

"As for Violent Crime that's our Daily Bread": Vigilante violence during South Africa's period of transition

by

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The Violence and Transition Series is a product of an extensive research project conducted by the Centre for the Study of Violence and Reconciliation (CSVr) into the nature and extent of violence during South Africa's transition from apartheid rule to democracy. This series comprises a set of self-contained, but interrelated reports, which explore violence across the period 1980 to 2000 within key social loci and areas, including:

- Revenge Violence and Vigilantism;
- Foreigners (immigrants and refugees);
- Hostels and Hostel Residents;
- Ex-combatants;
- State Security Forces (police and military), and
- Taxi violence.

While each report grapples with the dynamics of violence and transition in relation to its particular constituency all are underpinned by the broad objectives of the series, namely:

- To analyse the causes, extent and forms of violence in South Africa across a timeframe that starts before the political transition and moves through the period characterised by political transformation and reconciliation to the present;
- To assess the legacy of a violent past and the impact of formal democratisation and transition on the contemporary nature of violence by researching continuities and changes in its form and targets;
- To investigate the role of perpetrators and victims of violence across this timeframe;

- To evaluate reconciliation strategies and institutions, such as the Truth and Reconciliation Commission, established to ameliorate future violence in South Africa;
- To develop a macro-theory for understanding violence in countries moving from authoritarian to democratic rule, i.e. "countries in transition", and
- To contribute to local and international debates about reconciliation and justice for perpetrators and victims of gross violations of human rights.

Through these objectives, the Violence and Transition Series aims to inform and benefit policy analysts, government officials and departments, non-governmental and civic organisations, and researchers working in the fields of:

- Violence prevention;
- Transitional criminal justice;
- Victim empowerment;
- Truth commissions;
- Reconciliation;
- Human rights, and
- Crime prevention.

As a country emerging from a past characterised by violence and repression South Africa faces new challenges with the slow maturation of democracy. Violence today is complex, dynamic and creative in form shaped by both apartheid and the mechanisms of transition itself. In order to understand - and prevent - violence during transition in South Africa and abroad an ongoing action-research agenda is required. Through this series the Centre for the Study of Violence and Reconciliation offers an initial and exploratory, yet detailed, contribution to this process.

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Executive Summary

This report explores vigilante violence in South Africa over the period 1980-2000. Based on interview and media material, it traces the spectrum of vigilantism across this timeframe in terms of history, form, method and motivation. The similarities and differences in vigilante patterns, manifestations and causes are also analysed. These are contextualised within South Africa's formal transition process, particularly as they link to the changing criminal justice system. Explanations that go beyond the formal criminal justice system are similarly explored and vigilante violence is interpreted as symptomatic of a 'culture of violence' within South Africa. The findings of this report are summarised below.

This study finds that vigilante methods across the two-decade period have remained fairly stable and that 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;
- They are premised on a model of instant, retributive justice;
- Vigilante methods are motivated or caused by various reasons (which have changed

across the time period). These causes are explored in order to understand the specific conditions that generate vigilantism and to develop strategies for solving the phenomenon.

Violence, especially in an extreme form of corporal punishment, is an integral feature of vigilante methodology. In the majority of vigilante incidents examined in this study, violence most commonly resulted in death. This suggests that death is often the intention of vigilantism and is built into the form that the vigilante act adopts. Alongside the commonalities of vigilante methodology, these actions are also analysed for the functions that vigilante violence itself serves. On an immediate level, violence serves a punishing function. In addition to this punishing, often fatal function, vigilante punishment also serves a symbolic role which extends beyond the immediate victim to intimidate those witness to the vigilante spectacle. Contained within this symbolism is a preventative function which serves to warn, and thereby control, the future actions of both victim and audience. This section of the research concludes that the efficacy of vigilante violence pivots on fear and operates through the very public, visible nature of vigilantism.

While vigilante methods have generally remained consistent across the period 1980-2000, definitions and explanations of what constitutes vigilante violence have altered considerably. This study suggests that in the pre-1994 period, vigilante actions were defined by recourse to politics and political intention. Generally, the vigilante label was applied to violent actions conducted in support of the apartheid state, rather than those carried out against it. This analysis notes that during the pre-1994 period, 'vigilantism' was a negative term applied to illegitimate and violent actions that were seen as being politically motivated. Its meaning also depended largely on the perspectives adopted by the users of the term.

These features of vigilantism indicate that the pre-1994 definition was descriptive of 'conservative vigilantism' and that it served to disguise violence conducted by roleplayers with different motives e.g. criminal, financial or personal; motives which might today qualify resultant actions as 'vigilante' violence. In this report, findings of the South African Truth and Reconciliation Commission (TRC) are analysed and are seen to support the political basis of the pre-1994 definition. However, this study also recognises that in the post-1994 era, there has been a selective expansion in the description of past vigilante violence to include certain activities conducted by groups resistant to apartheid e.g. violent internal policing practices of the self-defence units (SDUs). This retrospective re-labeling coincides with a general concern about crime during the post-1994 period.

In the post-1994 era, vigilantism has been predominantly defined by recourse to 'fighting crime'. This research project explores the relationship between crime-fighting vigilantism and the formal criminal justice system (CJS). It finds that vigilante violence is frequently justified as 'filling a policing gap' due to police inefficiency, corruption and compliance with criminals; practical failings in the CJS. Additionally, the apartheid history of the CJS is seen to linger in community mistrust and fear, thereby providing a justification for extra-legal violent actions. Vigilantism, as a practice modeled on instant justice, is also analysed within the dynamics of South Africa's political transition. In this explanation, it is located within a 'transitional gap' created in the shift away from repressive state control and heavy-handed vigilante-style policing methods, to police 'transparency' sans draconian powers. Here, vigilantism is seen to represent a privatisation of the old-style policing function.

This study also considers a related 'transitional argument' that locates vigilante actions within the legitimacy of the political order. From this perspective, vigilante violence is defined as 'new' to the South African landscape because the current political dispensation, unlike its predecessor, is seen to be legitimate. In this explanation, the perceived legitimacy of the political order is seen to co-exist in an inverse relationship with vigilante actions: vigilantism occurs in a legitimate political climate, while 'crime-fighting' originates under an illegitimate order.

This analysis also suggests that South Africa's transition to democracy has changed perceptions of crime, as well as crime patterns. Crime, for some respondents, is represented as fallout of apartheid, as something that, for many, remains 'okay' in the current order. However, this study suggests that for various respondents, when crime turns in on itself and starts to occur within certain communities, rather than beyond them, the foundations for vigilantism (as a response to crime) are established. Other respondents are shown to suggest that vigilantism is more a product of expectations about the political transition, specifically, disappointed expectations about the political change, than a response to changed patterns of crime. On one level, this reflects the degree to which due process remains an alien concept for many who have yet to benefit from the constitution. It similarly implies a lack of education about due process, particularly bail laws. However, this research project explains that vigilantism is not solely reducible to disappointed expectations and practical failings of the criminal justice system. Rather, on another level, this analysis suggests that the human rights framework of the formal criminal justice system is fundamentally divergent from the model of instant, popular justice. This is partly because vigilantism occurs for many reasons other than fighting crime. These reasons include justifications that draw on:

- Tradition;
- Emotions, prejudice and revenge;
- Gender;
- Individuals, personalities and leaders;
- Revenge violence and its ability to transmigrate; and
- Politics.

This research also indicates that the crime-fighting justification for vigilante violence is frequently used to disguise motives of personal gain and 'pure crime'. More generally, it strives to emphasise the link between vigilantism and crime.

To accommodate the range of explanations and possible causes of vigilantism, this project moves beyond them to analyse vigilante violence as part of a broader 'culture of violence' within South Africa. In this framework, violence is upheld as the normal and legitimate solution to problems. Vigilantism is explored as a symptom of violence in transition. Using this as a model for contextualising contemporary vigilante violence, the 'way forward' is plotted out in general terms for intervention and prevention. These terms are set within a framework that aims to delegitimise violence and inculcate a culture of human rights. They include:

- Addressing the real and practical failings of the CJS;
- Prioritising and tackling vigilantism as a form of crime;
- Educating South Africans about the workings of the CJS;
- Human rights education, life-skills training and further research;

- A co-ordinated strategy for researching and tackling vigilantism.

Underpinning the 'way forward' is the recognition that further research is needed into general trends and specific manifestations of vigilantism. This report suggests that vigilante violence is not one singular phenomenon but that rather, it occupies a spectrum of forms and methods. It is not static but exists in the context of transition, as a symptom of South Africa's changing culture of violence. In this light, the report recommends a holistic approach that is complemented by localised interventions and ongoing, in-depth research.

Introduction

Vigilantism is a blanket term for activities that occur beyond the parameters of the legal system, purportedly to achieve justice. It covers a wide range of actions and involves an eclectic assortment of perpetrators and victims. Vigilantism can exist as an isolated, spontaneous incident or as an organised, planned action. It traverses local communities, as well as regional areas. Broadly, achieving justice is the apparent motivation for, and desired outcome of, vigilante actions. For this reason, vigilantism is often defined in relation to the formal criminal justice system and the law. However, justice itself takes on different meanings in different contexts. Similarly, South African history testifies to the changing nature of legislation, as well as its potential for injustice. Vigilantism thus subsumes a number of dimensions. This makes the exact meaning of the term very difficult to pin down and analyse. Rather, contemporary vigilantism in South Africa must be viewed as taking on a spectrum of different forms, methods, motivations, and causes. This spectrum itself must be contextualised in the history of the country because the meaning that 'vigilantism' has today cannot be separated from apartheid politics.

The intentions of this research report are threefold:

- to describe the spectrum of vigilantism in South Africa in terms of history/context, form, method and motivation;
- to present and analyse explanations of certain vigilante manifestations in post-apartheid South Africa, and
- to recommend broad areas for the 'way forward'.

This analysis comprises media reports on vigilantism and primary research material derived from in-depth interviews and focus groups held in four specific localities; namely, Alexandra (in Johannesburg), Mamelodi (in Pretoria), and Guguletu and Khayelitsha (in the Western Cape). The material is supplemented by key informant information gathered in Johannesburg, Cape Town, Tembisa, and the Northern Province.¹ Although these areas are united by certain similarities in the expression of 'vigilantism', they are also differentiated by specific geo-political factors. It goes beyond the scope of this project to detail and compare these differences. Rather, location-specific factors will be introduced to highlight the role played by unique features in combination with the more common components that produce a vigilante configuration. As such, this report is intended to provide an overview of vigilantism in South Africa. For more detailed, case-specific knowledge, this research makes use of CSVR reports on related topics such as: Mapogo a Mathamaga ([von Schnitzler et al 2001](#)); Pagad ([Dixon & Johns, 2001](#)); and taxi violence in the Cape Peninsula ([Dugard, 2001](#)).

Background and context: the vigilante spectrum

History

Broadly, the term 'vigilantism' takes on certain meanings across two periods of time in South Africa: pre-1994 and post-1994. Literature reveals that during the pre-1994 era, the term is generally descriptive of politically motivated violence. Between the 1980s and the four years from 1990 to 1994, there are subtle shifts in how such violence is described but, in essence, the term remains politically based. During the 1980s, for example, the term is closely aligned with conservative or right-wing motives and it is used to describe actions conducted in support of apartheid (cf. Haysom, 1986; [Bruce & Komane, 1999](#)). During the early 1990s, the phrase continues to describe political motives but it is expanded beyond 'conservative vigilantism' to explain a wider range of actions in terms of 'beneficiaries' and 'victims'. In this period, 'vigilantism' was used as a catch-all phrase to describe violence that was 'unexplainable' (cf. Jeffery, 1992; Coleman, 1998). By contrast, during the post-1994 period, vigilantism, like most other forms of violence, has (largely) become associated with crime rather than political motives. The term 'crime-fighting' represents the most common banner of justification for violent vigilante action in this post-1994 period.

The following section offers a closer interrogation of the term's history. It aims to capture the differences and similarities in vigilantism across this history and to show that commentators and history itself constantly define the past and shape the present understanding of what vigilantism means in South Africa.

Pre-1994

The notion of vigilantism occupies a particular space in South African history. It is rooted in violent actions that were generated specifically in relation to the apartheid system by specific roleplayers. In the apartheid context, the term 'vigilantism' generally conveyed violent actions that were political, or interpreted as such. In other words, vigilante actions were politicised, even although they were not always directed at political targets (This point is explored in detail below). During the 1980s, an explicitly political form of violent action predominated as vigilantism. This took the form of what has been termed right-wing, or conservative, vigilante action (Haysom, 1986; Bruce & Komane, 1999). Haysom (1986) documents this form of vigilantism, suggesting that three common features united a range of different vigilante groups across the country at that time.

Firstly, in most cases, the vigilantes emerged in the latter half of 1985.
Secondly, the vigilantes shared a common target group, members or leaders of groups associated with resistance to apartheid or homeland rule. Thirdly, the vigilantes operated brazenly, apparently believing that they enjoyed police support, and in some cases did allegedly enjoy such support. (Haysom, 1986, p. 1)

The role of the apartheid state in supporting and/or actively initiating such conservative vigilante action has been explored by the South African Truth and Reconciliation Commission (TRC). The final TRC report finds that:

[while] not all vigilante activity was a product of state engineering

Commission investigations produced evidence of a range of levels of endorsement, support and management of vigilante groupings by different security arms of the state. (TRC Report, 2 (3), p. 571)

To a large degree, the TRC history book has therefore relegated pre-1994 vigilantism to right-wing activity, often with overt state sanction.

It is not only 'official' history that interprets the past in this way. Many interview respondents offer a similar definition of vigilantism during the period. Consider the following responses from residents of Alexandra:

We did have vigilante groups in Alexandra, especially at the height of political violence. They were state-sponsored vigilantes, who painted themselves with black paints, pretending to be part of the warring factions, but in fact they are vigilante groups and they've clubbed with the boers. (AWH)

The IFP was used by the police to fight against the community. (AWS)

The police during the time of violence in Alexandra were the puppets of the government to kill the people of Alex. (AWS)

[During the past] there was a lot of conflict [between hostel dwellers and the Alexandra community] because the hostel dwellers were assisting the police to fight against the community. In fact they were used by the government. This was a political conflict engineered by the apartheid government. (AWS, p. 8)

These responses locate vigilantism within the hands of the apartheid state. They represent vigilantes as state agents, taking the form of the police, the Inkatha Freedom Party (IFP), and hostel dwellers. For these respondents, the conflict is clearly connected to politics at both a narrow level, where violence is ascribed to particular political parties such as the IFP, and at a more general level, by reference to the government and 'the boers'. In this understanding, it is the violent actions conducted in support of the apartheid government that are considered to be vigilante.

An analysis of contemporary vigilantism in post-apartheid South Africa must recognise the particular connotations attached to the term 'vigilante' during the 1980s and early 1990s. This is important because the past meaning of vigilantism is specifically descriptive of the political underpinnings of actions, rather than the actions per se. At the time, this had the significant consequence of excluding other actions and actors (such as those resistant to apartheid) from being labelled 'vigilante'. A labelling asymmetry is therefore implied in the application of the term. This asymmetry persists in the final report of the TRC. For example, in chapter 2, section 3, apartheid resistance actions are described as part of a 'Campaign against Vigilantes, Kitskonstabels and Municipal Police' (paragraph 258, emphasis added). These resistance actions include necklacing and corporal punishment methods not dissimilar from those actions that are ascribed to vigilantes (see Appendix A for TRC text on this). All that differentiates them is their political motivation within a particular context. Indeed, when these actions occur today, they are usually framed as vigilantism.

What such a specifically applied label does is create a direct link between motive (that of apartheid-endorsed politics) and vigilantism, rather than between action and vigilantism. This link is clearly evident in the definition utilised by the then Human Rights Commission to monitor vigilante violence during the early 1990s:

the HRC states that 'vigilante groups are reactionary forces that arose out of the attempts of homeland administrations and black local authorities to defend their vested interests against their rejection by the communities in which they are located. Such 'private armies' concentrate their attacks on community structures that press for the dismantling of these apartheid organs, but of late have considerably widened their scope to destabilise township communities at large. In reporting on vigilante-related actions, the HRC includes not only attacks by vigilante groupings, but also retaliatory or pre-emptive measures taken by the affected community in a vigilante-initiated situation'. (Jeffrey, 1992, p. 43)

As this extract reveals, even when vigilante actions were not directly targeted at apartheid's political opponents but rather destabilised a range of victims, the definition ultimately rests on political motivation. 'Retaliatory or pre-emptive measures' are included in an understanding of vigilantism but only because of 'a vigilante-initiated situation' (Jeffrey, 1992). While broader in scope than vigilantism in the 1980s, the phenomenon in the early 1990s retains its conservative underpinnings through definitions of the HRC kind. This is because the destabilisation campaign was largely understood in terms of beneficiaries and victims, which in the apartheid context, allowed for a politically based analysis. Alexandra residents reiterate this point, suggesting that vigilantes in the township created 'havoc' for an end that was ultimately political:

R1: And some of the people who were [taking the law into their own hands], they were getting paid to do that by the whites ...

R2: To [beat] their own brothers.

R1: Ja, or to steal or to do whatever, to cause the havoc they needed. They were getting paid. They paid. We were having these people, we call them impimpi. (AVSG).

In this extract, the source of pre-1994 'havoc' is located within 'impimpi' or (state) informers. Their crimes of beating, stealing and 'whatever', are interpreted as a means to an end rather than an end in themselves. And this end is political. Linked to the politically motivated, rather than action-based, definition presented by many commentators, it appears that the label for pre-1994 vigilante violence is applied according to criteria of illegitimacy. For the respondents above, certain actions during this period were illegitimate because they were understood to support the state. Due to this perceived illegitimacy, they were termed 'vigilante actions'. This definition is based on the illegitimacy of violence motivated by reactionary interests. Similarly, these actions remain illegitimate from the retrospective vantage point afforded by the TRC and, therefore, they retain a 'vigilante' label. However, other perspectives, such as that offered by Jeffery (1992), do not restrict vigilantism during the pre-1994 era to state-endorsed actions alone. For example, she challenges the ways in which vigilantism is defined by the then Human Rights Commission (HRC). She notes that the HRC definition is 'so broad that both victims and perpetrators can effectively be tarred

with the same brush' and that 'on [the basis of this definition] the HRC is able to attribute 86% of deaths in violence to surrogate state forces and effectively to exonerate the ANC and its allies from any blame' (p. 44).

Jeffrey's (1992) critique rests on the notion of *responsibility*. For her, it is not political illegitimacy that defines vigilantism during the early 1990s but rather agency and agent accountability for violent actions. And these agents, according to her, cannot be fully reduced to 'surrogate state forces'. Implicitly, her argument is for the term to include the ANC rather than 'exonerate [it] and its allies from any blame'. In this way, she advocates a broadening of the 'vigilante' label beyond conservative, state-supported actions. It is difficult to assess Jeffrey's (1992) own political agenda within the confines of this report and her argument is presented only to reveal that the term was contested during the pre-1994 era, even although most commentators aligned it closely with conservative, right-wing violence. (Any future genealogical studies of vigilantism might consider a deeper analysis of the reasons for Jeffrey's (1992) argument).

Lack of consensus about the term 'vigilantism' suggests that its meaning reflects the political views of the people who use it. For example, it would be interesting to analyse the interpretation of 'vigilantism' from the perspective of the apartheid government. Such an interpretation would doubtlessly differ from that given in the literature utilised here.² The contestation of the term also suggests that the popular image of 'Robin Hood-type' vigilantes, who gallop in to save the day and ensure that justice prevails, is not one that was utilised during the pre-1994 period in South Africa; that is, vigilantism is not defined by recourse to justice in this period. No-one wanted to take ownership of the term then; it was purely negative. By suggesting that the term 'vigilantism' is relative to who defines it, the intention is not to relativise any moral arguments about actions against apartheid. Rather, it is to reveal the political expedience served by the term at the time. It strengthened anti-apartheid efforts by revealing the illegitimacy of conservative forces, and thereby the state itself. However, at the same time, it allowed the state to divorce itself from certain actions by appealing to their illegitimacy too. This is because during the pre-1994 period, 'vigilantism' was a negative term applied to illegitimate and violent actions that were seen as being politically motivated. Its meaning also depended largely on the views of the users of the term.

The contingency of the meaning of 'vigilantism' on 'who' defines it, 'when', and 'why' is also revealed by *retrospective* commentary about pre-1994 vigilantes. What can be termed 'historical relativism' comes into play with the distance of time and a changed social order. For example, recent analyses do not restrict past vigilantism to conservative political groups and state forces alone. Rather, they also apply the label to certain operations conducted against apartheid. Thus, Minnaar (1999) explains that:

During the late 1980s and early 1990s, years when political violence was at a high level, and prior to the April 1994 elections, there occurred many incidents where township residents took the law into their own hands. Much of this community justice was labelled political and took the form of People's Courts (in some areas they were known as Disciplinary Committees which were often no more than kangaroo courts in action) and 'necklace' executions of political opponents. However, in reality a large portion was nothing more than certain

people using community anger for their own purposes to get rid of political opponents or rivals or taking the law into their own hands for revenge and to impose control over certain communities through intimidation. (p. i)

Similarly, Bruce & Komane (1999) include certain actions by the self-defence units (SDUs) under the vigilante heading. They explain that the SDUs first formed during the early 1980s and 'justified their existence on the grounds that communities were under attack from hostile 'external' forces' (Bruce & Komane, 1999, p. 41). For Bruce & Komane (1999), as for many commentators and TRC amnesty applicants, an explicitly political agenda directed against apartheid does not qualify the SDUs for a 'vigilante' label. However, they explain that the SDUs 'also became involved in imposing "justice" within communities' (Bruce & Komane, 1999, p. 41). It is this internally focused function of self-administered justice that earns the SDUs a 'vigilante' label for Bruce & Komane (1999). The internal 'justice' function of the SDUs and their connection to vigilantism is also alluded to in the TRC Final Report. Although the label 'vigilante' is not explicitly utilised, many findings on internal SDU 'policing' actions are framed as such and the notion of 'revenge attacks' is similarly introduced to condemn certain SDU actions. For example, in Volume 2, Chapter 7, the TRC finds that:

While the ANC leadership has argued that its members were acting in self-defence, it is the Commission's view that at times the conflict assumed local dynamics in which proactive revenge attacks were carried out by both sides. This situation was exacerbated by high levels of political intolerance among all parties, including the ANC. Further, the Commission contends that the leadership should have been aware of the consequences of training and arming members of SDUs in a volatile situation and in which they had little control over the actions of such members. ([Volume 2, Chapter 7](#)).

Gear (draft report) provides a detailed overview of the internal policing functions of SDUs. She explains that they adopted a 'crime-fighting' role in response to the policing vacuum which developed in the townships during the late 1980s. Bruce & Komane (1999) similarly note that 'as state control over the townships collapsed, the SDUs were able to step into the gap as alternative policing structures' (p. 41). Their internal policing function was thus premised on a failing and illegitimate political order.

A respondent from Mamelodi contextualises the SDU policing function:

In the late 80s, I was a comrade myself Now what transpired then, there was this sort of rowdy element. At first we thought we will sort of control crime, you know, housebreaking etc. etc., when this whole thing started. So we started rounding these guys up, warning them not to do that but it went completely out of control because some criminal elements took over the structures and started operating them, like their own little spaza shops or little cafes, where they were actually benefiting. (ME).

