



Vigilantism in South Africa

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Abstract

This essay provides an analysis of violence in South Africa as it relates to self-help, in particular vigilantism, as a form of social control. According to the theory of self-help, people may use unilateral aggression to express grievance. South Africa currently faces an unprecedented level of morbidity and mortality from violence. The rate of deaths from violent injury is nearly twice the global average, and the rate of female homicide by intimate partners is an astounding six times the global rate. This essay provides an analysis of the current state of vigilantism and self-help violence in South Africa according to contemporary definitions. This is done by reviewing two case studies, examining the government's current policy towards such violence, and providing recommendations for action within South Africa

Key words: vigilantism, self-help, social control, conflict, South Africa.

Overview

This paper reviews violence in South Africa as it relates to self-help, in particular vigilantism, as a form of social control. According to the theory of self-help, people may use unilateral aggression (such as interpersonal violence or destruction of property) to express grievance. To address issues of violence and

crime, the South African government must recognise the root cause of some of this violence is a need for social control and lack of state legitimacy in poor communities. As Donald Black said in his essay of 1983, *Crime as Social Control*, "far from being an intentional violation of a prohibition, much of crime is moralistic and involves the pursuit of justice."¹ The purpose of this report is to provide a framework for understanding the use of violence in South Africa, as a method of informal justice, often employed in poor communities where contemporary justice systems either are or are believed to be insufficient.

The study of violence is significant for many reasons. It undermines individual wellbeing, both mentally and physically. It endangers family welfare and community relationships. It is detrimental to a country's political, social and economic development. In South Africa, violence is concentrated in areas of low income and socioeconomic disadvantage.² Therefore the study of violence in South Africa may also contribute to poverty research and development studies. Part of the premise behind this report is that violence remains a barrier to sustainable development in many communities in South Africa, and in order to decrease violence it must first be thoroughly understood. A key disclaimer in this research, however, is that poverty is not automatically responsible for violence.³ Nor can violence be explained by culture or identity alone. The root of violence in poor communities is a combination of many different factors. It is for this reason that

this research focuses on one country and will offer case studies in communities within South Africa.

This paper first provides a review of self-help violence, vigilantism and the current state of violence in South Africa. It then examines research from two different case studies on vigilantism and crime in South African communities. Following the case studies there is a brief examination of current government plans to address crime and violence. The essay then concludes with recommendations for government and community action to address violence.

Terminology

Violence and crime (and the fear thereof) are forms of social control.⁴ According to the theory of self-help, people may use unilateral aggression (such as interpersonal violence or destruction of property) to express grievance. One recognised method of social control is self-help, where individuals or groups use crime as a moralistic method to pursue justice when formal systems are deemed insufficient.⁵ In some societies, for example, homicide is rarely predatory (committed for gain) but rather related to an existing grievance or quarrel. Self-help can be understood as a form of conflict management, punishment, or even capital punishment.⁶ There is a common belief that contemporary justice systems and the law displaced traditional self-help. However, in many societies today, the use of alternative methods of conflict management, societal control, and informal justice still thrive.

A method of self-help that is often employed in poor communities is vigilantism. Though many definitions exist, this report relies on the definition provided by Ray Abrahams: vigilantism is “the organised attempt by a group of ordinary citizens to enforce norms and maintain law and order on behalf of their communities in the perceived absence of effective official state action”⁷. The lack of state effectiveness is key in this definition; private citizens may turn to informal justice systems when the state is unwilling or unable to provide legitimate protection and justice in response to crime. In South Africa, a country with a large number of informal settlements and high crime

rates, studying the influence of vigilante violence is very important.

