

Civil Society Involvement in Police Transformation
Reflections from South Africa

Yvette Geyer

Idasa www.idasa.org

Liberia
December 2007

Introduction

In South Africa there was a high level of civil society involvement in the police transformation experience. This paper aims to give a brief overview of the key areas where civil society was involved and some of the lessons learned.

In order to clearly understand civil society involvement in police transformation it is perhaps important to begin with defining what we mean when we use the words **civil society**. In South Africa we refer to Non Governmental Organisations (NGOs), Community Based Organisations (CBOs), Faith Based Institutions (FBIs), academic institutions, civil society movements, business as well as political parties.

It is important to note that in South Africa - when negotiations around transforming state structures from authoritarian institutions to structures that served the democratic ideals stated - it became clear that the African National Congress (ANC) itself did not have enough internal capacity to address issues related to crime and policing. It was as a result of this that the ANC looked to civil society role players outside of the ANC and the state to make inputs into police transformation. A small group of advisors was drawn from NGOs, Academic Institutions and the business world to assist in the process of transforming the police from a Force into a Service. (Rauch and van der Spuy 2006:18).

Establishing the role of civil society

It became clear to all that civil society can not have any impact on policing transformation however without the support of the police and committed change agents within the institution itself. Policing culture otherwise known internationally as "the thin blue line" is self-protectorist and highly suspicious of outsiders on a daily basis let alone when it comes to the overhaul of policing structures themselves.

It is important to highlight that a great challenge that confronts civil society involvement in police transformation is the resistance within the police service to outsiders. Some of this resistance may be justified. Many of the individuals and broader based community involvement was not initially well rooted in the reality

of police work and the police became irritated with the lack of knowledge as well as the tendency for community members to want to take over policing functions. It is critical that civil society inform themselves as to the skills involved in policing and respect those. On the other hand change agents within the police service could have worked harder to facilitate police attitudinal change in relation to civil society involvement.

Civil society should not only see themselves as critical of the police in terms of police work per se but should take a critical stand in partnership with the police with regard to appropriate packages, benefits, deaths in the line of duty, working conditions etc.

Reflections on the process in South Africa

The new SAPS had a number of onerous issues that needed to be confronted and that required careful attention to process and strategy. Many of these issues required outside input of local and international civil society role players. In the process of transformation donor assistance played a critical role. There was a focus on issues for which large sums of funding were available and not as much attention paid to issues that were not concomitant with the foreign policy agendas of those countries. The lesson from this is that the internal role players in a country should ideally be clear on what it is they do want to achieve, although one should warn against focusing on "hard" policing issues and also assign as much importance to "soft" issues such as the human aspect associated with policing.

Civil society which can continue to develop the technical skills of fundraising could also assist the police to leverage resources outside of the normal budgetary channel by facilitating access to donors and business social responsibility programmes.

A philosophical shift from authoritarian style policing to community orientated policing needed to be considered and required vast amounts of new legislation, policy, regulations as well as significant structural changes within the police service. For example, a challenge arose as to what to do with the Special Branch of the SAP who were notorious for torturing members of the anti-apartheid structures within the country. A large number of these staff members were redeployed into the new Community Policing division that was established within the police service. This had disadvantages in relation to trust building but also had the advantage of allowing community members and the police to have to work together. Once these police members had made the transition themselves they were well respected by the community and in essence their potential security threat had been neutralized.

Other key matters that were to be considered include:

Integration

Due to apartheid policy there were 11 formal police agencies that existed within South Africa. Besides the national police force that served the government of the day and was largely devoted to protecting the white community from the rest of the citizens in South Africa there were also the so-called independent states police forces, the homeland police forces, as well as institutions such as public transport police forces as well as municipal level police forces that all need to be integrated into one overall national police service whose new mission was to "provide safety and security for all South Africans".

Outside of government as a result of the turbulent political events of the 1980's political parties also had community based "police" structures known as Self Defence Units (SDUs) and Self Protection Units (SPUs). These structures were aligned to the ANC and the IFP respectively. Through civil society mediated negotiations and advocacy and lobbying initiatives between various community structures such as street committees, command structures of the SDUs and SPUs, NGOs, political parties and the police; measures and programmes were put in place to integrate these young men and women who had played such a significant role in the destabilization of the apartheid state. Some of them were integrated into the police and defence force but the large majority participated in programmes to reintegrate them back into societies as ordinary civilians.

The individuals who had most successfully integrated were those that had undergone trauma management and trauma processing programmes. In fact, some of these programmes are now being applied to young people who are determined to leave a life of crime.

In addition, the liberation movements also had members of their defence structures from Umkhonto we Sizwe (ANC), Azanian Peoples Liberation Army - APLA (Pan Africanist Congress) and Azanian National Liberation Army - AZANLA (Azanian People's Organisation) that were not only being integrated with the defence force but also into police structures such as the VIP Protection Unit of the SAPS.

Improving community police relations

As a result of many years of brutal policing within black communities and clearly demarcated separation of security issues from white communities' mechanism and processes needed to be designed to create a culture of trust and co-operation between the police and the larger community of South Africa.

