VIGILANTISM AND INFORMAL SOCIAL CONTROL IN SOUTH AFRICA

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ABSTRACT
South African vigilante organisations offer a unique perspective of non-state, informal community policing. Over the past 25 years, the incidences of private citizens banding together to dispense their own “street justice” have proliferated, particularly in areas suffering from high crime and socio-economic disadvantage. Many vigilantes operate with significant community support and while vigilantism offers the promise of security to millions of South Africans left unprotected by the public police or by private security companies, a more sinister side to the vigilante phenomenon has emerged. Reports detailing systematic class and generational persecution, accompanied by consistent and brutal human rights violations, have tarnished the image of these often proudly patriarchal “autonomous citizens”. By drawing on theories of nodal governance, this article explores how the young, the poor, women and the socially marginalised have proven especially vulnerable to vigilante violence, and the ways in which vigilantism reproduces a domineering, highly conservative and patriarchal mode of social control.

INTRODUCTION
Since South Africa’s political transition from apartheid to representative democracy in 1994, its citizens have struggled to cope with a crime rate that is regularly touted as one of the most severe in the world (Altbeker, 2009; Shanafelt, 2006). Disturbingly high levels of violent crime, in particular murder, rape and robbery, pose a significant threat to communities across the whole spectrum of society. While affluent South Africans have sheltered increasingly behind sophisticated, multi-layered walls of private security (in the process creating one of the largest private security industries in the world (Abrahamsen & Williams, 2007a; Singh, 2009), poor communities have been left largely to fend for themselves. In various townships and informal settlements, vigilantism has come to play a central role in combating crime. However, vigilantism as a crime-fighting tool can become problematic, as concerned and motivated citizens struggle to maintain a balance between achieving order and public safety and descending into overly punitive, reactionary mob tyranny. Without legislated operating procedures, lines of accountability, or even a clearly defined list of “laws” or “crimes” to be policed, the functions of vigilante organisations may be haphazard, and are influenced by a fluctuating range of community concerns and fears, including xenophobia, “moral deviancy”, and the “occult” (Buur & Jensen, 2004; Harris, 2001a; Neocosmos, 2008).

Before progressing into detailed analysis, it is important to note the limitations and historical contestation of the primary terms under consideration, most particularly, “vigilantism” and “community”. In South Africa, vigilantism has been the subject of significant recent debate (Buur, 2008a; Martin, 2009; Monaghan, 2008; Singh, 2008; Swanepoel & Duvenhage, 2007) and despite long-standing differences in vernacular
usage and scholarly interpretation, it remains a valuable conceptual tool in the fields of both sociology and criminology. Scholars have on occasion expressed concern regarding a perception of ill definition or conceptual ambiguity (Abrahams, 1998; Johnston, 1996; Knox & Monaghan, 2002). This article will attempt to clarify these issues by providing a concise conceptual exploration of vigilantism, including a critique of existing seminal definitions. By drawing on theories of nodal governance, the researcher will address the increasing relevance of the term in this neo-liberal era of expanding, non-state forms of policing.

Terms such as “community” and “community values” are also exceptional and potentially misleading, as they imply homogeneity of attitudes across a range of often-disparate social groups. While the idea of a purely homogeneous society with clearly defined, uncontested norms is undoubtedly fiction, the concept of community is indispensable to the practice of vigilantism. The power of vigilantes stems from their ability to forcefully articulate and impose a vision of community consensus within their limited spheres of socio-economic and geographical influence; the phenomenon is particularly evident in the South African context, where Buur and Jensen (2004) have linked the practice of vigilantism with the creation of “moral communities”. This conceptual linkage determines that the “everyday violence” committed by vigilantes provides a readily understood (if not universally welcomed) semiotic boundary between accepted behaviour practiced within neo-traditional/moral norms and conduct that is de-legitimised, immoral, or even, quite literally in cases of suspected witchcraft, demonised.

In poor South African communities, vigilantism commonly entrenches the values associated with a traditional and strongly patriarchal system where the needs and values of women are subordinate to those of men, and the needs and values of the youth are subordinate to those of their elders (Buur, 2008a; Buur & Jensen, 2004; Oomen, 2004). The conflicting value systems of these different groups ensure that inter-gender as well as inter-generational strife are common features of life in South Africa’s townships and informal settlements. These intra-communal tensions mean that vigilantism and the consensual identification of community values are processes far more complex and contested than one may initially suppose. Rather than embodying a broad social consensus, vigilantism provides an opportunity for the most powerful and articulate within a community to project own values at the expense of others.

The wider impacts associated with vigilantism have important implications for the aspirations of the poor and most vulnerable in their efforts to achieve social justice. While vigilantism does seemingly provide an avenue for addressing conflict when other more formal alternatives (for instance, those offered by state policing agencies) are unavailable, the reality is not so clearly manifested. The vulnerability of poor and marginalised groups - in particular young men, women and foreigners - to abuse at the hands of vigilantes, has developed into a highly troubling and systematically reproduced trend. While arguments can be made that wealthier communities, better serviced by police and private security, are also affected by vigilantism, the focus of this research concerns how this form of crime control impacts upon indigent communities, where it is the primary or only functional response to crime.
This article will first offer a brief conceptualisation of vigilantism and explore the different policing “nodes” available to South Africans. More detailed questions will then be addressed, including why the victimisation of vulnerable groups occurs in communities where vigilantes operate, and how vigilantism reproduces traditional, patriarchal modes of social control.