Current State of Crime in South Africa

South Africa currently faces an unprecedented level of morbidity and mortality from violence.⁸ The rate of deaths from violent injury is nearly twice the global average, and the rate of female homicide by intimate partners is an astounding six times the global rate.⁹ These numbers alone justify a significant need to examine the current state of crime in South Africa. There are numerous indicators that raise concerns not only of violence, but also of the relationship between violence and poverty in the country. According to South Africa’s National Development Plan (NDP), problems of this nature have been especially prominent in economically deprived areas.¹⁰

Statistics South Africa (STATS SA) is a leading source for national data on crime and violence. According to the STATS SA website, “the majority of killings take place in the poorer areas of the city and by people known to the victim”.¹¹ This means violence is often interpersonal, which is also common in instances of vigilantism. On September 19, 2014, the South African Police Service (SAPS) released crime statistics covering April 2013 to March 2014. The results show that while violent crime has decreased overall in the year, crimes of the most concern actually increased in rate and occurrence. The report included some disturbing facts about rise in crime in South Africa from 2012/2013 to 2013/2014, including: i) the number of murders increased by almost 5% (17,068); robbery increased by 12.7% (119,351 cases); and vehicle hijacking increased 12.3% (11,221 incidents).¹² Cape Town, one of the country’s major cities, has seen the nation’s highest concentration of deadly assaults in the past ten years. In 2010, 609 people were killed by violence assault, a total of 2.2% of all deaths that year.¹³

South Africa not only faces problems with crime – it also battles high levels of poverty and income inequality. Though considered an upper middle-income country by the World Bank, 20.2% of South Africa’s population lives in extreme poverty and 45.5% in moderate poverty.^{14,15} South Africa’s inequality level

is also very high – on a rating system where 0 is total equality and 1 is total inequality, South Africa has a .65 rating. This is amongst the highest inequality ratings in the world.¹⁶ There is a relationship between violence and poverty in South Africa, as “inequality undermines social cohesion, and becomes a seedbed for crime and conflicts.”¹⁷ Despite government efforts since the end of apartheid, poverty is deeply rooted in the country and remains a primary concern of the government. As past President Thabo Mbeki once noted, the damage of apartheid and systematic deprivation of South Africa’s poorest people cannot be undone overnight.¹⁸ Anti-poverty measures therefore address other problems within the country, such as crime and violence.

Vigilantism in South Africa

Vigilantism has been taken up as way to informally address crime and violence in poor communities.¹⁹ The rise of vigilantism in the country is understood as “the manifestation of localised sovereignty that is active in the production of a moral community defined against certain groups (youth or foreigners, for example) which are perceived to represent a threat against this moral community.”²⁰ Police legitimacy is very weak, the public perceives the justice system as insufficiently addressing their concerns, and they subsequently feel their only option is to take matters into their own hands. There is essentially an absence of police presence in lower income areas of South Africa – in particular in “shantytowns” or informal settlements.²¹ The result is a rise in vigilante groups to fill the void left by an inadequate justice and law enforcement system.

Many argue that the rise in private security, vigilante groups, and community crime organisations does not necessarily mean a drop in state power.²² Rather, such non-state associations can work in conjunction with the state to provide security in communities, especially in poor areas. During the transition from apartheid to democracy, South Africa introduced community policing²³. This change had two possible effects: one is that policing has failed and people in poor communities have little support; the

other is that the police rely on community crime organisations and therefore do not want to be solely responsible for protecting citizens. In either situation, policing has been insufficient to address community concerns. A problem arises, however, when violence is not curbed by such community organisations and the formal justice systems are inadequate to protect citizens from crime. In poor communities of South Africa, where people are especially vulnerable to the effects of crime, the rise in vigilante violence and absence of effective state security is especially concerning. The following sections review two case studies that investigate crime and vigilante groups in South African townships.

Case Study: Zandspruit

This first case study is from the article *Vigilantism and State Crime in South Africa*²⁴, written in 2012 by James Martin, an Associate Lecturer in the Department of Criminology at Monash University. In his study Martin focuses on one mid-sized (approximately 50,000-80,000 people) shantytown (informal settlement), Zandspruit, located near the large urban center of Johannesburg. Using information from semi-structured interviews, he reveals how vigilantism has been taken up as a way to informally address crime and violence in a poor community where police legitimacy is very weak and the public perceives the justice system as inadequately addressing their concerns.

According to the interviews, Zandspruit residents believed they were living without any protection from the law. The police-to-citizen ratio of the community was one of the lowest in the region at the time of research. Citizens also regarded the police as unskilled and unable to respond to calls. One quote summarises the general opinions well: “I think if the police could take peoples’ grievances seriously, report their case and the police would make sure that the case was handled properly then there wouldn’t be a need for mob justice”²⁵. Additional review of the South African Police Service found a number of problems with recruitment, training, low pay and low morale. Bribery was common in this shantytown as a way of avoiding

prosecution. Overall, public trust of the police was simply nonexistent. Because officers often live outside of shantytowns, there is a “them” and “us” perception, which further lowers police legitimacy. Martin also observed that the police often treated people in poor areas worse than others. People in shantytowns already experience worse living conditions than those in nicer communities; this creates a feeling of victimisation.