As a result of NGO facilitated conversations between police and communities in areas of violence such as Kathlehong and Soweto (formerly black only communities) as well as exposure to examples in countries outside of South

Africa it was decided to set up Community Police Forums attached to each of the approximately 1500 police stations throughout Africa. The process of establishing 70% of these forums was managed by Idasa in conjunction with a number of other NGOs, the police and the provincial and national Ministries of Safety and Security. The process of establishing these relationships was often difficult. In one instance a community member refused to participate in a meeting as one of the police officers present had tortured and killed their brother. The management of tense moments such as these and the successful turn around into relationships of co-operation depends a lot on the commitment and willingness to work on personal transformation by the individuals involved whether they are from the police or from civil society. An ongoing long term challenge of these structures is the lack of resources, particularly in poorer areas where oversight and relationship building is the most critical, which are difficult to mobilize in a country with so many contesting development needs. In addition, the retention of skilled community members on forums – in South Africa many CPF leaders were drawn in as local government councilors and officials as a result of the skills they had acquired while serving on the CPF.

In South Africa at the moment there is a movement to transform CPFs into Community Safety Forums (CSFs) in order to include all players in creating safety at a local level including local government, various provincial and national government departments most especially Justice, Correctional Services and Social Welfare

Business also had an important role to play on a number of levels. They were often facilitators during difficult processes reminding people of the macro economic stakes at hand. They provided resources in the form of skilled people as well as hard resources such as the donation of 50 BMWs to the Flying Squad and continue to be involved through initiatives such as the joint traffic management system involving Outsurance (an insurance company) and the Metropolitan police of Johannesburg.

Civilian Oversight mechanisms

In South Africa the imperative for civilian oversight was also driven by a need for political and psychological control over a structure that had the potential to destabilise the new democracy so delicately negotiated. Besides Community Police Forums the following oversight capacities are involved in overseeing the functioning of the police:

- Civilian secretariats at national and provincial level managed by the Ministry of Safety and Security
- National and Provincial Parliamentary standing committees
- Judicial Oversight through the Independent Complaints Directorate as well as through the courts investigating crimes committed by the police

- Financial Oversight through the Public Management Finance Act managed through the Department of Treasury
- Administrative Oversight provided by the Public Protector and the Public Service Commission
- Human Rights Oversight through the South African Human Rights Commission

In addition, the media and NGOs continue to play a vigilant role in oversight. One of the best examples was the investigation of a team of police officers who tortured immigrants who had not as yet established their status by setting dogs on them. Through extensive media coverage and advocacy by the NGO sector the officers concerned were criminally charged and lost their jobs.

It is vitally important that NGOs themselves realise that they have a limited mandate in that they are not accountable to the broader community in any legal manner but that they do have a responsibility to strengthen the ability of the community to lobby and advocate to the national legislature and local authorities in order to build a robust political culture of democratic engagement.

The transformation of police educational processes

The training of police officers prior to 1994 took place largely in two ways. A lecturing instructional military orientated training of practical skills and correspondence education through an institution that was quite well known for a conservative curriculum that supported the policies of the apartheid regime. With a sweeping change in policing philosophy there also arose a need to transform the **how** of training for police members at all levels.

Basic training was rewritten with the input of civil society advisors who were skilled criminologists and adult educators. The revamping of many of the practical skills courses such as public order policing, investigation skills, forensic skills were changed with the input of a number of international policing agencies and critique of criminologists both locally and internationally.

Six universities, internationally funded, designed a new management programme in conjunction with the police training department to equip station commissioners, area and provincial commissioners with new skills for managing a police service that was undergoing enormous change and experiencing a substantial shift from only combating crime to including crime prevention as a substantial aspect of their mandate. Many of the facilitators on the course were drawn from the NGO sector as well as the academic world.

At a national level South Africa was constructing a new educational framework called the National Qualifications Framework (NQF). Each major area of study had to form a National Standards Body (NSB) which was responsible for

transforming education. The NSB for the security sector involved a number of civil society practitioners in this process and continues to do so.

Human Rights training became an aspect of all levels of training. The material used was an integration of international and local knowledge of theoretical and practical human rights skills. Perhaps a major shortcoming in this training was not enough of an emphasis on day to day cultural change. Despite a national emphasis and new legislation on violence against women, many women who came to lay charges of rape were raped again by police members at a number of police stations. Many women were chased away from police stations when they tried to lay charges of domestic violence against their partners.

It is important however to highlight that educational programmes also need to take place within the community. Many South Africans want a short immediate resolution to the crime problem without understanding the root causes and accepting that it may take a number of years to eradicate these. It is nevertheless an imperative to constantly educate the public in order not to lose the gains made in the pursuance of a democratic society. People must learn that policing is not the only way to create stability but police engagement with civil society is an important requisite in building a culture of human rights in our society.