CONCEPTUALISING VIGILANTISM

Vigilantism is a term that resists easy definition. Despite widespread popular representation, particularly in Hollywood films, vigilantes have not been the regular objects of academic enquiry up until the last decade or so. As Les Johnston (1996), in one of the earliest scholarly attempts to define the term, notes: “the problem is that everyone has an opinion on what vigilantism is, but no one has taken the trouble to define it” (p. 220). Scholars remain divided as to its constitutive features, and the inclusion or exclusion of particular elements cannot be taken for granted. That is not to say there are no common threads or points of agreement; indeed, definitions invariably fall under the vague rubric of “taking the law into one’s own hands”. This section will explore the challenges and complexities associated with conceptualising vigilantism, and attempt to formulate a useful, working definition for use both throughout the remainder of this article, and for general consideration.

An appropriate starting point and one that is commonly cited within the relevant literature is expressed in Johnston’s (1996) often cited article, ‘What is Vigilantism?’ According to Johnston’s (1996) six-point classification, vigilantism necessarily consists of the following elements:

(i) It involves planning and premeditation by those engaging in it;
(ii) Its participants are private citizens whose engagement is voluntary;
(iii) It is a form of “autonomous citizenship” and as such constitutes a social movement;
(iv) It uses or threatens the use of force;
(v) It arises when an established order is under threat from the transgression, the potential transgression, or the imputed transgression of institutionalised norms; and
(vi) It aims to control crime and other social infractions by offering assurances (or “guarantees”) of security both to participants and to others.

This schema is useful on a number of points. Firstly, it “fleshes out” and conceptualises vigilantism as a reactive “social movement”. This places vigilantism firmly in the context of its host community, and suggests at least an undercurrent of grassroots appeal, participation, or public support towards vigilante activity. As members of a “social movement”, vigilantes lay claim to represent latent, unacknowledged and non-legitimated strains of public sentiment. These “autonomous citizens” may then present their actions as embodying the unrestrained will of the community. One convenient South African example of this phenomenon may be found in People Against Gangsterism and Drug’s (PAGAD) “ultimatum marches” of the late 1990’s whereby local drug dealers were warned to cease their illicit activities or “face the mandate of the people” (Baker, 2002, p. 36; Knox & Monaghan, 2002).
Secondly, Johnston (1996) consciously broadens the scope of vigilante concern well beyond the criminal (as defined by the state), to those who challenge “established order” by transgressing, or threatening to transgress, “institutionalised norms”. “Institutionalised norms” is a conspicuously broad term and may refer to any number of formal or informal established beliefs, morals, taboos, sexual practices, behavioural standards, or, indeed, practically any other entrenched aspect of the status quo. Thus, not only state-defined criminals, but also those who deviate from these broadly defined norms may become the “legitimate” targets of vigilante attention. This link between vigilantism and deviant behaviour is made explicit by Johnston (1996) who claims: “vigilantism is, in other words, a reaction to real or perceived deviance” (p. 229).

Despite Johnston’s (1996) own apprehension about the dangers of over-inclusiveness, or “encompassing too much and explaining too little” (Johnston, 1996, p. 229), the “institutionalised norms” criterion is a logical and well considered one, and offers a way of encompassing the wide and often disparate range of issues that motivate contemporary vigilantism. Johnston (1996) does not directly address the issue of who exactly is empowered to define deviance, but nonetheless provides a unifying criterion for defining those behaviours capable of generating vigilante concern. Thus, groups as diverse as the United States’ “Minuteman Project”, the Nigerian religious fanatics of *yan hisba*, and the Irish Republican Army “punishment squads” may all coherently be placed within the same theoretical mode of classification (these organisations being concerned with deviance from racial/demographic, neo-traditional/Islamic and ethno-religious norms respectively) (Casey, 2008; Chavez, 2008; Knox & Monaghan, 2002).

Sensitivity to deviance from “institutionalised norms” also serves to distinguish vigilantism from other forms of violent criminal enterprise by infusing those who practice it with a conscious sense of justice or moral order. While Johnston does not acknowledge the central paradox of vigilantism (i.e. that vigilantes themselves are, from a legal perspective, also “deviants”), he does suggest that vigilante violence is of a different “flavour” than violence committed by other criminals. Criterion (vi) confirms this perspective, asserting that the aim of vigilantism is to offer assurances of collective security. Vigilantes become, in the words of Burrows (1976), the purveyors of “morally sanctimonious violence” (p. xv), wielded in the name of community safety, and as such are qualitatively different from other criminal groups that employ violence for less idealistic purposes. The strong moral and law-and-order emphasis of vigilante movements also implicitly links vigilantism to political conservatism (Oomen, 1999; Oomen, 2004).

Other aspects of Johnston’s (1996) six-point criteria are more problematic. His stipulation that vigilantism necessarily involves planning or premeditation, does not adequately accommodate instances of “spontaneous vigilantism” such as lynching. These spontaneous events, sometimes referred to as “popular” or “mob justice”, often involve no planning or premeditation, and are a widespread phenomenon in South Africa and elsewhere (Bruce & Komane, 1999; Godoy, 2006; Knox & Monaghan, 2002). Johnston (1996) recognises this limitation, but rather than refining or removing the criterion, persists with a brief justification:
Even in cases of so-called “spontaneous vigilantism”… it has been noted that specific social conditions (e.g. living in a homogenous community or lacking faith in the justice system) predispose participants to engage in direct action. In that respect, even “spontaneous vigilantism” involves predisposition and premeditation (p. 222).