This extract suggests that the initial policing intention of the SDUs was to control crime committed by 'rowdy' community members. However, as the respondent suggests, the SDUs themselves were vulnerable to 'criminal elements' who 'took over the structures' for their own personal benefit. An Alexandra resident notes a similar phenomenon:

There were people [who took advantage of the political situation and became comtsotsis and advanced criminal activities]. It was good for them because it was not very clear whether they were doing criminal activities in pursuit of political objectives or not [Unlike real comrades] comtsotsis would steal the properties and use them for their own personal aggrandisement. (AWS)

Officially, the SDUs distanced themselves from such 'criminal elements', or 'comtsotsis', suggesting that the latter were roguish, rather than 'real SDUs'. This rejection was couched in political terms:

We had marshalls [who would go and] speak to the criminal elements, to say to them: Look, what you are doing is wrong. You know we have to focus our attention on specific targets, and our energies, but because of this, crime is also bringing the police into the townships. (ME)

Gear (draft report) notes that this was a typical response amongst SDUs at the time; a response that rested on the politicisation of crime.

In response to the policing gap which existed in black townships [during the 1980s] the 'comrades' took on a policing role during the struggle. But criminal activity also became politicised as the 'comrades' perceived it to weaken the base of the liberation struggle.

When appeal to political solidarity failed to reign in criminal activity, the SDU response was, according to the Mamelodi respondent, one of 'barbaric justice':

But the criminals just could not listen to that [appeal to political unity] and it became worse with the involvement of the ANC, when people felt, in a way, on top [morally superior] and started dishing out this barbaric justice to the people. And the whole thing [of kangaroo courts] picked up with the unbanning of the ANC. (ME)

For this respondent, the 'barbaric justice' meted out by SDUs/ANC comrades approximates vigilantism. He recognises that it links to political objectives, within a particular political context, but also comments that many victims of SDU kangaroo courts were 'criminal elements', rather than direct political opponents (even although their criminal activities were phrased as political opposition). The subtle distinction between politicised criminals also known as 'comtsotsis' and political sellouts and informers, or impimpis, is important. This distinction, which is made retrospectively by the respondents, suggests that SDU violence was differentially motivated according to the criminal or political identities of the victims. By separating victim identity into these two categories, it becomes possible for the respondents to apply the 'vigilante' label to SDU violence that was directed at 'criminal elements'. In contrast, the label is not applied to SDU actions against impimpis.

With hindsight, the respondents also separate those SDUs motivated by political objectives from those whose actions led to personal gain. Here, the distinction is between 'criminal elements' within SDUs and 'real SDUs'. Retrospectively, actions perpetrated by SDUs for self-benefit qualify for the 'vigilante' label. *Not only are actions against comtsotsis*

retrospectively defined as vigilantism, the comtsotsis themselves are also given the 'vigilante' label.

An additional area in which vigilantism is retrospectively ascribed to SDUs during the pre-1994 period, is the domestic sphere. Consider the following comments:

[During the 1980s and early 1990s, people's courts in Alexandra, would go into domestic violence issues and this] was actually okay in the beginning because it had good intentions but, as it was growing, the community experienced problems with it. Sometimes you find that the husband and wife are fighting and the presiding officer at the people's court is a young, inexperienced man, who cannot deal with complex issues. That's where it started losing direction. (AWH)

What normally happened was for instance if an elderly man did not sleep at home or did not support his family, he would be called before the wife who complained to these guys [of the kangaroo court] ... and the old man [who was old enough to be their grandfather] would be hauled before them and they would start questioning him and he would be lashed. There was no format on how this was structured. Everybody, particularly the accused, had no rights whatsoever because he was not given the opportunity to state his own case. (ME)

For these respondents, the vigilante line is drawn between politics and domestic or personal issues. Central to such a division is the age of the participants. The youthfulness of those in charge of the kangaroo courts is a key reason why they are granted the 'vigilante' label in these examples. This ties into a range of issues, including perceptions about respect and tradition, as well as the age of the respondents. The link between vigilantism and the domestic/sexuality sphere is discussed in more detail below. Here, it suffices to point out the retrospective labelling of SDU vigilantes for their intrusion into matters that are interpreted as non-political.

It appears that with increasing political distance from the violence of the 1980s, interpretations and definitions of what constituted vigilantism then have also altered. However, the involvement of SDUs and non-conservative forces in vigilantism during the pre-1994 period remains a contested terrain. The definition slips along dimensions that include political-criminal activities, political-criminal motives, and political-domestic divisions. In terms of these dimensions, the 'vigilante' label emerges when actions cannot be justified politically, when they no longer appear to be legitimate, particularly with hindsight. This is not always the case, however, and there are those commentators who maintain politics at the heart of their definition. For example, a respondent from Cape Town comments:

In the past, the people's courts were basically politically based. It didn't really have that much to do with criminal matters as such. My experience was that it was basically a political set up to get people out of a community It was a form of, I don't want to use the word, 'intimidating' people. The people in the townships thought like that too Those community courts, or people's courts as they were known then, kangaroo courts ... I think they were specifically

there to counter the formal government courts Probably in some matters they dealt with criminal matters but I think mostly they dealt with matters [political]. (C1)

Given South Africa's history, it is difficult to divorce politics from the 'vigilante' label. Although this seems to be a retrospective strategy for describing certain non-conservative actions as vigilante, it is also important to recognise that during the pre-1994 period roleplayers such as the police, homeland administrators and black local authorities were not only politically motivated to act beyond the confines of the law. For example, Bruce & Komane (1999) point out that

it is not necessarily the case that official violence was more severe in dealing with perceived political threats than it was in dealing with alleged criminals. Where police violence exceeded the bounds of the law, whether this was officially approved of or not, it amounted to a form of vigilantism. Extra-legal violence was also associated with 'kitskonstabels' and municipal police who worked with town councils in black townships. (p. 41)

Bruce & Komane (1999) also explain that actions conducted by the makgotla, or tribal courts, were a form of vigilantism during the pre-1994 period. They conceptualise the makgotla 'as a community-based response to the problem of crime, as well as representing the continuity (or re-establishment) of traditional structures of authority in black urban areas' (Bruce & Komane, 1999, p. 40). Haysom (1986) notes that these courts 'imposed savage punishments and generally directed their activities towards the rebellious or disrespectful' (p. 4). The makgotla thereby lent indirect support to state repression, but they cannot be considered a solely politically motivated form of vigilantism.

The retrospective analysis of vigilantism offered by commentators such as Bruce & Komane (1999), Minnaar (1999), Gear (draft report), and certain respondents in this research project, broadens the phenomenon beyond political motive to focus equally on actions. This is not surprising given the contemporary emphasis away from politics towards crime (and the specific actions that define crime) as a tool for explaining present violence in South Africa. However, as the history generated by the TRC and certain other research respondents suggest - by retaining a definition based on political motivation - vigilantism in the past remains contested and complex. This affords a valuable lesson not only for defining the past vigilante spectrum but also for understanding the term in the present. Without the distance of time but with the weight of history, vigilantism in contemporary South Africa takes on different meanings for different commentators. The following section describes a range of definitions and explanations for post-1994 vigilantism as offered by interviewees, focus group participants and informants key to this research.

Post-1994

What is vigilantism in the new South Africa?

For most respondents contemporary vigilantism is defined in relation to the law. This is captured by the following responses to the question: 'What does vigilantism mean to you?'

you take the law into your own hands. (MSA)

the law of the country does not allow it. (MSA)

It's when a group of people [operate] alone, separate from the justice system and the police. (MJ)

the actions of people embarking on practices which are against the law, people who take the law into their own hands, trying to deal with crime (MSAPS).

vigilantes are most organised people who don't want to work within the framework of the law (AWH).

As these definitions reveal, vigilantism is set up alongside and beyond the parameters of the law, as something that is not bound by the formal justice system but rather that works separately from it. For some, this means that vigilantism is directly opposed to the law and is, therefore, illegal. Vigilante actions are defined as criminal, as these extracts suggest:

we have seen people who are against crime busy committing crime to those who are already suspected of doing crime. [They are vigilantes]. (MSA)

I think the perpetrators [of crime] are ... all who are actually jobless, criminals, together with people who are actually conducting vigilantism. (MSA)

For these respondents, vigilantism is equated with crime.³ For others, vigilantism borders on being innocuous. While it is defined as working beyond legal parameters, it is not necessarily perceived as criminal or wrong. This is because the criminal justice system itself is a contested area that is not always accepted as positive. Indeed, for many, vigilantism is defined as a response to perceived failings of the formal criminal justice system. A Mamelodi respondent explains that,

the people who take part, those vigilantes, much of them are the victims of crime, people who've been raped, people who are not satisfied with the justice system, whom their cases were not properly solved, whom their cases were not taken up. (MJ)

The role of the criminal justice system in generating and justifying certain vigilante actions is discussed in detail under the section on explanations below. Here, it is important to note that vigilantism is not always seen as negative, even although it is defined in relation to the law. Similarly, by defining vigilantism in its relationship to the criminal justice system, it is set up as a response to crime. Unlike vigilante activities during the pre-1994 era, vigilantism now is overtly linked to crime and 'crime-fighting', rather than politics. Through this shift in definition, vigilantism is commonly explained as crime-motivated, rather than politically driven. This opens the term to an ambiguity in interpretation that it did not previously enjoy. Consider the following reaction:

One of the reasons the community courts [run by vigilantes] are popular, [is because] the community feel that they are getting help from these courts. I know a number of cases that have been addressed by these community courts ... there are a number of suspects who are apprehended by these community

courts and they are summoned to the police. The only wrong in that process is that they usually sjambok them before, which is illegal according to the current constitution. (MJ)

As this extract illustrates, the community courts run by vigilantes are presented as largely positive because they do 'help' the community by apprehending criminal suspects. They are interpreted as negative only because of their violent method of sjambokking suspects. And this is interpreted as 'wrong' as it stands in opposition to the constitution, rather than in terms of any moral or human rights argument. Indeed, it is seen as 'illegal', rather than 'wrong'. An extended form of this argument suggests that 'criminals operate with impunity and that they have too many rights anyway'. This argument supports vigilante methods of corporal punishment as an effective alternative to dealing with criminality.

Criminals are said and believed to be having too many rights with the legal aid offering them 95% protection. This is also accompanied by the comfort they are said to enjoy in prison. Vigilantism is regarded as effective and swift to deal with crime. (HRCK)

And even criminals, they are proud of what they've done; they can tell you right, straight to your face that 'I am going to do anything and I won't get arrested'. (MJ)

Not all community responses to vigilantism are positive. For example, the following respondents comment that vigilantism is problematic and negative:

Mainly the problems are with the modus operandi. It does not take much for them to beat you up. [Also] it's like the first one who goes [to them] is [assumed to be] right. [Anyone who goes subsequently is] presumed guilty. (MM)

The community does not support the vigilantes They cannot support something that victimises them. (ACFP)

Although these respondents object to vigilantism, the phenomenon is not viewed unequivocally. Unlike their predecessors, vigilantes in contemporary South Africa are not entirely defined, or rejected, as illegitimate. Rather, in certain quarters, the term co-exists with a sense of legitimacy. For some, there is a degree of ambivalence, and support, towards vigilantes. This is frequently compounded by widespread negativity about the police and a sense that there is 'no other option' but to administer 'justice' of this nature.⁴ However, this suggestion must be read cautiously. Although illegality does not automatically convey illegitimacy, lack of vocal opposition to vigilantism may not necessarily reflect ambivalence or tacit support for the phenomenon. Silence may also indicate intimidation or powerlessness within the community to address vigilante violence (Pigou, in personal communication). The situation is not as clear-cut as it seemed during the 1980s. Yet, the complexity and range of responses to contemporary vigilantism are interesting because vigilante actions and methods have not fundamentally altered between the pre- and post-1994 periods.

Vigilante methods

Vigilante methods in South Africa are commonly associated with violence and corporal punishment. An overview of vigilantism in 110⁵ media articles spanning 1991-2000 reveals violence in all but a tiny minority of cases (4/110=3%) (see Appendix B for a tabular summary of the media articles). In the four 'non-violent' cases, violence was intended; it was only through 'last minute' police or community intervention that death and/or corporal punishment were avoided. For example, consider the following newspaper extracts:

Members of the crowd began shouting for the [man accused of stabbing a girl] to be flogged [but, the presiding 'judge' of the people's court] ... 'Judge Ninja' ordered the man to pack up his belongings and leave the area. (Sunday Times, 15 September 1991, V46)

The timely arrival of a police patrol saved nine victims of 'people's courts' from grisly deaths over the weekend ... [they] found five tyres piled near the accused – they believe they were to be executed by the gruesome 'necklace' method. (Natal Monitor, 26 November 1991, V47)

A young woman sentenced to death by a 'people's court' was saved when police came across a group who were deciding where to execute her. (The Star, 10 August 1992, V97)

Of the violent cases sampled in the media, physical punishment occurred along a spectrum of severity, with death representing the most extreme outcome. Death was also the most common result, occurring in just over half of the vigilante incidents reported (57/106=54%). For example:

A woman was ordered to throw the first stone at her alleged rapist before a crowd stoned him to death this week. (Sunday Times, 24 September 1995, V114)

A man was 'necklaced' and another burnt to death when about 500 people stoned and attacked them. (Citizen, 17 July 1992, V95)

[A youth accused of murder was sentenced to] death by 'necklacing'. Those present tied his hands behind his back with wire and it was decided that he be stabbed once by each man present and stoned by the women. He was then doused with petrol and set alight. (Sunday Times, 13 November 1994, V108)

[A youth] who allegedly robbed and terrorised residents ... was beaten to death after he was apprehended by an angry mob at the weekend. (Sowetan, 22 February 1999, V112)

In many cases, victims died during the act of vigilantism, rather than after the vigilante experience (for example, in hospital as a consequence of physical punishment). This suggests that *death is often the intention of vigilantism* and is built into the form that the vigilante act adopts. The 'necklacing' method is a clear example of this. Minnaar (1999)

explains that '[t]he necklace method of execution, which involves placing a petrol-filled tyre (the petrol assists the tyre to burn fiercely) around the neck of the victim and then setting this alight, is a particularly South African activity' and there is a 'particular sense of finality about this method' (p. 28).⁶

In the media incidents reviewed, 'necklacing' emerged as a specific form of vigilante action across the duration of the decade; it was not restricted to the political climate of the early 1990s, but rather continued into 1999. What has shifted across this time is the profile of necklace victims who were described in largely political terms at the beginning of the decade (as impimpis) but who, in the late 1990s were seen as criminals, including 'drug dealers', 'gangsters', and 'foreigners'. For example, a media report notes the necklacing of Mozambicans accused of committing various crimes in Tembisa:

Vigilante mob necklaces 2 Mozambicans

About 400 vigilantes burnt two men to death and seriously injured three others in Tembisa ... [The mob] rounded up a group of Mozambicans whom they accused of rape, housebreaking, theft and generally terrorising residents [and then burnt them, killing two]. (**The Star**, 17 January 1999, V113a)

Similarly, Dixon & Johns (2001) comment on the burning of Rashaad Staggie, following a march by the People Against Gangsterism and Drugs (Pagad), a group that has come to be closely associated with post-apartheid vigilantism:

a leading member of the powerful Hard Livings gang, Staggie, was brutally lynched in London Road, Salt River on the night of 4 August 1996. The incident was reminiscent of the 'necklacings' of the struggle years and was widely presented in the media as symbolising the escalating violence that threatened to engulf South Africa's new democracy. (p. 17)

From the media reports sampled, it emerges that even when death is not achieved, the intention to kill or cause grievous physical injury, is often still there:

Evaton youths hacked two brothers suspected of killing a local businessman with pangas and garden spades before leaving them for dead. (Saturday Star, 16 December 1995, V111)

A man alleged to be a rapist was cornered and severely beaten by an angry knife-wielding crowd He was bleeding from his mouth and head, and was terrified as he cried and pleaded to be set free. Teenagers held knives and screwdrivers at his throat and grasped him by the neck of his throat. (Citizen, 4 August 1997, V97)

Violence with the intention to kill or inflict serious bodily harm is also central to a number of incidents reported by respondents, incidents that have not necessarily been reported in the media. Consider the following extracts:

[A young girl was raped and murdered and the community] went mad. They had no-one to pin the murder to. That was when they started beating [my son

and another boy]. The ex-mayor [of township B] came, looked at me and said 'we've found the murderers' [The crowd was] beating those kids. They were nearly half dead. My son's head was like this big The other boy had broken ribs and was also a mess. [The police] got them out. They were taking them to the hospital. The people were angry because they hadn't killed them. They were very angry. (C2, emphasis added)

R: The poor victim [is] lashed a number of lashes, according to [the judges' liking], and then the victim is taken to a back room where water is poured over them and then they receive another set of lashes. When the victim emerges, he is unrecognisable People would just assume who you were.

I: How does the victim get punished? By being punched, lashed, or what is used?

R: No! They use sjamboks and pick handles. (MF)

Case Study 1 below reveals the violent tactics deployed by taxi drivers working in Guguletu in the Western Cape. During early 1999, they received a great deal of publicity for the violence of their methods. They also came under the media spotlight because they were 'hired' by residents to solve specific cases, for example to retrieve stolen goods, and so received payment for their actions. The publicity was both positive and negative, with some condemning the violence of their actions, and others supporting their 'fight against crime'. Pigou (in personal communication) points out that the publicity surrounding this form of vigilantism contributed to reducing the violence, representing an example of successful activist journalism.⁷ (For a detailed overview of taxi-related violence in the Western Cape, see the CSVr report by Dugard, 2001).

Case Study 1

'People can't rob our workers in the community'

As told by a victim of armed robbery in Guguletu, whose stolen property was retrieved following vigilante intervention by local taxi drivers.

[I was robbed at gunpoint on a Friday at 12pm. I reported the incident to the police and returned to work]. Round about 4pm, we just heard tyres screeching and cars pulling up into the back area [of work] ... Those guys were the taxi drivers. The [leader], his shirt was full of blood and his eyes were like wild and I knew he had been drinking something ... I saw this guy sitting on the back seat. They pulled him out. They had handcuffed his hands behind his back. His face was like this, like totally swollen, scratches, he had been beaten in his face, his eyes were swollen, scratches over his head, pieces of flesh out of his arms. His t-shirt, his pants torn, blood ... within minutes, we had masses of people standing there, and my colleague and I were the only two white people there. There were, I think, more than a hundred people from the community and they were all shouting and saying, 'yes, we've caught the thief' and 'he will pay. People can't rob our workers in the community', 'we don't want people to be chased away from here'. I said: 'okay, you've got the guy, he says he's got the stuff, just cool it now' but I was scared. I was more scared when the taxi driver spoke to

me than I was with the guy with the gun at my head and I had this heroic idea of pulling the guy out of the car and keeping him inside and telling everyone to go away but the way they were psyched up and ready for the punishment, I don't know. I thought maybe they would do something to me because I tried to stop them The drivers said they would cool it [but after they left me] they held him from the Friday to the Sunday. They had been bashing him up. Early on the Sunday morning, they just drove up to [his] grandfather's house and threw him out of the car while they were still driving and he was very, very badly bashed up. They had to take him to hospital, emergency [On Monday, the taxi drivers told me to collect my belongings. I asked them why they had continued to beat him]. All they said is: 'you don't understand, you're not from here, you are white, don't bother'. They were very proud of themselves, of the fact that they are doing their bit, that they are good citizens They told me that they don't want qualified people who really want to work in the community being driven away because of gangsterism and stuff like that and that they had made an example of me. [They didn't ask me for money for their services although I think that someone paid them in my name]. ... When I told everyone that I had gone to the police station [and that] I didn't know why we had to have this taxi thing happening, they said: 'no, you don't go to the police, they're useless'. Every person I spoke to in the community told me: 'you're wasting your time, don't go, they won't do anything. The taxi drivers are the only people the gangsters will listen to' ... I don't know what is happening here and most probably if I lived in the village, I would be happy ... I wouldn't want to fear being raped walking down the street or want my house to be robbed every second week, or fear that my child is going to be run over by a drunk driver.

Clearly, violent vigilantism is more 'newsworthy' than less violent methods of informal justice and violent incidents may well be over-represented in the media. A range of other actions, including intimidation, fines and community service are also part of the vigilante ambit. However, as various respondents indicate, violence is a core component of vigilantism even when it is not reported to the media. Similarly, the *threat of violence* is never far from other vigilante methods, as the following extracts reveal:

Somebody will come from nowhere and start slapping you and saying 'but tell the truth'. So there is a lot of intimidation, harassment and complete abuse of your personal dignity and esteem so that you end up cowering in a corner. The guys have guns, AK-47s, sjamboks, knobkierries, pangas. You are defenceless in that type of situation. You are completely at their mercy It's normally a large group ... about a hundred people [in a school hall] and you are put in the centre, they will be surrounding you. (ME)

[They burnt my house down], my friends were intimidated, [the vigilantes] went to my work, so ... I had to change workplaces. [I moved to another township.] So, in a way, it has actually killed me, it has killed my family, it has destroyed us, destroyed our home, our name. (C2)

Violence also works hand in hand with financial 'punishments' that are frequently meted out by vigilantes. Violence can operate either as a threat to elicit payment or as a gratuitous addition to monetary fines, as the following media comment suggests:

The alleged leader of a gang of hijackers was given at least 180 lashes and fined R3 600 after being tried by a 'people's court' this week. (Sunday Times, 20 December 1991, V104)

The inter-relationship between violence and financial remuneration is complex. For some respondents, violence and money co-exist as a way to instil justice and, importantly, ensure compensation for the complainant. The immediacy of vigilante 'justice' coupled with a perception that vigilantes are able to return belongings or extract financial compensation (via violence) is an argument commonly made in support of their methods. Consider the following extract:

[Vigilantes in Mamelodi are successful because] you find the community saying the police can't do nothing, even if maybe my property was stolen and the person was found guilty by the court, they don't get a way of compensation, they don't get back what was stolen or whatever damage was sustained. They don't get paid back so now if they take their case to the kangaroo court, judgment is passed and then people are paid back and so on. (MSAPS)

This respondent bases community support for vigilantes on their apparent ability to restore belongings and compensate those who turn to them. Pigou (in personal communication) explains that this may be particularly pertinent to communities where material possessions are scarce, a factor which may account for certain regional variations in vigilante activities. The 'restoration of material belongings' as a justification for vigilantism is important because it highlights a fundamental difference between the formal criminal justice model and vigilantism. This difference is not reducible to practical failings of the former, but rather suggests an elementary distinction between the premises of each approach (rehabilitative justice versus compensatory, retributive justice). The fundamental difference behind each approach is additionally confused by the perception that vigilantes 'help' in the wake of police failure,

I won't blame [people for taking the law into their own hands]. You know those people of the kangaroo courts [should] be paid. Those people are helpful. The kangaroo courts help. If the police say these people should stand back where as they the police fail? These people are helpful. (MJ)

The different underlying tenets of each model, as well as the practical failures of the criminal justice system are further explored in the section on explanations for vigilantism below.

Other respondents adopt a more cynical approach to the financial aspect of vigilantism, suggesting that *self-gain* is a crucial motivation for those who turn to vigilantes. For example:

It seems this lady [who lodged a complaint against me because she wants to get my house] is related to one of the kangaroo [court] people [and that she would get my house and thereby benefit by them finding me guilty]. (MI)

Additionally, self-gain is commonly cited as a central motive for vigilantes themselves.

