigilante-type organisations have existed in many cultures, in past and present times, in both rural and urban settings (Abrahams, 2003:67).

Modern-day empirics suggest that often vigilante outcomes are particularly violent and sometimes lethal. Various studies also point to the effectiveness of these groups, and there are well-documented cases where vigilante success led to a dramatic decrease in crime. Of course, as the literature also demonstrates: "The history of vigilantism is filled with cases of mistaken identity, in which the wrong person was made to pay for someone else's misdeeds." Vigilante-type organisations often emerge when there is a perception of increased criminality or social deviance which threatens social order (Nina, 2000:28).

These groups flourish not only in places where states lack capacity to protect citizens from crime, but also where the state itself is believed to be corrupt or untrustworthy. Deep mistrust of the state and formal security providers, driven by the inability of the police to provide basic security and protect its citizens' human rights, further encourages vigilantism. Nina (2000:29), for example, has argued that vigilantism arises from the perception that the state is doing nothing to guarantee the safety of a community.

Accordingly, when communities' demands on the state to do something are considered to have been ignored, actions of vigilantism occur. The state is thereby seen as a limited player with regard to crime prevention and the guaranteeing of citizens' security. But despite this, as argued by Pratten (2008:8), vigilantism cannot merely be explained as a popular response to the vacuum left by state's failure and instrumentalised disorder. Such connections to the formal sphere are more complex than that. According to Buur & Jensen (2004), although vigilante organisations often claim to be based outside and in opposition to an ineffective or even predatory state, they are involved in state-like performances like security enforcement to such extent that it causes a renegotiation of the boundaries between state and society.

It, thereby, becomes difficult to distinguish between what the state is. Vigilante groups operate at the frontier of the state, blurring the boundaries between the state and what normally falls outside of it. According to Buur and Jensen (2004:136), authority should be seen as not necessarily lodged in particular institutions, but as practices performed by different groups which can employ several and different registers.

For instance, state representatives can, and do, sometimes use vigilante organisations for legally sanctioned violence. Vigilantism can thus often be accepted at local levels of the state since it addresses issues of security and moral order that are relevant to people living on the margin, beyond the reach of the formal state apparatus (Buur & Jensen, 2004:138). The public image of these groups often presents a one-sided picture of vigilante groups. They are often described as mere brutal and undisciplined mobs or crowds consisting of mostly young people without any clear social or political identity, and as emotional and spontaneous.

However, this simplified image may in fact hinder us from fully understanding the complexity of the vigilante phenomenon. Buur & Jensen (2004:139) argue “that vigilantism should be seen as a form of local everyday policing”. Even though it should be recognised that vigilante groups, in different ways, challenge the rule of law and the state’s monopoly of using legitimate force and often severely infringe on citizen’s rights, Buur & Jensen (2004) suggest that vigilantism cannot be reduced to either expressions of the mob or to mere antidotes to formal law.

In fact, Pratten (2008:10) argues that “often vigilante activities are not solely focused on security; vigilantism serves a range of other functions in a community, such as disciplining children, sponsoring unemployed youth, recovering debts, and screening political candidates”. In line with these arguments, this study recognises the complexity of vigilantism, and looks beyond the one-sided picture of these movements as brutal gangs.

This perspective is crucial in understanding why non-state security provision is often a rational choice for many African citizens. In order to help nuance the picture, it is also important to comprehend this phenomenon in relation to the formal state security provision. Vigilantism and informal security provision cannot be reduced to formal and state controlled security’s antithesis; the relation between the formal and informal is, in this sense, much more convoluted.

2.3.2 Support for vigilantism

In essence, support for vigilantism is a reaction to an event that consists of two subsequent criminal acts: a precipitating crime and a vigilantism act (Zimring, 2003:32). Such events can be explained in this way: in order to reach a better understanding of public support for vigilantism, there must be a draw on social justice research, which aims to explain people's judgments about justice and injustice (Tyler & Smith 1997:19). Numerous studies in this field have demonstrated the important role of emotions in reactions to crime (Johnson, 2009:52). The primary reaction to intentionally inflicted harm such as a criminal act is said to be moral outrage (Darley & Pittman, 2003:342). Based on the literature, one would normally expect an act of vigilantism to induce moral outrage, empathy with the victim, and a call for punishment of the offender.

However, vigilantism forms a unique situation in that it concerns a criminal act against an (alleged) criminal offender. Vigilantism can, therefore, be seen both as a violation and confirmation of norms. By 'punishing' an offender, the vigilante confirms the norm that was violated in the precipitating crime, but at the same time, he violates the norm of the state monopoly on the legitimate use of force. For some, the act of vigilantism will be seen as causing an injustice gap, evoking a call for punishment of the vigilante in order to restore justice (Darley & Pittman, 2003:343).

Others may actually perceive the vigilante as restoring justice in response to the injustice caused by the precipitating crime. They may therefore not be outraged by the act of vigilantism, feel empathy with the offender instead of with his victim, and find punishment of the offender uncalled for. In other words, they may express support for vigilantism.

- Confidence proposition

According to Roberts (2007:64), confidence in the Criminal Justice System is typically lower than confidence in other public institutions as the Criminal Justice System has to cater for the competing interests of a wider range of parties (e.g. including victims and offenders) than many other public institutions. This is why people who do not have

confidence in justice support those who defy the law. The findings confirm the expected negative relation between (perceived) police trustworthiness and support for vigilantism (Goldstein, 2003:22).

Public confidence in the Criminal Justice System has shown a decline over the past four years. Factors such as police visibility, police not responding on time to crime scenes, and perceived views that police are lazy and corruption reduces public confidence in the Criminal Justice System. Literature shows that the perception that the sentencing of victims is too lenient on offenders tends to tarnish the image of the Criminal Justice System (Abimanyi, 2009:23). It was highlighted in the previous literature that a number of reasons in the Criminal Justice System influence mob justice. These include the following:

- When an individual has a certain economic power and commits a certain crime, he or she goes to the authorities to give them money for their release. Knowing that someone has the ability to pay for him (the culprit) for his release makes the public to be unsatisfied with the Criminal Justice System, leading them to mob justice (Robin, 2010:24).

- Sometimes someone gets hold of the culprits and turn them to the police, and the next day these people are on the road, so people say: *“anyway they are still going to come out so let’s deal with them when we still have them”*. This is why the public always carries out mob justice. Because of corruption, the suspects bribe the law enforcers and they release them.

- First of all you may find that when the public decides to commit mob justice, it is because they think that when they go to the police, the police will not do anything with them. Even if the police do something about the perpetrators, it is not going to be successful, or they are going to use a lot of money. However, the public think it is better that the public deals with the offender at the moment and they finish him or her, because the police will not concentrate so much on the crime (Robin, 2010:25).

- Situation proposition

In this section, it is argued that public responses to an act of vigilantism are (at least in part) affected by situational characteristics. In other words, the situation proposition

maintains that support for vigilantism is shaped by aspects of the vigilantism case itself. This is in line with the findings from the field of social justice research, which suggest that people's judgments of issues such as fairness, justice, and deservingness at least partially depend on contextual factors (Tyler & Smith, 1997:37).

Research shows that public reactions to crime are affected by situational aspects such as the severity of the offense (Stylianou, 2003:37), crime type (Warr, 1989:795), perceived responsibility of the offender (Joseph & Tedeschi, 1983:62) and characteristics of the offender (Scott, Repucci, Antonishak, & DeGennaro, 2006:55). When there are justifications, excuses or mitigations, these can also affect reactions to harm (Darley & Pittman, 2003:345). Provoked harm, for instance, leads people to be milder in their retributive judgments. Likewise, when people feel empathetic with an offender, this is said to reduce punitiveness (Unnever & Cullen 2009:284) and increase forgiveness (Exline, Worthington, Hill & McCullough, 2003:337).

It has also been argued that when someone finds out that a victim has previously harmed the offender, this may result in reduced empathy with the victim and increased empathy with the offender (Hoffman, 1990:164). In line with the social justice literature, it is predicted that situational characteristics such as those related to the act of vigilantism or to the people involved, will affect public support for vigilantism. In other words, rather than assuming that people's responses to an act of vigilantism is exclusively a result of their overall level of confidence in the Criminal Justice System, they expected them to be sensitive to case-specific information. If the precipitating crime is, for instance, particularly heinous, that might have resulted in a more positive reaction to an act of vigilantism, regardless of someone's view of the criminal.

Importantly, this situational context can also concern the Criminal Justice System: the kind of formal response, or lack thereof, to a specific (precipitating) crime. If, for instance, the (alleged) perpetrator of a crime is not punished by the authorities, this can result in a perception of injustice, which may manifest itself in support for a subsequent act of vigilantism. Perceptions of the Criminal Justice System can thus play a role on two levels: on both a general and specific (situational) one. Only one experiment was found that provides empirical evidence for the role of situational characteristics within the context of vigilantism.

Based on an experiment with vignettes and a between-subjects design, Skitka & Houston (2001:306) conclude that “whether people perceived vigilantism against a murder suspect as fair depended on the murder suspect’s apparent guilt (guilty, innocent or ambiguous)”.

2.3.3 The dangers of vigilantism

Vigilantism not only leads to an increase in the overall level of crime, but also influences how government responds to crime generally, and most importantly, undermines the rule of law. The activities of vigilante groups like People Against Gangsterism and Drugs (Pagad) in the Western Cape and Mapogo-a-Mathamaga (referred to as 'Mapogo') in the then Northern (Limpopo) Province are cases in point. The activities of both these groups have seen a rise in gang related violence in the case of Pagad, and many instances of assault in the case of Mapogo (Africa, Christie, Mattes, Roefs & Taylor, 2001:64).

The brutal and illegal methods employed by vigilante groups have also forced reactions from the communities in which they operate, which in turn result in more crime. The emergence of Amampondomise Thieves Unit in Tsolo and Qumbu in the Eastern Cape in response to Umfelandawonye wa Bafuyi, Maputla re tla ja Kae in Mpumalanga in response to Mapogo, and the Community Outreach Forum in response to Pagad in the Western Cape, are examples of such a reaction (Sekhonyane, 2000:50).

In the post 1994 era, the state's response to vigilante activities was initially subdued. Both Pagad and Mapogo were flagrantly disregarding the law in their 'fight against crime', and it was only after many deaths and injuries at the hands of these self-appointed 'crime fighters' that the state intervened. This lack of action against vigilante activities undermines public willingness to adhere to the rule of law, and sends the message that taking law into your own hands can be tolerated. More recently, however, government's position has hardened. In the case of the draft anti-terrorism bill, the response could be called an over-reaction. It could be argued that the terror attacks and bombings in Cape Town in the past few years (which have been ascribed

to Pagad) were key to the promulgation of the draft terrorism legislation that goes so far as to threaten civil liberties (Sekhonyane, 2000:51). As vigilante acts continue, the state may become increasingly inclined to adopt harsh law enforcement measures in an attempt to reassure the public that government can control criminality and violence.

The key concerns are that vigilante groups take on policing and justice functions, often using violent means to illicit confessions and to mete out punishment. As such, they function in opposition to the formal Criminal Justice System and threaten the rule of law the foundation of any democracy. Moreover, instead of reducing crime, vigilante activities add to the workload of the police and courts. In South Africa, for example, vigilantes have assaulted alleged criminals, dropped them off at police stations and then refused to testify in court as witnesses to the alleged crime (Sekhonyane, 2000:53).

2.2.4 The effects of vigilantism

Some of the reasons why vigilantism should never be justified: the people involved in vigilante justice are not firstly qualified members of the judicial community, nor do they have the patience to carry out an investigation. Therefore, they may break the law in the course of pursuing 'justice'. Another problem is that vigilante justice leads to further bad governance. Providing suspected criminals with a fair trial and an appropriate sentence is an important part of living in a civilized society, as this ensures that the right person is punished. It is of course arguable that many people are wrongly implicated in crimes in this country as well; but then again that is not a justified rationale behind taking law in your own hands either (Tabrizi, 2010:294).

It was agreed that those who deserve punishment also deserve to pay (*lex salica*) or receive some kind of harm equal to the harm they have done (*lex talionis*). But it is also without argument that *lex talionis* cannot be uniformly applied to every human harm committed, which is why there are courts of law to sort out the particulars and differences between a criminal who deliberately commits a crime and an individual who accidentally commits a crime. These courts of law also deliberate on the evidence, motive, intention and facts. Justice and punishment should NEVER be guided by banal, primitive and barbaric emotions like those of the mob in Sialkot.

Violence breeds further violence. The vigilante is not an avenger at all as its focus is only punishment, and that too fast track and disproportionate punishment (Tabrizi, 2010:301).

There is a very strong possibility that such vigilantes would inevitably become criminals themselves, because they have committed murder and have done something worse than that: rationalized the murder. Therefore, such people may feel that it is justified to go against the rule of law at any point. Carrying out vigilante justice is breaking the law. Even if it can be assumed that the boys had, for example, committed robbery, they should have been handed over to the police. It is just incredible that the police in this incident were just as barbaric as the mob and remained silent spectators and, at times, provided encouragement for further barbarism. So, they were encouraging vigilante justice themselves. Hence, they played a vital role in such brutal lynching (Goodale, 2009:36).

The effects of vigilantism present a challenge of its own because one cannot point out physical measures that have measurable outputs. Nonetheless, the impact will gradually require patience and continuity, especially when stakeholders are spread across volunteers who receive no incentive, and employees who have no control over their future utilisation. Vigilantism is not limited to Matome alone, but is spread sporadically across South Africa (prevalent, but not exclusively, in Gauteng, Limpopo, Western Cape and Eastern Cape).