Here, Johnston (1996) appears to be blurring the boundaries between situational predisposition and the process of premeditation. This obfuscation subverts the meaning of premeditation from an act of conscious deliberation to an endemic, socially conditioned reflex. While vigilantes may well be predisposed to acts of collective violence, this willingness to engage in “direct action” (as in cases of spontaneous lynching) is of qualitatively different nature from the active planning or premeditation associated with informal or “kangaroo” courts.

Finally, criterion (iii), that vigilantism “uses or threatens the use of force” poses another, different problem for consideration. The element of force is a seemingly straightforward, uncontroversial and undisputed aspect of vigilantism. However, Johnston (1996) asserts that the “use or threat of use of force” should also incorporate force employed for solely defensive purposes. He argues that groups such as the Guardian Angels, the New York based, volunteer safety-patrolling organisation, should be viewed as vigilante because “their operational philosophy permits such [defensive] engagement” (p. 228). This, as Jarman (2008) notes, is problematic, as the behaviour of other groups or individuals concerned with “institutionalised norms”, but not intending to realise their objectives through the active threat or use of violence, “would [then ] probably [also] have to be classified as vigilantism” (p. 323). As Johnston (1996) interprets “threat” in its broadest and most passive sense, he undermines the usefulness of the term in distinguishing the intent behind the near-universal capacity for violence.

This criterion ultimately points to a fault-line between two fundamentally different schools of thought regarding the nature of vigilantism: one that believes it may work harmoniously with and within the state, and one that sees this relationship as inherently contradictory or antagonistic. Johnston (1996) fits firmly into the former category due to his belief that vigilante groups need not actively pursue violent objectives, thereby avoiding conflict with a state jealous of its monopoly on the use of force. This perspective, seemingly in the minority amongst South African scholars, may be contrasted with that of Harris (2001a), who asserts: “violence, especially in an extreme form of corporal punishment, is an integral feature of vigilante methodology” (p. 4). Jarman (2008) echoes this view, noting that the implications of vigilante violence inevitably bring these groups into conflict with the state; and that “vigilante activity may not challenge the state in the sense that revolutionary groups do, but it does undermine the authority of the state” (p. 323).

One’s conceptualisation of vigilantism will unavoidably be framed by the context in which empirical data is drawn. Johnston’s (1996) universal definition of vigilantism is informed and implicitly restricted by the relatively limited experience of vigilantism inside the United Kingdom during the mid-1990s. Consequently, he characterises vigilantism as neither explicitly illegal nor unavoidably violent. South African scholars by contrast tend to view punitive violence as integral to vigilante methodology (Buur, 2005; Harris, 2001a; Knox & Monaghan, 2002), because it is the
most visible and consistent feature of vigilantism in that country. These disparities do not necessarily suggest irreconcilable points of view or even incomparability between subjects; rather, they highlight both the importance of viewing social phenomena from a localised perspective, as well as the dangers inherent in taxonomic abstraction.

Abrahams (1996; 1998), author of the seminal text *Vigilant Citizens: Vigilantism and the State* (1998), illustrates the risks associated with an overly rigid taxonomic approach to defining vigilantism. Abrahams (1998) suggests adopting a Weberian approach that involves defining “ideal or pure types… that provide a measure rather than a simple picture of reality” (p. 423). Formulating an ideal, archetypal definition means in other words constructing a “perfect” example of vigilantism with which one may compare (inevitably) less ideal, real-life examples. The point Abrahams (1998) notes “is that we need not necessarily be too worried or surprised” (p. 423) about behaviours matching the ideal type. Constructing a “perfect” example provides conceptual clarity while also providing a useful comparative tool unaffected by the “messiness” of real-life empirical observation.

Bearing these complexities in mind, and noting this article’s focus on the South African “brand” of vigilantism, the following excerpt is taken from Harris’ (2001) analysis of vigilantism in contemporary South Africa. As co-editor of the *Violence in Transition* (2001) series, one of the largest examinations of South African vigilantism to date, Harris (2001a) notes that:

Vigilante methods across the two-decade period have remained fairly stable and ... they generally share the following qualities:

- They are public in nature;
- Violence, or the threat of violence, is pervasive;
- They serve a warning as well as punishing function;
- They generate fear and control through repression; and
- They are premised on a model of instant, retributive justice (p. 3).