The low level of police legitimacy and protection led to residents of Zandspruit “taking the law into their own hands” through informal security mechanisms. These responses were often violent attacks on the original offenders. This echoes the previous descriptions of self-help and vigilantism in this report. As stated by one of the interviewees from Martin’s article: “Sometimes the community, they report things to the police. And then the police [do] not make an effort. So people, the community, they thought, ‘No, let us do [justice] our own way’²⁶. Another person said, had the police responded to calls, violent acts against criminals would not be necessary. A significant finding for future recommendations is that people want the police to be better involved in justice. Many interviewees mentioned a need for better police protection – but did not express hope for change any time soon.

Case Study: Western Cape

In his article, *The Politics of Mobilisation for Security in South African Townships*²⁷, Laurent Fourchard discusses community policing against the rise of vigilantism and the many policing initiatives that have arisen in South Africa since the end of apartheid. His analysis is supported by a study of Cape Flats, a shantytown community in the Western Cape. Fourchard argues that community mobilisation of alternative security methods can actually be incorporated into a dynamic solution to crime and violence (rather than threatening the state’s sovereignty over security).

South Africa has a long history of community anti-crime organisations, which reveals “a fundamental insecurity in South African townships”.²⁸ In the Cape Flats, violence and crime have been common

features of everyday life, and insecurity thus remains at the top of peoples’ concerns. There is a general lack of trust in the police that fueled the development of a leading vigilante organisation, ‘People Against Crime and Gangsterism’ (PAGAD). People in the Cape Flats are skeptical of the police, believe they are prone to corruption, and are therefore more likely to rely on informal security systems than to call the police. PAGAD was initially developed to pursue ‘popular justice’ against drug dealers and gang members, and members would set fire to targets’ homes and kill offenders. The government’s response in 2001 was to create a community security organisation that would patrol dangerous areas to try and prevent such violence from occurring. Because it was government sponsored, and backed by the African National Congress (the country’s major political party), these community organisations were perceived as political initiatives, which decreased their legitimacy in some areas.

As noted in the previous case study, Fourchard finds that the idea of “us” versus “them” is very prevalent in the creation of vigilante groups. Such groups are often manifestations of a local sovereignty, which establishes them as a group against the “other” (some threat to the community) such as youth, foreigners, or prostitutes. Youth are the main target of these organisations and are told to stay indoors, are searched when found, and crime is constructed as a problem caused by youth. Violence is used against young people “to ‘save’ the children from violence, drugs, alcoholism and gangsterism.”²⁹ In one example, a rapist was stopped by a community group and brutally beaten before being handed to the police. Because the victim was a member of his family, there were no charges placed and the man was released after one day. The beating was a socially accepted norm, and was seen as not only possible but necessary in this type of situation. Fourchard observes, “the practice of beating ‘offenders’ in private premises with the tacit agreement of local authorities remains a common practice.”³⁰ Fourchard observes three key processes related to anti-crime activities in South Africa as a result of his case study: vigilantism and community policing are closely related; anti-crime campaigns are both a

popular demand and political tool; and there exists a correlation between popular mobilisation and state intervention.

Current Government Plans

These two case studies provide evidence of the relationship between vigilantism and violence in South African communities. They are only two examples, but can be used to derive recommendations for further action by the state in cooperation with existing neighborhood watch and anti-crime groups. Before recommendations are provided, however, it is important to understand the steps currently being taken by the South African government. Two national reports are briefly reviewed here. The first is the National Development Plan 2030 and the second is the Medium-Term Strategic Framework 2014-2019. These two publications drive most government policy and are significant for understanding current and future plans to address violence. Following this review, and reflecting upon the country's current situation, recommendations for future action are made.