There are two complementary levels through which vigilantes may profit materially from their actions. Firstly, they may benefit by charging for their 'services'. This is particularly pertinent to groups that are organised and coherent rather than spontaneous, because remuneration for 'services' requires planning and structure. Hence, groups such as Mapogo a Mathamaga and PEACA in Khayelitsha fall into this category.

[With PEACA] I understand that you pay by case because if they want to go and pick up somebody ... you have to give them money for petrol. That's the way they act. (K1)

I think [vigilantes] have commercial motives. I mean Mapogo has a base in Pretoria, somebody is got to be paying for it ... It's like some protection rackets you get in the taxi industry. I don't think they are politically motivated. Someone will tell you this boss supports IFP, that's rubbish, we've been through that. All they do is shoot for money. That's gonna happen to Mapogo, it certainly has happened to Pagad. (JDP)

The second level through which vigilantes may receive financial reward is via their victims, who are frequently forced into 'paying up', not just to the complainant (if at all) but to the vigilantes too. This is a common complaint from a range of respondents:

[One of the kangaroo court members] told me that they were making money. They only make money for themselves. And it's true and clear that they were only interested in making money, for instance, they fined me R450 in a short space of time [without even listening to my side of the story]. (M1)

[Over the last 20 years] vigilantism has changed in a sense of saying that it's in a manner of people are making profit out of vigilantism. (MSA)

[Vigilantes] are actually thugs, are people who are pushing crime. Whereas they 'vie' to town or around town, looking for money and doing crime, committing crime. And, if things are bad their side, and then they come back to that [vigilante] structure so to carry out their duties of their particular vigilantism so that they can go and get money. (MSA)

In one section, you'll find there's a group of about 10 or 20 people involved in [kangaroo courts] and they're benefiting because they are intimidating the people they are living amongst. They will go into a shebeen, demand free liquor, you know, maybe offer protection or demand protection fees ... It's just a handful of people who are doing this and they don't enjoy the support of the community. (ME)⁸

The efficacy of vigilante violence

The motives of vigilantism, whether financial or not, are usually mediated and achieved through violence. These motives must thus be understood in relation to the functions performed by violence during the vigilante process. Consider Case Study 2.

Case Study 2

A woman needs sex

As told by a man who was beaten by a kangaroo court in Mamelodi

[I brought my girlfriend, who is also the mother of my child, from Pietersburg to Mamelodi. She started seeing other guys and so I ended the relationship. After a few months, she came back to me and asked for money so that she could go home to Pietersburg. I agreed to give her money at the end of the month]. She opted to go to the comrades. She told them that I was not supporting her and that I was not buying food for her. The comrades then wrote me a letter asking me to report to their offices. [I went there and] They said that, 'your charge is that you took your girlfriend from Pietersburg and brought her here and now you don't want to support her. We find you guilty for this Do you know that a woman is supposed to wash, to eat and she needs sex. Do you know that?' I said, 'yes, I know'. They were now insisting that I hear them properly. The same comrade told me that, 'Before you leave here. You should know that you're being fined ... you should then choose between 1000 lashes and R170'. I told them that I'm afraid of being beaten; it would be better for me to choose to pay. They then told me that I have to pay another R50 for petrol in order to fetch my girlfriend [who was already there] and 'now that you have fooled with us, you have to receive 10 lashes before you leave' ... they told me to lie down on the bench They gave me the first lash and told me that they won't count it. They then asked one of them to bring a twenty litre bucket full of water to wet my pants, so that my trousers should stick to my flesh or skin. I was then given another 10 lashes They then instructed me to kiss my girlfriend and take her to my place. 'You will have to see the other lady whom you are presently seeing at a later stage [until this woman decides to go back home]. For now, we want to hear that she is supported, she gets food and sex from you. We don't want to hear anymore complaints'.

In the vigilante process captured by Case Study 2, violence serves at least three purposes. Firstly, it is offered as a choice 'between 1000 lashes and R170'. In this way, violence functions as a threat to elicit financial payment from the victim. Secondly, once the victim commits to paying the fine, violence is actualised through the 11 lashes that he receives. This serves to 'punish' the victim for 'fooling with us'. As a punishing function, violence not only inflicts pain, it plays a symbolic role, representing a certain power and strength about the vigilante process. Corporal punishment renders this symbolic function visible to both the victim and the vigilantes themselves (as well as any bystanders). This function is reinforced by the apparent gratuitousness of the violence, especially because it reneges on the 'either-or' nature of the earlier choice. Thirdly, violence in Case Study 2 serves a function of intimidation. It underlines the verbal warning that is issued to the victim as 'we don't want to hear anymore complaints'. Here, violence strives for prevention and control, by instilling fear within the audience. It warns the victim and onlookers that their future actions will be violently punished if they do not follow the vigilante 'rules'. This preventative function reinforces the symbolic purpose of the corporal punishment and it generalises beyond the victim, to exert control over the audience. It also generalises beyond the actual incident to future possibilities. The following extract notes the symbolic and preventative functions served by violence, as well as its actualisation in terms of witnesses to the vigilante spectacle:

You see their punishment is not a good one. Before being found guilty, you find that you've already been beaten up If you could witness how victims are punished, you wouldn't want to witness it again. You would feel the pain. Another thing, those who scream amongst the audience, also get punished. They would leave the victim and beat the screamer. (MF, emphasis added).

The visible and immediate nature of vigilante violence, as well as the extreme pain that is inflicted on victims, serves as a deterrent for both the victim and members of the audience. According to respondents, it is common for vigilantes to turn on any voices of dissent, subsuming them directly into the realm of violence by 'leaving the victim and beating the screamer'. Because this happens, or threatens to happen, vigilante violence seems less about addressing a specific crime or the administration of justice, than the assertion of complete, repressive power. Working alongside the sense of such omnipotence is fear. Vigilantism, by virtue of its public and violent nature, pivots on fear. Fear is frequently cited as a reason for the persistence of vigilantism in communities. For example, consider the following comments made by police representatives:

They administer some kind of jungle justice ... if you use that particular type of justice, you are bound to reduce crime [because you] instil fear in the minds of the people, who to an extent, would be frightened to commit crime. But whether in the long term, you would succeed to contain crime in such a fashion is quite debatable. (ASAPS)

[Vigilantes] feel at the end of the day that they have done something and also that they want to set an example to the rest of the community ... not to commit a certain crime or crimes. (JSAPS)

Fear is generated and sustained through the public nature of vigilante actions. Central to vigilante methodology is the role of witnesses and public participants, as well as the visibility of the punishment.⁹ For example, consider the following interview extract:

[At around 4pm] I heard this loud noise, [two men] were breaking the window [of my house] ... I took my firearm ... and tried to shoot one [but I missed him] and he ran away. [I ran after the other guy and] I managed to grab him. He was very tall and he was tough [and he was a makwerekwere, or foreigner. Some of the neighbours came out and we dragged him to my house]. Then we assaulted him. We assaulted him very, very, very badly so to say. [I felt so angry because this was the third attempted break-in at my house and the police had not done anything about it]. So we assaulted this guy until 8am There was this crowbar that [we] used. We beat him on the toes with that, we beat him on the head with that. And then ... we removed all his clothes, then we painted him and we let him stand on top of the electric box so that people could see him ... see that he is a criminal [Of the participants] some were men and some were women, [even although the women came at a later stage]. Mainly they were from the South African National Defence Force (SS).

This particular incident reveals the public nature of vigilantism. The neighbours are key participants in the process and the victim is 'put on display' for non-participants to see. By painting the victim, he is visibly separated from the community and his criminal status¹⁰ is

publicly monumentalised by placing him on top of the electricity box. This creates a physical and symbolic distance between him and the rest of the community. Ironically, the victim's isolation rests on him remaining fully in the public eye. In this way, the vigilante model contrasts to the prison model, which rests on removing the criminal from the public gaze; the two models are founded on fundamentally different tenets. Painting the bodies of suspected criminals is a violent method that seems to be on the increase in South Africa, with various such incidents reported in 1999. Many of these appear linked to racist vigilantism, although not all such incidents contain a 'race-dimension'.

Broadly, vigilante methods in contemporary South Africa share the following characteristics:

- they are public in nature;
- violence, or the threat of violence, is pervasive;
- they serve a warning as well as a punishing function;
- they generate fear and control through repression;
- they are premised on a model of instant, retributive justice and thus diverge from the rehabilitative model of due process that is South Africa's formal criminal justice system,
- they arise from various causes.

These causes must be explored in order to understand the specific conditions that generate vigilantism and to develop strategies for solving the phenomenon.

Explaining vigilantism

Fighting crime

Vigilante methodology is closely linked to its underlying motive or cause. This may translate literally in instances of 'eye for an eye' type justice, where the vigilante method of punishment imitates or corresponds to the alleged crime. For example, Minnaar (1999) cites a case of castration-for-rape,

A young man, accused of raping an eight-year-old girl, was arrested but no charges – due to lack of evidence – were laid against him and he was released by the police. This apparently angered the community and a group of women ... caught him, beat him up, tore down his pants and then castrated him with a broken bottle. (p. 8)

Here, the vigilante method of castration follows a 'punishment fits the crime' type approach. This is not just restricted to spontaneous incidents but may take on a formalised, almost institutionalised, format. Minnaar's (1999) documentation of a 'Code of Punishment' drafted by an Ivory Park People's Court exemplifies this:

Adultery:	500 lashes for the man and banishment for the woman
Murder:	Necklacing or execution at gunpoint
Rape:	Paraded naked before receiving 400 lashes or execution

Child Abuse:	380 lashes and banishment
Motor vehicle hijacking:	Death for repeat offenders and lashes or execution for first-timers
Theft:	50 lashes
Burglary:	200 lashes for first offence and if items not returned to owners, extra 300 lashes
Assault:	90 lashes
Assault by a man of his wife:	50 lashes
Contempt of court:	An additional 40 lashes and a two-year banishment from the area (p. 30)

In this extract, particular punishments have been agreed on and formalised as a code of punishment. This suggests a certain degree of consensus and planning within the people's court. Codification of punishment is similarly described by de Villiers (2000) in an overview of what he terms 'chief's courts' or 'customary law'. He outlines common punishment etiquette within this field and contrasts the predetermined code with 'recent judgments from approximately 100 courts of chiefs and headmen in Transkei'. Some of these judgments include:

Attempted assault:	Guilty and fined R30
Abusive language:	Six lashes
Rape of plaintiff's daughter by defendant's son-in-law:	Ordered to pay R800 to plaintiff
Proposed love to school girl by force:	5 lashes (pp. 4-5)

These judgments are drawn from a loose typology of punishments for certain offences. Unlike the written codes, however, the applied judgments do entail corporal punishment in the form of lashes. It is beyond the scope of this project to delve into what have been termed 'traditional', 'indigenous', and 'customary' laws and authorities other than to comment that South Africa's constitution provides for their legal recognition 'subject to the Bill of Rights and other relevant legislation' (de Villiers, 2000, p. 1). In this regard, corporal punishment is not legal and therefore certain of the judgments listed above could earn the 'vigilante' label. (The relationship between 'tradition' and vigilante violence is further explored as an explanation for vigilantism below, as well as in von Schnitzler et al's (2001) report on Mapogo).

The 'punishment typologies' and 'punishment to fit the crime' methodologies described here presuppose a crime. Vigilante methods applied along these lines are thus motivated, or at least justified, as a response to crime. Popular contemporary discourse supports this idea, with certain media images glorifying public 'crime fighters' and bringing vigilantism closer to a 'Robin Hood' or 'Wild West' type ideal.¹¹ The vigilante 'crime-fighting' motive cannot

be explained without reference to the criminal justice system. Indeed, for many, its existence is explained by the criminal justice system, by a 'policing gap' left by failing authorities. The police are central to this explanation.

Filling the policing gap

We do have quite a number of people who are taking the law into their own hands and what forces them to do that is because there is too much of this reluctance of the police [to get involved]. (ACPF, emphasis added)

A suspect is arrested, then two or three days [later] the suspect is out and then if they report the case, then the police don't take action and that's where they take the law into their own hands. (AVSG)

The police don't help us at all. We report and say here is violence and criminal activities and they don't even bother to check. (K3)

The criminal justice system, the police, their service is not right for the community of Mamelodi (MJ).

These responses suggest that the police are reluctant to address crime, that they are inefficient and unhelpful. For these reasons, the respondents explain, people are forced to take the 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. This argument takes the line that police inaction creates vigilantism. As one respondent notes:

[There is a] perception in society that criminals are being allowed to go free. This is supported by statistics. (MISS)

And another observes that the presence of 'informal justice' groups, such as PEACA in the Western Cape, is evidence of a policing gap, wrought by police failure.

I think [the police] are failing because of the mere fact that there is PEACA, it's only because the police are failing. (K1)

Other respondents go one step further to suggest that the police themselves are an active part of the crime 'problem'. They are seen to commit crime and collude with criminals, as the following extracts reveal:

Those people we call policemen, they are friends of the criminals outside. Even where I'm staying, there are a lot of criminals, they are robbing some people and all that. But I cannot report them here because their friends are inside the police force. (K3)

Most of the time, the police are favouring the accused. In so much that most of the offenders like armed robbery, there are policemen who are involved in armed robbery. (K3)

We are the ones who don't work with the police because the police think that some of us in the township are very stupid, they are the clever ones because they go along with the criminals. (K3)

You're much more likely to be a criminal if you are a policeman than you are as an ordinary member of the public. (JP)

What the people should mostly complain about is the police themselves, the corruption within the police, the lack of transparency within the police division ... and there are a number of guys who are corrupt within the justice system itself, apart from the police. (ME)

For these respondents, the police themselves are criminals. They are held to participate in a range of criminal activities, from armed robbery to corruption. They are also perceived to support and befriend other (non-police) criminals, thereby colluding with an entire criminal system. Through their criminal actions, the police are set up in opposition to the law. They are portrayed as not merely obstructive to justice but actively defiant of it. To the respondents, this constitutes an abuse of power and presents vigilantism as the only alternative to fighting crime, both within and beyond the police service.¹² From this position, the vigilante alternative is accompanied by a sense of morality or 'righteousness'.

Not all respondents elevate vigilantism to a level where it becomes the only moral solution however, even within an argument that conflates police actions with criminality. Vigilantism remains a contested term. Consider these comments:

Basically the police support these [vigilante] guys. They are not arrested, they are not taken to court, nothing is done. People go there and report the matter but no steps are taken. (MM)

[The vigilantes] and the police are in cahoots. What they do there, the police are also involved. (K3)

One of the PEACA gang is known to the police and he is always at the police station and this is not a secret and these people who assault victims are known at the police station. (K3)

For these respondents, police actions are represented as illegitimate. However, this illegitimacy is defined by police support of, and participation with, vigilantes. In this argument, vigilantism is presented as yet another aspect of crime. It is seen as illegitimate and any perceived police support of vigilante groups is similarly tarred. This paints the police with a 'vigilante' label themselves. In effect, the tension between vigilante legitimacy and illegitimacy boils down to how the term is defined. From one perspective, vigilantism is seen as an alternative to police criminality; from another perspective, it is seen as a form of crime that contributes to criminality in the police. What is clear, however, is that in both arguments the police are represented as illegitimate. This is reminiscent of the manifestation of political vigilantism during the 1980s.

The conflation of the police with crime is reinforced by media images and specific

incidents, such as the *Special Assignment* report screened on the SABC 3 television channel in November 2000 of [six white policemen setting their dogs on three Mozambicans](#), and the 1999 incident, filmed by the BBC, of South African flying squad members beating suspected criminals. Actions and images such as these earn the police an illegitimate and, indeed, 'vigilante' label. This impacts on levels of community trust, as the following respondents note:

[Last year a journalist was beaten up by the police and he lost an eye. He] was badly beaten up at the police station in Guguletu. That obviously made world headlines and, I don't know, maybe the community has serious problems with what was happening at the police station. (C2)

We know that a lot of people don't trust the police ... and they see in the newspapers daily policemen being charged with corruption and other crimes ... policemen being accused of racism. ... it's not helping other efforts being made to build this trust, reconciliation with the community. (JSAPS)

The argument that is made here suggests that community mistrust fuels perceptions about police illegitimacy and opens a space for community members to take the law into their own hands. For many, community mistrust and general relations with the police cannot be fully understood without recourse to the past and South Africa's apartheid roots.

Apartheid history

We come from a culture where the police are seen as instruments of the state against which we were fighting. (MM)

One can see from the relationship that [the police] have with the community that they haven't changed from the past police, meaning that they are not friendly enough, the communication level is not there. (MJ)

As soon as you bring the police into the picture, the people start to close up Historically, they don't want to work with the police. They see the police as the enemy, and that's going to take a long time to effect change. (C1)

For these respondents, South Africa's policing history is offered as the reason for poor community relations with the police. This history, they explain, creates a space for vigilantism today because people 'don't want to work with the police', and would rather take the law into their own hands. More generally, apartheid is represented as a key factor in explaining the 'crime-fighting' activities of contemporary vigilantes, as the following extracts suggest:

I: Why do you think vigilantism as a way of dealing with crime in the first place did come up?

R: Because of apartheid. Because when [black people] came to report a case ... [the police] don't take action, even the media did not report such cases about black people So that's why the people didn't trust the police by that time. They used to take the law into their own hands. And vigilantism, it was

happening in black communities, not in white suburbs. We're dealing with the people ourselves here in Alexandra. Because we're having the problems and we know the people who're doing it. (AVSG, emphasis added)

The *apartheid regime* has caused vigilantes [to develop]. (ACPF, emphasis added)

The role of past police-community relations and apartheid's impact on contemporary vigilantism is acknowledged by members of the police service themselves. For example, consider these comments:

The history of our country, of actually looking for a victim, plays a role [in ongoing vigilante action]. There are people who simply don't trust the police. That is not something that we are going to change overnight. When we started with community policing, we looked at it as a 10-15 year project and that was in 1994. I think we are getting there. (JSAPS)

You must also understand that the police in the past had extraordinary powers to deal with offences against the state ... and that they also had extraordinary powers, almost [draconian] powers to deal with crime itself ... and all of a sudden you have this transparency and police have been pulled up, they don't have these powers anymore. (C1)

Both of these extracts locate contemporary vigilantism in relation to apartheid. For these respondents, this link is not only about community perceptions and trust of the police. It is also about policing strategies and changes during a political transition. As C1 suggests, the police themselves have had to change their approach to crime and can no longer engage in vigilante type actions with 'extraordinary powers'. Vigilantism, in this argument, is located in the mechanisms of transition. It arises to 'fill a policing gap' but rather than a gap created by contemporary police ineptitude or criminality, this gap is seen as one created in the shift away from repressive state control and heavy-handed vigilante-style policing methods, to police 'transparency' sans draconian powers. In this argument, vigilantes are conceptualised as directly filling the 'crime-fighting' void left by the transition. Here, vigilantism represents a privatisation of the old style policing function.¹³ It is rooted in apartheid but cannot be explained in terms of a static past. Rather, contemporary vigilantism is explained as a product of South Africa's political transition, tied as much to the current political dispensation as it is to the apartheid past.

South Africa's political transition

Various respondents explain vigilantism in terms of South Africa's transition from apartheid to democracy. This is done in a number of ways. For example, the police respondents above locate vigilantism in transitional policing practices and diminished police 'powers'. Another respondent situates the phenomenon in relation to changing perceptions of state legitimacy.

I: Is [vigilantism] a new phenomenon in Mamelodi?

R: Yes, it is a new phenomenon, though the history of Mamelodi tells us

something, for instance, the period before the elections, the democratic elections, *Mamelodi at some stage was a no-go area for the police*. People were dealing with crime themselves, so, as a result, people have it in their mind that if they themselves can deal with crime privately, they can bring the crime level to zero level.

I: So has there been any change regarding the nature of vigilantism since around the elections?

R: What actually, I've mentioned before is that at that point in time, one cannot call that vigilantism, before the elections. *It was just a community dealing with crime*. But at this stage, what has happened with this kangaroo court, that is the phenomenon today. (MSAPS, emphasis added)

For this respondent, vigilantism is defined as something new, as something that has originated since the democratic elections. His argument suggests that through the transition, certain actions have come to be termed 'vigilante'. He considers the same actions – of fighting crime – to be legitimate in the past because of the 'no-go' relationship between the police and the community. In the present, however, these actions attract a 'vigilante' label. While the argument appears to rest on semantics, it must be contextualised alongside perceptions of state legitimacy. What are termed 'vigilante actions' today are 'new' because the current political dispensation, unlike its predecessor, is seen to be legitimate. Here, the perceived legitimacy of the political order co-exists in an inverse relationship with vigilante actions: vigilantism occurs in a legitimate political climate, while 'crime-fighting' originates under an illegitimate order.

The transitional period is also put forward to explain vigilantism in terms of changing perceptions of crime. Consider the following comments:

[Vigilantism] is a situation of those years of the community condoning criminal activity by certain people committed outside that community. That's unfortunately I think one of the hangovers of the previous system, that you have a generation that maybe feels it's okay to do crime. (C1)

Historically [those who live in section 4 of Mamelodi] were involved in the struggle as young people. Now they are in their thirties and forties and they are buying houses and so on. So they have that it has been a very politically active section. They used to have the street committees, things like that. They would patrol during the night, you see. Historically, [it] has always been like that in that section. Then ultimately, it culminated into full-blown vigilantism [when they started protecting their new houses and belongings]. (MM)

For these respondents, South Africa's transition to democracy has changed perceptions of crime, as well as crime patterns. Crime is represented as fallout of apartheid, as something that, for many, remains 'okay' in the current order. However, these respondents argue, when crime turns in on itself and starts to occur within certain communities, rather than beyond them, the foundations for vigilantism (as a response to crime) are established. MM suggests that vigilante conditions are particularly ripe in those communities that were highly

politicised and active during the apartheid years; for him, vigilante actions are interpreted as an extension of street committee activities. He also links vigilante conditions to a change in the demographic profile of previously politicised communities. The 'youth' of the struggle are represented as middle-aged today. For this respondent, their priorities have shifted with time and political change, to include property acquisition and protection. And these factors of age and property ownership are seen to fuel vigilante reactions to crime.

Others suggest that vigilantism is more a product of expectations about the political transition than actual property acquisition and protection.¹⁴ For example, consider the following comments:

What [causes] community mob attacks is truly a factor of expectation [linked to] the 1994 election. People had hope and expected acceleration of change, that's what happened and it's not taking place. People hoped for better jobs, better houses, free education, free medical care. It's not happening. Now people want to go back to the culture of controlling themselves, people want to go back to the culture of taking leadership of their own life. (TCPF)

I think people had a lot of expectations obviously when the whole political structure changed in this country People most probably vote under the illusion that things are going to happen overnight and when things did not happen overnight – this is my opinion - people started becoming frustrated and disillusioned and maybe at that point, started to take the law into their own hands (C1)

In these extracts, vigilantism is conceptualised as a consequence of expectations about democracy, specifically, *disappointed expectations* about the political change. Vigilantism is portrayed as a manifestation of emotion, motivated by 'frustration and disillusionment'. It is also seen as a form of empowerment, as a way to 'take control'. Vigilantism in this argument is imbued with nostalgia. It is offered as a way for people to 'go back to the culture of controlling themselves'. Such nostalgia serves two functions. Firstly, it creates a particular image of the past, an image that glorifies a lifestyle of 'self-control', unfettered by state intervention and policy. This lifestyle also assumes community coherence and blanket support for 'self control' actions, without recognising that past actions were not uniformly embraced. Secondly, by yearning for such a lifestyle, the nostalgic explanation of vigilantism comments on the present political order and generates a distance between 'the (contemporary) state' and 'the people'. Thus, from this perspective, vigilantism is not only about nostalgia but also represents an expression of contemporary dissatisfaction, as well as disappointment, with the political dispensation.