These five general attributes paint a picture of vigilantism that is detailed, yet sufficiently broad to encompass a suitably wide range of activities and group behaviours. From this set of qualities, we can determine an appropriate “ideal type” Weberian definition for use throughout the remainder of this article:

*Vigilantism is the public threat, or actual use of violence, intended to serve a warning and punishing function, generating fear and control through repression, and is premised on a model of instant, retributive justice that is unsanctioned by the state.*

**“POLICING OPTIONS” AND NODAL GOVERNANCE**

With the rise of neo-liberalism and the corresponding outsourcing of government services since the late 20th century, the state’s long-perceived monopoly on policing and security provision has significantly diminished. At the same time, with the advent of “mass private property” and gated communities, the public’s appetite for novel security alternatives has grown and powerful private security corporations have emerged as the scions of a new era in non-state policing (Kempa, Stenning & Wood, 2004; Singh, 2008). While traditional state police and their formal, specialised
associates (such as the FBI, DEA, etc.) may still seem the public’s primary guardians, the massive growth of the private security industry suggests that contact with non-state police is likely to be more extensive; the security guard at the bank or shopping mall, bouncers outside a popular nightspot, even CCTV operators monitoring businesses or public spaces, are all likely to be employed, not by the state, but by the private sector. The trend from public towards private policing represents a landmark shift in community regulation, and nowhere has this “pluralisation” of policing services been more extensive than in the cities and townships of South Africa.

A useful way of conceptualising the many actors involved with policing and security provision in South Africa (and indeed many other countries) is through the paradigm of nodal governance. Nodal governance theory recognises that policing and other government services are provided by various, often non-state entities – “governing nodes” – that operate with varying degrees of legality, legitimacy and accountability to the state. “Within a nodal conception of governance”, explain Shearing and Wood (2003), “no set of nodes is given conceptual priority” (p. 404). Whether state or non-state, private or community-based, the focus from a nodal governance perspective centres on the diversity of service-providing entities and how they relate to each other in an ever-shifting and dynamic environment. In South Africa, policing nodes compete, cooperate and ebb and flow across the socio-temporal landscape, and manifest across an exceptionally varied range of organisations.

PRIVATE SECURITY AND THE SOUTH AFRICAN POLICE SERVICE

The policing landscape in South Africa as described by Abrahamsen and Williams (2007a) is one of increasing commodification and market supremacy – an ultimate example and triumph of neo-liberal ideology and consumer choice. In this policing “marketplace”, private security firms rule supreme and together constitute a truly colossal industry, offering a smorgasbord of consumer policing options for those wealthy enough to afford them (Abrahamsen & Williams, 2007b; Baker, 2002; Knox & Monaghan, 2002; Singh, 2008). These range from alarm-triggered armed response teams to platoons of mercenaries trained to recapture residential buildings “hijacked” by criminal gangs. Fortified compounds and gated residential communities (often complete with electrified fences and guard posts) are a popular choice for the upper and middle classes. In affluent communities, private patrol cars are a constant presence, accompanied by security guards keeping a watchful eye on both the streets and the fenced perimeter. Private security firms not only patrol but even respond to emergency calls from clients who know better than to depend on dismal South African Police Service (SAPS) response times (Baker, 2002). Security firms also liaise with SAPS personnel on behalf of their clients, thereby forming a buffer between the citizen and the state, and the citizen and the “undesirable” or criminal. For those with the financial resources, these “hired guns” are considered the best and most reliable policing option.

The many and varied functions performed by contemporary South African security firms confirm that state police no longer enjoy sole responsibility for many of the activities we may have traditionally associated with them, such as emergency response and security patrols. However, the premium services of the private security industry are not available to all. For those communities with less purchasing power, options are significantly more limited. The official and most obvious policing
alternative for those unable to afford private security is with the public SAPS. This, however, is not a popular choice amongst many South Africans. While policing agencies around the world are often perceived unfavourably in areas of social disadvantage (Anderson, 1999; Baumer, 2002), the unique historical context of policing in South Africa has amplified anti-police sentiment amongst many of the country’s economically most disadvantaged. Public antagonism towards the SAPS, especially in neglected townships and informal settlements can at least be partly explained by the historical role the organisation played as the primary instrument of implementation for the iniquitous and divisive apartheid regime.

During the apartheid years (1948 to 1994), the predecessor to the SAPS (now called the South African Police Force, or SAPF), the South African Police, was tasked with enforcing the racially discriminatory policies of the central government, as well as maintaining public order across the country. In practice, this meant not only upholding apartheid laws (such the infamous and much-hated pass laws that restricted the movement of non-whites) but also confronting and suppressing riots and other forms of political opposition. The police massacres at Sharpeville in 1960 and in Soweto in 1976 awakened the international community to the grim reality with which non-whites in South Africa had lived for decades, namely that the South African Police was no conventional police force, but rather a paramilitary organisation that existed largely for the benefit and protection of a racially “pure” minority (Van der Spuy, 1990). Those who resisted the dictates of the apartheid government and its police enforcers ran the risk of beatings, torture and, in many cases, death (Hansson & Fine, 1990; Stelyer, 1990). This shameful historical legacy is one of the many liabilities bequeathed to the contemporary SAPS by its apartheid-era counterpart.

Restoring the public legitimacy and image of the police, tarnished by nearly fifty years of brutality, racism and murder, has been one of the major goals for the SAPS leadership since the national transition to democracy in 1994 (Altbeker, 2009). However, despite 16 years of African National Congress (ANC) rule and significant organisational restructuring (including comprehensive affirmative action for black police officers), public confidence in the SAPS remains at stubbornly low levels (Minnaar, 2002). The ongoing dearth of public faith suggests that perceptions of the SAPS are now predicated on more than its apartheid-era legacy and past issues of racial exclusion. Indeed, recent research suggests that contemporary ambivalence towards the SAPS is linked to widespread public perceptions of incompetence (Altbeker, 2009; Lee & Seekings, 2002; Minnaar, 2002; Rauch, 2000). Consistent, widely publicised allegations of police brutality and corruption further undermine the image and efficacy of the SAPS (Bruce, 2002; Minnaar & Mistry, 2004).