Therefore, it can be deduced that scientific research that demonstrates the negative effect of violent justice would prove that vigilantism is not the ideal solution for crimes in communities. The activities of PAGAD in South Africa were premised on certain religious principles. They resulted in many deaths and much destruction of property, until the authorities stepped in decisively (Goredema, 2005:158).

Critical to the deterrence of vigilantism is the ability of any preventative measure to reduce and eradicate crime. Vigilantes should acknowledge that their actions are not helping combat crime but are socialising communities into further violent behaviour, creating a context in which the ease of killing a person does not increase moral outrage.

Since many vigilante members go unpunished, the message of “crime does not pay” is undermined by the societal elevation of those at the lead of this popular justice (Sekhonyane, 2000:56). Given the knowledge of the criminal nature of vigilantism, ‘mafia’ tactics become the doctrine of intimidating society to discourage people from assisting authorities. This means that whilst many writers give focus on state capability to render effective security and criminal justice, yet the grey area of seriously concealed evidence continue to defeat the ability of institutions like the SAPS to conquer and arrest vigilante tendencies.

2.4 PREVENTATIVE MEASURES TO COMBAT VIGILANTISM

Vigilantism has been explained as a collective response to high crime levels and a slow and inaccessible Criminal Justice System. There is much evidence that government has acknowledged these problems and is taking action. Within the criminal justice sector, many new pieces of legislation, policies and strategies have been developed since 1994. Certain initiatives have been selected by the Departments of Safety and Security and Justice and Constitutional Development that could reduce levels of vigilante activities (Schonteich & Louw, 2001:82):

- Improving the functioning of the Criminal Justice System as a whole;
- Improving the conviction rate;
- Improving service delivery to the public;
- Enacting laws that are 'tough on offenders'; and
- Assisting the police and courts through crime prevention partnerships.
- The police force
- Sensitisation

2.4.1 Improving the functioning of the Criminal Justice System(CJS) as a whole

Initiatives aimed at improving the functioning of the Criminal Justice System as a whole are important in the context of vigilantism, since supporters believe that the system is too slow and that it benefits the accused above the victims. Moreover, problems such as case dockets going missing and high withdrawal rates due to the inability to trace witnesses, complainants or evidence, encourage the public to question the point of

participation in the formal criminal justice process. The Integrated Justice System (IJS) project is government's most important attempt to improve the functioning of the system as a single unit (Seekings, 2007:187).

2.4.1.1 Integrated Justice System (IJS)

As one of the key projects of the 1996 National Crime Prevention Strategy (NCPS), the IJS aims to transform the Criminal Justice System "into a modern, efficient, effective and integrated system" by removing blockages and managing the accused and his or her case, together with the evidence, through the system as quickly as possible. Launched in 1997, the project is managed by a board that represents the Departments of Safety and Security (DSS), Department of Justice and Constitutional Development (DOJ & CD), Department of Correctional Services (DCS), and Department of Social Development (DSD), with the assistance of a Business Against Crime project office which helps co-ordinate the inter-departmental project. In its initial stages, the IJS identified many blockages that impeded the effective operation of the Criminal Justice System (Hund, 2004:203). These related to, among others, functional and business integration, policy alignment, timeous access to criminal record history, timely notification of events, imbalances in the level of automation of departments and incompatible information technology, and lack of quality information and information sharing.

In 1998 Cabinet approved a report of the IJS board that identified six systems as the minimum necessary components of an integrated Criminal Justice System: identification services; allowing for the identification of people within the system; information management; allowing for easy access to criminal record by those components of the system; Docket management by the police and the prosecution service; the event notification to reduce court delays and non-appearances of witnesses' complainants; and business intelligence to support the entire system. Information technology (IT) infrastructure has to support the entire system (Hund, 2004:204). Rather than overhauling the whole Criminal Justice System, the IJS is tackling different components of the system in an affordable and manageable approach.

Some of the better-known projects are the awaiting trial prisoner project, inmate tracking system, Automated Fingerprint System (AFIS), and the criminal record and history information system. The project has been criticised for taking too long to show tangible results and for being too IT oriented.

However, the IJS is one of the few interdepartmental projects to secure a budget and start projects across different departments. Given the importance of making the Criminal Justice System operate as one rather than three distinct systems, this is a significant achievement. It is also likely that with improvements in its management system and more realistic budget projections, the IJS will deliver results more quickly in the coming years (Hund, 1988: 205).

2.4.2 Improving the conviction rate

One of the main complaints of followers of groups like Mapogo is that too many criminals are 'let off the hook' due to problems with police investigation and court procedures. Many of these perceptions may be based on a lack of understanding of the justice process. However, based on the statistics, there is little doubt that the conviction rates are low, particularly for serious violent crimes such as car hijacking and rape (Masuku, 2001:368). The SAPS has attempted to improve the standard of investigations by creating special units dedicated to particular crime problems. A similar approach informed the creation of the Directorate of Special Operations (or Scorpions) in the National Prosecuting Authority (NPA). The NPA has taken several other measures, including the establishment of special sexual offences courts in an attempt to improve the conviction rate (Masuku, 2001:367).

2.4.2.1 SAPS special investigation units

The SAPS has followed the practice of creating special units to investigate particular types of crime. This resulted in the establishment of 503 specialised units by 2001 in a detective service consisting of approximately 21 797 detectives. Units focused on a wide range of crime problems such as murder and robbery, hijacking, firearms, organised crime, drugs, family violence and sexual offences.

Among the units established were those aimed at arresting perpetrators of vigilante activities (Sekhonyane, 2000:58). The Tsolo-Qumbu Task Team was established in the Eastern Cape following the recommendations of the Kroon Commission into violence related to stock theft in the province. Similarly, the Mapogo Unit was formed in the Northern Province to deal specifically with Mapogo-a-Mathamaga's activities, as was Gijima Tsotsi in Mpumalanga.

In the Western Cape, the Peoples Crimes Against the State Unit, formally known as the Pagad Task Team, was established, drawing members from the SAPS murder and robbery unit (Sekhonyane, 2000:58). Although the success of anti-vigilante units has not been evaluated, announcements in January 2000 that about 7 000 detectives formerly based at the specialised units would be re-deployed to station level, are significant. According to the SAPS management, the main motivation is to boost the capacity for crime investigation at station level (Redpath, 2002:356).

Given the degree of specialisation required, several units will remain unaffected by the restructuring announced thus far. These include the Commercial Branch and the Family Violence, Child Protection and Sexual Offences Units. This is a positive step in the context of vigilantism, since these are the types of crime that often lead to vigilante acts against suspects (Sekhonyane, 2000:60). A potentially problematic development, however, especially since corruption is a key concern for supporters of vigilantism, is that the former Anti-Corruption Units are to be absorbed into the Organised Crime Unit. It will be difficult for detectives in the new units to investigate their colleagues, particularly since organised crime more often than not operates with the assistance of corrupt police officers.

2.4.2.2 National Prosecuting Authority (NPA)

The South African Constitution requires the establishment of a new prosecuting authority. In 1998, parliament passed the National Prosecuting Authority Act, which spells out the details of a new prosecutorial system for the country (NPA, 1998). The priorities of the NPA are: improving the quality of performance by prosecutors, including delays and backlogs in the disposal of cases.

In fighting organised crime, the Directorate of Special Operations (Scorpions) committed itself to bringing down at least five major crime syndicates in 2001, and the Assets Forfeiture Unit aimed to seize R250 million from criminals (Schonteich, 2001:134).

Developing a service culture in the NPA because the NPA has enthusiastically adopted a more business-like approach to its work, and prioritised the development of management capacity and a long-term plan to attract and retain skilled personnel to the prosecution service. It is too early to assess the success of the NPA, but the latest available statistics indicate that courts remain a bottleneck in the criminal justice process: the number of unsentenced prisoners continues to increase and the average period prisoners spend awaiting trial has increased (Schonteich, 2001:135).

Moreover, convictions as a proportion of cases referred to court remain low, especially for serious violent crimes. This is, however, against the backdrop of an increased workload facing the courts. On the positive front, there has been a slight decrease in the number of outstanding cases that courts have to deal with, mainly because of increased court hours through the establishment of Additional and Saturday courts. In terms of fighting organised crime, the Assets Forfeiture Unit has since May 1999 seized more than R210 million, most of which was returned to the victims of the crime (Schonteich, 2001:139).

2.4.2.3 Directorate of Special Operations (DSO)

The DSO (Scorpions) came into being in June 1999 when the President announced that a special adequately staffed and equipped unit would be established urgently with a mandate to investigate and prosecute national priority crimes, including police corruption. In October 2000, the National Assembly amended the NPA Act of 1998 to establish the Directorate of Special Operations as an investigating directorate of the NPA. The DSO is unique in that its functions include investigating crime, gathering and analysing crime information (Redpath, 2002:134).

The rationale behind the DSO is to integrate three functions which are traditionally separate: intelligence, investigations and prosecutions. Thus the DSO consists of special investigators, intelligence operatives and specialist prosecutors operating together in project teams (Redpath, 2002:136). Although it is too early to establish the effectiveness of the approach, it is anticipated that the use of prosecution-driven and intelligence-led investigations will result in higher conviction rates for particular types of crime.

2.4.2.4 Sexual offences courts

In September 1999, the sexual offences and community affairs department was established in the National Prosecuting Authority. The department aims to set up 20 sexual offences courts countrywide to deal with crimes against women and children, along with one-stop centres and charge offices at hospitals. The aim of the specialised courts is to improve the handling of victims and witnesses and, by developing specialist prosecutors, achieve more effective prosecutions and convictions (Rasool, 2000:302).

The specialised court approach is not new in South Africa, with the first such court established in Wynberg in 1993. By the end of 2000, 15 more courts were up and running across the country and 375 police officers, social workers and prosecutors had been trained. A further 12 courts were due to open in 2001. The courts are considered a step in the right direction. However, it remains to be seen whether they can achieve their aims given the high case load and apparent failure to learn from existing specialist courts (Rasool, 2000:303). Specific problems in the running of the courts include insufficient space in the court buildings, and too few trained intermediaries, prosecutors and magistrates to staff the courts.

2.4.3 Improving service delivery to the public

The police are often singled out as being responsible for shortcomings in the criminal justice process, such as when accused are 'unfairly' granted bail and released from custody. Supporters of vigilantism cite inadequate service from the police (more often than the courts) as one of the reasons why they take law into their own hands.

Some complaints, such as those relating to the bail process, are unjustified. However, the key to improving public understanding of the criminal justice process is to improve the front-line service to complainants and witnesses in police stations and courts. As demonstrated by its Service Delivery Improvement Programme, the SAPS has taken the lead in this regard (Pelser & Louw, 2002:164).

2.4.3.1 Service Delivery Improvement Programme (SDIP)

The project was initiated by the South African Police Services in 1998, and is intended to provide a management tool to improve the quality of service to the public and the functioning of the police. The SDIP originates from the Department of Public Service and Administration's White Paper on Transforming Public Service Delivery (Batho Pele) and the subsequent Public Service Regulations of 1999. The latter came into operation in July 1999 and compels all government services to establish and sustain service delivery programmes; specifies the main services to be provided to the different types of actual and potential customers, as identified by the department (Schonteich, 2000:135); contains consultation arrangements with the department's actual and potential customers, with due regard to the customers' means of access to the service and the barriers to the increased access; and therefore, specifies the mechanisms or strategies to be utilised progressively to remove the barriers so that access to services is increased.

Indicating standards for the main services to be provided, containing arrangements as to information about the department's services, stipulating a system or mechanism for complaints about the service delivery. Some difficulties have been noted in the implementation of the police's SDIP, including the slow progress in moving beyond training towards problem solving, and doubts among police officers about whether the resources and management support would be available in practice to solve the problems that they identified at station level. Nevertheless, most police officers support the SDIP and survey results aimed at testing client perceptions of police, and service delivery was found to be generally positive (Schonteich, 2000:138).

However, it is in the area directly relevant to the problem of vigilantism that service was the weakest. Police officers, both in the charge office and the detective service, rarely provided complainants with information about what to expect from the criminal justice process or follow-up on the progress of their cases. This is a key complaint raised by supporters of vigilante activities and acknowledged by some SAPS members working in affected areas such as the Northern Province (SAPS, 2000:33).

2.4.3.2 Improving service delivered by prosecutors

One of the National Prosecuting Authority's priorities for 2001 was developing a service culture which includes ensuring customer satisfaction; creating mechanisms that prevent secondary victimisation; ensuring that customers understand the services provided by the NPA; and ensuring that the NPA services are accessible to all who require them, particularly the previously disadvantaged (Schontiech, 2001:139).

The establishment of sexual offences courts and special multi-disciplinary centres (reviewed above) are in line with the objective of developing a service culture. In addition, the NPA commissioned the ISS to conduct a survey in late 2001 of public perceptions of service in courts across the country. The intention was to use the data to improve service and to monitor service delivery over time (Pelser, Rauch & Henkeman, 2001:352).

2.4.4 Enacting laws that are 'tough on offenders'

The current system of justice does not deter criminals that the courts are too lenient and implicit in the actions of Mapogo that the courts do not mete out appropriate punishment to offenders. The views, common among supporters of vigilantism; that the country's constitution is 'soft on criminals'; that government has lost control of the situation; and that existing laws do not take into account the constraints within which the police and courts operate, have no doubt influenced the passing of laws that are tough on offenders (Schonteich, 1999:204).

2.4.4.1 Bail legislation

The perception that criminals are too easily granted bail is one of the main causes of dissatisfaction with the Criminal Justice System. Several cases have been reported in which accused who have been released on bail are attacked by people from the community where the alleged crime was committed. In an attempt to address this problem, the bail legislation was amended in 1997.