According to the South African government website, the National Development Plan 2030 (NDP) offers a long-term perspective for the country's major goals, especially those of alleviating poverty and reducing inequality. In its list of "direct and immediate measures to attack poverty", a major goal is to "expand welfare services and public employment schemes, enabling the state to service and support poor communities, particularly those with high levels of crime and violence."³¹ The plan states there is a relationship between crime and communities where the government is seen as ineffective or unresponsive. It says, "outbreaks of violence in some community protests reflect frustration not only over pace of service delivery, but also concerns that communities are not being listened to sincerely."³² Yet nowhere in the document does the government address vigilantism or informal justice mechanisms.

There is section in the NDP devoted to a "seven-point plan" aimed at improving the criminal justice system and improving interdepartmental coordination. This section recognises the existing relationship between safety and security and socioeconomic devel-

opment and equality. It also calls for greater accountability within the police force. The key points of this plan include: demilitarise the police, making them more responsive to community needs, coordinate with the private sector and community bodies to revitalise community-safety centers, and provide equal protection to all vulnerable groups in society.³³ These steps are very important and may drastically improve the police forces' ability to work within the community, in a less aggressive and militarised manner, alongside anti-crime groups and with the aim of providing security to all.

With the release of the Medium-Term Strategic Framework (MTSF) 2014-2019, the South African government highlighted the major improvements since the end of apartheid in 1994, while recognizing that the country still faces many significant challenges. Above all it recognised problems of poverty, inequality and unemployment. It also correctly acknowledges that these are barriers to future development, and are interwoven into other concerns held throughout the country. However, in the report's list of priorities and actions for the next five years, violence is not explicitly listed. Rather it is interwoven in the descriptions of other items – such as decent employment, quality education, food security, and social protection. It is significant that the government recognises that all of these goals are interwoven; yet it misses an opportunity to draw the connections between poverty and violence in the country, both of which are deeply related and are barriers to sustainable socioeconomic development.

One of the priorities listed in the MTSF is "all people in South Africa are and feel safe".³⁴ According to the report many people live in fear in South Africa, especially vulnerable groups such as women, children, the elderly and the disabled. To address crime, the government committed to a number of targets including a reduction in the number of reported crimes, an increase in citizens who feel safe in their communities, an increase in households that are satisfied with their local police services, an improvement in citizen perceptions of crime reduction, and improvement in South Africa's rank in the Transparency International Corruption Perception Index.³⁵ Again, however, none

of these goals directly address vigilantism or self-help violence in the country. Many of the goals are also very difficult to measure. The government's acknowledgement of the issues of violence and willingness to address these concerns is very important, yet gaps still exist. The government must develop clear measures for addressing community vigilante violence. A significant barrier to change is often political will; it remains to be seen if implementation of these goals is feasible.

Recommendations

Both the National Development Plan and Medium Term Strategic Framework provide useful guidelines for change in South Africa's current approach to crime and violence. Yet there are some gaps that this report aims to address. The government must recognise the role of vigilantism in the country is a legitimate attempt by residents to replace a justice system they see as inadequate. In some communities there is no clear distinction between these vigilante groups and community policing; rather they are viewed as two sides of public security.³⁶ Yet these vigilante groups do not necessarily increase safety or protection of residents. Rather, a rise in vigilantism is often associated with a drop in state security and rise in crime levels. To overcome challenges posed by vigilantism, the state must work with these groups for change, and the South African Police will need to undergo a significant transformation.

One explanation for the level of vigilantism in South Africa is that the South African Police Force (SAPS) is guilty of crimes of omission (failure to act).³⁷ The national government should prioritise working with local police forces and the South African Police Service to change current practices. Often people in poor communities want more and better police forces to address crime.³⁸ The police must be made more accountable (this will make them more effective at preventing and deactivating violence because they will feel more responsibility). This could include police councils from communities or requiring police officers to live within the areas where they work. The

police should also aim to decrease unnecessary incarceration. People perceive a high level of incompetence in the SAPS in some shantytowns, and poor police performance may be attributed to sub-par recruitment bases, insufficient training, and low morale (due to low pay).³⁹