One factor which may help explain the poor public perception and performance of the SAPS is the relatively limited experience the organisation has with traditional, non-militarised modes of policing. Altbeker (2009) and Rauch (2000) suggest that under apartheid, the overwhelming majority of policing resources were devoted not to conventional policing activities such as investigating crime or gathering evidence for prosecution but to controlling the movements and political ambitions of the black population. This limited role has left the organisation with a surplus of experience in fighting counter-insurgency (irrelevant since the establishment of representative democracy) and a scarcity of knowledge regarding how best to prosecute criminals and regulate crime. Many of the significant cultural and organisational problems
currently plaguing the SAPS are a result of this mismatch between past and present policing roles (Altbeker, 2009). Leaders of the SAPS now find themselves in a difficult and unenviable position. They must continue to reform their organisation against a backdrop of public hostility and mistrust, as well as endure a baptism of fire at the hands of South Africa’s well-entrenched criminal networks.

Just as the SAPS has had limited organisational experience of orthodox policing, many South African communities have had little or no history of positive engagement with official public police (Glaser, 2005; Shaw, 2002). For the majority of South Africans living under apartheid, accessing justice through an unashamedly discriminatory government was a futile and potentially hazardous endeavour. A casual observer may be forgiven for suspecting that the longstanding tension between state police and the broader public, particularly in poorer and neglected areas has not changed significantly since 1994. Reasons for the on-going rift between poor communities and police include an overall lack of police presence and infrastructure; frustration at the inefficiencies and lengthiness of formal criminal justice procedures; and community disappointment and disaffection concerning the perceived leniency of punishment handed out in the relatively rare instances of criminal conviction (Minnaar, 2002).

While victimisation at the hands of police members is no longer an inevitable reality, there remains a deeply ingrained reticence and suspicion amongst the general public regarding their role and capacity as guardians of the peace (Altbeker, 2009; Baker, 2002; Buur & Jensen, 2004; Lee & Seekings, 2002). This mistrust, born out of years of apartheid-era abuse and compounded by a lack of policing infrastructure and organisational experience, further undermines the ability of the SAPS to provide adequate policing services and facilitate equitable justice. The many problems associated with the SAPS greatly restrict state involvement in policing the poorest black townships and informal settlements. Likewise, the indigent nature of these areas ensures that the personalised and prompt private security services of the middle and upper classes remain unobtainable. For these “forgotten” communities, mistrusting of the SAPS and being too poor to afford the private alternative, there remains only one viable and ubiquitous option for accessing justice: the vigilante.

SOUTH AFRICA’S VIGILANTES

South Africa’s vigilantes have a long and inglorious history. Their genesis lies with the imposition of widespread colonial rule in the early 18th and 19th centuries and the subsequent creation of a two-tiered system of justice: one for European whites and their descendants and another for everyone else. Lee and Seekings (2002) note that the colonial authorities in pre-apartheid South Africa were little concerned with the disputes and petty criminality of the indigenous peoples and were quick to recognise the value of informal methods of justice. In urban areas, outside the jurisdiction of government-approved tribal chiefs, vigilantes were perceived by the ruling classes as an expedient (and economic) tool for maintaining order amongst the native population. Government approval of vigilante justice rested ultimately on who was meting out the punishment; trusted groups could expect active or at the very least, tacit support from a state happily unburdened of a vexatious and time-consuming responsibility.
The willing delegation of policing activities to non-state agents continued into the apartheid era and, according to Buur (2006), came to be embraced by a black population agitating for change and keen to demonstrate its independence from apartheid rule. This “resistance vigilantism”, whereby communities engaged in self-policing in an effort to undermine the authority of the central government (and later the supposedly independent governments of the Bantustans or “homelands”), further entrenched the practice of non-state community regulation. By the end of apartheid, the notion of publicly dispensed “people’s justice” was well and truly established across much of the country. It is against this backdrop of self-sufficiency and independence from centralised authority that South Africa’s contemporary vigilante groups have emerged.

The vigilante landscape of South Africa today is one marked by effusive diversity. The myriad variety of shapes, sizes and operational methods of vigilante organisations to be found is unparalleled anywhere else in the world. From the tens of thousands of members of the infamous Mapogo-a-Mathamaga to the local street corner “taxi gangs”, vigilantes abound in both urban and rural settings (Dixon & Johns, 2001; Von Schnitzler, et al., 2001). Undoubtedly, the largest and easily most visible manifestation of vigilantism in contemporary South Africa is the aforementioned Mapogo. Since its inception in 1996, Mapogo has expanded across the country, opening over 90 branch offices that supply “protection” to an estimated 60,000 – 100,000 members (Mapogo, 2009). Its methods are simple, brutal and completely against South African law: after collecting an annual subscription fee, any member may call in the services of Mapogo operatives to dispense spontaneous, “real African justice” on their behalf. Anyone accused of theft against a Mapogo member is a legitimate target for corporal or even capital punishment, and Mapogo employees have been implicated in dozens of murders as well as countless assaults and other acts of intimidation (Minnaar, 2001; Von Schnitzler, et al., 2001). Amazingly, this group’s activities are overt; “protection” services are advertised publicly and proudly. Yet, despite this openly violent and allegedly homicidal legacy, only a handful of convictions have ever been recorded against Mapogo employees (Minnaar, 2002).