The amendment came into effect in August 1998, and places the onus on persons accused of serious violent crimes to show why they should be released on bail, thus making it harder for them to get bail than in the past when the onus was on the prosecution (Schonteich, 2001:141). Ironically, while representing an attempt to get tough on crime, this move has increased prosecutors' workload and the number and length of time of formal bail applications. This is because the prosecution has to cross-examine the accused to show that the latter's reasons are not sufficient to warrant bail.

Also, the prosecution is in most cases obliged to call witnesses in order to oppose bail successfully, which takes time. The impact has been felt most strongly in the regional courts because since the amendment came into effect, bail applications for those accused of committing serious violent crimes must be heard in the regional court unless special reasons apply.

Those supporting tough measures against criminals are unlikely to be concerned about the consequences of these changes such as the dramatic increase in the number of unsentenced prisoners in the country's jails. But the delays and additional workload for prosecutors have a negative overall effect on the performance of the Criminal Justice System, which ultimately encourages people to take law into their own hands instead of using the formal justice system (Schonteich, 2001:142).

2.4.4.2 Minimum sentencing legislation

In terms of the Criminal Law Amendment Act of 1997, persons convicted of certain serious crimes must be given a mandatory minimum sentence unless the magistrate or judge imposing the sentence is "satisfied that substantial and compelling circumstances exist which justify the imposition of a lesser sentence" (Schonteich, 1999:35). The Act, which came into effect on 1 May 1998, provides for the imposition of heavy sentences such as life imprisonment for murdering a police officer; for the rape of a woman under the age of 16 years; and for gang rape.

The prescribed sentence for vehicle hijacking is 15 years imprisonment. A study undertaken by the South African Law Commission on the implementation of the minimum sentencing legislation found that while sentences had increased since the passing of the Act, they were still generally below those prescribed as minimum sentences (SALC, 2000:67).

The authors did note, however, that it might be too early to understand the full impact of the act. Importantly, in the context of vigilantism, the study notes that it remains difficult to conclude that tough sentences lead to a reduction in crime: "The question of sentencing therefore remains irrelevant to the vast majority of people who committed those crimes. Until the conviction rate improves dramatically it is difficult to see how tough minimum sentences will be an effective deterrent to thousands of criminals who evidently do not get apprehended and successfully prosecuted."

These findings suggest that the minimum sentencing legislation is unlikely to have an impact on levels of vigilantism at this stage (Schonteich, 1999:38). This is because the sentences handed down are still relatively lenient (more so than those prescribed in the Act). In addition, the deterrence factor associated with tough sentencing relies on more than just the sentence: offenders must be apprehended, prosecuted and convicted expediently in order for the public to believe that the Criminal Justice System can offer them some protection.

2.4.4.3 Draft anti-terrorism bill

The draft bill, released during 2000, is significant here because its development was encouraged by the ongoing violence and bombings allegedly committed by Pagad in the Western Cape. As such, it can be argued that the bill aims to clamp down not only on terrorism but also on vigilante activity which fit the definitions as laid out in the bill (Schonteich, 2001:143). The bill, which aims to address terrorism and a variety of related crimes in one piece of legislation, contains some controversial provisions such as proposals that suspects can be detained without charge or trial for up to 14 days, and a very broad definition of terrorism.

A terrorist act is defined as "any act which may cause damage to property and is intended to disrupt public service". This definition, therefore, includes law-breakers, who in the normal meaning of the word, would not be terrorists but who act in a way that disrupts public service and damages property (Schontiech, 2001:144). Apart from the very broad definition, the bill also reflects an attempt to 'get tough on offenders' in its prescription of a mandatory sentence life imprisonment for anyone convicted of a 'terrorist act'. The draft bill also proposes a 14-day detention of anyone when there is reason to believe they possess or are withholding information about any offence in terms of the bill. Such a person can then be interrogated "until he or she has satisfactorily replied to all questions under interrogation". This would effectively lead to detention without trial, and is in direct conflict with the constitutional right of a fair trial.

The Protection of Constitutional Democracy against Terrorist Related Activities Act 33 of 2004 (POCDATARA), explains that for measures the prevent and combat terrorist and related activities; to provide for an offence the terrorism and other offences associated with terrorist activities; provide for Convention offences; to give effect to international instruments dealing with terrorist and related activities. This is to provide for a mechanism to comply with United Nations Security Council Resolutions.

2.4.5 Assisting the police and courts through crime prevention partnerships

A lack of community involvement is rarely mentioned by supporters of vigilantism as a shortcoming in the crime reduction effort. However, responsibility for preventing crime is shared between government and civil society. The police rely on members of the public to report crime, provide information about cases, supplement police capacity by assisting with patrols, or reinforce the social controls that deter family or peers from committing crime.

Once cases are brought to court, members of the public are required to act as witnesses in order to secure a conviction. Thus, achieving safety and security and an effective justice system requires that the public and the relevant officials work together (Schonteich, 2001:152). This has been recognised by government, and is expressed in the community policing policy and efforts to formalise community based dispute resolution structures.

2.4.5.1 Community policing

Community policing aims, through the establishment of broadly representative Community Police Forums (CPF's), to set up active partnerships between the police and the community through which crime, service delivery and police-community relations challenges can jointly be analysed and resolved. The policy was first articulated in the 1997 Community Policing Policy Framework and Guidelines. Since then, the 1998 White Paper on Safety and Security affirmed community policing as the approach to policing in South Africa, but directed the CPF's to begin working with local government to ensure social crime prevention and community mobilisation against crime (Pelser, 2001:310).

Despite support at the policy level within the line functions of the SAPS, and even from the president in his opening address to Parliament in June 1999, eight years after establishing the CPF's, clear direction or meaningful government support to these structures remains a problem. The result has been that few CPF's have been able to fulfil their intended functions. This was confirmed by a recent survey conducted by the ISS for the SAPS among 17 231 respondents living in 45 of the police's 219 priority

station areas. The research indicated that CPFs have generally been unable to tap support from community-based organisations, or to mobilise participatory community crime reduction initiatives (Pelser, 2001:113).

2.4.5.2 Sector four in Alexandra

One community policing project that has had some success in terms of developing effective local projects is Sector Four in Alexandra, a suburb of Johannesburg. Sector Four was started in August 1999 as part of the SAPS' sector policing initiative which saw Alexandra being divided into six sectors. The local SAPS station commissioner approached community leaders in each sector to develop ways of working together to combat crime (Pelser, 2001:115).

However, only the fourth sector took up the challenge. Sector Four is comprised of at least 10 executive members with over 200 community members participating in patrols. The aim of the group is to work with the police to reduce crime. The secretary of the group is an SAPS member whose role is to ensure that Sector Four does not operate outside the law, and that relations between the police and the group remain strong. The success of this approach is evident in that when making an arrest, the group immediately phones the secretary and requests police backup (Pelser, 2001:117).

Sector Four has been successful in confiscating at least 100 unlicensed firearms, reducing robberies especially over weekend nights and breaking down some gang activities since their establishment in 1999. Initially, the group operated only within Sector Four in Alexandra. However, at the beginning of 2001, they were invited to extend their operations to other parts of the township as a result of their achievements. An important element of their success has been the willingness of certain members of Sector Four to testify in court as witnesses, thereby reducing the rate of case withdrawals and increasing the chances of securing a conviction (Masuku, 2001:22).

Nevertheless, the group faces a number of difficulties: the SAPS often responds slowly when Sector Four requests backup; lack of uniforms and means of identification made people resistant to searches and seizure; physical danger, where, in late 2001, three of their members were shot dead while on patrol; lack of equipment such as two-way radios and transportation; lack of employment opportunities, where many members are unemployed; and lack of funding for petrol to transport alleged criminals, for example, hampers much of their work. Despite these setbacks, Sector Four is made up of dedicated residents who have managed to lobby community support and take action against crime using non-violent, legal methods. Sector Four epitomises a successful initiative in which community members work in close partnership with the local police, and thus have no need to resort to vigilante action. Of course, such an initiative can only succeed if the police are willing to work with people in their area (Pelser, 2001:119).

2.4.5.3 Community dispute resolution structures

In 1996 the South African Law Commission (SALC) began an investigation into alternative dispute resolution which culminated in a discussion paper on community dispute resolution structures. The paper (which explicitly excluded vigilantism from its discussion), identified the following factors as some of the reasons why people support alternative forms of justice: the perception that the legal system was illegitimate as it was associated with the apartheid government; the formal justice system was repressive (CDRS, 1999:26); the formal system is expensive and thus prohibits justice; the formal system superimposes foreign, dominant and a Western legal system on an intuitive, indigenous legal system; and that the formal system fails to deal with problems faced by people in their daily lives.

While the paper addresses the need for community-based structures, it focuses on less serious disputes that could be handled through 'community forums', which are not courts but dispute resolution and peace-making structures. Although the proposals are worthwhile, the community forums are not intended to deal with the serious crimes that often lead to people taking law into their own hands. As such, community forums could enhance crime prevention partnerships, but would not necessarily reduce vigilante activities (CDRS, 1999:29)

2.4.6 Community Safety Forums (CSF)

The Community Safety Forum (CSF) project was facilitated by U Managing Conflict (UMAC). It is a non-governmental organisation with 19 years of experience working in the field of policing and conflict resolution. The project was launched in the Western Cape in October 1998 under the supervision of UMAC, and with financial support from the British Department for International Development. The goal of CSF was to establish a vehicle for facilitating the implementation of multi-agency crime prevention initiatives at local level (Pelser & Louw, 2002b:110).

2.4.7 The police force

The police structure needs to be strengthened in order to prevent mob justice. It is believed that if the police act in time and arrest the alleged criminals, it could save a lot of alleged culprits from getting killed in mob violence. Most importantly, a quick response to crime scenes is necessary in preventing mob justice. An increase in manpower within the police force could be a solution to the problem (Ssekate, 2009:16). There should be an increase in manpower to cap down the crimes and mobs because where there is not enough police men or enough police stations in the country, people tend to take action because they do not have a solution to their problem.

2.4.8 Sensitisation

All people in Uganda agree that sensitisation of people is needed. The sensitisation should contain information on the law and how the legal system works, human rights, the act of mob justice and the danger of taking law into their own hands. There should be workshops in communities where mob justice can be discussed, and where conflict resolution is taught. This will be a way to sensitise the public and to promote people's rights (Ssekate, 2009: 17). Counselling risk groups such as people who had a relative murdered and poor, illiterate people individually or in focus groups where the subject of mob justice. Through the use of this approach, the causes of mob justice can be revealed and actions can be taken to solve it. When you are in a place where a person has been murdered, you can, if you have the ability, access and provide counselling to the people who have lost a relative. You can tell them that the solution is not violence; the solution is not killing those people; the solution is to take the legal

proceedings. However, there are difficulties with this method, according to some of the citizens of Uganda. Most people fear counselling because they do not want to disclose their problems (Ssekate, 2009: 18). But it could be a start on how to increase awareness of peoples “rights and promotion of the notion of community as opposed to individualism in order to make the people feel as one”.

There should be an empowering of the communities by creating encouraging activities that the people in the community can gather around. This could be a way of promoting togetherness as opposed to individualism.

However, it is necessary for the police force to provide feedback regarding what happens to a culprit who has been caught and to a community where a crime has been committed. By taking this action, mob justice will be prevented. In other words, a closer collaboration between the police and the citizens in the communities is necessary in order to increase knowledge about the legal system. Feedback about the charges and the court proceedings to the community affected by crime should be given (Ssekate, 2009: 22)

It is also important that criminals should be followed up in terms of counselling after serving their sentences. Advocating for human rights and the rights of criminals is also proposed. There is also a need to make people aware of those rights and obligations.

2.6 CONCLUSION

Vigilantism is a form of usurping state power. No government can allow this to happen and still try to maintain the rule of law. Vigilantism can only occur if vigilante organisations and ordinary citizens are given the space to act. This is due to the perceived failure of the state to deal with the issues of authority, effective and efficient enforcement of its law and the putting in place of functioning systems of criminal justice and policing into those areas that need it the most, including the poorer urban neighbourhoods, informal settlement and deep rural areas.

The state needs to be seen and to act swiftly to counteract vigilante actions, and to prosecute and convict perpetrators. However, the fact remains that the whole Criminal Justice System needs to be unclogged, speeded up, corruption stamped out, so that criminal cases can be dealt with in their own right quicker. The public needs to see

justice happening to criminals that are caught and handed over to the authorities. In terms of the functioning of the Criminal Justice System, ordinary citizens need to be socialised into and made aware of the fact that everyone, irrespective of whatever crime they may be accused of perpetrating, has the right to access a court of law to have their case heard in a fair and public hearing.

Therefore, it is incumbent on the authority to provide better access to court and to the general public even if this is only the more community court system (Minnaar, 2001:235). This chapter outlined the nature of vigilantism, including its seriousness, its South African and global contexts, and its determinants and actions. In this chapter, the researcher also outlined community perceptions on vigilantism, which include understanding of vigilantism, support for vigilantism, the dangers of vigilantism, the effects of vigilantism and the preventative measures for combating vigilantism. The next chapter presents theoretical framework of the study.

CHAPTER THREE

THEORETICAL FRAMEWORK

3.1 INTRODUCTION

The previous chapter outlined the nature of vigilantism, including its seriousness; its global and South African contexts; and its determinants and actions. In this chapter the researcher outlined community perceptions on vigilantism, which included understanding, support, the dangers, the effects and the preventative measures of vigilantism (the international and national context of vigilantism). The chapter also presented the theoretical framework of the study. The study employed the Strain theory to explain vigilantism.