At this point it may be prudent to highlight that when police transformation and professionalisation are successful there will be a higher number of arrests and it is thus important that simultaneous to the police reform process justice and correctional services should undergo similar scrutiny in order to have the absorptive capacity that will be required with higher arrest rates.

Closing thoughts on Civil Society involvement.

Civil society involvement is often immediately associated with positive thoughts and actions. Whilst many of the processes that we have undertaken in South Africa have improved the daily lives of all our citizens and civil society involvement has largely contributed to the successful transformation of policing there are a few aspects that I would recommend you consider as you deliberate on policing and security at large in Liberia.

There are also more complex forms of civil society involvement. For a number of years after 1994 there was an increase in vigilante action by community members in which numbers of innocent people were badly injured due to organisations formed out of frustration such as Mapogo Mathamage which was a civil society initiative using so-called community justice to try alleged perpetrators of crime. People were dragged around by cars, violently beaten even before they were given an opportunity to defend themselves. Today there

are still instances of mob justice that indicate that frustration and fear do not allow for a total respect of the rule of law.

In the early years many NGO workers, community members, journalists, businessmen, academics etc were very interested and involved in the police transformation process. A lot of this has changed with broad based involvement by civil society having scaled down.

There is now a much smaller group of highly committed and highly skilled people concerned with engaging with the SAPS as civil society. There are a number of reasons for this but the two I would like to highlight for you are:

Burnout – police transformation has a high emotional cost on all the players involved and civil society in particular does not always have the long term consistency required and often only responds in a reactive manner to individual incidents. So many community police forums find that individual community members attend their meetings once a crime has taken place and if their case is not resolved immediately they do not return. In addition, it is also difficult to sustain interest in crime prevention programmes such as the safer schools programme unless there is a constant public debate that responds to the ongoing high levels of violence and crime in South African schools.

Broader community involvement these days in South Africa largely takes the form of protest politics against the lack of service delivery in resolving the high rates of crime. One of the real tests of our new democracy is to see if these can be contained using the normal democratic mechanisms available to citizens to advocate and lobby for change or whether more crime will be committed while these protests take place.

Possible issues for Liberian civil society to consider in particular

Demobilisation/deactivation of ex-combatants, military staff and police members can have a further destabilising effect in society as they may through their frustration and specialized set of skills become involved in crimes such as armed robbery and vehicle theft.

It is perhaps also salient to sound a word of caution. Although the decision to start anew with the security forces in Liberia is appropriate to your historical experience; if too much technical policing skill such as forensics and detective work are lost there may be long term consequences for safety and security. In South Africa we are currently experiencing some challenges due to experienced police members who left the service and not enough experienced officers in particular fields have had an impact on effective policing. There is in fact a current initiative to encourage former skilled officers (largely from the white community) to return to the service.

It is important to develop capacity as widely and as deeply as possible within the civil society movement as a whole. Security sector reform is critical to the possibility of long term peace and democracy. The more organisations and skilled individuals engage with the process over a long period of time the greater the impact on the Liberian transition will be. There are also enough issues that require focused attention that not all NGOs need to focus on only one particular issue and scrap amongst each other as to territory and resources. In South Africa we have a number of academics and civil society researchers who continue to work in the field of safety and security sector reform with different areas of focus but there is still room for growth of what should be monitored and studied.

Of course, increasingly in line with international developments in South Africa we acknowledge that security is not simply limited to the delegated power of the police and armed forces. A holistic approach to human security is required. We have developed a National Crime Prevention Strategy, 9 Provincial Crime Prevention Strategies and many local authorities are designing local crime prevention strategies. Crime prevention argues that in order to ensure physical security the root causes of crime must be addressed and that there are many creative options available to finding long term solutions to crime. While many are skeptical of whether the NCPS is successful as a policy and there are admittedly problems with its implementation the evaluation of its impact can really only be made in 2019 as the policy was a 15-20 year framework. It is important that issues such as food security, basic service provision, and restoration of human dignity, opportunities for economic growth and the reconstruction of the society at large be incorporated into the advocacy work of civil society.

As civil society invests in the development of its own capacity to engage critically in a constructive manner with government structures on issues of safety and security reform you may find that skilled individuals get enticed to fill positions in governing structures. This can be demotivating but should be planned for and recognized that in essence this too is part of civil society's contribution to peace and development at large.

The core organising philosophy of Idasa is that although citizens do give some of their power to government through elections they should never release all their power. Citizens have a role to play in creating and maintaining their own security and the role of organised society should be to facilitate these processes. CPFs are one possible structure that citizens can use for mobilising and organising around their issues of safety but there may also be other options for communities at local level and for individual citizens themselves.

Conclusion

I have been able to only give you a small insight into the many initiatives to encourage civil society involvement in police transformation and hopefully also enabled you to see the benefits and areas of challenge that may lie ahead of you in your own process. More information can be found on our website and in a number of publications that are available in South Africa.

Thank you for the invitation and I hope to learn an enormous amount from you and accept my good wishes to each of you in this room for the journey you are undertaking. It can be hard, frustrating, stimulating and on reflection fun and always rewarding.