The sense of disappointment about contemporary governance is commonly located in the criminal justice system. For various respondents, this is based on perceived and real failings of the system, coupled with a sense that 'we have been let down'. It is in this light that they understand vigilante actions. For example,

[But] I don't think the problem lies with the bail as such but it lies with the greater criminal justice system, of how a person is brought before court and how the trial is conducted and brought to conclusion. It goes back to

prosecutors ... if they were well trained, [defence lawyers] wouldn't get away with [some of the things they do]. (MM)

People are first of all impatient with the duration of the law [with the] time it takes for a person to be convicted ... Secondly, you find cases where people walk free from the courts because of lack of evidence or lack of proper investigation. [Also] people don't trust the justice system and they want to deal with crime in their own way. (JSAPS)

R1: The jails are full ... some people don't report these cases even although they have seen the crime being committed because as a person, you don't have protection. Because the criminal would come and terrorise you.

R2: If [the jails] are full, bring the criminal to us and we will sort them out. (K3)

The criminal justice system is corrupt. The police are corrupt. If I go and report a crime to the police or I merely inform them about an act of crime, the perpetrator will be knowing very shortly that I went there to the police to report the crime and as a result, my life becomes in danger. (AHI)

For these respondents, vigilantism is a product of criminals 'getting away with it' in the new order due to negligence, overcrowded jails, badly trained prosecutors, corruption and poor investigations. They see vigilantism in light of practical failings of the criminal justice system. A respondent sums up this perspective thus:

There's a lot of talk, of course, with South Africa's new constitution, [about] access to justice ... [but its] meaningless when you don't have effective remedial structures and that is essentially the problem: that wonderful constitution, wonderful bills in many respects, but no capacity to implement, protect or uphold rights. (JP)

This perspective culminates in a general sense that 'justice is not being served'. Case Study 3 indicates a form of vigilante action that was generated out of such a perception.

Case Study 3

We paid his bail so we could kill him:

Murder accused beg to stay in jail after necklace killing V. Khupiso & J. Hennop (*Sunday Times*, 04 July 1999)

Residents of an East Rand squatter camp each paid R22 this week to bail a man accused of murder out of prison. Then they killed him. Johannes Manamela left jail thinking relatives had paid his R4 000 bail. Instead, he walked into the hands of the residents of the Winnie Mandela squatter camp in Tembisa – who dragged him before a people's court and sentenced him to die. He was stabbed and doused with petrol before a tyre was placed around his neck and set on fire. His horrifying death is part of a frightening new trend in

vigilante justice spreading fear in jails as accused men beg to stay behind bars, safe from revenge attacks ... Johannes Motaung, a recent victim of crime in Tembisa, was one of those who paid Manamela's bail. 'I donated R22 when I heard what was going to happen to him. The idea of paying bail for criminals and then killing them is liked by everyone. We want them to know that we will get them in the end', he said. 'We are always told that there is a shortage of police. We will protect ourselves' Phumzile Madondo, another resident, said: 'The police must come and arrest us all because we all donated money towards his [Manamela's] bail so that we could administer our own justice. We don't trust the police and the justice system.'

Case Study 3 represents an incident of revenge violence motivated by perceived failings of the criminal justice system. It is initiated as a response to 'police shortages' and by a sense that the criminal justice system cannot be trusted to achieve justice. The incident illustrates an organised, planned set of activities that culminate in the violent death of the accused criminal. Vigilantism here is systematic, not spontaneous, and it entails a complex process of premeditated murder, from gathering bail money to necklacing the accused.

This incident is not only motivated by an apparent failure of the criminal justice system on a practical level. While participants in the process cite policing shortages and general mistrust as key reasons for their actions, they are also motivated to 'administer our own justice'. This suggests a different form of justice – 'ours' – divergent from that administered by the formal criminal justice system. In this argument, 'our justice' is equated with violent death. As a participant comments, 'the idea of paying bail for criminals and then killing them is liked by everyone. We want them to know that we will get them in the end.' This is a popular attitude, one that is similarly reflected in widespread support for the return of the death penalty (see below). With violence and very often death as key vigilante objectives, this form of justice jars against the human rights approach of South Africa's post-apartheid constitution. At heart, the two approaches are not compatible. In this context, vigilantism is not solely reducible to disappointed expectations about South Africa's transition and practical failings of the criminal justice system. *Rather, vigilantism appears as a phenomenon generated through fundamental misunderstandings and disagreements about democratic principles and processes.*

Due process: misunderstandings and disagreements

Right now, I should say the community themselves, they feel that it is unfair that suspects ... should be released with minimum sentences, [unfair that] they should be granted bail. So as a result, these community members came to support these community courts. So, I should think it's because of the constitution which grants us human rights ... these actions [in the past, under apartheid] were not so much intensified but now that the present government recognises people have certain rights, it is now people are becoming dissatisfied [that] these criminals walk the streets. (MJ, emphasis added)

Most people are not aware as to how the criminal justice system functions. If you can be arrested today and granted bail tomorrow ... people think that the policeman is responsible and certainly they will assume that [the perpetrator] will never stand trial again. And in some way they should try to avenge what he did themselves. (ASAPS, emphasis added)

People think that when a person has got bail, he is off. (MM)

You find a lot of problems with vigilantism. There are a lot of them with good intentions. But they arrest somebody on the basis of rumour. They conduct a citizen's arrest. Then they come to the police and they hand the suspect over. Then there's no evidence to hold that person and then the police are obliged to release that person. They release him back into the same community. That raises a problem. The problem we had in the beginning is now worsened because now the community does not only blame the suspect but they blame the police as well. (JSAPS)

For these respondents, vigilantism is explained in relation to misunderstandings about due process. In particular, bail is represented as a key factor behind vigilante actions. It is interpreted as a space in which criminals are able to return to their communities and flaunt their 'freedom', as well as to intimidate their victims and re-continue with criminal actions. As a respondent notes,

The first thing that brings violence is that the criminal offender commits crime and comes back and brags to the victim. I feel that the victim must be consulted before the perpetrator gets bail. Then we feel the police are not doing their duties. So we feel that the law of the jungle is best. Because if I feel like killing somebody with the gun, I can kill him because I know that tomorrow I will be back here. That is why there is so much crime. (K3)

Bail is seen to serve the interests of criminals rather than their victims and the community at large. It is not understood as a mechanism to protect human rights and uphold the 'innocent 'till proven guilty' doctrine. Instead, it is perceived as a stumbling block to justice, although, as Case Study 3 ironically indicates, bail can create a window of opportunity in which vigilante actions themselves occur. Alongside perceptions that it creates a space for continued crime, bail is also rejected as an impediment to instant justice. Consider these extracts:

Now the community, especially [in] the black townships, don't understand [the courts]. They still believe ... 'if we arrest someone, we bring him here to you, you [the police] must keep him, we don't want to see him again. He must serve six, seven years'. For instance, [the taxi people last year] blamed the police. [The community] go to the taxi people and say 'can you help me to solve my problem? [because the police won't].' So the [taxi] people were willing and then this [is a] problem, of the people going out there and going totally out of hand. (GSAPS)

The reason for people to be assaulted is that when I do criminal offences and get arrested and the same night I am back here with you. If we take into consideration like in the olden days, we said 'let us make our own god here because Moses took long in the mountain'. That is why people go to the taxis and say 'make us a god which we can worship now because Moses has forgotten us' So people want to see things happening very fast. (K3, emphasis added)

These respondents explain that for vigilantes, the process of formal justice is problematic because it delays punishment. 'People want to see things happening very fast'. This suggests that vigilantism is driven by a lack of understanding and limited appreciation of due process. Clearly, South Africa's past plays a significant role in explaining this response. During apartheid, due process was not followed, 'justice' was used to violate human rights, and corporal punishment was an integral part of a racist system. Consequently, most South Africans have not benefited from bail, fair hearings or balanced sentences and these remain abstract, alien concepts. Consider the following comments about the death penalty:

[I think we should have the death penalty today and the judges who are still mostly white, must determine who should go to the hangman]. That's how they've been doing it before. Because they were happy before because they were not sentencing their own brothers. Now they know that their own [white] brothers can also be hanged, [that's why there is no longer a death penalty] Because before they used to do it to blacks only. There was no white man being hanged. (AVSG)

When a person has hijacked a car and shot the driver, that person, in my view, must be given the death penalty. There is no need for the government to imprison that kind of person, it's a waste of our money. He has killed, therefore, he must also be killed. I think the reason why we were against the death penalty during the days of apartheid, was mostly because black people were being hanged and for wrong reasons. But now we have a democratic government in place, I think the death penalty must be brought back. (AB)

The death penalty must not be reinstated until such time that our criminal justice system is transformed. Because there are still those old white judges who look at skin colour when they sentence people. (AB)

These respondents explain that during apartheid the death penalty was applied as a racist and unfair instrument of 'justice' to black people. On these grounds, it is contested for its racist application at the time. It is not, however, contested on the basis of a human rights argument. That the respondents welcome the notion of a death penalty in democratic South Africa, suggests that they have no human rights-based objections. Rather, they are appealing for a racially fair application of capital punishment. This is a common contemporary response to the death sentence. For example, in an assessment of human rights knowledge among the general South African population, Pigou, Greenstein & Valji (1998) found that 73% of their respondents (drawn from a sample of 3 600 participants) 'maintained it was a mistake to take away the death penalty in South Africa, and only 14% disagreed with it' (p. vii). They note that,

The abolition of the death penalty by the Constitutional Court in 1994 has prompted repeated calls for its return from a wide cross-section of South African society, across the political spectrum and racial divide. This attitude reflects a widespread public perception that the government has gone 'soft' on crime and criminals. This reflects the false notion that the death penalty acted as a deterrent in the past, and that its removal has led directly to an increase in the crime rate. (Pigou, Greenstein & Valji, 1998, pp. 95-96)

Popular support for the death penalty reveals a fundamental difference between the constitutional premises governing post-apartheid South Africa and popular public discourses about justice. In this difference rests an explanation for vigilante violence. Vigilantism is explained, not as a misunderstanding of the criminal justice system but as a divergence from, and disagreement with, a human rights framework.

'Our tradition'

Various respondents contest South Africa's human rights framework on the basis of 'culture' and 'custom'. They present corporal punishment as an 'indigenous' and fundamentally 'African' practice of justice. Here, 'tradition' is set up in opposition to a 'western' system, resulting in an 'old' way of life gaining privilege and authentication over the 'new' way. Because it is based on a 'way of life', this argument is not about explaining vigilantism as a particular phenomenon. Rather, violent methods that constitute a 'vigilante' label from South Africa's constitutional perspective are merely absorbed into a broader framework of 'our way'. For example, certain vigilante groups such as Mapogo a Mathamaga¹⁵ justify their violent methods as 'the African way':

'This is the African way of stopping crime. The criminal must lie on the ground, and we must work on his buttocks and put him right' – Monhle Magolego, president of the vigilante group Mapogo a Mathamaga. (Mail & Guardian, 23 December 1999).

Statements of this nature appeal to a sense of tradition. This sense of tradition is left vague and generalised as 'the African way'. However, it relies on the weight of heritage and history to contest the 'western' way, which, in this context, includes human rights, constitutionality and non-corporal punishment. A similar justification for violent vigilante actions emerges in the following focus group interchange:

R1: We as black people have never built jails. Jails were for white people ... once a person commits a crime in our presence, our jail is a grave yard ... if you make trouble in Xhosa [tradition] we can take the law into our own hand because we grew up without jails in our communities We sit at the round table and if the man is guilty, we hit him with stones until he dies ... our jail is a stick and a stone, we hit you until you die.

R2: Violence is not the same, though in Xhosa, a sin is a sin, there is no small sin. [Now] you find that a person does a horrible thing like raping a two-year old child. The law takes it very easy and the person gets out of jail easily. If you break a matchstick, then you are fined more years. That thing surprises us. Where does the law work and how does it work? If the government could leave these criminals to us, I think it will come to an end because we will carry out our tradition and there will be no more rapes here, never.

R3: During the time when people were hanged, there were no rape cases ... and we black people never used to discuss anything with a rapist, we used to pull him with a rope and beat him up or hang him straight away. (K3, emphasis added)

The respondents in this interchange justify violent and instant actions against criminals in terms of 'black' and 'Xhosa' culture. They set 'tradition' against 'the government' and 'the law'. In this way, they appeal for a return to 'tradition' and, by implication, violence, as a way to eradicate rape and crime in general: 'if the government could leave these criminals to us, I think it will come to an end because we will carry out our tradition'.

Various other respondents similarly draw on 'tradition' as an explanation for contemporary vigilantism. Even if they do not advocate instant justice, they understand the phenomenon as rooted in a 'way of life'. Consider the following extracts:

We look at the way in which the indigenous law system was functioning. It's quite different from the western type of legal system, the way it functions. For instance, in indigenous law ... when they committed a crime, he was supposed to be tried as soon as possible So the matter is dealt with now and it is resolved now. So, to some extent, that has created a situation where people who were exposed to that type of legal system began to think that whenever one commits a crime, actions should be taken now. (ASAPS, emphasis added)

In customary law, you are tried by your own peers. You appear before the very people you live with. They judge you on the basis of the standard which they feel is acceptable to them I think [vigilantes] maybe try to revert to that sort of a thing. If you trace it well, the whole concept of community forums and what you have is very old in the township. It has always been there. In the 80s, it went into maComrades, then I know them as maKgotla ... this is an ongoing pattern which has always existed. (MM, emphasis added)

The African person has his own way, historically and traditionally, of dealing with certain matters and these type of community courts [that have been set up in the townships] give him a foothold into solving some problems that they maybe can solve. (C1)

If you look at vigilantes' modus operandi, they are going to get support from most of the people who are ignorant of how the criminal justice system functions. People who normally have, were exposed to, the functioning of the indigenous legal system would want to see the action being taken now. (ASAPS)

It goes beyond the scope of this research project to provide a detailed analysis of these statements and their social and practical implications. However, it is important to recognise that a 'traditional' argument can also be made to contest contemporary vigilantism. For example:

[Mapogo a Mathamaga] traces their method to African customary tradition where the offender is healed by being given corporal punishments and made to drink some medicine. The rural courts however, did not operate with such intimidation and brutality. (HRCK)

People have forgotten that they are people. They think they are animals and

because we have got this strong concept of ubuntu, now has been taken away from us. That is where restorative justice comes from ... we've got a duty to perform, to teach even our courts ... so that they adapt to what we have got to say ... they mustn't come up with a mix of Roman and Dutch law, and English law and impose it on us because we, in our township, 99% are Africans. You go to court and you are a European because everything is done the European way. That is also one of the factors [causing vigilantism], I would say. (G5)

As these extracts suggest, there is no one perspective on the role of 'culture'. While advocates of violent corporal punishment may utilise this discourse to serve their own ends (as, for example, Mapogo a Mathamaga does¹⁶), others may also draw on 'tradition' to advance a human rights approach.

Emotions, prejudice and revenge

All of the explanations offered for contemporary vigilantism thus far are underscored by the basic assumption that vigilantism is motivated by 'fighting crime'. However, the following section suggests that vigilante action does not only revolve around issues of 'crime'. Or rather, the ways in which 'crime' is defined by various vigilante groups are not restricted to activities such as theft and murder. Like vigilantism, crime itself represents a contested terrain. Often, what is considered to be 'crime' expands beyond the common legal categories to include personal disputes and domestic relationships, as well as sexuality. As the incident in Case Study 2 above illustrates, vigilante violence circulates around a complaint about 'food and sex',¹⁷ rather than any tangible 'crime' per se. Consider also the following interview extracts:

The involvement of the kangaroo court in domestic issues antagonises the communities. According to African culture, unless it's in the court of law, I can't ask an elderly person about his love life, you know like these [young] guys are operating and that's why the community wants nothing to do with it. (ME)

Vigilantes have already taken [on] an extra-ordinary process of which they now intervene to solve the cases of the husband and wife and of which they don't understand very clearly about the law. (MSA)

[PEACA] don't build the community but they fight against us and with the very same people who go to them. For example, you have a dispute with your wife and they fight you and assault you [but] they should refer this matter [elsewhere] because they are not marriage counsellors. *They fight with people, not with crime.* (K3, emphasis added)

For these respondents, vigilante intervention in domestic issues is negative and unrelated to any crime-fighting activities. It is seen to 'antagonise' and destroy, rather than build, the community. 'They fight with people, not with crime'. It is this characteristic that earns groups such as PEACA a 'vigilante' label for the respondents. Vigilantism, for them, is about executing control over communities and meddling in personal affairs, rather than solving crime. Others agree:

Sometimes you find that people may have a grudge against a certain individual and they may persuade a lot of other people to help them in dealing with this person in a sense of accusing this guy of committing some other crime. They form vigilante groups to get rid of this person in the name of justice. (JSAPS)

The person that actually came to burn my house doesn't have a house. It's jealousy. (C2)

For these respondents, vigilantism is less about crime-fighting than settling personal scores. As JSAPS suggests, in certain incidents crime may be manufactured and used as a front to disguise other motives, such as jealousy or a personal grudge against the victim. In other vigilante situations, the 'crime-fighting' motive, whether real or manufactured, does not feature. Incidents are framed in terms of emotions, such as revenge or hatred. For example, a respondent explains that her son openly seeks revenge, following a vigilante attack. Although he has not acted on his 'hatred', his rhetoric is about emotion-driven action, rather than crime.

[My son who was badly beaten by a mob] says he hates everything, he hates the police, he hates interviews. We went to a counselling session and he said to me: 'what am I going to do? Until I find myself a gun and go and fight back, otherwise what must I do?'. (C2)

A number of respondents explain that emotions govern vigilantism. Consider these comments:

[Vigilantism] works on suspicion and its sentences are based on rumour. It is a reaction and is not proactive Acts of vigilantism are motivated by emotions rather than rational thinking where revenge is put at the forefront There is a sense of a moral high ground, that 'we are doing the right thing'. This acts to justify whatever type of action. The punishment meted out does not correlate with the crime committed. (HRCK, emphasis added)

What causes one to do vigilante, is because of the anger. People can't control their anger. Once one is angered. He simply takes the law in his own hands and then the person [only] realises thereafter that 'I've done a wrong thing'. (ACPF, emphasis added)

[Taking the law into one's own hands] is not a structured adjudication of a specific situation. It normally goes hand in hand with *emotion*, *subjectivity* most probably, and normally there is no real objectivity in the sense that you're going to have somebody sitting there deciding who's right and who's wrong. You normally have a situation where the accuser is the person who judges you, metes out punishment. (C1, emphasis added)

Consider Case Study 4, which represents a vigilante incident motivated by emotion and prejudice:

Case Study 4

Mob kills woman for telling truth: health worker stoned and beaten for confession

B B Kortjas & S Msomi (*Sunday Times*, 27 December 1998)

Health worker Gugu Dlamini, 36, of KwaMancinza, near Durban, died after being assaulted by a mob who accused her of degrading her neighbourhood by disclosing that she [was HIV positive] [A friend said that] on the day of the attack, Dlamini had been slapped and punched by a man who had asked her why she had gone public about her status when there were a lot of others like her in the area who kept quiet about it. 'We phoned the police station and reported the incident but they never came. After we waited hours for the police, Dlamini returned home. The mob attacked her at night. They stoned, kicked and beat her with sticks. [She died the following day as a consequence of her injuries]. But I believe her death could have been prevented had the police responded to our call about the initial assault'.

Gender

On the basis of this newspaper report alone, it is difficult to analyse the gender component behind Gugu Dlamini's death. However, it is important to recognise that HIV/AIDS and sexuality in general are wrapped up in patriarchal discourses and practices in contemporary South Africa. In a climate where women are particularly vulnerable to sexual abuse and violence, it is probable that Gugu Dlamini's death was compounded by her gender. Similarly, gender may underpin other forms of vigilantism, for example, 'witch killings'. A respondent notes that,

Accusations of witchcraft have also acted as catalysts to acts of vigilantism. Women who stay alone and have lots of cattle get attacked. 'Why do they have so much while they are alone? They must be witches'. (HRCK)

In these cases, instant justice is explained in terms of morality and spirituality, rather than 'crime' or 'emotion'. Here, appeal to a supernatural order serves a similar function as the 'crime-fighting' argument because it disguises the interests that are served through vigilantism. As the respondent observes, successful women (particularly those without men) may be tarnished with a 'witch' label and killed within particular communities. While the killings are conducted in the name of 'witchcraft', patterns of patriarchy are entrenched and individual beneficiaries (of, for example, the women's wealth) are simultaneously generated through such vigilante action.¹⁸

The gender dimension of vigilantism is an important factor, particularly in explaining certain incidents. For example, consider the following extract:

In the Eastern Cape, the vigilante group that exists calls themselves Umfelandawonye. The group operate some sort of protection racket where, in order to be protected, you have to affiliate. In this area, victims are mostly women and children because they are always found within the camp, while men work away in the mines Since men work away from home in the mines,

some women get accused of adultery and are killed. (HRCK)

As this respondent suggests, gender plays a central, but complex role in the violence surrounding Mfelandawonye activities.¹⁹ It is beyond the scope of this project to explore gender and vigilantism in detail. Rather, gender – in terms of victims, perpetrators, causes and implications - must be flagged as a crucial factor for future analysis. This is particularly important in light of the following comments about contemporary community courts:

No serious cases were referred to that particular community [court]. Violent crime was out. However, there are instances where the community committee dealt with cases of what's commonly referred to as common assault cases. Assault cases where there is clearly not serious injuries inflicted, especially those type of cases that happen within the family type set up, where it is clear from both the perpetrator as well as the victim that both of them are prepared and willing to reconcile. (C2)

Localised structures such as community courts can be used to deal with minor cases such as a husband who assaults his wife. In such cases, compensation, rather than punishment should be used. (MISS)

As these respondents explain, community courts of this type (not to be confused with people's courts and kangaroo courts of the vigilante type) have been conceptualised to work within the frame of the law. They have been installed to deal with minor, non-violent cases as a way to relieve the backlog and caseload pressure from ordinary courts of the formal justice system. What is significant about the above comments is that issues of domestic violence and abuse are included within the ambit of such courts. Both respondents illustrate the 'minor', 'non-serious' nature of the community court cases with domestic abuse examples. In this way, they create the impression that domestic abuse (and therefore gender abuse, especially of women who are vulnerable) is not serious. This suggests that domestic and gender violence is undervalued and raises questions about the 'types' of crime that are prioritised by the state, and indeed vigilantes themselves.

Individuals, personalities and leaders

The case of Gugu Dlamini represents a specific incident of vigilantism in a particular community. While fed by a national stigma against HIV/AIDS, the incident is best understood as a product of local dynamics. Individuals and specific relationships within communities play a crucial role in determining vigilantism. For example, it would be interesting to explore the role played by the man who 'slapped and punched' Gugu Dlamini in fuelling and instigating the later 'mob-attack'. The influence of particular individuals in planning, initiating and conducting vigilante actions is important to understanding its many manifestations - organised as well as spontaneous. At an organised level, leaders such as Montle Magolego of Mapogo a Mathamaga are clearly central to the group's 'success'.²⁰ Similarly, in a report on seemingly organised (yet covert) vigilante-style violence at the Amplats Platinum Mines in the North West Province, the Network of Independent Monitors (NIM) (1997) highlight the centrality of specific individuals to the violence. Many of the people whom they profile present with a history of violent actions conducted within the area. These actions include murder, attempted murder, and intimidation. Many also hold

key positions within political organisations and the mining structures (NIM, 1997).