Beyond working with the police, the government and other stakeholders should incorporate alternatives to criminal justice approaches to dealing with violence. This includes encouraging desirable behaviour and discouraging antisocial behaviour (an example of antisocial behaviour could be seen in the second case study, where adults in vigilante groups targets youths). The government should work with community anti-crime groups to patrol areas and alert police of problems. This could be accomplished by providing volunteers a stipend to protect vulnerable areas, like schools. An example of such a program can be seen in the Western Cape township of Manenberg.⁴⁰ As observed by Fourchard, "South Africa has a long tradition of anti-crime organisations – civic or civilian guards, parents' courts, peoples' courts, Neighborhood Watches, street committees, vigilante organisations, to mention just a few – which fight against both gang activities and what is perceived as the social degeneration of township life."⁴¹ These groups should not just be pushed aside, but their experiences should be harnessed and used to meet targets listed out in the governments National Development Plan and Medium-Term Strategic Framework. This could be done by integrating former vigilante members into police force, working with existing vigilante groups to change violent practices and instilling knowledge of human rights to create better community policing schemes.

Significantly, the government must develop clear methods to regularly collect data on the targets listed in the National Development Plan and Medium Term Strategic Framework, and report these results publicly. It must also ensure accountability from local actors to reach these targets. In its report, 'State of Poverty and its Manifestations in the Nine Provinces of South Africa', the Human Sciences Research Council created a list of recommendations for actions to be taken by

local governments to reach national goals for poverty alleviation. One of the goals is that all people in South Africa are protected and feel safe. The recommendations for local government action include increasing metro police personnel, improving collaboration with the South African Police Service, and ensuring more rapid response rates to crime calls.⁴² In the National Development Plan the “seven-step plan” does outline important steps to revitalise the justice system, demilitarise the police and improve recruitment and training programs. The report also recommends greater coordination with community groups – which could certainly begin to address problems that lead to the creation of vigilante groups. What is it missing, however, is an explicit discussion on the role of vigilante violence in South Africa’s communities and recommendations for change.

Conclusion

In a 2010 article published by the national news source, Mail and Guardian, a Police Department spokesperson said of vigilante justice, “We can never support it. There are ways of dealing with criminality and vigilantism is not one of them.”⁴³ The South African Police Force must evolve its approach to vigilantism for change to occur. Ultimately, we may not know if an instance of violence is self-help, vigilantism or another manifestation. Steps must be taken to understand the role of social control in poor communities in South Africa in order to create preventative programs. In current national plans, the South African Government has recognised the limitation of the formal justice system in addressing certain types of crime. “A study by the World Bank 2010 confirms that ‘there has been a growing consensus among policy-makers that violence is not simply a security issue but that it has deep social and economic roots and consequences’”⁴⁴. Accordingly, the National Development Plan states, “an effective and efficient response to violent crime requires a holistic approach to community safety that takes that causes of crime into consideration and responds to specific causal factors”⁴⁵.

In South Africa, shantytowns are especially vulnerable to violence and crime. When poor people are victimised, they cannot help but defend themselves if the police and state are not there to provide protection. Even South Africa’s president, Jacob Zuma, has said that poor individuals who feel victimised “cannot be blamed for taking the law into their own hands”⁴⁶. While wealthy individuals can hire private security to guard themselves and their property, people in poor areas cannot afford such protection. In such communities, where crime is high and police do not provide sufficient security, vigilante groups flourish.⁴⁷

South Africa currently faces high morbidity and mortality from violence, and the country’s poverty and income inequality compound the effects of violence. As we have seen, vigilantism has been taken up as way to informally address crime and violence in poor communities, and South Africa must address both crime and poverty together in order to set the country on a sustainable path for socioeconomic development. In the Zandspruit case, the low level of police legitimacy and protection led to residents to take “the law into their own hands” through informal security mechanisms. In the Cape Flats, the idea of “us” versus “them” was very prevalent in the creation of vigilante groups, and youths were often the target of these groups. Throughout South Africa, studying the influence of vigilante violence is very important. In order to overcome challenges posed by vigilantism, the state must work with local anti-crime groups and the South African Police must undergo a transformation. The government must develop programs that address vigilante violence as a form of social control. What remains to be seen is if the government can rally political will to make these changes possible.