Before discussing the types of strain most likely to lead to crime, it is first necessary to clarify what is meant by the term *strain*. Agnew (1992:39) states that “strain refers to relationships in which others are not treating the individual as he or she would like to be treated”. Even so, researchers use the term in different ways. Some refer to an objective event or condition and some to the emotional reaction to an event or condition (e.g., whether respondents are angry at how others treat them).

To help clarify the meaning of strain, the following definitions are proposed. *Objective strains* refer to events or conditions that are disliked by most members of a given group. So, if it stated that an individual is experiencing objective strain, it means that he or she is experiencing an event or condition that is usually disliked by members of his or her group. Many events and conditions are disliked by most people, regardless of group membership (e.g., physical assault, and lack of adequate service delivery). Empirically, it is possible to determine the objective strains for group members in several ways. Observational research is one method. Anderson (1999:98), for example, describes many of the objective strains in a poor, inner-city, African American community.

Surveying a representative sample of group members or people familiar with the group is another method, and both have been employed in the stress research (Turner & Wheaton 1995:64). *Subjective strains* referred to events or conditions that are disliked by people who have experienced them. So, if it stated that individuals are experienced subjective strain, it means that they have experienced an event or condition that *they* dislike. Residents of Matome experienced a high rate and poor police delivery which does not make them happy. The subjective evaluation of an objective strain is a function of a range of factors, including individual traits (e.g., irritability), and personal and social resources (e.g. social support or service delivery).

This does not mean, however, that researchers should simply employ subjective measures of strain. It is important to examine objective strains as well because this allows us to better distinguish external events from the subjective evaluation of such events. It can be examined that individual and group differences in exposure to external events/conditions is likely to cause strain and the subjective evaluation of those events/conditions. Furthermore, factors that influenced individual and group differences in the subjective evaluation of the same external events and conditions can be explored. This is critical if it is to fully explain individual and group differences in crime. As an illustration, Bernard (1990:76) argues that poor, inner-city residents have higher rates of violence not only because they experience more objective strains, but also because they are more sensitive to such strains.

Agnew (1992:45) describes those types of events and conditions most likely to be classified as objective strains and to result in subjective strain. Such events/conditions involve goal blockage, the loss of positive stimuli, and/or the presentation of negative stimuli. They are also high in magnitude (degree), recent, and of long duration. But as indicated earlier, hundreds of events/conditions meet these criteria, and so there are potentially hundreds of objective and subjective strains. Agnew does not discuss whether certain of these strains are more likely to result in crime than others. Rather, he treats these strains as more or less equivalent in terms of their impact on crime. He argues that whether they result in crime is largely a function of the characteristics of the individuals experiencing the strain.

In particular, strain is most likely to lead to crime when individuals lack the skills and resources to cope with their strain in a legitimate manner, are low in conventional social support, are low in social control, blame their strain on others, and are disposed to crime. The members of the community of Matome Village lacked trust in the Criminal Justice System to help them fight crime or to prevent the high rate of crime in their area. Hence, they were forced to resort to vigilantism. Certain types of strain such as objective or subjective strain are more likely to result in crime than other types (Agnew, 1992:47).

3.2 STRAIN THEORY

The Strain theory states that certain strains or stressors increase the likelihood of crime. These strains lead to negative emotions such as frustration and anger. These emotions create pressure for corrective action, and crime is one possible response. Crime may be used to reduce or escape from strain seeking revenge against the source of strain or related targets or to alleviate negative emotions. For instance, individuals experiencing high level of stress regarding rapid crime committed by one person or the same group may engage in mob justice as a way of seeking revenge against that person or group of people in an effort to feel better. The major versions of strain theory describe 1) the particular strains most likely to lead to crime, 2) why strains increase crime, and 3) the factors that lead a person to or discourage a person from responding to strains with crime (Agnew, 1992:49).

3.2.1 Robert Agnew's General Strain Theory

Robert Agnew's revision of the strain theory addresses many of the criticisms of the original strain theory. Agnew (1985:151) broadens the scope of strain theory to include many more variables that address the criticisms of the original strain theory. Agnew's general strain theory is based on the general idea that "when people are treated badly they may get upset and engage in crime". The general strain theory identifies the ways of measuring strain, the different types of strain and the link between strain and crime (Agnew, 1995:363).

3.2.1.1 Links between strain and crime

Strain from the outside environment can cause many negative feelings in an individual, including defeat, despair and fear. The feeling that is most applicable to crime is anger (Agnew, 1992:51). Anger has been found to incite a person to action, lower inhibitions, and create a desire for revenge. Anger and frustration may also make individuals to justify crime (Agnew, 1995:363). Agnew stresses that individuals who are subject to repetitive strain may be more likely to commit crime or delinquent acts. This is due to the fact that other coping strategies for the strain are taxed, the threshold for negative relations is pushed to the limit, individuals may become hostile and aggressive, and those individuals at any time may be high in negative arousal (Agnew, 1992:51).

In essence, the general strain theory proposes that an increase in stress would lead to an increase in anger, which may then lead to an increase in crime. Therefore, since this theory explained how strain leads to crime, the residents of Matome Village were stressed by the way the police responded to crime and their lack of confidence and trust in the Criminal Justice System. This led to anger and frustration which pushed the community to engage in vigilantism acting as a way of paying revenge or protecting themselves (Agnew, 1992:51).

3.2.1.2 Strains which most likely lead to crime

Individuals may cope with strain in a number of ways, only some of which involve crime (Agnew 1992). Individuals may cope using a variety of cognitive strategies, most of which attempt to redefine strainful events and conditions in ways that minimize their adversity. Individuals may employ behavioural coping strategies that are intended to terminate, reduce, or escape from the strainful events and conditions. Some of these strategies involve crime (e.g., assaulting the people who harass you). The members of the community of Matome Village dealt with crime (strainful condition) by taking law into their own hands, which was one of the strategies to reduce high rate of crime in their area. It is argued that some types of strain are more likely to result in crime than other types because they influenced the ability to cope in a noncriminal versus criminal manner, the perceived costs of noncriminal versus criminal coping, and the disposition for noncriminal versus criminal coping.

3.2.1.3 The strain is seen as unjust

Agnew (1992) presents unjust treatment as a distinct category of strain classified under “the failure to achieve positively-valued goals.” In particular, Agnew speaks of the disjunction between just/fair outcomes and actual outcomes. It is here argued that unjust treatment is *not* a special type of strain distinct from the other types. The issue of injustice applies to all types of strain; that is, it is possible to classify any type of strain according to the extent to which it is seen as unjust. The types of strain seen as unjust should be more likely lead to crime, primarily because they are more likely to provoke emotions conducive to crime like anger.

Much data from the emotions and justice literatures indicate that there is a strong link between unjust treatment and anger (Agnew 1992, 68-69). And limited data suggest that anger increases the likelihood of crime, particularly violent crime (Agnew 1985:160). Anger fosters crime because it disrupts cognitive processes in ways that impede noncriminal coping. For example, it leads individuals to disregard information that may help resolve the situation, and it reduces the ability to clearly express grievances.

Anger also reduces the actual and perceived costs of crime. For example, angry individuals are less likely to feel guilty for their criminal behaviour because they believe that the injustice they suffered justifies crime. The residents of Matome Village resorted to vigilantism because they wanted to pay revenge to criminals. This is because they were angry that the Criminal Justice System failed them. Finally, anger energizes the individual for action, creates a sense of power or control, and creates a desire for revenge or retribution all of which lead individuals to view crime in a more favourable light (Agnew, 1985:163).

3.2.1. 4 The strain is seen as high in magnitude

A factor influencing the likelihood that strainful events and conditions will lead to crime is the perceived magnitude of the strain. Strain that is high in magnitude influences the ability to cope in a noncriminal manner, the perceived costs of noncriminal versus criminal coping, and the disposition to engage in criminal coping.

It is more difficult to cognitively minimize the impact of severe strain. Emotional coping techniques of a noncriminal nature may be less effective, and behavioural coping of a noncriminal nature may be more difficult. Furthermore, not only is it more difficult to legally cope with severe strain, but such strain often reduces the ability to cope. For example, the victims of severe strain are more likely to suffer from depression, which impedes their ability to cope. Victims who were raped or hijacked or assaulted, they likely suffer from depression. Finally, severe strain generates more anger and so also influences the perceived costs of crime and the disposition to engage in crime (Agnew, 1985:176).

3.3 Summary

This chapter discussed how well strain theory is a suitable theory of this study, and how strain and crime are linked. Agnew (1992:70) identifies different factors which could influence certain conditions/ situations to crime. In this case, the Matome community resorted to vigilantism which is a crime, because of the strainful events such as the high rate of crime. Some strains lead to vigilantism because of anger and desire for revenge. The following chapter focuses on the presentation and interpretation of data.

CHAPTER FOUR

DATA PRESENTATION AND INTERPRETATION

4.1 INTRODUCTION

The previous chapter focused on the theoretical framework of the study. Hence, this chapter presents data analysis and data interpretation. The conclusion will be drawn after the presentation and the findings have been clearly stated. The research was limited to Matome Village and data were collected by means of structured interviews with 2 focus groups that consisted of 10 members and 8 members each and individual interviews with 80 community members. The information gathered from the interviewees was about the perception of community members about vigilantism at Matome.

4.1.1. Demographic categorization for focus group 1 and 2 discussion

This presents the participant's demographic categorisation which focus on: gender, age, marital status, educational level and employment status.

- Gender of respondents

The study found that the majority of the respondents were male's counterparts as compared to females all in focus group discussions. This is because most males counterparts feel the Criminal Justice System has failed them hence they need to protect their families. And the other reason is that most males have been victims of crime. There have been several cases in South Africa where individuals especially males tend to take law into their own hands when resolving criminal issues.

- Age of respondents

FGDs had the highest proportion of respondents which is between the age category of 34-41 years. The smallest proportion falls between 50 years and above for focus group 1 and 42-49 years for focus group 2.

- Marital status of respondents

The majority of the respondents are married whilst very few of the respondents are never married and few are divorced.

- Educational level of respondents

The study found that the majority of respondents have secondary education. All other respondents have primary education.

- Employment status of respondents

In focus groups 1, the majority of the respondents are employed and very few are unemployed and self-employed. In focus group 2 half of the respondents are employed and half of them are self-employed. Hence the need to protect their properties and ensure their communities is crime free.

4.1.2. Community's awareness on vigilantism

Community members' opinions on the understanding of vigilantism, their interest in vigilantism and also their views about taking law into one's own hands as an appropriate way of dealing with crime will be discussed below.

- An understanding about vigilantism

The study found that in both focus groups 1 and 2, few of the respondents understood the meaning of vigilantism in accordance with its definition in the context of the study, which is "it is taking law into one's own hands". However, the majority of the respondents had different views, saying that vigilantism is a way of dealing with crime.

- Interest in vigilantism

In focus group 1, the majority of the respondents are fairly interested in vigilantism, while few of the respondents are not very interested in vigilantism. For focus group 2, few of the respondents are fairly interested in vigilantism and some are not very interested, while very few of them are somewhat interested.

- Views about vigilantism as an appropriate way of dealing with crime.

The majority of the respondents in both focus groups 1 and 2 had the same view. They by accept that vigilantism is an appropriate way of dealing with crime because they felt that police officers are not helping and the community is no longer safe. However, few of the respondents in both focus groups 1 and 2 argued that they still have hope in the Criminal Justice System and believe that police officers can always do something to help fight crime effectively.

4.1.3. Community's perception and experience of vigilantism

Community members' involvement in vigilantism, the occurrence of vigilantism in their area and the consequences of vigilantism are discussed below.

- Involvement in vigilantism

In focus group 1 very few of the respondents have never been involved in vigilantism, while the majority of the respondents accepted that they were involved in vigilante activities. They further elaborated that normally, activities and actions involved in vigilante activities included hanging and burning. In focus group 2 very few respondents accepted that they have been involved in vigilantism, while the majority of them were never involved in vigilantism.

- The occurrence of vigilantism

All the respondents in both focus groups 1 and 2 agreed that vigilantism occurred very often in their area. According to the respondents in focus group 1, vigilantism occurs due to various factors such as the distance between Matome Village and the nearest police station, as well as time taken by police officers to respond to a crime scene. According to focus group 2 respondents, it is because the perpetrators do not stay long in prison due to easy bail granted to them.

- The consequences of vigilantism

The study found that in both focus groups 1 and 2, few of the respondents held the same view, accepting that people who normally participate in vigilantism get arrested, and they then start having criminal records which disadvantage their future. On the other hand, the majority of the respondents argued that even if the culprit is killed, the

crime rate does not decrease. In focus group 2, the majority of the respondents condoned vigilantism, saying that the culprit is killed and sometimes people who get involved in vigilantism get away with it due to lack of sufficient evidence.

- Factors contributing to vigilante acts in the community

The majority of the respondents in both focus groups 1 and 2 strongly agreed that factors that contribute to vigilantism include: desire for revenge (anger and frustration), poor police service response/ poor police service delivery and as a way of protection. Comparatively, few of the respondents in both focus groups 1 and 2 had different views or opinions.

- Taking law into one's own hands is unlawful

In focus group 1 half of the respondents strongly agreed that taking law into one's hand is unlawful, while on the other hand, the other half had different views. They agreed with the statements mentioned above. In focus group 2, the majority of the respondents strongly agreed that taking law into one's hands is unlawful, and few of the respondents argued that vigilantism is a way of dealing with crime.