Violent history, powerful positions and individual personality traits go a long way to explaining specific manifestations of vigilantism at local and regional levels. However, most respondents interviewed for this project did not mention specific perpetrators by name. This may be for a number of reasons. Personal safety and fear of reprisal appear likely. Similarly, the illegal nature of vigilantism lends to its being spoken in general terms, rather than in terms of individuals or groups of identifiable persona. Additionally, the interview and focus-group questions were not directed at eliciting such information, with the possible result that names simply did not 'come up' in the course of the research. Another important factor is the complexity of the vigilante 'process'. Influential and charismatic individuals play a central role in vigilante violence but, and this does depend on the form of vigilante action, this role is often caught up in the complex dynamics of 'crowd psychology'. For example, consider the following extract:

[There will be one person] acting as prosecutor. The same prosecutor will be the judge He would accuse you, prosecute you and pass the judgment as well, but it was all done, you know sort of the majority vote. You know, 'raise your hands, how many lashes must he get? Ten?' and then someone will object to ten and say, 'no but he has discredited our organisation, let's give him fifty' and there will be debate until they say, 'okay, those who are for ten lashes, raise your hands' ... and so on it goes and they will say 'okay, fifty people are saying you should get fifty lashes and ten are saying you should get ten lashes and three are saying you should get a hundred lashes, so we'll go with fifty, you'll get fifty lashes'. (ME)

This extract indicates the presence of a key perpetrator, namely, the individual who is both 'prosecutor and judge'. However, the incident is not solely located within this one person. Rather, the respondent describes the prosecutor-judge as taking on a facilitative role. He is presented as a vehicle for crowd expression and in this way, is granted a degree of anonymity. In vigilante actions of this form ('people's courts'), it seems that a primary function of particular charismatic individuals is to dilute their own responsibility into the crowd, to 'the majority'.²¹ In other forms of vigilantism, it may not be as easy to deflect individual responsibility onto the crowd, for example, in cases of covert actions conducted by organised vigilante groups. However, the secrecy of such vigilantism itself awards particular individuals a degree of anonymity that is sustained through fear, even if 'everyone knows who it was'.

Revenge violence and the transmigration of vigilantism

The role of particular individuals in the violence at Amplats (see above) and other mining hostels, for example, KwaMasiza, has been linked closely with vigilante activities and revenge killings in the Eastern Cape villages of Tsolo and Qumbu (NIM, 1997; [Human Rights Committee](#), 1997; Minnaar, 1999). During the period from January 1993 to July 1996, 720 violent incidents were recorded in these areas (Human Rights Committee, 1997). The Human Rights Committee of South Africa (1997) explains that,

Tsolo and Qumbu are rural villages located far from any industrial sites. Anyone seeking employment is forced to leave the region in order to find

employment opportunities. Many end up heading for the industries of Vereeniging and the mines of Secunda, Rustenburg, Welkom and the East Rand. It is likely that the socio- economic conditions of the region and a lack of resources also contribute to much of the violence. Not only is the violence believed to be carried out by men travelling between the areas in search of and returning from work opportunities, but much of the motivation for the violence lies with the profit to be gained by stock-theft, gunrunning, murder and intimidation. (pp. 6-7)

The conflict in this region is complex and difficult to unravel. Its genesis is strongly linked to 'the conflict between Umfelandawonye wa Bufuyi, a self-professed anti-stock theft organisation, and a group most commonly referred to as the Amamponsomise Thieves Unit' (Human Rights Committee, 1997, p. 4). More recently, it appears to have been sustained and fuelled by the transmigration of violence between the mine hostels and the rural Eastern Cape, in a cycle of revenge violence. Revenge-driven vigilante violence is particularly pertinent to such transmigration. For example, Minnaar (1999) comments that,

By mid-1997, with the violence still continuing [in Tsolo/Qumbu], there were fears that [the violence] might move to the mines The killings of a number of leaders of the National Union Mineworkers (NUM) at Butterworth in the Transkei was thought to have a link with the Tsolo/Qumbu violence. Police said that not only were migrant mineworkers going back to Tsolo and Qumbu to kill but that now those who opposed Mfelandawonye were sending their own members to work on the mines and to perpetrate killings there. (p. 19)

The role of non-vigilante individuals

While the transmigration of vigilante violence rests on key roleplayers and their movements, the influence of specific individuals over community actions may not always translate into vigilantism. Indeed, strong personalities may be influential in curtailing vigilantism. The Sector 4 patrol group in Alexandra is one such example. Under the leadership of Bulldog Rathokolo, this anti-crime group works closely with the police to patrol their sector on weekends. For many respondents from Alexandra, Bulldog Rathokolo is a popular figure. As the following extracts suggest, he and 'his' group are seen to protect the community from crime in a legitimate (non-vigilante) manner through their ties with the police.²²

We have come to a stand that working with the police and with formations like Bulldog's Sector 4, we will go a long way in addressing the problems of crime in Alex This group is patrolling with the police. That gives them a legitimacy. Life is normal since the group started. You can get out of your taxi at night feeling relatively safer than before. So Sector 4 has done a very good job in Alex. (AWS)

Sector 4 has done a lot of good jobs in the community. They can get hold of perpetrators and apprehend them. Sector 4 is not a vigilante group. These are people who are concerned about the safety of the community and they are working hand in glove with the police. As soon as they apprehend a culprit, they take him to the police. (AWH)

Further details about the Sector 4 group are contained in Appendix C.

Community Policing Forums (CPFs)

Many of the debates about working (or not working) with the police to 'fight crime' extend into debates on community policing forums (CPFs). In evaluating the successes or failures of CPFs in dealing with both crime and vigilante violence, most respondents equate the forums with the South African Police Service (SAPS). They are seen as one and the same institution and are usually viewed in a negative light as something that is not to be trusted (with some rare exceptions, for example, the Sector 4 patrol group in Alexandra). As a police officer comments:

[Even with CPFs in place, people continue to take the law into their own hands because of] lack of trust. Because they don't want to be part of that community policing forum. (JSAPS)

Because CPFs are commonly equated with the police, respondents justify vigilante actions in ways similar to those that have been explored in the 'filling the policing gap' section above. For many, vigilantism is seen as a necessary and inevitable reaction to the failure of CPFs to address crime. Some respondents also suggest that CPFs, like the police, are actively part of the 'crime problem'. This perception has been compounded in certain areas by CPF members abusing their positions for their own ends, or totally misusing the CPF banner, as the following extracts suggest:

[There is a CPF in Mamelodi and it functions well at an executive level. However the kangaroo courts] started calling themselves 'CPFs', when in essence they are vigilante groups. So everything [at the real CPF] stopped because we wanted to try and separate the CPF substructures [from the vigilante groups]. (MSAPS)

I received a letter from the community policing forum [to attend a meeting. When I arrived, they told me to vacate my house within three days because one of their relatives wanted it for herself.] They threatened me and promised to beat me up. (MI)²³

Although CPFs are presented as failing to address crime, either through their inactivity or their complicity with criminals, respondents do not explore the reasons for this failure. Clearly there are many factors over and beyond inertia and/or active abuse of power that contribute to the apparent inability of CPFs to tackle crime. [Simpson \(2001\)](#), for example, adopts a macro perspective that locates CPFs within the 'character' of South Africa's transition (p. 6). He understands CPFs as mechanisms intended to establish the 'legitimacy' of state institutions, rather than to ensure that these institutions 'delivered'. He suggests that through South Africa's period of transition, and with the process of a slowly maturing democracy, 'the patterns of need and popular expectations' have changed, from 'systems of accountability based on legitimacy' to those founded on delivery (p. 4). In Simpson's (2001) argument, there are thus two levels on which to understand the apparent failure of CPFs, namely, their failure to establish institutional legitimacy and, increasingly, their failure to deliver. A rigorous evaluation of CPFs, alongside local community-police relations more

generally, is thus recommended in relation to:

- resources;
- training and skills;
- infrastructure;
- community awareness of, and access to, CPFs;
- police-community relations;
- government policies, and
- local politics and dynamics.

Such a study would be particularly useful not only in identifying gaps and weaknesses of CPFs but also in identifying instances where CPFs are successful in combating crime and vigilante violence. As the sector 4 example suggests (although this too needs further study), CPFs or similar community-based initiatives, do have the potential to offer a non-violent alternative to vigilantism. Similarly, a respondent comments on the success that the Tembisa CPF has had in reducing vigilante violence over the last few years,

[The Tembisa CPF] has gone out to communities and educated them about the justice system of this country, the South African services of this country, the human rights, the rights of the suspect, we've also gone to the rights of the complainant and even extended on very important issues of magistrates of public prosecutors, what are they. We have been very successful. Today, we never have the marches we had three years ago to the police stations, where communities would come and request us: 'Why do you have this suspect out on bail?' Now, communities are starting to understand that. (TCPF)

Vigilantism as crime

Factors of emotion, prejudice and personal dynamics greatly dilute the 'fighting crime' rubric of contemporary vigilantism. Additionally, the material rewards that accompany vigilante actions, whether in the form of 'service fees' charged by Mapogo a Mathamaga; 'payments' to kangaroo courts; or losing a house, belongings or cattle to the 'plaintiff', suggest motives beyond the pursuit of crime-fighting. Rather than seeking to eradicate crime, vigilantism in this vein is motivated by personal benefit and, in certain instances, by crime itself. For example, an overview of 267 cases brought against members of Mapogo a Mathamaga between 1996 and mid-2000, reveals charges that include murder, assault, robbery, stock theft, kidnapping, housebreaking and theft, and arson (South African Police Service, 2000). These are criminal charges and they cannot be reduced to consequences of 'fighting crime' alone. Instead, the crime-fighting banner merely offers a 'legitimate' cover for criminal motives. This is not to suggest that crime-fighting vigilantism is legitimate or legal; regardless of motive, vigilante violence constitutes a crime because it infringes on human rights and undermines the constitution. However, in cases such as those against various Mapogo members, it appears that there is a double layer of criminality in operation. The first layer is the crime of vigilante violence. The second layer goes beyond the purported intention of fighting crime to one of personal gain. This is 'pure crime' that exploits the crime-fighting justification offered by vigilante rhetoric. In this way, it is akin to the criminal actions of various SDU members during the pre-1994 era, actions which existed under the guise of politics at the time.

Just as criminal activities during the 1980s and early 1990s were difficult to separate from political actions, so today, it is difficult to disaggregate 'pure crime' from crime-fighting vigilantism. This contributes to a problem faced by the criminal justice system, namely, the response that arresting and prosecuting vigilantes detracts from the fight against crime and wastes resources that could be directed at 'real' criminals. That the police arrest vigilantes and investigate their activities is, for various respondents, an indictment on the criminal justice system. It suggests a lack of commitment to fighting crime and, for some, even 'confirms' that the police are in cahoots with criminals. This response suggests a differentiation between criminals and vigilantes – they are not seen as part of the same problem and vigilante activity is not conceptualised as criminal. This is not a universal public response, as the quotations throughout the report testify (see, for example, 'what is vigilantism in the new South Africa?' above). However, it points out another difficulty faced by the criminal justice system in tackling vigilantism/crime, particularly because purely criminal activities are easily hidden beneath crime-fighting vigilante objectives.

Politics

Today, purely criminal motives remain largely subsumed beneath the crime-fighting banner. Just as vigilantism in the 1980s was defined through political intention, thereby blurring and politicising a range of other motives, so fighting crime remains, for most, the primary explanation of vigilantism in post-apartheid South Africa. This is not surprising. The discursive shift in understanding vigilantism by reference to crime rather than politics reflects a general social shift in explaining violence across South Africa's period of political transition (cf. Ellis, 1999; [Hamber 1999](#); [Simpson 2000a](#)). Hamber (1999), for example, explains that:

In South Africa today political violence is totally overshadowed by the high levels of violent crime the country is experiencing. Recent trends show increased levels of crime from 1990 to the present [although there are variances in incidence among different crimes and some have, in fact, been declining]. Concerns about ongoing political violence have been deflected and de-prioritised. (p. 4)

Similarly, Ellis (1999) observes that in contemporary South Africa, violence 'is generally labelled as criminal rather than political' (p. 61). Given this general trend in social understanding of violence across the 1994 divide, it is not unusual that the crime-fighting explanation for vigilantism predominates today. However, the break between the past and the present is not as clean as the discursive shift suggests. For example, Simpson (2000a) notes that:

[It is a striking] suggestion that the relative decrease in political violence after the 1994 election ... was ostensibly associated with an equally dramatic increase in the levels of criminal violence However, it is arguable that this analysis of a simple shift from political to criminal violence ought not to be taken too literally ... far from representing a dramatic shift in the nature of violence in South Africa, the post-election period simply witnessed a selective 're-labelling' of violence which was in fact testimony more to continuity than any dramatic process of change. It may be suggested that considering the rather fine line which separated political from criminal violence under Apartheid –

and considering the popular rhetoric associated with the 'miraculous' negotiated settlement which brought Apartheid to an end – South Africans were rather pre-disposed to interpreting most of the violence that occurred before the election as political, whilst selectively re-framing such violence in the post-election phase as criminal in nature. (pp. 6-7)

As many respondents explain (see above), apartheid politics and the legacy of apartheid policing continue to shape present-day vigilantism. Similarly, contemporary politics feed into and fuel various vigilante practices. This is most visible in the Pagad example. The state's response to Pagad has been to define the organisation as a vigilante group and to justify this definition by recourse to religion and ultimately, politics. Phrased in terms of Islamic fundamentalism as part of an 'ideological campaign', Pagad has been presented by the government as a threat to the 'freedoms' of the new South Africa. For example, in September 2000, Minister of Safety and Security, Steve Tshwete commented that 'Pagad's attacks are due to the state's support of the rights of homosexuals and the right to abortion' (Leggett, 2000). In this way, the organisation is depicted as threatening the national ideals of democracy and the integrity of the state itself. Pagad is thus framed as an 'enemy of the state'. Clearly such an argument taps into broader western discourse about 'the Islamic threat'. Strengthened thus by an international political order, the South African state is able to justify its heavy-handed reaction to Pagad, including 'an anti-terrorist Bill that will bring back bannings and detention without trial' (Leggett, 2000). This reaction rests on a 'fighting politics', rather than 'fighting crime' foundation (cf. Dixon & Johns (2001) for their presentation of various voices on Pagad). As Leggett (2000) comments:

by framing the matter as political instead of criminal, the issue is removed from the realm of ordinary policing. Gone are the mundane tasks of cleaning out corrupt police and fighting teenage criminal elements. We have ourselves a war.

In a similar vein to the Pagad example, the government has increasingly conceptualised Mapogo a Mathamaga as a vigilante group and a national threat since Montle Magolego, the group's leader, took on a political role in 1999 as a candidate for the United Democratic Movement (UDM), a political opponent of the state (cf. von Schnitzler et al (2001) for further details).²⁴ While both Pagad and Mapogo represent new forms of vigilantism, forms that have only originated since South Africa's 1994 elections, the rhetoric that surrounds them remains politicised, in a similar vein to pre-1994 vigilante definitions.

Politics also plays an insidious role in shaping contemporary vigilantism through the political messages that are sent out about crime itself. Politicians and public figures such as the Minister of Safety and Security, Steve Tshwete, the Minister of Justice, Penuell Maduna, and the National Police Commissioner, Jackie Selebi, have increasingly adopted a tough, hard-line approach to crime. This translates into statements spoken with words of aggression and violence. Consider the following newspaper extract:

So, when the ministers came out with guns blazing - Tshwete threatening to unleash a bulldog against criminals and Maduna chastising a lazy judiciary - they did so not out of blind fury but on the basis of ideas and strategies already frankly discussed [with the cabinet and the country's president, Thabo Mbeki himself]. (Sunday Times, 19 September 1999)

This extract reflects ministerial statements that draw on the language of violence to contest crime (for example, by evoking an image of setting a 'bulldog against criminals'). The media article suggests that this tough approach is a strategised and planned response sanctioned by the cabinet and president, rather than an emotional and idiosyncratic attitude. Similarly, this news article, entitled 'The kick-butt President: Thabo Mbeki's first 100 days', is itself written in the language of violence, utilising terms such as 'guns blazing' throughout. This language, together with the content of the report, creates the perception that violence is a legitimate way to address crime. As one example of many, this article illustrates the pervasive role of politicians and the media in encouraging a violent climate towards crime and particular constituencies, such as foreigners, in South Africa. In response to the *Special Assignment* television screening of white policemen, from the East Rand Dog Unit brutalising three Mozambican undocumented migrants (November 2000), Govender (2000) comments that,

[t]he acts and utterances by senior police officers and politicians, where immigrants are portrayed as criminals, and where the strategy against crime is likened to bull terriers crushing criminals like bones, fuels and deepens the xenophobic and racist attitudes, whilst justifying any abuse of power in the name of fighting crime.

Similarly, [Simpson \(2000b\)](#) warns that,

contradictory messages from government Ministers who wish to appear 'hard on criminals', may do more to sustain such a culture of police impunity than to tackle it While there is undoubtedly a need for firm measures to deal with the crime problem, there is an equal need for government to clearly demonstrate that it is uncompromising in its commitment to policing practices which have integrity and which are based upon a respect for human rights which represent a clear break with the past.

The legitimacy of violence

Political messages about fighting crime contradict the human rights emphasis of the constitution and thereby fuel perceptions that violence is a legitimate way in which to solve problems in contemporary South Africa. This points to the prevalence of what has been termed a 'culture of violence' in the country (cf. Vogelmann & Simpson, 1990; Hamber, 1999). Hamber (1999) explains that 'many commentators have come to refer to South Africa as a 'culture of violence' – a society which endorses and accepts violence as an acceptable and legitimate means to resolve problems and achieve goals' (p. 1). He notes that this culture is rooted in past endorsement of violence from all sides of the political spectrum and that it has continued across the transition to democracy and persists today. Many respondents comment on such a culture of violence, linking it directly to the past. Consider the following comments:

Crime was on the increase after 1994. There is no political violence now but what is still remaining is the lack of [lawfulness] from the people that was inculcated in the time of political violence. People want to do what they like at whatever time they so wish. People have lost respect for the law. There's too much car jacking, too much murder, too much car theft. (AHI)

We have inherited the culture of non-tolerance. (TCPF)

Almost every teenager who grows up in the township becomes a criminal because it's such a wide thing that happens everywhere. Every young boy who grows up knows that the 'magintsa' are the cool guys who get away. There's a popular myth that says 'I don't have to wait for the whole month to get paid, I can get paid anytime'. So these young boys grow up with that type of mentality, so crime is a popular thing, it's like a culture. (MM)

Other respondents comment more generally on the pervasiveness of violence in contemporary South Africa:

But as for violent crime, that's our daily bread. (AB)

When you summarise it, [Guguletu] is a very violent township. (SAPS)

Part of our culture is very violent, men beat their wives, they beat their children. (C2)

As these respondents indicate, violence exists as a legitimate and primary form of interaction in South Africa. This, to them, explains the prevalence of violent crime and 'lawlessness' during the transition into democracy. It is within this framework that an explanation for vigilante violence can similarly be found. From this perspective, vigilantism appears as a symptom of violence in general.

I must indicate that we are living in a community that today, violence is so high. There are many people who are victims of crime. I mean when they defend themselves and go back so that they can get revenge [then they are called vigilantes]. (MJ)

In South Africa, the rule of law has broken down to such an extent that you can even rent protesters. You can even instigate people to burn down houses, to kill suspects. (ME)

We have been exposed to a number of violent crimes [and] violence is perceived as correct at some stage. (ASAPS1)

Conceptualising vigilantism within a general culture of violence broadens the framework of analysis. This is because vigilantism, in this understanding, is justified as a legitimate response to a range of motives, including crime, politics and emotions. Indeed, vigilantism is not motive-driven from this perspective. Rather, it allows for a range of motives to co-exist, including the use of vigilante violence to achieve criminal ends. Thus, the arguments that separate vigilantism into 'political intentions' before 1994 and 'crime-fighting motives' post-1994 are merged with the recognition that violence has been sanctioned as a legitimate instrument across this era. This level of understanding is also not activity-driven or defined by manifestation; it allows for the breadth of vigilantism in contemporary South Africa and accommodates organised regional groups such as Mapogo a Mathamaga and Pagad, alongside the spontaneous, local incidents of 'mob justice'.

Conclusion

The 'legitimacy of violence' explanation offers a framework for understanding vigilantism in post-apartheid South Africa. It provides a context within which to conceptualise vigilante violence on a spectrum, as a range of actions and manifestations, driven by a variety of motives and roleplayers, rather than as a singular phenomenon per se. The breadth of this definition accommodates the scope of vigilantism in South Africa. However, because it is an all-encompassing theory, it misses the nuances of specific incidents, as well as the particular justifications for vigilantism (justifications that have changed over the last two decades). To generate a deeper understanding of vigilantism, this framework must be applied in conjunction with other explanations that are offered for vigilante violence. As set out in this report, these explanations include:

- fighting crime;
- filling the policing and CPF gaps;
- apartheid history;
- South Africa's political transition;
- misunderstandings of, and disagreements with, due process; tradition;
- emotions, prejudice and revenge;
- gender;
- individuals, personalities and leaders;
- revenge violence and its transmigration;
- vigilantism as crime, and
- politics.

Additional factors to consider include location, the urban-rural divide, age, and access to resources. While not addressed in this report, race may also represent an important explanatory factor within certain expressions of vigilante violence. Set in a general framework where violence is seen as legitimate, these particular factors offer insight into the specifics of vigilantism. Moreover, they can be utilised to inform the 'way forward' and to suggest areas for intervention and further research.

The way forward

Contemporary vigilantism cannot be separated from the formal criminal justice system (CJS). Both exist in a relationship that is intimately connected to issues of justice, crime and punishment. This relationship is generally one of antagonism and it can be viewed from at least two opposing angles. On the one hand, vigilante violence is understood as criminal activity. It breaches the law and is seen as part of the current 'crime problem' faced by South Africa. On the other hand, vigilantism itself is explained as fighting crime. This is largely because the CJS has, according to the argument, failed to address crime. These differing interpretations offer a starting point for intervention. At least three possible strategies can be devised at this level, namely:

- i) addressing the real and practical failings of the CJS;
- ii) prioritising and tackling vigilantism as a form of crime, and
- iii) educating the public and authorities about the workings of the CJS (to address misperceptions about due process).

Addressing the real and practical failings of the CJS

Vigilante violence is frequently justified as a response to a failing CJS. The police, the courts and the prisons are accused of failing to tackle crime for a range of reasons. These reasons include poorly trained officials, police inaction, corruption, complicity and collusion with criminals, and lack of resources (for example, lack of police vehicles to respond to crime calls). They also incorporate misperceptions about due process and general misunderstandings about the functioning of the system (for example, misunderstandings about bail). It is important to separate real, practical failings within the CJS from misperceptions about the criminal justice process as these require different intervention strategies. The former will be discussed in this section and the latter will be discussed in the section on misperceptions about the CJS below.