Notes

¹ Black, Donald, ‘Crime as Social Control’, *American Sociological Review*, Vol 48, No 1, February 1983, pp. 34

² Seedat, Mohamed and Ashley van Niekerk, Shannaaz Suugla and Kopano Ratele. ‘Psychological research and South Africa’s violence prevention

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- ³ Sen, Amartya, 'Violence, Identity and Poverty', *Journal of Peace Research*, Vol. 45, No. 1, Jan 2008, pp. 5
- ⁴ Parenti, Christian, 'Crime as Social Control', *Social Justice*, Vol. 27, No. 3, Fall 2000, pp. 43
- ⁵ Black, 1983, p. 34
- ⁶ Black, 1983, p. 35
- ⁷ Abrahams, Ray, 'What's in a Name? Some Thoughts on the Vocabulary and Related Form of "Informal Criminal Justice"' in Feenan (ed.) *Informal Criminal Justice*, Aldershot: Ashgate, 2003, p. 26
- ⁸ National Planning Commission, *National Development Plan 2030 Our Future – Make it Work*, Department: The Presidency, Republic of South Africa, Accessed online February 16, 2015 at <http://beta2.statssa.gov.za/wp-content/uploads/2013/07/NDP-2030-Our-future-make-it-work.pdf>, pp. 103
- ⁹ Ibid, pp. 103
- ¹⁰ National Planning Commission, pp. 362
- ¹¹ Statistics South Africa, Maps Alive, Census 2011, Accessed online at: <http://www.world-data-atlas.com/statssa/#>
- ¹² Institute for Security Studies, *Fact Sheet: Explaining the Official Crime Statistics for 2013/2014*, Crime Hub, 19 September, 2014, Available at: <http://www.issafrica.org/uploads/ISS-crime-statistics-factsheet-2013-2014.pdf>
- ¹³ Statistics South Africa, 2011
- ¹⁴ World Bank, South Africa Data, Available through: <http://data.worldbank.org/country/south-africa> Accessed April 13, 2015.
- ¹⁵ *Extreme poverty is defined in terms of the food poverty line, where those below cannot afford enough food for an adequate diet. Moderate or less extreme poverty is defined by a lower-bound poverty line under which people must sacrifice non-food items in order to afford enough food for an adequate diet.*
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- ¹⁷ Khumalo, Prudence, 'The Dynamics of Poverty and Poverty Alleviation in South Africa', *Gender & Behaviour*, 11(2), 2013, pp.5646
- ¹⁸ Ibid, pp.5647
- ¹⁹ Martin, James, 'Vigilantism and State Crime in South Africa', *Pluto Journals*, Autumn 2012, pp. 217-234.
- ²⁰ Fourchard, Laurent, 'The politics of mobilisation for security in South African townships', *African Affairs*, Vol. 110, No. 441, 2011, pp. 611
- ²¹ Martin, 2012, pp. 218
- ²² Fourchard, 2011, pp. 610
- ²³ Ibid, pp. 612
- ²⁴ Martin, 2012
- ²⁵ Ibid, pp. 223
- ²⁶ Martin, 2012, pp. 229
- ²⁷ Fourchard, 2011
- ²⁸ Fourchard, 2011, pp. 608
- ²⁹ Fourchard, 2011, pp. 622
- ³⁰ Ibid, pp. 624
- ³¹ National Planning Commission, pp. 28
- ³² Ibid, pp. 37
- ³³ National Planning Commission, pp. 385
- ³⁴ Republic of South Africa, *Medium-Term Strategic Framework 2014-2019*, Accessed February 16, 2014, online at: http://www.gov.za/sites/www.gov.za/files/MTSF_2014-2019.pdf, pp.19
- ³⁵ Republic of South Africa, pp.19
- ³⁶ Fourchard, 2011, pp. 607
- ³⁷ Martin, 2012
- ³⁸ Parenti, 2000, pp. 47
- ³⁹ Martin, pp. 224
- ⁴⁰ Fourchard, 2011, pp. 608
- ⁴¹ Ibid, pp. 608
- ⁴² National Development Agency, 'State of Poverty and its Manifestation in the Nine Provinces of South Africa', *Human Sciences Research Council*, March 2014, pp. 48
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⁴⁴ National Planning Commission, pp. 393

⁴⁵ Ibid, pp. 393

⁴⁶ Martin, 2012, pp.230

⁴⁷ Ibid, pp. 221

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