- The crime rate decreases when the culprit is killed

All of the respondents in both focus groups 1 and 2 strongly disagreed that the crime rate decreases when the culprit is killed because they believed that even after the culprit is killed, there is still recurring crimes. This is because the culprit has a gang from different areas which he belonged to or worked with.

- The activities of vigilante group are good (behavior)

Very few of the respondents in focus group 1 disagreed with the above mentioned statement, because they believed killing someone is not a good thing and it has bad consequences. The majority of the respondents in focus group 2 were neutral; they could not agree or disagree with the above mentioned statement since they are also tired of the recurring crimes and can no longer differentiate between good and bad behaviour.

4.1.4 Demographic categorisation for community members (80 participants)

The graphs and pie-charts below present the participants' demographic categorisation such as gender, age, marital status, educational level and employment status.

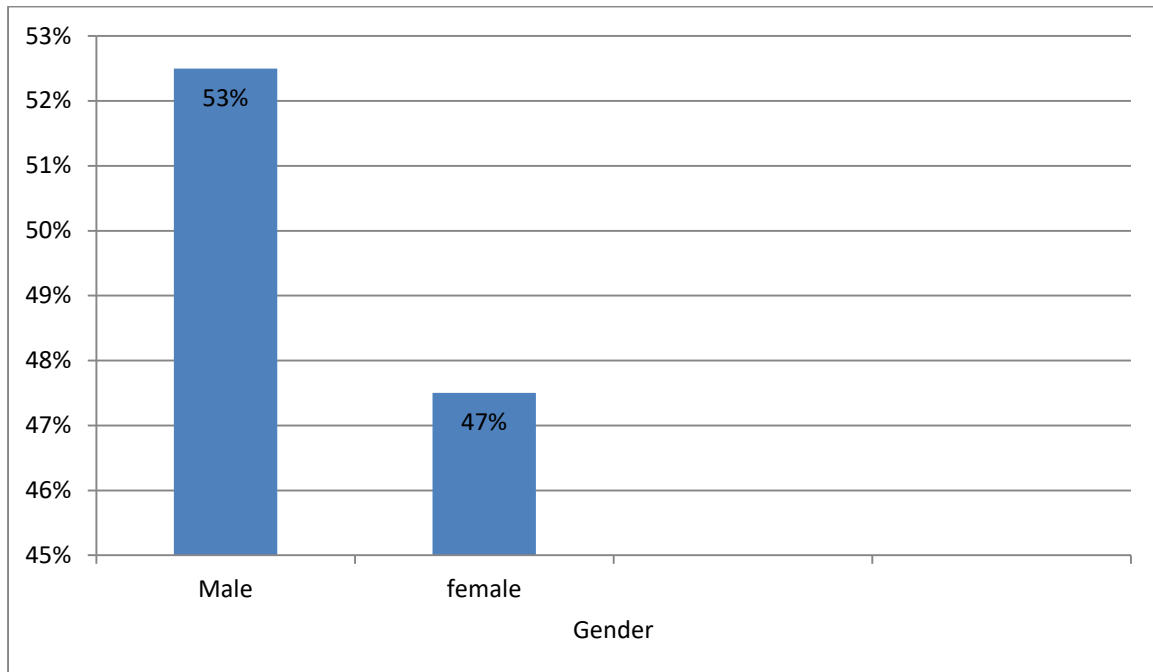


Figure 4.1: Gender of respondents

The research findings indicate that 62.5% of the respondents were male, as compared to 37.5% female. This is because most male respondents feel that the Criminal Justice System has failed them, hence they need to protect their families. There have been cases in South Africa where individuals, especially males, tended to take law into their own hands when resolving criminal issues.

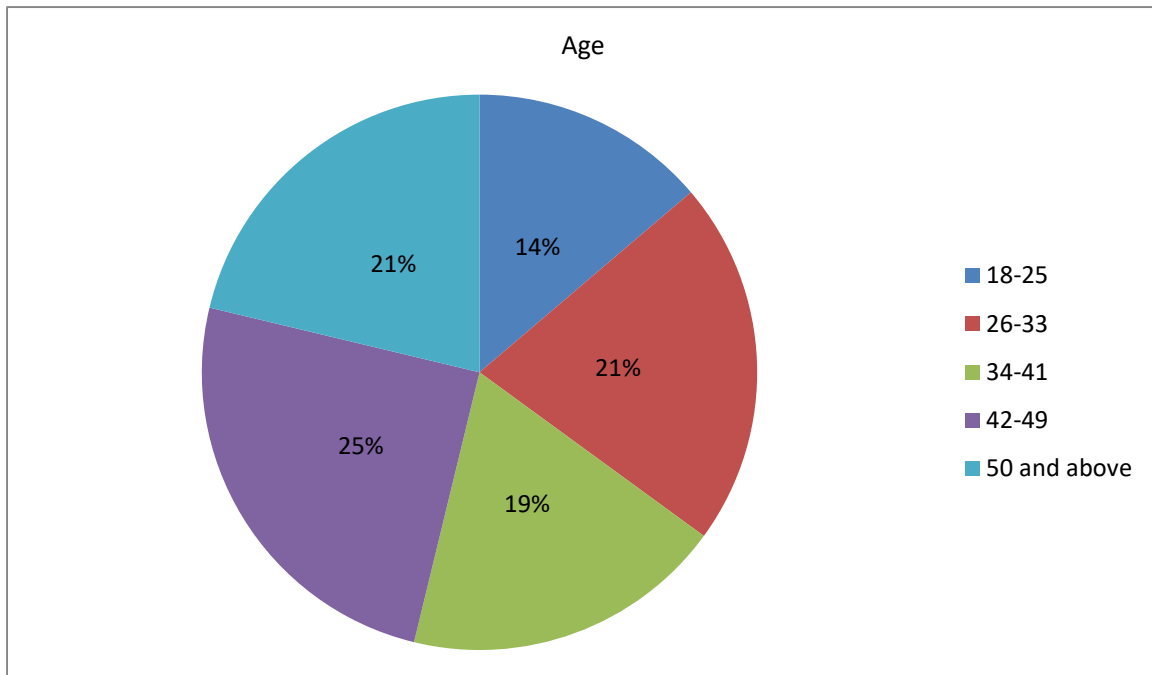


Figure 4.2: Age of respondents

The pie chart above indicates that 14% of the respondents fall within the age category of 18-25 years, 21% within the range of 26-33 years, 19% within the age category of 34-41 years, 25% within 42-49 years, while 21% fall within the age category of 50 years and above. This shows that the highest proportions of the respondents are between 42-49 years old and smallest proportion is between 18-25 years.

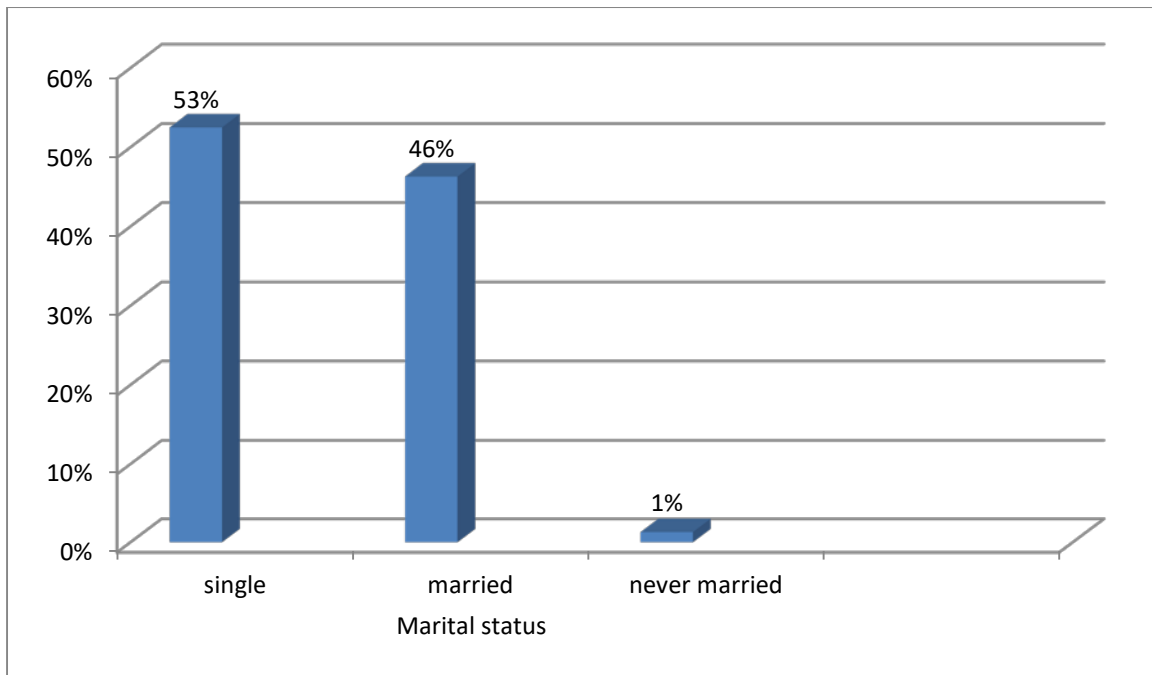


Figure 4.3: Marital status of respondents

It is shown in the graph above that 53% of the respondents are single, 46% are married and while 1% of the respondents never married. From the above graph, it is clear that the highest proportions of respondents are single, followed by those who are married and then those that never married.

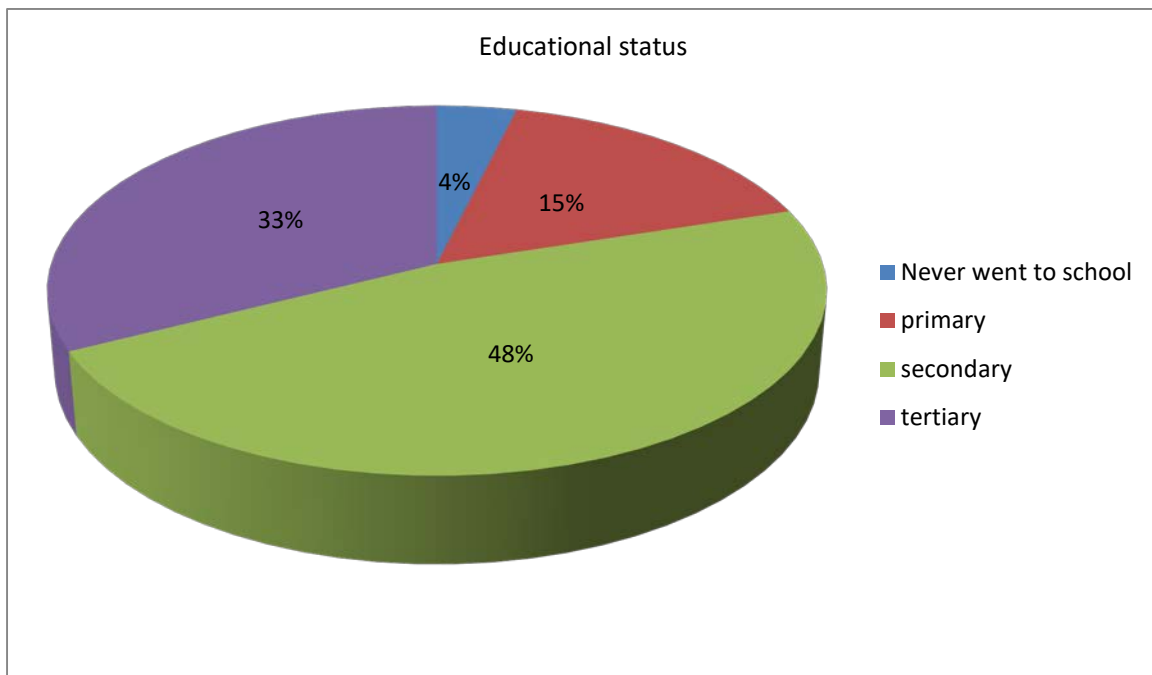


Figure 4.4: Educational level of respondents

As shown in the pie chart above, the respondents with secondary education have the highest frequency at 48%. This is followed by those with tertiary education representing 33% of the respondents, those with primary education at 15%, and those who never went to school (4%).

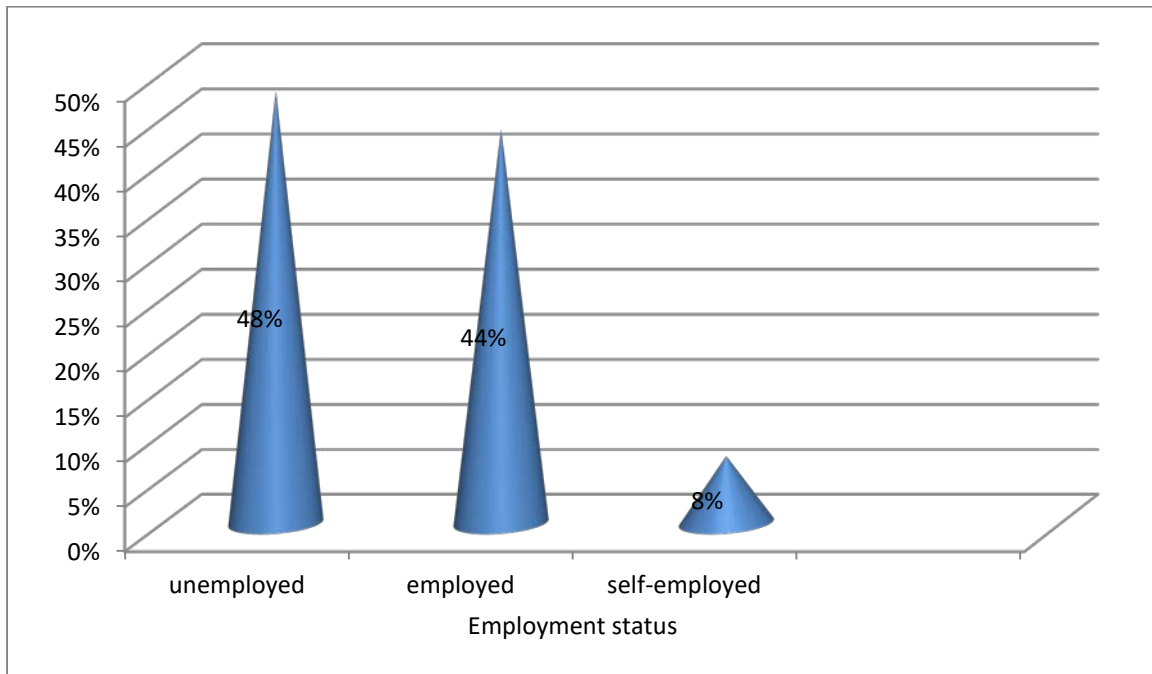


Figure 4.5: Employment status of respondents

The graph above indicates that 44% of the respondents are employed. Unemployed respondents represent the category with the highest frequency, which is 48%. In addition, 8% of the respondents are self-employed.