The real, practical failings of the system - the inefficiency, inaction, lack of resources and inadequate training, as well as corruption and complicity with criminals – must be tackled directly. This will require national co-ordination to avoid duplicating strategies and to ensure a cohesive, systematic approach. However, the co-ordination should also accommodate local dynamics to ensure that problems particular to a specific area are correctly acknowledged and addressed. For example, consider the following recommendations made by the Human Rights Committee (HRC) (1997) to curtail vigilante violence in the Tsolo-Qumbu district:

- The government must ensure that the R6m allocated to rebuild and renovate the magistrate courts and police stations is used as it is intended and that the improvements are undertaken quickly.
- Local police must be trained to properly handle investigations and be shown how to secure evidence through a thorough examination of a crime scene.
- Police vehicles must be repaired to allow for a speedy response to reports of crimes.
- The magistrate must receive an assistant prosecutor.
- Four state advocates must be appointed as a matter of urgency to replace the four who resigned.
- An improved witness protection programme must be devised to ensure the safety of witnesses who are vital to successfully prosecuting those responsible for the violence (pp. 16-17).

While these recommendations require national intervention (through funding allocation and training programmes) they are primarily shaped by the specifics of the Tsolo-Qumbu case (for example, R6 million had been allocated to the region; four magistrates had resigned). Consequently, in conjunction with interventions of the type suggested by the HRC (i.e. tailored to a particular area), evaluative research of the CJS at a local level is vital to:

- i) inform the interventions and ensure the appropriate application of national strategies for improving the CJS, and
- ii) monitor local conditions to ensure ongoing benefit from particular

interventions and develop new strategies to accommodate local changes.

If the CJS is to gain any public credibility and trust and if it is to shed its apartheid history, then these real failings must be addressed. Because the police represent the 'frontline' of the CJS and most respondents locate their dissatisfaction with the system here, it is crucial to address police corruption and inefficiency specifically. Crimes must be thoroughly investigated. A system of effective communication and follow-up for victims and communities must be developed. Similarly, police brutality, criminality and related vigilante-type violence must be tackled and punished. A culture of human rights needs to be implemented within the service and police impunity must be eliminated. This could entail a carrot and stick type-approach: prioritising and securing effective prosecutions of 'bad cops' on the one hand, and rewarding 'good cops' through promotions and symbolic gestures on the other.

Concrete actions to transform the service must be accompanied by a publicity campaign to reassure the public that steps are being taken to eradicate police criminality and to install public confidence in the 'good cops' within the system. Once the police are believed and experienced to be doing their job, it will be difficult for individuals to justify vigilante violence as 'filling the policing gap'.

In addition to dealing with real failings in the police service, courts and prisons, it is also important to assess and evaluate the relationship between vigilantism and community policing forums (CPFs). CPFs and similar community initiatives are potential non-violent alternatives to crime-fighting. However, respondents report real problems within CPF structures that need to be addressed. In certain areas, it seems that CPF members may even be complicit with local vigilantes and criminals. These individuals must be brought to book and, where appropriate, entire CPFs must be disbanded.

Beyond the specifics of 'rogue' CPFs, it is important to evaluate the general relationship between CPFs and levels of vigilantism. For example, is there an inverse relationship between fully functioning CPFs and levels of vigilante violence? Detailed research is required to assess why CPFs work in some areas and not in others. In this regard, local dynamics and the influence of particular individuals must be considered. Also, the issues that are subject to vigilante activity (for example sexual offences, property crime) must be explored and compared to the issues that are addressed by CPF and other community structures. Are they the same issues? What is considered to be crime within the community? Do CPFs accept and tackle cases of vigilante violence?

It is also important to evaluate the relationship between the formal CJS and common law and indigenous law structures. As forums for dispute resolution, these structures do offer the potential to alleviate some of the pressure from the magisterial courts, although their shape and function is still under discussion (cf. [South African Law Commission](#), 1999a; 1999b). Because they are bound by the constitution, they also offer non-violent alternatives to (conservative) vigilante-based explanations about 'African tradition'. In this regard, it is important to monitor their compliance with the law. 'Traditional courts need to be alerted that corporal punishment is unconstitutional and therefore illegal' (South African Law Commission, 1999a, p. ix).

Prioritising and tackling vigilantism as a form of crime

By recognising, researching and addressing real failings within the CJS, this strategy aims at transforming the system so that there is no 'reason' for vigilantes to 'fill the policing gap'. It also strives to instil public confidence in the CJS and develop non-violent alternatives to fighting crime. However, it is not enough to simply target public mistrust of the CJS by eliminating its practical failings and sending out a positive message about non-violent crime-fighting. This is because vigilantism is about more than mistrust. When it is contextualised within South Africa's culture of violence, vigilantism appears as a symptom of complete disregard for the law. People feel that they can, and literally they do, get away with murder. This is revealed through the impunity with which certain vigilantes operate and ties directly to the symbolic power of vigilante violence. Indeed, the symbolic value of "getting away with murder" in the vigilante act takes on particular importance when considered in light of the very small percentage (de Kock, 2001) of violent actions constituted by vigilantes relative to violent actions, including murder, committed more generally. Alongside strategies to address failings of the CJS (so that people are unable to get away with murder), it is also necessary to develop interventions aimed at criminalising vigilantism itself and de-valourising the symbolic power of such actions.

The link between vigilante violence and crime must be made apparent. There are two levels on which to develop this link. First and foremost, it is vital to emphasise that vigilante actions, regardless of their motives, are criminal because they operate beyond the confines of the law and violate human rights. Secondly, it is important to establish and publicise the link between vigilantism and 'pure crime', that is, crime such as theft, murder, and bribery conducted under the guise of crime-fighting vigilantism for personal gain. This may go some way towards deconstructing the myth that vigilante violence is noble and altruistic and something to be supported.²⁵ In order to criminalise vigilante violence, the police and courts must ensure that current cases involving vigilantes are prioritised and fast-tracked through the system. This may require the setting up of special police units to focus on vigilante violence, either within specific areas, as has been the case in Mamelodi, or to deal with specific forms of vigilantism on a regional level, as has been the case with Pagad, and more recently, Mapogo (with the 'Gijima Tsotsi' unit). In this way, pending cases can be fast-tracked and resolved. This is particularly important because vigilante violence rests on intimidation and fear. The longer cases drag on, the greater the chances of witness intimidation and the less likely the chances of successful prosecution. Similarly, un-prosecuted vigilantes embody the message of impunity that sustains violence of this nature. Alongside fast-tracking specific cases, the witness protection programme needs to be strengthened to ensure that witnesses feel safe to testify, free from intimidation or retaliation.²⁶ A strong social message, supported by legal action, must be sent out to discourage individuals from taking the law into their own hands.

Educating South Africans about the workings of the formal CJS

Along with the 'filling the policing gap' explanation that is put down to practical, real failings of the CJS, vigilante violence also appears to originate as a result of misunderstandings and disagreement about the CJS. The purpose of bail in particular seems to be an issue that is not well understood or appreciated. While this is perhaps understandable given that most South Africans have never experienced the benefits of a properly functioning criminal justice system, it is thus important to make people aware of

the intentions, and more importantly, the benefits, of due process. A strategy of education about the formal criminal justice system is needed at national, regional and local levels. When a suspected criminal is released on bail, the community must be aware that the suspect is not necessarily 'free' forever. At the same time a system is needed whereby the suspect on bail is unable to intimidate community members - perhaps a toll-free telephone line can be set up to report instances of intimidation or CPF reporting mechanisms can be developed. Similarly, the witness protection programme must be strengthened.

Delegitimising violence and inculcating a human rights culture

Intervention strategies aimed at addressing the relationship between vigilantism and the formal criminal justice system are vital in order to break the crime-fighting rationale that is commonly offered for contemporary vigilante violence, as well as to solidify the link between vigilantism and crime. However, there are other justifications and explanations for vigilantism that subsist with the crime-fighting rationale. These include personal and emotional factors, as well as fundamental disagreements with the human rights framework that underlies the constitution. It is, therefore, not enough merely to tackle practical failings of the formal CJS and offer education about due process. Rather, these interventions must form part of a broader strategy that aims to delegitimise violence as the primary and pervasive social solution to problems; the human rights framework must be enacted at a societal as well as constitutional level.

Human rights education and further research

Despite the existence of the South African constitution, human rights remain, for many, an alien concept. On a daily basis, a number of people are denied their rights. Violations and abuses occur with regularity, often at the hands of those who are meant to protect and uphold the constitution. Alongside the experience of human rights violations, there is also a broad social perception that criminals are granted 'too many rights' by the constitution. As a respondent notes:

We see this is a democratic government, even everyone has got a right. That's where the criminals see they've also got rights. But we see it as wrong. (K2)

Vigilante violence needs to be contextualised within the broad debate on rights. Educational and research strategies aimed at reducing vigilantism need to engage with South Africa's National Action Plan for the Promotion and Protection of Human Rights (1998). How is this plan currently being enacted? How can it succeed when the model of instant justice contradicts the human rights model? Research is necessary to assess the degree to which people do, or do not, experience their rights on a daily basis and to compare this with their attitudes to beatings and corporal punishment. Similarly, it is important to appraise and address perceptions about the rights of criminals. In a survey conducted by Pigou, Greenstein & Valji (1998), only 53% of respondents 'disagreed' or 'strongly disagreed' that the police should be allowed to use force to extract information from criminal suspects; 47% of the respondents either supported the use of force or expressed indifference or ignorance about the issue. Findings such as these suggest that the very foundations of a human rights culture in South Africa are tenuous and that vigilante violence will continue until there is a basic level of consensus about, and support for, human rights, including criminal rights, within the population.

Human rights education and life-skills training may also offer individuals alternative, non-violent options for vigilante incidents that are explained as emotion-driven i.e. motivated by revenge, anger, jealousy, prejudice and fear. Similarly, the social promotion of non-violent role models and activities is also important to delegitimising violence as the primary solution to emotional frustrations. Beyond the individual level, community-based reconciliation strategies, coupled with human rights education, may work to address vigilantism that is either fuelled by revenge, underpinned by politics, and/or a product of transmigration from certain rivalries in specific areas (e.g. the Tsolo/Qumbu conflict). Local community reconciliation strategies may also complement economic-based programmes to create and sustain non-violent change. These require further detailed research and evaluation.

A co-ordinated strategy for researching and tackling vigilantism

It is essential that any interventions aimed at reducing and preventing vigilante violence are co-ordinated to avoid duplication and to ensure maximum benefit from each specific initiative. In this regard, a national strategy of co-ordination would prove valuable. For example, it would allow for mapping and monitoring vigilantism to identify changing patterns and trends and to isolate vigilante 'hotspots' (this is particularly important in cases where revenge violence is a product of transmigration). A national strategy would also allow for the co-ordination of regional and local non-violent alternatives. This would prevent the duplication of local initiatives and would inform funding possibilities in specific areas. For example, the Alexandra Sector 4 Patrol group, which is currently 'slipping through the funding cracks', would benefit from such co-ordination and institutional support (see Appendix C).

Alongside a programme of intervention, it is also crucial to invest in ongoing research. This must take place on various levels, including:

- local manifestations of vigilantism;
- national trends in vigilante violence;
- changing forms and explanations for vigilantism, and
- existing and new strategies of intervention (assessment and evaluation).

Research into vigilante patterns and dynamics will inform intervention approaches within specific areas. It will similarly expose changes and continuities within contemporary forms of vigilantism. Evaluative research holds the key to developing and adjusting particular intervention and prevention strategies, while simultaneously pointing to new areas for intervention. For example, Gugu Dlamini's death suggests the need for HIV/AIDS education and ongoing lobbying to prevent what may well become a trend in vigilante violence, given the current socio-political climate surrounding HIV/AIDS.

Vigilantism is not one singular phenomenon. Rather, it occupies a spectrum of forms and methods. Intervention strategies must thus be tailored to match particular vigilante manifestations. As this report suggests, vigilantism is not static; it exists in the context of transition, as a symptom of South Africa's changing culture of violence. A holistic approach, complemented by localised interventions and in-depth research, must be adopted. There are no easy or clear solutions, however. As Minnaar (1999) cautions,

[i]t will be a long and hard uphill struggle to overcome the present culture of vigilantism in South Africa and to channel these unlawful activities into more formal legitimate systems and structures of crime prevention. (p. 15)

Notes:

¹ Each geographical area is denoted by the first letter in the interview codes that follow extracts within the text. For example, code MM reveals that the interview was conducted in Mamelodi, code ASAPS indicates Alexandra and so on. The rest of the code is intended for internal research purposes only and, in order to protect the confidentiality of respondents, will not be revealed in this report.

² This would be a complex argument, however, that would have to consider multiple layers to the state's definition, given the degree to which a 'vigilante' labelling of covert state support would have served the apartheid government's interests by fuelling a perception of 'black on black' violence.

³ Their comments also highlight possible vigilante motives, for example 'fighting crime' and unemployment. See the 'explaining vigilantism' section below for further detail.

⁴ A 'filling the policing gap' explanation is explored in the 'explaining vigilantism' section.

⁵ The analysis of 110 media articles is not intended to be statistically representative. Rather, these articles are used to illustrate particular incidents and to provide qualitative information about certain patterns, methods and roleplayers, thereby lending texture and detail to the study.

⁶ As an interesting point of trivia, English (in personal communication) notes that "the Oxford Companion to the English Language gives examples of the different kinds of English spoken in the world, with South African English highlighted as the only language that uses 'necklace' as a verb and in anything other than a 'jewellery' sense.

⁷ The role of the media in either promoting or reducing incidents of vigilante violence must be explored and a future study of this nature is recommended to fuel intervention strategies.

⁸ In this respect, Pigou (in personal communication) suggests that vigilantes follow a *modus operandi* similar to that of gangs by relying on mechanisms of fear and impunity to achieve their goals.

⁹ Even in those cases where there are no direct witnesses, for example, covert actions conducted by organised vigilante groups to avoid arrest, fear is sustained through the resultant publicity after the event and by the sense that 'everybody knows who's done it'.

¹⁰ It is likely that the victim's foreign status also contributed to his criminalisation in this incident.

¹¹ As the following section reveals, this discourse is neither monolithic nor is it accepted by

everyone. Vigilantism remains contested. However, unlike representations of the phenomenon during the 1980s, it is more open to conflicting interpretations and is not portrayed as solely negative today.

¹² Interestingly, vigilantes do not target the police (Pigou, in personal communication), or at least, the 'crime-fighting public' appears to tackle criminality within the police differently from criminality elsewhere. A comparative study looking at 'police killings' and 'crime-fighting vigilantism' is recommended to see whether there are any links between these two seemingly unrelated forms of violence.

¹³ Private security companies represent one particular form of such privatisation. Hamber (1999) notes that 'within the wealthier areas in South Africa, 'vigilantism' is being carried out in another form. The lack of faith in the criminal justice system by many wealthy South Africans has led to increasing numbers of citizens turning to private security companies for their policing needs. It is estimated that the private security industry in South Africa has grown from R141 million in 1978 to R8 billion currently (Schonteich, 1999). There are at least twice as many security guards as policemen in the country (NIM, 1997). Many of these guards are poorly trained and armed, and the security industry is poorly regulated [which opens the potential for vigilante action]' (p. 7).

¹⁴ Or, it may well be a combination of expectations and a limited degree of resource acquisition which paves the way for vigilante actions. This may take place on two levels – by those 'haves' protecting their assets and engaging in vigilantism against crime, and also by those 'have nots' who are disappointed with the transition. Here the vigilante struggle may be over the scarcity of resources fuelled by certain expectations.

¹⁵ For a detailed analysis of Mapogo's discursive utilisation of 'African tradition' to justify their violent methods see von Schnitzler et al (2001).

¹⁶ It is important to consider who benefits (materially, financially, politically etc) from this argument and in what ways. It is also important to consider who suffers from this discourse and in what ways (e.g. who are the victims of 'the African way' promulgated by Mapogo and how?). See von Schnitzler et al (2001) for further details.

¹⁷ It is important to remember that domestic incidents regularly spill over into criminal terrain, for example, rape, maintenance, abuse. In Case Study 2, part of the complaint appears to be about maintenance in terms of their child. However, the incident is also about controlling sexuality and masculinity through violence.

¹⁸ This is a very general postulate that requires careful follow-up study. Factors such as age, location, urban-rural distribution, wealth and race, as well as gender and spiritual beliefs must all be considered.

¹⁹ See next section for more detail on Mfelandawonye.

²⁰ It is interesting to note that the rifts that developed within Mapogo during late 1999/early 2000 were largely attributed to Magolego's personal style and character. Similarly, his role

in generating the violence that defines the group was highlighted in the ensuing power-play, with dissidents advancing non-violent alternatives to attract support. By the end of 2000, however, Magolego appears to have stamped his authority back onto Mapogo.

²¹ The term 'people's courts' similarly supports this mechanism for deflecting responsibility away from particular individuals towards a general, anonymous group: 'the people'. It also functions to legitimise 'group' vigilante action because it appeals to democratic ideals of 'majority rule and will'.

²² In this argument, the group attains credibility because of their work with the police. This contradicts the majority of the perspectives offered by other respondents (see above), because it suggests that the police, and working with them, is a legitimate solution to crime, rather than a part of it.

²³ This sounds like an example of a 'fake' CPF at work, even although the respondent makes no distinction between the 'real' CPF and the organisation that summoned him.

²⁴ Despite certain similarities in their discursive representation, Mapogo still remains more politically sensitive than Pagad and it is erroneous to equate the two completely. For example, in von Schnitzler et al's (2001) report, a respondent from the Pan African Congress (PAC) reports that although Magolego was a UDM candidate, the ANC did not want to alienate Mapogo entirely because a large percentage of Mapogo members are ANC supporters. Similarly, Pigou (2001) notes that there are over 300 cases against Pagad. He suggests that even though the Scorpions have committed to targeting Mapogo, it is clear that the group is not dealt with in the same way as Pagad is.

²⁵ Care must be taken, however, to avoid valorising crime even further, given that for many, crime does seem to pay.

²⁶ Recent media reports point out that a number of key witnesses in important cases against Pagad want to withdraw from the protection programme because they feel unsafe. Similarly, in recent months, several witnesses (who were not in the witness protection programme) in Pagad cases have been assassinated. Occurrences of this nature frustrate the criminal justice process and reinforce the sense of impunity with which certain vigilantes operate.

²⁷ Please note that these reports are not intended to be fully representative of the period 1990-2000. Rather, they are a sample of media clippings drawn from a range of sources across South Africa. This suggests a strong sampling and regional bias. Incidents concerning Mapogo a Mathamaga and Pagad are particularly random, as both of these groups are researched in detail in related CSV reports by von Schnitzler et al (2001) and Dixon & Johns (2001).

²⁸ Although not always emphasised within the text, incidents are reported using the original language of the article, e.g. "mobs", "necklacing", "witch".

References

Bruce, D. & Komane, J. (1999). [Taxis, cops and vigilantes: police attitudes towards street justice](#). *Crime & Conflict*, 17, 39-44.

Coleman, M. (1998). (Ed.). *A crime against humanity: analysing the repression of the apartheid state*. Braamfontein: Human Rights Committee of South Africa.

De Kock, C. (2001). Violent Crime: predicting the future. Paper presented at CSVV strategic planning, 2001, Magaliesberg, 21-23 February.

de Villiers, F. (2000). Crime and the chiefs' courts. Paper presented at Crime and human rights conference, University of the Western Cape, 28-29 July 2000.

Dixon, B. & Johns, L-M. (2001). [Gangs, Pagad and the State: Vigilantism and revenge violence in the Western Cape](#), *Violence and Transition Series 2*. Braamfontein: Centre for the Study of Violence and Reconciliation.

Dugard, J. (2001). [From low intensity war to Mafia war: taxi violence in South Africa](#). *Violence and Transition Series, 4*. Braamfontein: Centre for the Study of Violence and Reconciliation.

Ellis, S. (1999). The new frontiers of crime in South Africa. In J-F. Bayart & S.E. Ellis (Eds.), *The criminalisation of the state in Africa*, pp. 49-68. Oxford: James Curry.

Gear, S. (draft report). We are the spanners to fasten bolts; then we are sidelined: the case of ex-combatants in South Africa. Braamfontein: Centre for the Study of Violence and Reconciliation.

Govender, V. (2000). Was the public broadcast an isolated incident of racism, brutality and torture, or does it underlie inherent brutality within the SAPS that has not been dealt with? Press release by the Human Rights Committee of South Africa, 08 November 2000.

Hamber, B. (1999). ['Have no doubt, it is fear in the land': an exploration of the continuing cycles of violence in South Africa](#). Paper presented at the Centre for the Study of Violence and Reconciliation seminar, 27 May 1999.

Haysom, N. (1986). *Mabangalala: the rise of right-wing vigilantes in South Africa*. Occasional paper 10. University of the Witwatersrand: Centre for Applied Legal Studies.

[Human Rights Committee](#) of South Africa. (1997). Dimensions of the continuing violence of Tsolo and Qumbu: murder, gunrunning, stock-theft and intimidation. *Special Report 4*. Braamfontein: Human Rights Committee of South Africa.

Jeffery, A.J. (1992). Spotlight on disinformation about violence in South Africa. *Spotlight*, 8/92. Braamfontein: South African Institute of Race Relations.

Leggett, T. (2000, September 15). A second look. Mail & Guardian.

Minnaar, A. (1999). The new vigilantism in post-April 1994 South Africa: crime prevention or an expression of lawlessness? Paper presented at the CRIMSA International Conference: crime prevention in the new millennium. Arendsnes, Cintsa East, East London, 25-28 May 1999.

National Action Plan for the Promotion and Protection of Human Rights. (1998).
Houghton: The Co-ordinating Committee on the National Action Plan.

Network of Independent Monitors (1997). Unpublished report on violence on the Amplats Mines. NIM.

Pigou, P. (2001). [Postscript](#). In von Schnitzler, A et al. Guardians or Gangeters? Mapogo a Mathamaga – a case study. *Violence and Transition Series*, 3. Braamfontein: Centre for the Study of Violence and Reconciliation.

Pigou, P., Greenstein, R. & Valji, N. (1998). *Assessing knowledge of human rights among the general population and selected target groups*. Braamfontein: Community Agency for Social Enquiry.

Simpson, G. (2000a). [Rebuilding fractured societies: reconstruction, reconciliation and the changing nature of violence – Some critical insights from post-apartheid South Africa](#). Braamfontein: Centre for the Study of Violence and Reconciliation.

Simpson, G. (2000b). [Police brutality on Special Assignment: an isolated incident?](#) Press statement by the Centre for the Study of Violence and Reconciliation (CSV), 08 November 2000.

Simpson, G. (2001). [Future challenges to policy-making in countries in transition](#). Paper presented by N. Stott at Workshop on Comparative experiences of policy making and implementation in countries in transition. Derry, Northern Ireland, 6-7 February 2001.

[South African Law Commission](#) (1999a). The harmonisation of the common law and the indigenous law: traditional courts and the judicial function of traditional leaders. *Discussion paper 82, project 90*, May 1999.

South African Law Commission (1999b). Community dispute resolution structures. *Discussion Paper 87, project 94*, October 1999.

South African Police Service. (2000). Mapogo-a-Mathamaga: Ernstige geweld misdaad eenheid – Noordelike Provinsie. Figures supplied for the period 1996-mid-2000.