Mapogo’s rigid internal hierarchy, slick marketing, and vast pool of members places this association at the extreme end of the spectrum of vigilante organisations currently active in South Africa. At the other end of this spectrum are the many smaller, improvised vigilante groups that operate in particular localised areas. Jensen (2008) describes the modus operandi of such vigilantes residing in the former South African homeland of Nkomazi. There, self-appointed vigilantes, drawn from the senior members or elders of the community, carry out what Jensen (2008) describes as the “everyday policing” of the countryside. This “everyday policing” not only involves punishing those suspected of committing conventionally understood crimes (such as theft, murder, etc.), but also extends to those guilty of “moral transgressions perceived to threaten the entire community” (Jensen, 2008, p. 49). These offences are determined arbitrarily by the vigilantes themselves and provide “a convenient cover for enforcing the norms associated with a traditional and aggressive, patriarchal hierarchy” (Martin, 2009, p. 147). The policing of morality as well as criminality lends vigilantes a dangerous air of moral righteousness, and the subjectivity of the behaviours they proscribe increases the likelihood that marginalised and unpopular groups will become victims of vigilante justice.
Despite their ubiquitous presence, formulating a detailed and comprehensive picture of the South African vigilante-policing environment is difficult. No estimates regarding the precise number of different vigilante groups have yet been compiled, nor would any such figures remain reliable for long. The fleeting and ephemeral nature of many vigilante manifestations (for example, the volatile lynch mobs responsible for widespread xenophobic attacks in May 2008), would quickly render such numbers invalid. The most reliable knowledge of vigilantism is captured in snapshots, as their crimes are recorded by the media, or when their leaders make public pronouncements and threats, and as scholars undertake and publish investigative fieldwork.

TRADITION AND GENERATIONAL DOMINANCE

From the developing body of scholarly literature exploring the South African vigilante phenomenon, a number of generalised traits regarding the more formalised and enduring vigilante organisations, and the implications these may have for otherwise disempowered groups to access equitable justice, can be discerned. Whilst usually politically inactive, contemporary vigilante groups such as Mapogo and the Amadlozi tend to be imbued with a strong sense of social and religious conservatism (Buur, 2008a; Oomen, 1999; Oomen, 2004). Oomen (2004) and Buur (2008a), discussing these two very different vigilante groups, observe the common practice of beginning meetings with prayers or hymn singing. Oomen (2004) notes the immaculate dress and genteel nature of interaction between vigilante members and that the congenial atmosphere preceding the main forum, “seemed more like the local school governing body than a criminal organisation” (p. 154). This composed scene contrasts strongly with the more familiar images of frenzied, out-of-control vigilante mobs that are frequently presented in various media (Buur & Jensen, 2004; CNN, 2008; Daily News, 2008).

Overt references to traditional values, morality and familial respect infuse vigilante discourse with a righteous and uncompromising fervour. According to Oomen (2004), statements like “of course you must hit a child if it’s not obeying, this is what the bible tells us to do” (p. 160), is indicative of the claims regularly heard at Mapogo meetings. This perspective reveals both an ideological association with Christian conservatism as well as an enthusiastic commitment to the use of corporal punishment. The above quote is also particularly revealing in that it displays the generationally biased language that is consistently employed throughout much vigilante rhetoric. Hostility and aggression between older and younger members of the populace (typically men) is rife in South Africa and may be traced back to the political upheavals of the 1980s, as well as to long-standing social constructions of community hierarchy related to age and masculinity (Jensen, 2008; Oomen, 2004). The ubiquity of generationally biased terms such as “parents” and “children”, “men” and “boys”, and “adults” and “youth” highlight the omnipresence of this intergenerational conflict, and clearly identify the youth of South Africa as a group not only susceptible to criminality, but also in need of firm, sometimes even harsh discipline.

One of the major implications of intergenerational conflict today is that young men are the most frequent targets and victims of vigilante attack. This violence is not simply punitive. Publicly enacted vigilante punishments, dispensed under the guise of
enforcing community norms or the protection of property, serve the additional function of clarifying one’s status within the social hierarchy. Jensen (2008) contends that older, wealthier men employ vigilante violence as a method of reinforcing their predominant position over poorer male youth. Young men have little recourse or avenues of opposition to this practice of intergenerational domination. Routine acts of violence not only take a physical toll on the bodies of the young men, but also have the devastating effect of denying them recognition of their manhood (Jensen, 2008). As South Africa is one of the world’s youngest countries, the subjugation of youth at the hands of their elders perpetuates a grossly inequitable distribution of power and wealth and further compromises the already limited ability of the young and poor to access justice.

PATRIARCHY, GENDER VIOLENCE AND XENOPHOBIA

Vigilantes play a much broader role in regulating their communities than they would if they acted merely as un-uniformed police. Rather than deriving their authority from the state, the formidable power of vigilante groups to influence and shape the dynamics of their local neighbourhoods is based on their ability to act as a representative focal point for collective sentiment. In desperate communities ravaged by crime and suffering from the most extreme economic hardship, the strong law-and-order message of vigilantes is, understandably, a popular one. Adding to the frustration of the poor and dispossessed is the apparent inability of the government to provide acceptable levels of either security or economic opportunity. This dual state failure reveals the limits of government power and adds legitimacy and urgency to the view that the community must be prepared to help itself (Buur, 2008b; Dixon & Johns, 2001). The formal criminal justice system may thereby be dismissed by poor communities as another government irrelevance – utopian at best and dangerous at worst, but either way unsuited to the harsh realities of township life.