4.1.5 Responses about community's awareness of vigilantism

This presents the different views of members of the community about their understanding of vigilantism, the participants' personal interests in vigilantism and their (community members) views about taking law into their own hands as an appropriate way of dealing with crime.

Table 4.1: Understanding of vigilantism

Understanding of vigilantism	Frequency	Percentage %
Taking law into one's own hands	30	37.50
Unlawful action taken by angry community	13	16.25
A way of dealing with crime	37	46.25
Total	80	100.00

The research findings show that 37.5% of the respondents understood the meaning of vigilantism in accordance with its definition in the context of the study. According to Abrahams (2003:65), vigilantism "is taking law into one's own hands". 16.25% of the respondents accepted that vigilantism is an unlawful action taken by an angry community. However, 46.25% of the respondents have different views, saying that vigilantism is a way of dealing with crime. From the table above, it is clear that the largest proportion of the respondents held the view that vigilantism is a way of dealing with crime.

Table 4.2: Interest in vigilantism

Interests	Frequency	Percentage %
Fairly interested	39	48.75
Somewhat interested	33	41.25
Not really interested	5	6.25
Not at all interested	3	3.75
Total	80	100.00

The study found that 48.75% of the respondents were fairly interested in vigilante activities, 41.25% were somewhat interested, while 6.25% were not very interested and 3.75% of them were not interested at all. The tabulation shows that the highest proportion was 48.75% of the respondents.

Table 4.3: Views about vigilantism as an appropriate way of dealing with crime

Views about vigilantism as an appropriate way of dealing with crime	Frequency	Percentage %
Yes	45	56.25%
No	35	43.75%
Total	80	100.00

The study found that 56.25% of the respondents accepted that vigilantism is an appropriate way of dealing with crime because they are tired of recurring crimes, unattended crime scenes, poor police response and for the sake of their safety as the community. 43.75% of the respondents believed that it is the police officers' responsibility to play a role in preventing crime. Therefore, in their view, crime should just be reported to the police no matter what.

4.1.6 Responses about community's perceptions and experiences of vigilantism

Community members' involvement in vigilantism, the occurrence of vigilantism in their area and the consequences of vigilantism are presented in the tables below and well interpreted.

Table 4.4: Involvement in vigilantism

Involvement in vigilantism	Frequency	Percentage %
Yes	50	62.50
No	30	37.50
Total	80	100.00

The research findings indicate that 62.5% of the respondents were involved in vigilantism. They also mentioned actions which are normally taken during vigilantism, including the burning and hanging of perpetrators. However, 37.5% of the respondents reported that they were never involved in vigilantism.

Table 4.5: The occurrence of vigilantism

The occurrence of vigilantism	Frequency	Percentage %
Very often	80	100
Total	80	100.00

The study found that 100% of the respondents agreed that vigilantism occurred very often in their area. They, furthermore, elaborated that people involved in vigilantism sometimes get away with it and are not punished for their actions.

Table 4.6: The consequences of vigilantism

The consequences of vigilantism	Frequency	Percentage %
People who normally take part during vigilantism get away with it	15	18.75
People arrested for participating in vigilantism	25	31.25
Respondents relieved that the culprit is killed with hope that crime rate will decrease	40	50.00
Total	80	100.00

In terms of the participants' responses, 18.75% of the respondents agreed that people who normally take part in vigilantism get away with it due to lack of enough evidence on who did this (committed vigilantism and killed the culprit) and thus end up not being arrested. 31.25% of the respondents differed with this view, saying that people who take part in vigilantism are normally arrested and go to prison for a maximum of a month, which in a way disadvantages those that are permanently employed.

The sad part is that they also obtain criminal records, which will also disadvantage their future, since it is difficult to find a job when you have a criminal record. On the other hand, 50% of the respondents seem to be kind of relieved when the culprit is caught and burnt to death, because they hope that one day the crime rate will decrease as the number of criminals decreases. Consequently, the community might feel safe again.

Table 4.7: Factors contributing to vigilante acts in the community

Factors	Strongly agree	Agree
-Poor police response/poor police service delivery -Lack of Criminal Justice System	28.5%	
-Sense of fear/worry/desperation and -Being a victim of crime		26.5%
-Desire for revenge (anger or frustration) -As a way of protection	45%	

In terms of the research findings, the majority (45%) of the respondents mentioned factors such as anger, revenge and frustration as elements that influence vigilantism. They also supported vigilantism because they felt are no longer safe in their own village. One of the most important factors is considered as “a way of protection”, that is, safety first. While on the other hand, 28.75% of the respondents strongly agreed that the most important factors contributing to vigilantism is poor police response/poor, police service delivery and lack of credible Criminal Justice System. 26.25% of the respondents differed with the rest of participants. They agreed that sense of fear/worry/desperation and being a victim of crime can be one of the factors which perpetuated vigilantism.

Table 4.8: Level of agreement and disagreement with statements

Statements	Strongly agreed	Agree	Neutral	Disagree	Strongly disagree
(a) Taking law into one's own hands is unlawful	70%	17.5%	12.5%		
(b) Crime rate decrease when the culprit is killed		8.75%			91.25%
(c)The activities of vigilante group are good (behaviour)			12.5%	87.5%	

The study found that 70% of the respondents strongly agreed that taking law into one's hand is unlawful, while 12.5% were just neutral because they could not say whether it is lawful or unlawful because they are just tired of crime, and they can no longer differentiate between a good or bad thing. 17.5% of the respondents only agreed with the above mentioned statement in (a). 91.25% of the respondents strongly disagreed that the crime rate decreased when the culprit was killed because crime keeps on recurring. This is because the culprit has a gang group from different areas which he belonged to or worked with. 8.75% agreed with the above mentioned statement in table 3.31 (b).

The majority (87.5%) of the respondents disagreed with the above mentioned statement in table 3.31 (c) because they believed that killing someone is a crime since they will end up in prison, and is not a good thing to do even though they are tired of the high rate of crime in their area.

However, 12.5% of the respondents were neutral; they could not agree or disagree with the statement. They said “whatever that happens its fine with us”, in a sense of giving up.

4.2 Summary

In this chapter, themes were identified and discussed during focus group interviews with the participants from Matome Village. An analysis of the factors discussed above indicates that community members at Matome have no confidence in the Criminal Justice System. This leads to failure in fighting and reducing crime. The following chapter presents summary of the study, outline the major research findings, makes recommendations and presents conclusion.

CHAPTER FIVE

SUMMARY, FINDINGS AND RECOMMENDATIONS

5.1 INTRODUCTION

The previous chapter focused on data presentation and interpretation. However, this chapter summarises the main findings of the study, makes recommendations and concludes on the basis of the findings derived from the empirical results as well as literature review. The review from literature indicates that there are factors that contribute to vigilantism. It also gives recommendations on how the occurrence of vigilantism can be reduced or prevented at Matome Village. Data collection was based on stratified sampling. The questionnaires were distributed among community members of Matome. The same questions were asked to each member and the participants were free to write their opinions, especially those who were actively involved in vigilantism.

The focus group interviews were tape-recorded, field notes were taken and were later transcribed and analysed. Core themes were identified and analysed for the purpose of interpreting the data. Theme 1 focuses on the understanding of what vigilantism is, Theme 2 deals with interest in vigilantism. Theme 3 is about taking law into one's own hands as an appropriate way of dealing with crime, while Theme 4 deals with involvement in vigilantism. Theme 5 is about the occurrence of vigilantism, Theme 6 focuses on the consequences of vigilantism and lastly, Theme 7 deals with factors contributing to vigilantism. The presentation of each theme concludes with an indication of the value of the analysis of that the theme brings to the research problem.

5.1.1 Summaries of chapters

Chapter one presented the discussion of the research problem. The aim and objectives of the study were outlined, and methodology was explained in this chapter.

Chapter two discussed the overview of international and national contexts of vigilantism. Chapter three presented the theoretical framework of the study. The research data presentation and interpretation were presented in chapter four.

Finally, in chapter five, summaries of chapters and demonstration of how the aim and objectives of the study were achieved are discussed. The major research findings are outlined, recommendations and conclusions based on the interpretation of data provided in chapter three are presented.

5.1.2 Aim and Objectives of the study

The study was aimed at determining Matome community's perceptions on vigilantism. This was met by a discussion which was provided in chapter two and chapter three. The first objective of the study was to examine the community's experience of vigilantism. This is tabulated and well discussed in chapter three and chapter two. The second objective was to identify factors influencing vigilantism. To meet this objective, a theoretical discussion about the factors causing vigilantism is provided in chapter two. Community members' viewpoints are tabulated and well discussed in chapter three. The third objective was to establish actions which are taken during the vigilante incidents. It was recognised that these actions include hanging and burning. This is explored in chapter three. The fourth objective was to highlight measures that can be taken to prevent vigilantism. To meet this objective, in chapter two (part of literature) preventative measures of vigilantism are highlighted.

5. 2 RESEARCH FINDINGS

Vigilantism is defined in different ways by different authors. In the context of this study, vigilantism was defined as an action whereby a group of people take law into their own hands. The major research findings are as follows:

- Males who participate in vigilantism outnumber females. This clearly shows that the majority of people who participate in vigilantism are males. According to Vernon and Browyer, (2002:11) one such case in 1994 was that of Harry Joshua in the Delft suburb in Cape Town. His wife was robbed, apparently of what remained of Harry's weekly wages. The wife had called the police but when Harry arrived home four hours later the police had still not arrived; so he decided to take matters into his own hands. From his wife's description of the perpetrators, he guessed that they were members of the Hard Living Gang. Armed with a short gun, he went looking for the gangsters so as to make a 'citizen arrest'. When he found them and challenged them, they turned on him

and he was forced to open fire (according to his statement to the police) and killed three on the spot. Not satisfied with this, he followed those who ran away and killed another two and wounded two more. At his trial it was reported that the residents of Delft lived in daily fear of rampant gangsterism. They were also afraid of intimidation and paybacks if they ever reported the gangs to the police. One resident stated that the message to this case was very clear to them, if they don't defend themselves, no one else will.

- Morrison and Conradie (2006:5) state that “educational level and employment status plays a huge role when coming to community awareness to vigilantism and its consequences”. Hence, it is believed that the more educated you are, the better decision making you are to make when coming to vigilante activities.
- The majority of the respondents understood vigilantism as a way of dealing with crime. Their views tend to be in consonance with the current trend in literature as represented by the views of Minnaar (2003:44), who state: “the perception exist that during apartheid the police did not take action when black people reported crime. Black people then used to take law into law into one’s own hands as a way of dealing with crime”.
- The majority of the respondents accepted that vigilantism is an appropriate way of dealing with crime. This is because they are tired of recurring crimes even when the culprit is killed, they no longer feel safe and there is poor police response. In this way, they participate in vigilantism. This is supported by Nagoor (1997:14), who reports that “in the absence of any strong civic organisation in certain areas as well as the widespread lack of police presence or response to crime (especially at night) vigilantism have been able to morally claim the high ground on the basis of ‘protecting the community’ or of administering justice for the benefit of residents in their area”.
- The majority of the respondents confirmed that vigilantism in their area is like a daily activity because it occurs very often. Hence, members of the community stated that if there were measures put in place to prevent crime such as a good

relationship between them and the police officers, and the presence of community police forums, they will feel safe and assured that the Criminal Justice System is working in their goodwill. This is supported by Pelsler (2001:310), who states: “to set up active partnerships between the police and the community through which crime, service delivery and police-community relations challenges can jointly be analysed and resolved”.

- The study indicates that the majority of the respondents considered ‘desire for revenge’ (anger and frustration) and ‘as a way of protection’ as the most contributing factors to vigilantism. This is in accordance with the current thinking by Makoe and Masipa (2005:62), who state: “ A young man accused of raping an 8-year old girl was arrested but no charges were laid against him and the police released him due to lack of evidence. This apparently angered the community and a group of women from squatter camp had then caught him and beat him, tore down his pants and then castrated him with broken bottle”. This is also supported by the theoretical framework (Strain theory) employed by the study which state that: “The feeling that is most applicable to crime is anger (Agnew, 1992:51). Anger has been found to incite a person to action, lower inhibitions, and create a desire for revenge. Anger and frustration may also make individuals to justify crime (Agnew, 1995:363).”
- The researcher observed that indeed the residents of Matome Village had different reasons why they went on partaking in vigilantism. The majority of the respondents believed that killing someone is not a good thing. This is supported by Sekhonyane (2000:56), who states: “vigilantes should acknowledge that their actions are not helping combat crime but socialising communities into further violent behaviour creating a context in which the ease of killing a person does not increase a moral outrage”.