Truth and Reconciliation Commission Final Report (3, 2). [on-line]. Available Internet: <http://www.polity.org.za/govdocs/commissions/1998/trc/3chap2.htm>

Truth and Reconciliation Commission Final Report (2,7). [on-line]. Available Internet: <http://www.polity.org.za/govdocs/commissions/1998/trc/2chap7.htm>

Vogelman, L. & Simpson, G. (1990). Current violence in South Africa. *Sunday Star Review*,

12 June 1990.

von Schnitzler, A. et al. (2001). [Guardian or Gangster? Mapogo a Mathamaga: a case study.](http://www.polity.org.za/govdocs/commissions/1998/trc/2chap3.htm) *Violence and Transition Series*, 3. Braamfontein: Centre for the Study of Violence and Reconciliation.

Appendix A

Extracts from the Final TRC report (Volume 2, Chapter 3, <http://www.polity.org.za/govdocs/commissions/1998/trc/2chap3.htm>). Campaign against Vigilantes, Kitskonstabels and Municipal Police

258 campaigns against the police in the mid-1980s aimed either at forcing black police to resign or evicting them from the townships. With the rise of vigilantism in the mid-1980s and the deployment of kitskonstabels and municipal police, a campaign to resist the growing brutality of the police began. The campaign was aimed at kitskonstabels, municipal police and SAP members residing in townships.

259 Mr Mtutuzeli Stewart Ndziweni [EC0515/96ALB], a municipal police member, became a victim of the campaign. Ndziweni joined the municipal police in January 1986. On 27 July 1986, he went to Adelaide township with his friends. After several drinks they proceeded to a soccer field where there were youths. They fired at the youths killing at least one. The other youths gave chase and, when they caught Ndziweni, they stabbed and stoned him to death. He was buried in Bedford after threats by community members that they would dig up the grave and damage the body.

252 In some areas, attacks on community councillors provoked organised resistance by councillors. For example, from October 1985, councillors in Phillipstown organised their own resistance force against residents. Clashes between this group and other residents resulted in assaults, destruction of property and even death. Police were allegedly colluding with the councillors in orchestrating attacks against residents.

Building 'People's Organs for People's Power'

253 The campaign to build 'People's Organs for People's Power' was introduced in early 1986. Following the collapse of government-created structures such as Community Councils, residents started forming alternative structures such as street committees, area committees, people's courts, school committees, residents associations and amabutho. The UDF told the Commission that, although this was not an official UDF official campaign, it was nevertheless encouraged in publications and public speeches.

254 In some cases, these structures enabled local community leaders to assert some control over the youth militia or amabutho in a particular area while, in some areas, the crime rate dropped dramatically as street and area committees were established. However, in other cases, youth militia, and in certain cases criminal elements, took control of such structures. Clashes between old and new structures became inevitable – resulting in some cases in vigilantism, sometimes assisted by the security forces. The violent conflict in KwaNobuhle, Uitenhage in 1987-1989 and the witdoeke vigilantes from KTC and Crossroads are examples of this development.

255 Like other campaigns that had 'unintended consequences', the new 'people's organs' were sometimes involved in gross violations of human rights. In some townships, street committees and people's courts became notorious for flogging and beating alleged 'offenders'; some were even necklaced.

256 Ms Nosipho Zamela [EC2757/97QTN], a student at the time of her death, was necklaced by unknown street committee members in Mlungisi Township, Queenstown on 8 December 1985. 'Comrades' accused Zamela of being involved with the security police and therefore an informer. In another example, Ms Ntombizodwa Skade [EC1120/96ELN], a street committee member, was assaulted all over her body with sticks by fellow street committee members in Duncan Village, East London during October 1991 because she opposed their involving themselves in marital disputes. She sustained a broken jaw and fingers.

257 The UDF conceded that its 'affiliates and progressive service organisations' were unable to render adequate political training to these structures and they became problematic. It pointed, however, to some positive effects of 'people's organs' on local communities ...

Appendix B

Summary of vigilante media reports (1990-2000)²⁷

Code:

VD = violent death

V = violence

NV = non-violence

Reference:

V = Vigilante incidents

G = General commentary about vigilantism

VG = general commentary on specific vigilante actions

Code	Date	Location	Incident ²⁸	Roleplayers	Reference
	23/02/90	General	40 000 people sentenced to corporal punishment/year in SA	State	G29, <i>Daily Dispatch</i>
1VD	25/04/90	Waalkraal	8 men appear in court on charges of murder – accused of necklacing man for killing woman with lightning (on 07/06/86)	Witchcraft 8 men	V50, <i>Sowetan</i> , A. Dube
2VD	26/04/90	Mangaung	Off duty	Policeman	V51, <i>The Star</i> ,

			policeman sentenced and stabbed to death by 'mob' of people's court, 6 arrested	mob	C. Kotze, see also V57, <i>City Press</i>
	02/05/90	General	Necklacing returns to SA (350 necklaced 1985-1990), history	Necklacing	G30, <i>Sowetan</i>
3V	07/05/90	Alexandra	'Inkundla' (people's court) flogs woman for stabbing man who tried to rape her	Woman Kangaroo court	V52, <i>The Star</i> , also V53, <i>City Press</i> , E. Maluleke, V55, <i>Sunday Times</i> , V56, <i>The Star</i>
4V	13/05/90	Alexandra	Man sentenced and whipped 200 times for 'starting a fight'	Alexandra Youth Congress, Civic Association, man	V54, <i>City Press</i> , E. Maluleke
	14/05/90	Alexandra	300 delegates from community organisations condemn people's courts. Neighbourhood watch committees to be set up	UDF People's courts	G31, <i>Sowetan</i>
	15/05/90	Alexandra	Police investigate kangaroo courts	Police People's courts	G32, <i>Citizen</i>
	17/05/90	General	Role for people's courts?		G34, <i>Eastern Province Herald</i> , J. Harris
	20/05/90	Alexandra	Background to people's courts, details of format		G33, <i>Sat Star</i> , S. Sussens

	25/05/90	Port Elizabeth	PE People's Civic Organisation issues guidelines for running street and area committees	PE Civic	G36, <i>Weekly Mail</i> , J. Sigonyela & P. Goodenough
	27/05/90	Alexandra	Police arrest 16 of 40 kangaroo suspects	Police, Watchdog	G35, <i>Sunday Times</i> , S. Moses
	28/05/90	Alexandra	40 people's court suspects arrested		G37, <i>Citizen</i> , D. Fine
	22/06/90	General	UDF/ANC condemns kangaroo courts		G39, <i>New Nation</i>
5VD	27/07/90	Umlazi, Durban	2 bodies, throats cut, wash up, believed to be victims of people's courts		V59, <i>Citizen</i>
6VD	26/08/90	Port Shepstone	Man dies after being sjambokked by people's court		V60, <i>City Press</i>
8NV	25/10/90	Soweto	Police negotiate with group of school children to hand over 2 men accused of stealing R419		V61, <i>Natal Witness</i>
9V	11/11/90	Mamelodi	Man sjambokked 50 times by kangaroo court for causing problem with neighbour		V62, <i>City Press</i> , E. Maluleke
	15/11/90	General	People's courts and CJS		G40, <i>Weekly Mail</i> , C. Rickard

10V	20/11/90	Alexandra	2 youths appear in formal court for administering 200 lashes to a man over a domestic dispute, (in keeping with sentencing by kangaroo court)	Vogelman Youths Court	VG30, <i>Citizen</i> , VG31, <i>Citizen</i> , VG32, <i>The Star</i> , VG33, <i>The Star</i>
	10/0191	Missionvale (Eastern Cape)	Numerous men and women arrested for participation in kangaroo courts	Residents SAPS	V33
11V	18/01/91	Nyanga (CT)	2 men given >100 lashes for stealing pair of shoes, not kangaroo court sentence but instance of residents taking law into own hands, police say	Residents 2 men SAPS	V33
	23/01/91	Alexandra	Alex Civic Organisation to negotiate legalising democratic people's courts, through Operation Khanyisa	Alex Civic Org (Moses Mayekiso), govt, people's courts, democracy	G20, <i>Citizen</i> , S.Baer. See also G19, G18, <i>Business Day</i>
	27/01/91	Alexandra	People's courts – establishing legality	Joseph Molobi (appointed by Civic to make decisions on 50 cases/day), sheriffs/comrades	G21, <i>Sunday Times</i> , E. Mantini & M. Stansfield. See also G18-20.
12NV	16/02/91	Rockville (Soweto)	Journalist's impression of 2 13-year-old	Journalist 13-yr-old boys Civic members	V36, <i>Sat Star</i> , A. Makoe

			boys tried before people's court for stealing – looks at range of sentences debated until it is agreed that the police be called to retrieve stolen goods and dispense justice		
	18/02/91	Jouberton (Klerksdorp)	Jouberton Civic Assoc to investigate allegations that 4 men lashed over 50 times each for failing to honour an ANC stayaway call	Jouberton Civic ANC 4 men	VG14, Business Day, W.Zwane. See also V35
13V	02/03/91	Jouberton (Klerksdorp)	4 men (aged between 34 and 63) sentenced to 500 lashes by 'comrades'. Receive over 50 lashes each, made to sing that 'we are informers' and to play soccer with a tennis ball – lashed for conceding and scoring goals, threatened with having their ears chopped off and with being set alight	4 men comrades	V35, A. Makoe, <i>Sat Star</i> , See also VG14
14V	14/03/91	Mamelodi	Elias Maluleke (<i>City Press</i>) tried and	Elias Maluleke, ANC youth cadres	V36, <i>Echo</i> , N. Cembu, V105, <i>City Press</i>

			sentenced to 500 lashes for writing about people's courts. Says work of ANC youth cadres		
	16/04/91	Alexandra	Community dispute resolution centre/officially sanctioned people's court set to open in May	CDRRC Civic Org CALS	G22, <i>Weekly Mail</i> , P. van Niekerk, See also G18-21.
15VD	24/04/91	Soshanguve	3 boys (14 and 15 years) accused of stealing TV set, rounded up by 17 'comrades'. Tortured, assaulted and sentenced to death by hanging with ropes. Some members relented and cut them down. Taken to police and hospital but 1 boy dies	3 boys	V37, <i>Sat Star</i> , J. Rantao. See also V38
16V	26/04/91	Mamelodi	Man severely beaten and allegedly crucified by people's court (in name of Civic Organisation) for allegedly burning down house in community	Community Hospital SAPS ANC	V34, <i>Weekly Mail</i> , P. Alexander & P. van Niekerk

	02/05/91	Mamelodi	Residents call for immediate disbandment of people's courts after number of youth (ages 13-18) brutally assaulted for offences they claim they did not commit. Civic body blamed for having lost control over comrades	Community Assaulted youth Comrades Civic org.	VG15, <i>The Star</i> , M. Kotlolo
17VD	05/05/91	Soshanguve	Parents to sue 'comrades' (connected to Soshanguve Residents Assoc) after son dies by hanging	Dead 15-year-old, Parents Comrades Soshanguve Residents Assoc	V.38, <i>City Press</i> , E. Malulke. See also V37.
18V	11/05/91	Mamelodi	14-year-old sentenced to death for allegedly stealing neighbour's statue. Beaten, kicked, trampled on, doused with petrol and set alight. Some members relented and extinguished fire but still badly burnt. Statue later recovered from someone else	14-year-old 15 'comrades' street committee	V37, <i>Sat Star</i> , J. Rantao
19VD	12/05/91	Soshanguve	15 arrested after 1 youth dies		V31

20V	15/05/91	Missionvale (EC)	Woman sentenced to 160 lashes for altercation with relative's child. Receives additional 10 lashes. 3 women administer the lashings in a 'comrades hall' and are charged with assault with intent to do grievous bodily harm	4 women	V39, <i>EP Herald</i> , M. Saliso
	06/06/91	Soshanguve	Peoples courts banned by Soshanguve Residents Assoc (SOREA) after youth dies ('punished' for stealing TV set, with 2 others)	SOREA	VG10, V31, VG16
	06/06/91	Missionvale (EC)	Magistrate hears cases brought against 'anti-crime' committees. Some withdrawn, rejected, others given suspended sentences or acquitted	Magistrate Anti-crime committees	G22, <i>Sowetan</i> , See also G21
	07/0791	General	16 men and youths granted bail (R100)/released into guardian's custody while awaiting trial for forming a	16 men assaulted woman magistrates court	VG17, <i>Natal Witness</i>

			people's court and assaulting a woman with a sjambok and booted feet (for allegedly stealing money)		
	07/0791	General	Legal role of tribal courts & makgotlas	Tribal Courts	G23, <i>Sat Star</i> , J. Qwelane
21NV	12/07/91	Khayelitsha	Police break up kangaroo court (8 men, 1 woman) trying woman for allegedly setting fire to her husband. In the process, 2 of the men fire at the police and then flee	Kangaroo court Police Gunman	V40, <i>Cape Times</i>
	30/07/91	Capesville	4 women awaiting 'execution' by a kangaroo court are 'rescued' by the police. A special police unit to investigate kangaroo courts in Natal has made several arrests after uncovering alleged detention cells near Maritzburg	4 women Police Special kangaroo court investigation unit	VG18, <i>Citizen</i>
22VD	06/08/91	Thohoyandou (Venda)	11 men charged with arson and killing 9 alleged witches (10/03/1990) [assaulted with	Witches 11 men	V41, <i>The Star</i> , W. Mashau, see also VG21,22

			sticks and stones, petrol poured over and burnt], houses burnt down too		
	17/08/91	Alexandra	Police kick, punch, pistol-whip and beat man accused of being the presiding officer at a kangaroo court which sentenced a man to death (in July). A temporary restraining order (against the police) is granted	Kangaroo court Police	VG19, <i>Natal Monitor</i>
	17/08/91	Alexandra	Ben Dhlomo appointed to head first officially sanctioned people's court, no floggings will take place	People's court Ben Dhlomo	G24, <i>Sat Star</i> , A. Makoe, See also G18-22. G.25, <i>Sowetan</i>
23VD	18/08/91	Capesville	Man sentenced to death by people's court. 25 people stab, stone and set him alight while 500 watch. Police arrive and attackers flee. Man dies	25 attackers 500 spectators dead man police	V42, <i>Sun Times</i> , D. Lourens
	28/08/91	Copesville	17 - accused of torturing 4 women for alleged involvement in	Witchcraft	VG20, <i>Natal Witness</i> , M. Sewpaul, See also VG18

			witchcraft to murder a man – denied bail		
	12/09/91	Meadowlands, Soweto	People's court gets govt blessing People's court		G26, <i>The Star</i> , M. Moroke, See also G18-22,24-25, G27
24V	15/09/91	Daveyton	Man accused of stealing dog beaten and nearly hanged by mob but rescued by comrades (who attacked assailants). SAPS hold him in cell and refuse treatment	Comrades SAPS	V30
25NV	15/09/91	Daveyton	Man accused of stabbing schoolgirl is tried by Judge Ninja – Zephania Zabane. Crowd calls for beating but Ninja orders man to pack up his belongings and leave the area	Non-violent banishment, Judge Ninja	V46, <i>Sun Times</i> , E. Mantini
26VD	22/09/91	Gaseotla (Sekhuneland)	46-yr-old man sentenced to death by tribal court, tied to tree and killed by about 200 people for interfering with circumcision rituals for young girls and threatening to	Dead man 200 people tribal court police	V45, <i>City Press</i>

			stab naked women. 5 appear in court		
	02/10/91	Thohoyandou (N. Tvl)	2 men to hang for 9 witch murders, 5 other men convicted of murder	Witch killings	VG21 <i>Citizen</i> , and VG22, <i>Natal Witness</i> , and VG25, <i>Sowetan</i> , and VG26, <i>Daily Dispatch</i> , see also V41
27V	10/11/91	Venda	2 women sentenced to death by kangaroo court (comrades) for ritual killing of another woman. Police intervene but torture women and 12 others to elicit confessions about participation in the ritual murder. Hearing in court	Ritual killing Kangaroo court comrades	VG23, <i>City Press</i> , M. Mamaila
	15/11/91	Durban	11 people convicted of public violence for partaking in people's court that handed out sentences of 300 lashes to 11 people on 26 Dec 1989		VG24, <i>Natal Witness</i> & VG27, <i>Citizen</i>
	20/11/91	Port Elizabeth	5 members of Helenvale Action Committee (HAC) arrested,		

			bringing to a total of 27 arrested over 2-week period, for alleged involvement in people's courts. HAC claim police don't respond to crime and that told to go to 'the comrades' when reporting incidents		
28NV	26/11/91	Bombayi, Inanda	Police intervene to prevent necklacing of 9 people by people's court (accused of making statements to police about a murder)	People's courts police	V47, <i>Natal Monitor</i> , V49, <i>Sowetan</i>
	07/12/91	Alexandra	Alexandra Justice/Community Centre – operating in secrecy		VG29, <i>Saturday Star</i> , A. Makoe
	10/12/91	General	History of people's courts	People's courts	V48, <i>Natal Monitor</i>
29V	19/12/91	Copesville (KZN)	Court case 3 men lashed 295 times by people's court in June 90 after being variously accused of speaking to police informers, rape and stealing food	People's court Formal Court	V48, <i>Natal Monitor</i>
30VD	28/01/92	Maritzburg	62-year-old		V87, <i>Natal</i>

			man found with hands cut off and throat cut. Believed to have been tried by people's court		<i>Witness, N. Aitcheson, Argus</i>
56VD	30/01/92	Guguletu	Man flogged to death, other seriously injured by 9 members of Guguletu Civic Assoc. for allegedly stealing clothes, court hears	Guguletu Civic Association	VG42, <i>Cape Times</i> , E. Rider
	30/01/92	Mossel Bay	14 residents held in connection with death of 2 alleged criminals (terrorising camp for 2 years). ANC condemns police for doing nothing	ANC Civic Association	VG43, <i>South</i> , M. Mani & S. Ngcai
	31VD	03/02/92	Man necklaced by angry mob for allegedly stabbing to death another	Necklacing	V88, <i>Citizen</i>
32V	05/02/92	Munsieville	7 arrested for setting house and vehicle alight and stoning man for not accepting authority of people's court		V89, <i>Citizen</i> , VG44, <i>Citizen</i>
33VD	20/02/92	Khayelitsha	2 men executed by mob after 'confessing' to		V90, <i>Argus</i> , V. Bavuma, <i>Sowetan</i>

			being gangsters (robbing shebeens)		
	27/02/92	Thohoyandou (Venda)	5 men on trial for hacking 2 elderly men to death and setting them alight (accused of witchcraft). Youth testifies to involvement of > 100 people	witchcraft	VG45, <i>Sowetan</i>
34VD	13/03/2	Inanda	2 brothers lashed 400 times, then killed after people's court finds them guilty of stealing a hi-fi set. 6 arrested		V91, <i>Citizen</i>
35VD	19/03/92	Inanda	3 men arrested for death of another (stabbed and hacked) – after disciplined by people's court for theft		V93, <i>Natal Monitor</i>
36V	28/03/92	Khayelitsha	Members of Western Cape Civic Assoc fine and attack man (for refusing to pay fine) after marital dispute (man slaps wife)		V92, <i>Argus</i> , V. Bavuma
	05/05/92	Katlehong	16 residents on trial for murdering 2, kidnapping 1 at people's court,		VG46, <i>The Star</i> , P. Zola, VG47

			acquitted		
37VD	16/05/92	Soweto	3 people stoned and burnt alive for witchcraft witchcraft	witchcraft	VG9, <i>Sun Times</i>
38VD	17/07/92	Tsakane	1 man necklaced, 1 man burnt to death (alleged taxi thieves) by group of 500, crowd shoots at police and refuses them access to the men		V95, <i>Citizen</i>
39VD	29/07/92	East London	Woman hacked to death for witchcraft witchcraft	witchcraft	V94, <i>Daily Dispatch</i>
40V	02/08/92	Daveyton	People's court whips man (for robbing coal truck), 27 arrested. Residents say will continue to fight crime cos police not doing anything		V96, <i>Sunday Times</i>
41V	04/08/92	Mdantsane, East London	Alleged rapist severely beaten by 50 youths	rape	V98, <i>Citizen</i>
42VD	10/08/92	Umlazi	Police save woman from execution by people's court. 2 bodies found (necklaced, hands cut off)	hostel	V97, <i>The Star</i> , V99, <i>Argus</i>
43NV	13/08/92	Vaal	Couple almost necklaced for abducting 2	Mob justice	V102, <i>City Press</i> (editorial)

			children for muti. Lives saved when boys found in shelter		
44VD	14/08/92	Evaton	'Witchdoctor' necklaced by angry mob after dismembered body of 5-year- old is found in his house		V100, <i>Citizen</i> , V101, <i>City Press</i>
	25/09/92	General	Role of the police and people's courts		G50, <i>New Nation</i>
	29/10/92	Mooi River	Trial of 6 for assaulting man accused of rape	rape	VG48, <i>Cape Times</i>
	11/11/92	Mooi River	7 to appear in court for necklacing women for witchcraft	witchcraft	VG49, <i>Natal Witness</i>
	14/11/92	General	Rise in people's courts, role of SANCO, mixed public opinion		G51, <i>South</i> , S. Ngcai
45V	17/12/92	Bekkersdal	Man admitted to hospital after 79 lashes. Police investigate ANC		V103, <i>Sowetan</i> , V104, <i>Sunday Times</i> , V. Khupiso
46V	06/06/93	Mamelodi	Woman stabs 2 men after attempted rape. Woman's brother shot 10 times by angry mob in revenge	Woman 2 men Brother Mob SAPS	V10, <i>Sun Times</i> , V. Khupiso
47VD	24/04/94	Tembisa	Youth, accused of stealing hi-fi, hacked to death		V117, <i>Sunday Times</i> , V. Khupiso

			and burnt by 'comrades' (7th person necklaced in area)		
48VD	24/04/94	Tembisa	Alleged housebreaker tied to soccer post and beaten to death, woman begging for his life threatened with same fate		V116, <i>Sunday Times</i> , V. Khupiso
49VD	08/05/94	West Rand	Man hacked to death after saving grandmother from 45 lashes (for overcharging sub-tenant). Sexwale promises to stamp out people's courts	People's courts Sexwale	V28
50VD	10/07/94	Ivory Park	3 men necklaced by mob for participation in crime as Amasoja gang (ANC youth membership)	ANC	V107, <i>Sunday Times</i> , V. Khupiso
51V	02/10/94	Ivory Park	Woman saved by police from necklacing for allegedly killing husband		V106, <i>Sunday Times</i> , V. Khupiso
52VD	13/11/94	Ivory Park	Man necklaced for allegedly raping and killing pregnant	SDUs Police	V108, <i>Sunday Times</i> , V. Khupiso
	11/12/94	Tembisa	Man, on trial	Revenge attack	VG55, <i>Sunday</i>

			for killing policeman and rape, shot dead in suspected revenge attack		<i>Times,</i>
53V	22/01/95	Poortjie	Poortjie Residents Com president – sentenced to death for complicity in murder, hacked but saved by SAPS	SAPS Poortjie Residents Committee	V29
	26/02/95	Townships (General)	People's courts result in dramatic decrease in crime as criminals target other areas (where less severe punishment)	People's courts	G53, <i>Sunday Times</i> , V. Khupiso
54V	09/03/95	Evaton	2 brothers suspected of killing businessman hacked and left for dead by youths		V111, <i>Sat Star</i> , W-M Gumede
	26/03/95	Tembisa	Residents vow to make war against criminals 'terrorising' neighbourhood, demand 'public necklacing'	Angry residents	G52, <i>Sunday Times</i> , V. Khupiso
	28/03/95	General	2000 lay assessors appointed to magistrate's court	CJS	G12, <i>Cape Times</i> , E. Rider