This rejection of state legitimacy means that vigilantes are not circumscribed by penal codes or legally defined conceptions of “crime”, or indeed “punishment”. In fact, crime, as perceived by the residents of an impoverished township, may bear little resemblance to the clear and precise dictates of South African constitutional law. The divergence between formal and popularly constructed law becomes particularly apparent when examining the effects of vigilante justice on women. Lars Buur (2008a) explores the disadvantages associated with gender and vigilantism when discussing a case of domestic abuse presided over by the Amadlozi, a vigilante organisation operating in Port Elizabeth. In one instance, a badly beaten woman brought her drunken male partner before the Amadlozi, who eventually decided to exile the man from her house after seemingly administering a beating of their own. Concerning the man’s punishment, Buur (2008a) notes:

This particular sentencing is based on a framework of partly shared understandings of what constitutes a moral being. Within this framework, there is nothing objectionable in the practice of physical punishment to discipline younger or female members of the community.... Had he [the offender] not been drunk, the case might have been discussed at a pre-meeting at most, but would never have warranted general discussion in front of the community, as public discussion of a family matter is considered inappropriate (p. 138).
Here we can observe an example of the power that vigilante organisations articulate enforcing the norms and values associated with a domineering patriarchy. Although in this instance the male accused of abuse was punished and the woman vindicated, this was not due to the illegality (or even impropriety) of domestic violence or the significance of the woman’s injuries. The Amadlozi did not in principle object to a man “disciplining” his female partner, merely that he should not be drunk when doing so. The fact that this “policing” organisation did not necessarily consider such an assault as a crime, but rather as a “family matter”, indicates a normalised and more widely held tolerance on behalf of the community concerning violence towards women. Quantitative research (such as that conducted by Abrahams et al., 2006; Jewkes et al., 2002; and Seedat et al., 2009) confirms this perspective, demonstrating that attitudes condoning violence toward women are commonplace across South Africa, particularly amongst disadvantaged communities. Women themselves may adhere to such perspectives and have been known to participate actively in the maintenance of a regularly violent, patriarchal and highly conservative social order.¹⁰

Other groups that are frequently victimised by vigilantes are foreign workers and refugees. Usually lacking official documentation and unfamiliar with the dangers of their new environment, they make convenient and easy scapegoats for crime and other community problems. While abuse toward foreigners is usually a consistent but small-scale phenomenon, occasional outbreaks of mass violence do occur. The most recent event was in May 2008, when scores of refugees (many fleeing cholera and Robert Mugabe’s despotic regime in neighbouring Zimbabwe), were murdered by rampaging vigilante gangs. After lengthy delays, former South African President Thabo Mbeki eventually dispatched the military to restore order and prevent further bloodshed – a rare and belated instance of the state acting to protect those who are very vulnerable.

Foreigners have proven especially prone to victimisation at the hands of vigilantes for a number of reasons. Firstly, a lack of official status in South Africa ensures that undocumented migrants avoid rather than seek out the protection of police (Harris, 2001b; Neocosmos, 2008). This suggests that many foreigners are not only unprotected by the state, but also that the crimes committed against them are unlikely to be diligently investigated by the SAPS. The vulnerability of undocumented migrants is therefore greatly increased as vigilantes have little or no reason to fear legal retribution for xenophobic violence in which they may engage. Reports alleging police extortion and involvement in attacks on undocumented migrants (through either passive acceptance or active participation) underscore the complicity of the state in the victimisation of this particularly vulnerable group (Bruce, 2002; Faull, 2007).

Widespread xenophobic sentiment is commonly cited as the primary reason for vigilante attacks on foreigners (Bruce, 2002; Harris, 2001b; Harris, 2003; Neocosmos, 2008). This xenophobia is linked to racist and nationalistic notions of South African exceptionalism¹¹ and is stoked and exploited by cynical politicians looking to defer blame for government failures. Problems of criminality, unemployment and economic stagnation are conveniently heaped at the feet of foreign migrants, thereby absolving the government and indigenous community of responsibility for the plight of underdeveloped slums. Vigilante pogroms targeting foreigners will most likely continue, albeit periodically, as frustration with continually poor living standards builds up and is unleashed with frightening and lethal intensity. It is an unfortunate
irony that South Africa, birthplace of heroic anti-discrimination icons such as Nelson Mandela and Archbishop Desmond Tutu, should now witness such callous, racist violence towards foreigners.

FUTURE DIRECTIONS

While seemingly offering an alternative for those South Africans unable to afford private security and who are inadequately protected by the SAPS, vigilantism imposes significantly detrimental effects on disempowered groups in their efforts to achieve social justice. As a form of social control vigilantism perpetuates a dominant and staunchly traditional, patriarchal community structure, one that draws strength from conservative notions of gender, ethnicity and the primacy of age. The major beneficiaries of this iniquitous system are older, wealthier men who rely on vigilantism to suppress the physical threat of indigent male youth to their status and property. Women, too, are co-opted into this system and the violence committed against them in their everyday lives becomes normalised and accepted.