5.3 RECOMMENDATIONS

Based on the findings of the study the recommendations are as follows:

5.3.1 In terms of this study, the majority of the respondents have been involved in vigilantism. Hence, it is important to highlight the dangers and effects of vigilantism to members of the community of Matome Village and the world at large.

5.3.2 The findings of this study hopefully will help the community and authorities develop and implement strategies (preventative measures) to address vigilantism at Matome Village, such as:

- Enacting laws that are 'tough on offenders'

All the offenders should be given harsh punishment; the courts must not be 'soft on criminals'.

- Bail legislation

The perception that criminals are too easily granted bail is one of the main causes of dissatisfaction with the Criminal Justice System.

- Community Policing Forums

To set up active partnerships between the police and the community through which crime, service delivery and police-community relations challenges can jointly be analysed and resolved.

- Improving service delivery to the public

The police are often singled out as being responsible for shortcomings in the criminal justice process, such as when the accused are 'unfairly' granted bail and released from custody.

- Improving the functioning of the Criminal Justice System as a whole.

The Criminal Justice System must start to play an important role at Matome Village in order to deal with the high level of crime effectively and to prevent the occurrence of vigilantism.

5.4 CONCLUSION

The previous chapters discussed the general orientation of the study, literature review, theoretical framework, data presentation and interpretation and lastly summary, research findings and recommendations of the study. In conclusion, the researcher has observed that vigilantism at Matome Village will still persist for as long as there is unattended crime scenes, police are taking their time to respond, and there is still high rate of crime.

This research has proven that vigilantism is a reality at, but not limited to Matome Village. In terms of literature, this issue of the community taking law into one's own hands is not affecting Matome Village alone, but the country at large as well. Vigilantism is taking place especially in the inner cities such as Khayelitsha and Diepsloot in rural areas. This is because these areas are also experiencing a high level of crime and unresolved issues such as terrible crime scenes.

However, the problem is that Matome Village has finally lost trust in the Criminal Justice System, which drive them to resort to vigilantism. They considered vigilantism as the best way of handling these situations, whereby the police officers should have intervened and played an important role of dealing with crime effectively. This is in consonance with the theoretical framework, "In particular, strain is most likely to lead to crime when individuals lack the skills and resources to cope with their strain in a legitimate manner, are low in conventional social support, are low in social control, blame their strain on others, and are disposed to crime (Agnew, 1992:47)." Based on the findings and the recommendations, communities must assist the police and courts through crime prevention partnerships, than resorting to vigilantism.

The community policing forums, the government and the community citizens at large must play a crucial role in helping the police in making their territory safe and secured. The residents of Matome Village should be the "ears" and "eyes" of the police officers to help them in preventing crime. The preventative measures are passive and reactive, thus the state apparatuses lack capacity to tackle the problem of vigilantism. It is, therefore, safe to conclude that this problem will persist into the future as long as authorities continue to be afraid of classifying vigilantism as a type of general crime.

LIST OF REFERENCES

- Abimanyi, J. K. 2009. *Mobs Delivering Justice*. Daily Monitor, Uganda.
- Abrahams, R. 2002. *Vigilant Citizens: Vigilantism and the State*. 6th ed. Cambridge: Polity Press, p. 90.
- Abrahams, R.G 2003. *Vigilant Citizens: Vigilantism and the State*. Malden, Mass: PolityPress.URL:<http://legaldictionary.thefreedictionary.com/Vigilantism>. Accessed on: 11 March 2014.
- Africa, C., Christie, J., Mattes, R., Roefs, M., & Taylor, H. 2001. *Fear in the City, Urban Terrorism in South Africa*, ISS Monograph Number 63, Pretoria.
- Agnew, R. 1985. *A Revised Strain Theory of Delinquency*. Social forces. 64(1): 151-167.URL:<http://criminology.fsu.edu/crimtheory/agnew.html>. Accessed on: 06March2014
- Agnew, R. 1992. *Foundation for General Strain Theory of Crime and Delinquency*. Criminology. 30(1): 47-87.
- Agnew, R. 1995. Testing the Leading Crime Theories: An Alternative Strategy Focusing on Motivational Processes. *Journal of Research in Crime and Delinquency*, 32(4): 363-398.
- Anderson, E. 1999. *Code of the Street*. New York: Norton.
- Anon 2006. *Stepping up the Fight against Crime*. URL: <http://www.imc.org.za/news/stepping-up.htm>. Accessed on: 02 February 2014
- Arias, E. D, & Rodrigues, C. D. 2006. *The Myth of Personal Security*. Criminal Gangs, Dispute. *Latin American Politics and Society*. 48 (4): 53-8.
- Baker, B. 2008. *Multi-Choice Policing in Africa*. Nordiska: Afrika institutet.
- Baker, B. 2002. Living with non-state policing in South Africa: the issues and dilemmas. *Journal of Modern African Studies*, 40 (1): 29-53.

- Beaulieu, M. 2007. *Rowdy cowboys and masked indigenous: Citizenship and autonomy in contemporary social movement*. Cultural and Historic futures: Themed Entertainment Association (TEA), SATE conference, held at Garmendale: UK, 12-16 May 2006.
- Beaver, T. 2008. Victims who survive are too scared to speak against the kangaroo courts. *Sunday Tribune*, 6 April: 12.
- Bénit-Gbaffou, C. 2008. Community policing and disputed norms for local social control in post-apartheid Johannesburg. *Journal of Southern African Studies*, 34 (1): 93-109.
- Bernard, T.J. 1990. Angry aggression among the 'truly disadvantaged'. *Criminology* 28:73-96.
- Bronwyn, H. 2001. A foreign experience: Violence crime and xenophobia during South Africa's transition. *Violence and Transition Series*, 5.
- Buur, L. 2008. *Fluctuating personhood: Vigilantism and citizenship in Port Elizabeth's Townships*.
- Buur, L., & Jensen, S. 2004. Vigilantism and the policing of everyday life in South Africa. *African Studies*, 139-144.
- Burns, N & Grove, S.K. 2003. *Understanding nursing research*. 3rd ed. Philadelphia: Sawnders.
- Buzan, B, Wæver, & De Wilde, J. 1998. *Security: A new framework for analysis*. London: Lynne Rienner Publishers.
- Braun, V & Clarke, V. 2006. Using thematic analysis in psychology. *Qualitative Research in Psychology*, 3 (2): 83.
- Coetzee, S. 2000. Residents make four murder suspects dead. *City Press*, 14 June: 11.
- Cohen, A. 2005. On the currency of egalitarian justice source. *Ethics*, 99 (4): 906-944.

- Crawford, A. 2012. *Special report: Mob justice in South Africa*. SkyNews. Published on 13 June 2012. (www.news.sky.com). Accessed on: 18 October 2014.
- Damba, N. 2012. *Vigilante killing in Nyanga on Day of Reconciliation*. West Cape News. Published on 17 December 2012. (www.westcapenews.com). Accessed on: 26 September 2014.
- Darley, J. M & Pittman, T. S. 2003. The psychology of compensatory and retributive justice. *Personality and Social Psychology Review*, 7(4): 324–348.
- De Vos, A.S., Strydom, H., Fouchè & Delpont, C.S.L. 2011. *Research at grass roots: for the social sciences and human services professions*. 4th ed. Hatfield Pretoria: Van Schaik.
- Dixon, B. & Johns, L. 2001. Gangs, Pagad and state: vigilantism and revenge violence in the Western Cape. *Violence and Transition Series*, 2. South Africa. Centre for the Study of Violence and Reconciliation.
- Dumsday, T. 2009. On cheering Charles Bronson: The ethics of vigilantism. *Southern Journal of Philosophy*, 47(1): 49–68.
- Eke, P.P. 2002. *A review of HRW's and CLEEN's report: the legitimization of murder and torture on state sponsored vigilante groups in Nigeria*. <http://www.africaresource.com/content/view/35/68>. Accessed on: 24 November 2015.
- Exline, J. J., Worthington, E. L., Jr., Hill, P., & McCullough, M. E. 2003. Forgiveness and justice: A research agenda for social and personality psychology. *Personality and Social Psychology Review*, 7 (4): 337–348.
- Gay, R. 2009. *From popular movements to drug gangs to militias: An anatomy of violence in Rio de Janeiro*. London: Zed Books.
- Goldstein, D. M. 2003. "In our own hands": Lynching, justice, and the law in Bolivia. *American Ethnologist*, 30(1): 22–43.
- Goldstein, D. 2004. *The spectacular city: violence and performance in Urban Bolivia*. Durham: Duke University Press.

- Goodale, M. 2009. *Dilemmas of modernity: Bolivian encounters with law and liberalism*. Stanford: Stanford University Press.
- Goredema, C. 2005. Organised crime and terrorism: Observations from Southern Africa. *ISS Paper 101*. Institute for Security Studies. Pretoria: Brooklyn Square.
- Harris, B. 2001. As for violent crime that's our daily bread: Vigilante violence during SA's period of transition. *ISS Monographs*. 1:1-89.
- Hoffman, M. L. 1990. Empathy and justice motivation. *Motivation and Emotion*, 14(2): 151–172.
- Huggins, M. 2000. Urban violence and police privatization in Brazil: Blended invisibility. *Social Justice*, 27 (2): 113-135.
- Hund, J. 2004. *Formal justice and township justice, in law and justice in South Africa*. Cape Town: Centre for Intergroup Studies.
- Jeffery A. 2013. *The rainbow index 2011-2012*. South African Institute of Race Relations. Johannesburg. South Africa.
- Johnson, D. 2009. Anger about crime and support for punitive criminal justice policies. *Punishment and Society*, 11(1): 51–66.
- Johnston, L. 1996. What is vigilantism? *British Journal of Criminology*, 36(2): 220–236.
- Joseph, J. M., & Tedeschi, J. T. 1983. Perceived responsibility and the least of evils principle. *Law and Human Behavior*, 7(1): 51–58.
- Joubert, R. 2012. 13 In court for murder. *Act of 'Mob Justice'*. *Caxton Newspaper*. 11 May: 7.
- Kanaabi, M. 2004. *An assessment of the factors responsible for mob justice in the management of public affairs in Kampala District*. Kampala: Makerere University.
- Kasozi, A.B.K. 2009. *The social origins of violence in Uganda*. Kampala: Fountain Publishers Ltd.

- Kempa, M. & Shearing C. 2002. *Microscopic and macroscopic responses to inequalities in the governance of security: respective experiments in South Africa and Northern Ireland*. Transformation 49 (2002) ISSN 0258-7696. University of KwaZulu-Natal.
- Khupiso, V. 2010. Return of the lash and the necklacing. *Sunday Times*, 23 July: 10
- Khupiso, V. 2010. We killed 'killers', protests crowd. *Sunday Times*, 23 July: 10.
- Khupiso, V & Hennop, J. 2008. Murder accused beg to stay in jail after necklace killing. *Sunday Times*, 4 July: 10.
- Khuzwayo, W. (2000). Return of the Kangaroo court. *Weekly Mail & Guardian*: 16- 22.
- Makoe, T & Masipa, M. 2005. Vigilante bring out the dreaded 'necklace'. *The Star*, 25 February: 15-17.
- Masiloane, D.T. 2004. *Community participation in the Criminal Justice System*. Pretoria: Unisa.
- Masuku, S. 2001. Policing the police: SAPS members charged and convicted of crime. *Nedbank ISS Crime Index*, 5(2).
- Minnaar, A. 2001. The new vigilantism in the post-1994 South Africa: crime prevention or an expression of lawlessness. *Institute for Human Rights and Criminal Justice Studies*. Pretoria: Technikon SA.
- Minnaar, A. 2003. Vigilante killings are symptoms of breakdown. *Sunday Times*. 08 June, 9.
- Morrisson, C & Conradie, H. 2006. *Community and policing in Vaalrand*. <http://www.unisa.ac.za/dept/Krim/crisaachieve/volume2/cher.html>. Accessed on: 24 April 2014.
- Mtika, G. 2011. *Horror of mob murder*. City Press. Published 11 June 2011. (www.citypress.co.za)

- Mugagga, H & Gyezaho, E. 2009. Kangaroo court executes suspected bike thief. *Daily Monitor newspaper*. <http://www.monitor.co.ug/News/National/-/688334/822820/-/wg2qll/-/index.html>. Accessed on: 19 May 2016.
- Nabende, B. 2010. The tolerance our ancestors exhibited is no more today. *The New Vision newspaper*. <http://www.newvision.co.ug/D/8/20/706799>. Accessed on: 13 April 2016.
- Nagoor, C. 1997. People take the law into their hands. *Daily News*, 18 March: 14.
- Nalukenge, H.A.2001. *The right to life – A case study of the mob justice “system” in Uganda*. Kampala Makerere: University.
- Nina, D. 2000. Dirty Harry is back: vigilantism in South Africa – the (re)emergence of 'good' and 'bad' community. *African Security Review*, Vol. 9, No. 1.
- Pelser, E. 2001. Going through the motions: community police forums, eight years on. *Nedbank ISS Crime Index*, 5 (5).
- Pelser, E., & Louw, A. 2002a. *Department of Safety and Security Community Policing Policy Framework and Guidelines*.
- Pelser, E & Louw. A. 2002b. Evaluating community safety forums. *ISS Crime Prevention Partnerships, Lessons From Practice*. Institute for Security Studies: South Africa, 103-112.
- Pelser, E., Rauch, J., & Henkeman, S. 2001. Safety, security and access to justice, discussion document. *DFID Review*, 31 March: Pretoria Press.
- Penglase, B. 2005. The shutdown of Rio de Janeiro: The poetics of drug trafficker violence. *Anthropology Today*, 21 (5): 3-6.
- Pratten, D. 2008. *The politics of protection: Perspectives on vigilantism in Nigeria*. Africa 78 (1): 8.
- Ramoroko, M. 2012. Mob justice claims young man's life. *Caxton Newspaper*, 28 July: 9.