	04/04/95	General	Debate – should community courts be recognised in the Constitution	PAC	G11, <i>Citizen</i>
55VD	18/06/95	Diepkloof Zone 2, Soweto	Pupils stone wrong man to death for killing classmate	High School Pupils	V27, <i>Sun Times</i> , V. Khupiso
	16/07/95	Ivory Park	Residents raise bail for man alleged to have killed 4 gangsters (through people's court). Seen as vigilante hero	Gangs	V109, <i>Sunday Times</i> , V. Khupiso, V110, <i>Citizen</i> , V111, <i>Saturday Star</i> , W-M Gumede
	23/07/95	Ivory Park	Marchers demand release of gang members (Nasty Boys) so that they can be publicly executed	Gangs	VG50, <i>Sunday Times</i> , V. Khupiso
57V	26/07/95	Orlando East, Soweto	Thief beaten by mob, SAPS take 3 hours to respond to call	SAPS	V26, <i>Sun Times</i> , V. Khupiso
58V	27/07/95	Soweto	Crowd try to lynch man accused of killing 12 year old boy (outside court)		V111, <i>Sat Star</i> , W-M Gumede
59V	27/08/95	Carltonville	3 men injured (stabbed, set alight) by >30 taxi drivers for allegedly stealing minibus	taxis	V111, <i>Sat Star</i> , W-M Gumede

	01/09/95	General	Safety & Security Min Mufumadi announces that 50 people killed, 62 injured as result of people's courts since 01/01/94. 295 prosecutions instituted		G13, <i>Citizen</i>
	12/09/95	Soweto	> 50 000 pupils march to court to demand release of fellow pupil (held for killing gang leader)	Gangs	V111, <i>Sat Star</i> , W-M Gumede
60VD	24/09/95	Tembisa	Man stoned to death for rape by crowd from crime meeting (rape victim casts first stone)	Rape	V114, <i>Sunday Times</i> , V. Khupiso
61V	24/09/95	Soweto (Dobsonville)	Gang member necklaced by residents for hijacking a car	Necklacing	V115, <i>Sunday Times</i> , V. Khupiso
62VD	29/10/95	Sebokeng	Man suspected of murder, SAPS called to rescue him from street justice, he shot SAPS in leg, stoned to death by mob	Police attacks	V25, <i>Sun Times</i> , V. Khupiso
63VD	30/10/95	Dobsonville	2 men hacked to death by crowd for hijacking, 3rd taken to hospital		V111, <i>Sat Star</i> , W-M Gumede
	04/11/95	General	Symbolism of	G Simpson	G10,

			vigilantism		<i>Sat Star</i> , B. Wilinon
	15/11/95	Meadowlands, Soweto	Alleged car hijacker shot dead by intended victim		V111, <i>Sat Star</i> , W-M Gumede
64V	30/11/95	Soweto	Youth Action Against Crime beats 'Big Fish' for raping, robbing and beating people	'Workshop' Youth Action Against Crime	VG8, <i>The Star</i>
	09/12/95		PAGAD formed		G4
65V	16/12/95	Sebokeng	People's court, also acting for SANCO, taken to court after woman severely beaten, List of sentences issued by people's courts	SANCO People's court CJS	VG7, <i>Sat Star</i> , T. Mooihibeli
66VD	24/12/95	Tembisa	Man commits suicide rather than facing 2nd 100 lashes from people's court (for beating wife) (hangs self after seeking asylum in police station)	People's court suicide	V113, <i>Sunday Times</i> , V. Khupiso
	Beginning		Mapogo concept formed		G4, VG6
	02/01/96	Tembisa	Residents threaten to take law into hands if hijacking (and related police killings - @ least 4 reservists killed in 2 weeks)	Police reservists	VG53, <i>Sowetan</i> , D. Fuphe

			don't stop		
	12/04/96	Tembisa	7 arrested for revenge attacks (retaliation for death of man beaten by mob)	Revenge attacks	VG54
	05/05/96	Ivory Park	Residents vote to re-instate people's courts after members of Nasty Boys gang acquitted		VG51, <i>Sunday Times</i> , V. Khupiso
67VD	26/05/96	Ivory Park	Man burned to death was not the criminal the community believed		V23, <i>Sun Times</i>
68V	26/06/96	Kagiso (WR)	Man rapes 3-yr-old. Sentenced to 400 lashings, castration and necklacing by kangaroo court. Mother of child intervenes and calls police		V22, <i>Sun Times</i> , V. Khupiso
	08/96		Mapogo inaugurated		VG6
	1997		G-Force (PAGAD paramilitary wing) formed		G4
	08/97	N. Province	Mapogo signs agreement with Dept of Security & Safety – community policing	Mapogo Dept of Safety & Safety (NProv)	
	Beginning 1998	KwaMashu (KZN)	West side gang formed (to Oct 99 – killed > 50)	West Side Gang The Cleaners	G4

69VD	03/04/98	Alexandra	Vigilante (member of 'Comrades') shot dead by suspected carjackers. 6 other members wounded Comrades vow to fight crime	Comrades	V118, <i>Weekly Mail</i> website, T Amupachi
	01/99	General	Mapogo joins UDM	Mapogo, UDM	VG6
70V	04/01/99	Hammanskraal (NW)	Teenager killed by 6 after accused of house-breaking. Mourners burn house of 2 alleged killers. 6 arrested (incdg policeman)	Revenge violence	V76, M. Kotlolo
	05/01/99	Soshanguve	Community threatens to take law into own hands if accused murder released on bail		V18, <i>Sowetan</i>
	08/01/99	Westbury	14 new members for anti-gangsterism unit to curb gang-related violence in Westbury	Gangs SAPS	G45, <i>Sowetan</i> , G47, <i>The Star</i> , S. Bokaba
71VD	12/01/99	Ennerdale	3 men accused of murder burnt to death		V73, <i>SAPA</i>
72VD	17/01/99	Tembisa	400 vigilantes (patrolling) burn 2 Mozambican men to death,		V113, <i>The Star</i> ,

			injure 3 others (for rape, housebreaking, theft, terrorising residents)		
	03/02/99	Thokoza	TRC amnesty hearing – revenge killings between IFP- hostel residents and ANC supporters	TRC Revenge Killings	G54, <i>The Star</i>
	05/02/99	Cape Town	Flowers gang members in court for several crimes, incdg murder	Gangs	V74, <i>The Star</i> , L. Oliver
73VD	09/02/99	Motherwell (PE)	2 people killed, 5 assaulted by armed vigilantes, in retaliation for murder of 17- year-old. Last year 4 people murdered execution style (thought to be vigilantes but rival criminal feud)	Community structures & street committees Anti crime people	V86, <i>EP Herald</i> , J. Rademeyer
	11/02/99	Katlehong	Man tells of mental confusion following trial of 7 for murder, kidnapping and illegal possession of firearms for 1993 killings of 8 ANCYL members, allegedly by SDU	ANCYL SDUs	VG56, <i>Sowetan</i> , P. Letsoala, 28/01/99, <i>The Star</i> , F-N Moya

74VD	15/02/99	Carltonville	Man accidentally rides over and kills 2-yr-old, assaulted by crowd and dies in hospital		V13 V77, <i>The Star</i> , A. Cox
75V	15/02/99	Mamelodi	7 youths assaulted by members of Youth against Crime for gun possession. 1 = brain injuries, 4 arrested	Kangaroo Court	V13., V14, <i>Sowetan</i> , M. Kotlolo, V15, M. Kotlolo
76VD	22/02/99	Tembisa	2 men beaten, 1 dies, for breaking into shacks (by angry mob). 3 members of street committee arrested		V112, D. Fuphe
	26/02/99	Westbury	2 gangs to bury hatchet	gangs	VG46, <i>Sowetan</i> , S. Molakeng
	22/04/99	General	Definitions, history, terms, people's power, popular and community justice, crime control		G6, <i>Sat Star</i> , D. Nina (ISS)
	27/04/99	General	Public response to BBC documentary of police brutalising suspects	Justice Crime D. Bruce	G49, <i>The Star</i> , G. Gifford
77VD	28/04/99	Tabankulu, E Cape	4 elderly women burnt to death, accused of being	Witchcraft	V78, <i>The Star</i>

			witches. 42 arrested (some teens)		
78V	27/05/99	Imbali (KZN)	18-year-old assaulted by kangaroo court for fraudulently selling houses. Handed over to police after assault, case opened		V84, <i>Natal Witness</i> , B-A, Mkhulise
79VD	01/06/99	Randburg	Hijacking ends with 2 hijackers dead as community intervenes	Dead hijackers	V75, <i>The Star</i> (letter)
	04/06/99	Soweto	Mlamlankunzi Anti-Crime Campaign calls meeting to combat rise in rape, armed robberies and hijackings	Mlamlankunzi Anti-Crime Campaign	G48, <i>Sowetan</i>
	09/06/99	Katlehong	5 SDU members: 4 convicted, 1 acquitted for killing of 11 ANCYL members ('Katlehong massacre') – after accusing them of killing SDU member	ANCYL SDUs Katlehong massacre	VG58, <i>The Star</i> , F-N Moya
	21/06/99	Phola Park	TRC amnesty hearing – SDU commander (Phama) justifies ambush killing 16 IFP members as preventative	TRC	VG57, <i>The Star</i> , F-N Moya

			measure Amnesty granted (30/06)		
	23/06/99	Cape Town	Die Vuis – white vigilante group formed in May. Membership 7000, ex police and soldiers (at least one = involved in Vlakplaas-style activities)	Die Vuis VG 13	<i>Citizen</i> , VG37, <i>Cape Argus</i> , VG38, VG40, <i>The Star</i>
80VD	25/06/99	Dickshalt (KZN)	Woman necklaced to death – accused of witchcraft. 8 men and 14 minors appear in court	witchcraft	
81VD	30/06/99	Matshiding & Dennilton (Mpumalanga)	18-year-old sjambokked to death, accused of stealing video machine, 2 car thieves also beaten to death		V85, <i>Sowetan</i> , M. Kotlolo
	02/07/99	Tembisa	Residents kick in door of police car escorting 4 men to Pollsmoor, accused of raping, stabbing and murdering 14- year-old Valencia Farmer	Gangs Rape murder	VG41, <i>Sowetan</i>
	02/07/99	Tembisa	8 people stoned to death over 18 months. Mob lynches 2 suspected car	B. Hamber CJS	VG35, <i>The Star</i> , G. Giffard & F-N Moya, VG52, <i>Cape</i>

			robbers to death		<i>Argus</i>
82VD	05/07/99	Tembisa	Reports that residents paid murder suspect's bail (R4000) and then stabbed and necklaced him	Political parties B. Hamber	V32, <i>Pretoria News</i> , V65, <i>Sunday Times</i> , V. Khupiso & J. Hennop
83VD	05/07/99	Mamelodi	Robber beaten by angry crowd, handed over to SAPS with pistol – dies	Community Robber SAPS	V17, <i>Sowetan</i> , M. Kotlolo
	06/07/99	General (editorial)	Vigilantism is on the rise but govt. shows commitment to addressing crime (e.g. 49 magistrates appointed)		G42, <i>Citizen</i> (editorial)
84V	06/07/99	Thembisa	Break-in suspects' family members attacked by angry mob.		V64, <i>The Star</i> , S. Bokaba, V66, <i>Citizen</i>
	07/07/99	General	Rudimentary institutions contribute to vigilantism/role of state	CJS	G18, <i>Business Day</i>
85V	10/07/99	Pietermaritzburg	2 men – 1 accused of raping child - beaten by group in restaurant		V63, <i>Natal Witness</i> , R. Khumalo
	11/07/99	General (letter)	Mapogo & Pagad and vigilante activities are dangerous		G41, <i>City Press</i> (letters)
	13/07/99	Kwamashe	Policing		G15,

		(KZN)	methods to bring peace to area		<i>The Daily News</i> , E. Mhlanga
	13/07/99	Guguletu	5 men accused of running kangaroo courts put on trial	'street justice kingpins' Cape Amalgamated Taxi Association (CATA)	VG34, <i>Cape Times</i> , M. Mokwena
	13/07/99	General (letter)	Letter writer calls for removal of rapists' prostate glands	Rape	G43
	16/07/99	Yeoville & Bellevue	Residents buy Bizarre Centre, acceptable vigilantism (definition)	Vigilantism defined	G44, <i>The Star</i>
	18/07/99	General	National Crime Prevention Dept – declares war on mob justice, theories of vigilantism	Govt officials D. Bruce	G17, <i>City Press</i> , D. Mahlangu
	18/07/99	Tsolo & Qumba (Transkei)	Communities strike back at hitmen dispatched from urban areas	Umfelandawonye Safety & Security MEC	VG11, <i>Sunday Independent</i> , P. Burnett
	20/07/99	General (farms)	1 man, 1 boy – separate incidents painted for suspected trespassing/theft by farmers		VG12, <i>Citizen</i> , (editorial)
	20/07/99	General	Safety and Security Minister Steve Tshwete announces 'get tough on crime' stance	Govt	G38, <i>Business Day</i> , J. Steinberg

	21/07/99	Belville, CT	Leader of Die Vuis appears in court (2 weeks ago) for murder of alleged mugger. Sex-workers say Die Vuis has threatened them to stop 'or else'. Police concerned about fanaticism of group, which claims 7000	Die Vuis	VG40, <i>The Star</i>
86V	22/07/99	Nyanga	Man accused of stealing oranges severely beaten by kangaroo court, police accused of not intervening	Kangaroo court	V67, <i>Cape Argus</i> , M. Qumba
	23/07/99	Soweto	Crowd demonstrates against delayed rape case	Rape	VG39, <i>The Star</i> , C. Banda
87V	26/07/99	Kroonstad	Black truck driver assaulted by 2 white traffic officers in racial attack	Racism	V68, <i>Sowetan</i> , M. Mkhwananzi
88VD	29/07/99	Potgietersrus	Vigilante mob attack various homes, kill 1 man and injure others. 9 arrested		V69, <i>The Star</i>
	29/07/99	General	SA Law Com suggests - recog of traditional courts in rural areas but must be made aware that corporal	Traditional courts	G16, <i>Citizen</i>

			punishment illegal & women must be allowed to participate as councillors		
89V	01/08/99	11 Avenue, Alexandra	Community patrols, beat suspected gang member, friend intervenes, SAPS arrive and crowd disperse. Next day, crowd finds friend, beats and sets alight. His friends seek revenge – beat 2 residents, SAPS arrive before set alight. Other similar incidents – houses burnt	Community SAPS V9	<i>Sunday Independent,</i> T. Makgalemele
90VD	23/08/99	Katlehong	March 16 1998, matric pupil assaulted till loss of consciousness and then driven over with car until dead by people's court, father appeals for investigation but nothing happens		V83, <i>Sowetan,</i> T. Molefe
	29/08/99	Durbanville	11 members of anti-drug group 'Die Vuis' arrested on drug charges	Die Vuis	VG40, <i>Sunday Times,</i> J. Bezuidenhout

	05/09/99	N. Province	N. Province N. Prov Safety & Security dept freeze work with Magolego after he quits UDM	Mapogo, UDM, N. Prov Safety & Security	VG2, <i>City Press</i> , S. Makgotho
92V	08/09/99	Mamelodi	Residents outraged by kangaroo courts – 60-yr-old woman sjambokked & fined by grp young women for locking out insulting grandchildren – told authorised by police and Mamelodi CPF. Summons to kangaroo courts on SANCO letterheads	Residents 60-yr-old woman kangaroo courts SAPS Mamelodi CPF	V16, <i>Sowetan</i> , M. Kotlolo
93V	16/09/99	Soweto	2 men accused of hijacking car, abducted and severely beaten by > 10 SANDF soldiers	SANDF	V81, <i>Sowetan</i> , S. Mpye
94V	21/09/99	Auckland Park	Man tries to rob 2 women who alert security guards and crowd. 10 men assault suspect. Badly injured but declines to open case		V80, <i>The Star</i> , D. Yazbek
95V	25/09/99	Mamelodi	Morolo attorneys get interdicts for arrest of 35	Vigilante gang members	V12, <i>City Press</i> , S. Dlamini

			vigilante members (murder, rape, assault) - >12 killed, 40 injured in yr, 20 families fled homes		
96VD	28/09/99	Daveyton	2 alleged rapists and murderers (of policewoman) killed by mob – burnt and beaten. 06/10 – 5 arrested (V72)	Police woman Mob 2 dead men	V70, <i>Sowetan</i> D. Fuphe, V72, <i>The Star</i> , V82, <i>The Star</i>
97VD	04/10/99	Tweefontein, Mpumalanga	30 men kill suspected thief. The vigilantes may belong to Mapogo	Mapogo?	V71, <i>Sunday Times</i> , D. Lubisi
	07/10/99	N. Province	Magistrates, witchcraft, kangaroo courts, SA Law Com		G5
	08/10/99	General	Definitions, history, Mapogo, Pagad, the Cleaners (KZN)	Mapogo, Pagad, The Cleaners	G4, A. Kempen
	14/10/99	General	Crime and punishment	Dealing with crime, legal system	G3, D. Strydom
	18/10/99	General	Crime and punishment	SA public, dealing with crime, deterrents	G2, <i>Natal Witness</i> , K.Owen
	22/10/99	General	Crime and punishment	SA public, prosecutions	G1, <i>Natal Witness</i> (editorial)
	29/10/99	Alexandra	Sector 4 residents take to	Sector 4 Bulldog	VG13, <i>City Vision</i> , S.

			patrolling streets, recover firearms, arrest suspects (hand to police), intervene to protect women and children from rape and sexual violence (esp. in hostels)	Rathokolo, SAPS	Ndlela
98VD	01/11/99	Alexandra	Man stoned to death by angry mob for killing girlfriend's daughter	comrades	V119, <i>Sowetan</i> , R. Molefe
99V	05/11/99	Evaton	Man beats wife, members of Evaton West Community Development Forum assault him	Evaton West Community Development Forum	V20, Mail & Guardian
100V	05/11/99	Emndeni, Soweto	Residents pour yellow paint over housebreaker, to identify him if escapes		V21, <i>Sowetan</i> , N. Nxusani
101VD	22/11/99	Bredasdorp (CT)	3 members of 'Terrible Josters' gang killed, house & 5 cars burnt by 100s of community members (for drugs), 1 resident killed by SAPS after attacking police with panga, R360 000 damage	Drug dealers Residents SAPS	V24, <i>The Star</i>
102V	11/12/99	Cato Ridge, Mpumalanga	Last 2 yrs – 100-120 killed,	Kangaroo-killings	VG1, <i>Sunday</i>

			5 people killed by Kangaroo courts (in last 6 weeks)		<i>Independent, (editorial)</i>
103VD	10/01/00	17th Ave, Alexandra	Man accused of murder, stoned to death by mob	Mob	V19, <i>Sowetan</i>
	13/01/00	Cape Town	Man arrested for bomb scares	bombs	VG39, <i>SAPA</i>
104VD	23/01/00	Springbok farm, Northern KZN	Suspected robber killed, another assaulted by school parents after 3 men try to steal money from school principal 3 robber suspects school principal	3 robber suspects school principal residents	V3, <i>Sunday Tribune</i> , F. Ismail
105V	10/03/00	Soshanguve	White farmers assault and rob Mapogo recruiting officer & 2 women. Mabopane SAPS to investigate as fear Brits SAPS won't	White farmers Joined by black farmers Mapogo recruiter 2 women Mobopane & Brits police	V2, <i>Pretoria News</i> , F. Peete
106VD	17/03/00	Soshanguve	2000 people (Block P) assault man suspected of rape and murder. Crowd shoots at police. Police apprehend man, confirm he was on the run	2000 people, murder rape suspect SAPS (Phutegong and Soshanguve)	V1, <i>Pretoria News</i> , M. Monare
	24/03/00	General	Mapogo – harsh punishment	Mapogo	G9, <i>Pretoria News</i>

			methods to be ended, medical doctor maybe employed to oversee punishments		
	29/03/00	(Unit 2 Ext) Hammersdale, Mpumalanga	Residents form vigilante groups, feel SAPS inept in dealing with crime and sometimes involved themselves	Residents SAPS	V6, <i>Natal Witness</i> , D. Zondi
106VD	15/04/00	Emona Area (Tonga, KZN)	Taxi passenger tries to rob women, driver intervenes & is stabbed in both arms, driver loses control of taxi, kills 2 school children, robber flees, found badly beaten and dies in hospital	Taxi driver Passengers 2 school children SAPS community	V8, <i>Natal Witness</i> , Z. Ayoob
107VD	27/04/00	Khayelitsha	3 men, accused of robbing and stabbing a man, stoned and beaten to death, by mob	3 men residents SAPS	V7, <i>Cape Argus</i> , M. Gophe
108V	End April	Birch Acres, Kempton Park	Neighbourhood watch members beat 2 men for looking 'suspicious', police rescue them	Neighbourhood watch, 2 men, SAPS	V4
109VD	30/04/00	Etwatwa	4 allegedly attack elderly man and attempt to rape	4 suspects elderly couple community	V4

			his wife. Community then mobilised and mob = 1 man killed, 1 severely assaulted afterwards		
110V	30/04/00	Alexandra	Informal settlement vigilante grp assault Mozambicans, burn belongings (xenophobia)	Mozambicans, vigilantes	V4
	01/05/00	Alexandra, Etwatwa (Daveyton), Kempton Park	Vigilante and mob attacks on increase	(see above)	V4, <i>The Star</i> , S. Mkhwanazi
91V	05/05/00	Thokoza	Mob on way to Rand Show kills pupil in argument, 300 Pupils – Thoko-Thaba HS – retaliate and burn home of mob member, pupils told to return to school	Mob School pupils SAPS	V5, <i>Citizen</i> , K. Mabuza
	05/05/00	General	Mapogo split? Magolego accused of being dictator, right-wing allegiance, subscription fees, >20 people died since 1996, 30 members face charges, Sekhukhuni se Bona ke Sebataladi	Mapogo, Sekhukhuni se Bona ke Sebataladi	VG3A, <i>Mail & Guardian</i> , E. Ngobeni

			formed by disgruntled Mapogo members (not corporal punishment)		
	07/05/00	Gauteng	Mapogo expand into Pta, Vereeniging, Diepsloot, Springs, Hammanskraal, Atteridgeville	Mapogo	VG5, <i>Sunday World</i> , T. Mtshali
	13/05/00	General	Mapogo, history	Mapogo, Dept of Safety & Security (N. Prov)	VG6, <i>Sowetan</i> , C.J. Nkadimeng
	30/05/00	Groblersdal Magistrate's Court	Judgement of 12 Mapogo leaders (murder and assault) due on 06/07/00	Mapogo	VG4, <i>Sowetan</i> , M. Pela
	06/06/00	General	Magolego suspended from Mapogo for misuse of funds	Mapogo	VG3, <i>Sowetan</i> , M. Kotlolo & <i>Mail & Guardian</i>
	09/06/00	N. Province	2 Mapogo mass meetings to be patrolled by SAPS	Mapogo	VG3
	15/06/00	Pietersburg	Mapogo politics (Magolego won't be dethroned)	Mapogo	G8, <i>Mail & Guardian</i> , Ngobeni
	22/06/00	General	Mapogo starts professional security stream (Mapogo a Matamaga Security Services), states that does not	Mapogo	G7, <i>Mail & Guardian</i> , Ngobeni

			sjambok suspects		
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Appendix C