The many problems associated with vigilantism reflect a failure of more moderate, equitable justice systems to penetrate into those forgotten communities where they are perhaps needed the most. In areas where vigilante nodes perform the dominant or only security function, one will most likely continue to witness large-scale trauma inflicted upon disempowered groups. Unfortunately, state policing agencies, particularly the SAPS, appear ill equipped to challenge this highly troubling state of affairs. So, in the absence of effective intervention by the state, what other alternatives may be employed to offer some hope to those caught in the seemingly endless cycles of poverty and victimisation?

One promising alternative, the Zwelethemba model, employs a restorative justice framework premised on notions of non-violence and creative problem solving. In addition to novel developments in restorative process, particularly the dual focus on peace-building and peace-making (for a more detailed account of Zwelethemba in action see Brodeur & Shearing, 2005; Froestad & Shearing, 2005; Roche, 2002), Zwelethemba also offers communities the chance to regulate themselves without resorting to patriarchal violence. Given the longstanding South African traditions of autonomy and resistance to centralised authority, this independent and self-regulating aspect is likely to be all the more empowering. Recent studies (Brodeur & Shearing, 2005; Froestad & Shearing, 2005) suggest that the Zwelethemba model provides an effective justice alternative in those communities where it is sufficiently supported. Since its development in the 1990’s, this model has seen significant success in informal settlements and townships across South Africa and has also been “exported” across the Atlantic to communities in South America.

CONCLUSION

In the poor and marginalised corners of South Africa, vigilantes have come to embody widespread public support of the corporal and even capital punishment of suspected criminals. Vigilante practices also demonstrate a pervasive, normalised and permissive attitude concerning everyday violence, particularly towards the poor, young men, women and foreigners. Scholars maintaining a penchant for grassroots and “bottom-up” forms of policing should be mindful of this conclusion to be drawn.
from the South African vigilante experience, namely that “home-grown”, community-led responses to crime and conflict may not necessarily reflect laudable or externally palatable community attitudes, nor do they inevitably widen access to justice for those most in need. Additional development and support for more equitable justice alternatives such as the Zwelethemba model will be needed before the dire effects of vigilantism may be reversed on a national scale.

REFERENCES


ENDNOTES

1 James Martin is a PhD candidate with the Criminology department at Monash University (Melbourne). He conducted his fieldwork investigating vigilantism and informal justice in the informal settlement of Zandspruit, located on the northern outskirts of Johannesburg.

2 Prior to South Africa’s transition to democracy in 1994, the term “vigilantism” was commonly used to describe extra-legal, counter-revolutionary violence employed by supporters of the apartheid state. Only after the establishment of the contemporary republic (and the accompanying nationwide explosion in crime) did vigilantism lose its political connotations and come to be associated with non-state community responses to crime and deviancy.

3 PAGAD’s “mandate of the people”, devolved over a course of months from instances of public shaming to forced exile and then, eventually, to public immolation (Dixon & Johns, 2001).

4 As a percentage of GDP, South Africa has the largest private security industry in the world (Credit Suisse/First Boston, 2001). As of 2004, there were approximately 265,000 private security guards registered with the South African Private Security Regulatory Authority (Abrahamsen, et al. 2007b). Private security guards can therefore be estimated to outnumber police by a factor of more than 2.5 to 1.

5 Research presented by Knox and Monaghan (2002) underlines the scarcity of criminal convictions in South Africa: “Of the 2.58 million cases that were reported to and/or recorded by police in the year 2000, only 610,000 went to court and, of these, only 210,000 ended in a conviction” (p. 87).

6 For a more detailed exploration of the historical development of South African vigilantism, please see Lee and Seekings Vigilantism and Popular Justice after Apartheid (2002).

7 The role of vigilante groups in the eventual downfall of the apartheid regime is one complicated by semantic inconsistencies. Public use of the term “vigilante” took a new and particularly pejorative turn in the 1980s as a vast, government-sponsored campaign of terror and intimidation was unleashed across the country. The principal agents of this campaign – conservative, patriarchal elements of the black populace who were covertly armed and encouraged by the state – were commonly dubbed “vigilantes” (Haysom 1990; Charney 1991). Their activities, carried out in support of the apartheid government, should not be confused with the informal policing practices of other contemporary groups such as people’s courts, street committees, or community self-defence units.

8 Mapogo demonstrates an extraordinary and relatively unusual enthusiasm for publicity, maintaining an up-to-date website and even participating in a 2008 documentary by BBC broadcaster Louis Theroux (Mapogo, 2009).

9 Nearly 70% of South Africa’s population is estimated to be under the age of 35 (Statistics South Africa, 2009).

10 As Buur describes in his 2008 article Fluctuating Personhood, women as well as men and children participate in the public proceedings held by the Amadlozi. Women sometimes even play a leadership role as chairperson of proceedings (Buur, 2008).

11 South African exceptionalism as described by Neocosmos (2008) is the notion that South Africa “is not really in Africa” due to its relatively high levels of industrialisation, social liberalism and political development. Perceptions are that some Black and white South Africans believe that their “intellectual and cultural frame of reference is in the USA and Europe” (Neocosmos, 2008, p. 590), and therefore display a dominant (although not universal) tendency to view other Africans with condescension and prejudicial disdain.