- Rasool, S. 2000. Sexual offences courts: Do more courts mean better justice? *Nedbank ISS Crime Index*, 4 (2).
- Redpath, J. 2002. *SAPS Head office management services*. 'Leaner and meaner'? Restructuring the detective service. *Forthcoming ISS Monograph*, 2002.
- Reuters. 2013. Vigilante groups kills 5 in South Africa. *The New York Times*. 12 September: 13.
- Roberts, J. 2007. Public confidence in criminal justice in Canada: a comparative and contextual analysis. *Canadian Journal of Criminology and Criminal Justice* 49: 153-184.
- Robin, G. 2010. *Mob justice: A qualitative research regarding vigilante activities in modern Uganda*. University of Gothenburg.
- Rumford, C. 2008. Social policy beyond fear: The globalization of strangeness, the war on terror', and 'spaces of wonder'. *Social Policy and Administration*, 42 (6): 630-644.
- Schonteich, M. 1999. A thin blue line: Police resources in the provinces. *Nedbank ISS Crime Index*, 4 (2): 2000.
- Schonteich, M. 2000. Legislation against terrorism: Tough anti-terrorism law proposed. *Nedbank ISS Crime Index*, 5 (4).
- Schonteich, M. 2001. *Deadly poison for criminals: The scorpions take form*. *Nedbank ISS Crime Index*, 4 (5).
- Schonteich, M & Louw, A. 2001. Crime in South Africa: A country and cities profile. *ISS Paper*, 49, April.
- Scott, E. S., Repucci, N. D., Antonishak, J., & DeGennaro, J. T. 2006. Public attitudes about the culpability and punishment of young offenders. *Behavioral Sciences and the Law*, 24(6): 815–832.
- Seekings, J. 2007. The revival of people's courts, informal justice in transitional South Africa. *South African Review*, 16 (1992): 187.

- Sekhonyane, M. 2000. Using crime to fight crime? Tracking vigilante activity. *ISS Crime Index*. 4 (4).
- Skitka, L. J., & Houston, D. A. 2001. When due process is of no consequence: moral mandates and presumed defendant guilt or innocence. *Social Justice Research*, 14(3): 305–326.
- South Africa. 1999. Community dispute resolution structure. *Discussion paper 87, Project 94*. Pretoria: Government Printers.
- South Africa. 1998. *National Prosecuting Authority Act No 32 of 1998*. Pretoria: Government Printers.
- South Africa. 2010. *Research management*. Michigan: Industrial Research Institute.
- South Africa. 2000. South African law commission annual report. *Empirical Study of Sentencing Practices Research Paper 17*. Pretoria: Government Printers.
- South Africa. 2000. *South African Police Services annual report*. Pretoria: Government Printers.
- Stylianou, S. 2003. Measuring crime seriousness perceptions: What have we learned and what else do we want to know. *Journal of Criminal Justice*, 31: 37–56.
- Ssekate, V. 2009). *Mob justice has no place or space in the 21st Century*. Daily Monitor: Uganda.
- Tabrizi, S. 2010. Cause and effect of vigilante justice: The Sialkot lynching tragedy. *Social Justice Research*, 15 (7): 265-302.
- Timeslive. 2012. *Safety MEC to visit Diepsloot after mob kills three*. Sapa. Published 27 January 2011. (www.timeslive.co.za).
- Turner, R. J. & Wheaton, B. 1995. Checklist measurement of stressful life events. In *Measuring Stress*, edited by Sheldon Cohen, Ronald C. Kessler, and Lynn Underwood Gordon. New York: Oxford University Press.

- Tyler, T. R., & Smith, H. J. 1997. Social justice and social movements. In D. Gilbert, S. Fiske, & G. Lindsay (Eds.), *Handbook of social psychology*. 4th ed. New York: McGraw-Hill: 37-41.
- Unnever, J. D., & Cullen, F. T. 2009. Empathetic identification and punitiveness. *Theoretical Criminology*, 13(3): 283–312.
- Vernon, K. & Bowyer, J. 2002. Five thugs and a shotgun vigilante. *Sunday Times*, 17 September: 11.
- Wacquant, L. 2008. The militarization of urban marginality: lessons from the Brazilian Metropolis. *International Political Sociology*. (2): 56-74.
- Waka-zamisa, T.L 2009. *The violence of mob justice*. Princeton University Press: New Jersey.
- Warr, M. 1989. What is the perceived seriousness of crimes? *Criminology*, 27(4): 795–821.
- Yoroms, G. J. 2005. Militias as a social phenomenon: Towards a theoretical construction. In: Francis, David (ed.) 2005. *Civil Militia: Africa's Intractable Security Menace*. Aldershot: Ashgate, 40.
- Zimring, F. E. 2003. *The contradictions of American capital punishment*. Oxford: Oxford University Press.

ANNEXURE 1

LETTER OF CONSENT

My name is Maele Kgothatso, a student at the University of Limpopo, Turfloop campus. I am proposing to conduct a research project entitled “Community perception on vigilantism in Matome village, Zebediela Area in Limpopo Province”.

Your participation in an interview will be done on a voluntary basis and no one will be forced to take part. You are more than welcome to withdraw from this research whenever you feel like. Your names and surname will not be reflected in this questionnaire. Your anonymity will be protected.

Please be informed that information provided in this questionnaire as response will remain confidential and there is no information provided will be used to identify you.

Please follow the instructions very careful before you cross (x) or answer the question.

Signature of participant

Date

.....

.....

Thank you in advance for your time and cooperation.

ANNEXURE 1: QUESTIONNAIRE

SECTION A: DEMOGRAPHIC INFORMATION

INSTRUCTION

Please indicate your answer by placing a cross(x) in the appropriate space.

1. Gender

Male	1
Female	2

2. Age

18-25	1
26-33	2
34-41	3
42-49	4
50 and above	5

3. Marital status

Single	1
Married	2
Never married	3
Divorced	4
Widow/ widower	5

4. Educational level

Never went to school	1
Primary	2
Secondary	3
Tertiary	4

5. Employment status

Unemployed	1
Employed	2
Self-employed	3

SECTION B: COMMUNITY'S AWARENESS ON VIGILANTISM

Please indicate with cross(x) next to the appropriate answer and read the question clearly before answering.

6. What is vigilantism according to your understanding?

Taking the law into one's own hands	1
A way of dealing with crime	2

Other
specify.....
.....
.....

7. How personally are you interested in vigilantism?

Very interested	1
Fairly interested	2
Somewhat interested	3
Not very interested	4
Not at all interested	5
Can't choose	6

8. Do you think taking the law into one's own hands is an appropriate way of dealing with crime?

YES	NO
1	2

If yes, briefly explain
why.....

.....
.....
If no, which measures do you think can be taken to prevent
vigilantism?.....
.....

SECTION C: COMMUNITY'S PERCEPTION AND EXPERIENCE ON VIGILATISM

9. Have you ever been involved in vigilantism?

Yes	No
1	2

If yes, which actions are normally taken during the incident?

Stoning	1
Burning	2
Hanging	3

Other

specify.....
.....

10. According to your knowledge how many times did vigilantism occurred in your area?

Once	1
Twice	2
Thrice	3
Very often	4

11. What are the consequences of
vigilantism?.....
.....

Please indicate your degree of agreement by placing a cross(x) in the box next to option that best fit you to each question.

KEY:

SA- STRONGLY AGREE

A- AGREE

N- NEUTRAL

DA-DISAGREE

SD-STRONGLY DISAGREE

12. Which are the following factors you think contributed to vigilante acts in the community?

Factors	SA	A	N	DA	SD
Sense of fear/worry/desperation					
Desire for revenge(anger or frustration)					
Lack of trust in criminal justice system (CJS)					
Poor police response/poor police service delivery					
Being a victim of crime					
As a way of protection					

13.

Statements	SA	A	N	DA	SD
Taking the law into one's own hands is unlawful.					
Crime rate decrease when the culprit is killed.					
The activities of vigilante group are good (Behaviour).					

THE END!!!

SEMAMARETŠWA SA 1

LENGWALO LA TUMELELO

Leina laka ke Maele Kgothatso moithuti Yunibesithi ya Limpopo, khamphaseng ya Turfloop, ke nyakišiša ka: Kwišišo ya setšhaba tabeng go etšeela molao matsogong nageng ya Matome kua Zebediela ka profenseng ya Limpopo.

Fahlologelang gore go kgathatema ga lena mo thutong ye ke ka boithaopo (boikgethelo), le gore le na le maloka a go ikogela morago neng goba neng ge le nyaka. Maina a lena aka se tswalanywe le go tšweletšwa mo letlakaleng la dipotšišo.

Hle fahlologelwang gore dikarabo tša lena etla dula ele sephiri, le gore leka se tswalanye le dikarabo tše di filwego.

Ka kgopelo latela ditaello ka hlokomelo pele o araba dipotšišo, goba go laetša karabo ka leswao le (x).

Mosaeno wa motšeakarolo/mokgathatema

Letšatšikgwedi

.....

.....

Ke leboga nako le tšhomišano ya lena.

SEMAMARETŠWA 2: DIPOTŠIŠO

KAROLO A: DITSEBIŠO KA MONG

DITAELO

Bontšha karabo yagago ka leswao le (X) kgauswi le karabo ya maleba.

1. Bong

Monna	1
Mosadi	2

2. Mengwaga

18-25	1
26-33	2
34-41	3
42-49	4
50 le go feta	5

3. Boemo bja lenyalo

Nnoši	1
Nyetšwe/ Nyetše	2
Asanka ka nyala/ nyalwa	3
Ke hladile\hladilwe	4
Mohlolo/ mohlologadi	5

4. Maemo a tša thuto

Asanka ka tsena sekolo	1
Primary (dithuto tša fase)	2
Sekontari	3
Tertiary (dithuto tša godimo)	4

5. Boemo bja mošomo

Ga ke bereki	1
Ke a bereka	2
Ke a epereka	3

KAROLO B: KWIŠIŠO YA SETŠHABA KA GO ETŠEELA MOLAO MATSOGONG

Hle, laetša dikarabo tšagago ka leswao le (X), o bale dipotšišo ka kwešišo pele o araba.

6. O kwešiša eng ka go etšeela molao matsogong?

Go etšeela molao matsogong	1
Tsela ya go fokotša bosenyi	2

Tše dingwe,
laetša.....

.....
.....

7. O na le kgahlego ye kaaakang go go etseela molao matsogong?

Kgahlego ye ntšhi kudu	1
Kgahlego ye ntšhi	2
Kgahlego ya go lekanela	3
Gakena kgahlego kudu	4
Gakena kgahlego le gatee	5
Nkase kgoni go kgetha	6

8. Naa o akanya gore go etšeela molao matsogong ke tsela ya maleba ya go lwantšha bosenyi ?

Ee	Aowa
1	2

Ge o dumela, ka bokopana fahlela ka lebaka

.....
.....
.....

Ge osa dumeli, hlalosa gore ke mekgwa efe yeo eka šomišwago go efoga go etšeela molao matsogong?.....
.....

KAROLO C: KWIŠIŠO LE MAITEMOGELO A SETŠHABA KA GO ETŠEELA MOLAO MATSOOGONG

9. O ile wa tšea karolo ge go etšeelwa molao matsogong?

Ee	Aowa
1	2

Ge o dumela, gantšhi go dirwago ge go etšeelwa molao matsogong?

Go kgatla ka maswika	1
Go fisha	2
Go kgama motho	3

Tše dingwe,
laetša.....
.....

10. Go ya ka tsebo yagago, naa go etšeela molao matsogong go diregile gaka mo setšhabeng goba nageng ya geno?

Gatee	1
Gabedi	2
Gararo	3
Gantšhi	4

11. Naa ditlamorago tša go etšeela molao matsogong ke dife?.....
.....

Ka kgopelo laetša tumelo ya gago ka go kgetha karabo ya maleba gomme o bea leswao le (X), lepokisaneng la kgauswi le karabo ya gago.

KHII:

DM- DUMELA KA MAATLA

D- DUMELA

M- MAGARENG

G- GANA

GM- GANA KA MAATLA

12. Ke dithlotlo dife tšeo o nagang gore di hlohloletša setšhaba gore se etšeele molao matsogong?

Dithlodi	DM	D	M	G	GM
Mokgwa wa letšhogo/go tshwenyega/tlalelo					
Tumo ya go itefeletša(go ferekana/befelwa/ kgakanego)					
Go hloka tshepho go ba molao (CJS)					
Bofokodi ba sephodisa go tša tšhoganetšo/Bofokodi ba ditirelo tša sephodisa					
Goba motšwasethlabelo					
Bjalo ka mokgwa wa go itšhireletša					

13.

Disetatemente	DM	D	M	G	GM
Go etšeele molao matsogong ga go molaong.					
Palo ya bosenyi e a fokotšega ge mosenyi/mong molato a bolailwe.					
Ditirwa tšeo di dirwago ge go etšeelwa molao matsogong di lokile. (maitshwaro)					

BOFELO!!!