

# CASE STUDIES OF PERPETRATORS OF VIOLENT CRIME

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REPORT BY THE HUMAN SCIENCES RESEARCH COUNCIL ON BEHALF  
OF THE CENTRE FOR THE STUDY OF VIOLENCE AND RECONCILIATION

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Component 5 of a study conducted for the Justice, Crime  
Prevention and Security (JCPS) cluster

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# BACKGROUND TO THIS REPORT

South Africa is currently experiencing very high levels of violent crime. In 2006 the Justice, Crime Prevention and Security (JCPS) Cabinet committee decided to contract the Centre for the Study of Violence and Reconciliation (CSV) to carry out research aimed at enhancing understanding of the nature of violence in South Africa with a view to strengthening government's response to this problem. As a result, in February 2007 CSV was contracted by the Department of Safety and Security to carry out a project with the following six components:

- A concept paper on the violent nature of crime.
- A study of the circumstances of occurrence of murder in areas with a high rate of murder in South Africa.
- A study of the nature and causes of sexual violence.
- An analysis of the socioeconomic factors that contribute to violence.
- Case studies on perpetrators of violent crime (submitted on 12 December 2008).
- A summary report on key findings and recommendations.

This document, then, is the report on the fifth component of the study. The original objectives as outlined in the initial project proposals were:

- To understand how specific individuals become involved in violence.
- To understand why specific individuals become involved in acts of gratuitous violence.
- To engage with questions about possible interventions that could assist in preventing violence and rehabilitating violent offenders.

Subsequently these concerns were partly redefined. In particular, rather than "gratuitous violence", a key concern of the project has now been defined as the degree of violence used in individual incidents and with accounting for the role of "instrumental" and "expressive" factors in violence, in relation to public perceptions that much violence is "senseless" or "gratuitous".

Alongside this the overall project is underpinned by an interest in the distinction between violence committed between "strangers", as in most robberies, and violence committed between "acquaintances", as in a family dispute and many other arguments that culminate in violence.

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# 1. INTRODUCTION

The promise offered by South Africa's first democratic elections in 1994 was that, with the end of apartheid, levels of violence in South African society would drop significantly. However, various forms of social violence at all levels of society, ranging from armed robbery to sexual violence and murder, have remained at extremely high levels. Although the rate of murder has declined slightly from approximately 20 000 a year to about 18 000 in 2007, South Africa still has one of the highest per capita murder rates in the world. It is in this context that the current study needs to be located. While violent crime has elicited widespread media coverage as well as considerable research attention, we still know very little about who participates in violent crime.

Perhaps understandably, in the popular media violent perpetrators tend to be portrayed as faceless and nameless "monsters"; the brutality of their actions appears completely inexplicable, the result of a senseless evil. While these may be very reasonable responses when the public is confronted with the often horrifically violent deeds that occur during the course of many crimes in South Africa, such emotive reactions do little to further an informed understanding of who actually perpetrates violent crime. This type of understanding is crucial if we are to design interventions that respond effectively to violent crime, both in terms of understanding the ways in which we can prevent it and the ways in which we need to respond. So far, little research in the South African context has engaged in depth with the question of who violent perpetrators are.

While there have been several studies that have given us a very good overall profile of the most significant characteristics of violent offenders – for example, that they are usually young and male,<sup>1</sup> these studies have not yet gone beyond outlining a general typology of offenders. While this is a useful starting point, we need to go further than this general characterisation to a more specific understanding of the nuances that lie beneath the category of "violent offender". This is critically what this study attempts to address. Through in-depth interviews with 20 violent offenders, which explore three key thematic concerns, namely, the life history of each participant, their involvement in violence and their experience of incarceration, this study seeks to unpack and, importantly, individualise the category of male offender. In doing this, this research is concerned with elucidating some of the complexities that underpin the involvement of young men in violent crime, through exploring their own stories of their lives and their motivations for violence. It is important to note that the experiences of these offenders cannot be generalised to the entire population of offenders, as the study is based on a small, non-representative sample of offenders. The sample may be biased by a number of factors, for example, informed consent was required from participants and participants were selected for the study based on selection interviews. This may have biased the sample towards offenders who were more willing to engage with interviewers and

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<sup>1</sup> Leoschut and Burton 2006; Burton et al. 2004.

reflect on their actions than the average member of the prison population. Nevertheless, we feel that the stories of these offenders add important nuance and depth to our understanding of violent offenders, which we believe will provide insights that can help elucidate policies to address violent crime.

## 1.1 Profile of the participants

As mentioned above, it is well established in local and international literature that the overwhelming majority of violent offenders are male and young.<sup>2</sup> For this reason, this study only interviewed men who had been incarcerated for the violent offences that are defined in South African criminal law as murder, attempted murder, aggravated robbery and assault with intent to do grievous bodily harm (assault GBH). We initially sought to exclude offenders who had been jailed for sexual offences as we felt that those offenders had a different profile to those who committed other types of violence. However, during the course of the study, it became clear that those who had been jailed for violent crimes such as aggravated robbery had often been involved in a range of other violent acts from the time they were at school, which frequently included both sexual violence and violence against “friends” and peers. As a result, while many of the offenders were jailed for crimes such as robbery with aggravating circumstances, a number of interviewees revealed their involvement in a range of other types of criminal offences in the course of their interviews.

Table 1 gives a basic breakdown of information about the offenders from Gauteng and Western Cape. They range in age from 23 to 34, with the majority of participants in their twenties. Several of the offenders had been jailed at an extremely young age. In Gauteng Ebenezer, Geoffrey and Jonathon are all currently 24, while James is 25. Ebenezer, Geoffrey and Jonathon had already served eight years of their sentences, while James had served six years of his. This means that these young men were first incarcerated when they were teenagers. Despite their young ages, all of the participants had been involved in criminal activities prior to their current incarceration. At least six Gauteng offenders, Geoffrey, Mandla, Ebenezer, Fortune, Nkosi and James, had been arrested, some of them several times, before they were finally convicted. A similar pattern of young offending is evident in Western Cape, where Thabo, Zolani and David are all 23, and Ahmed and Sicelo 26. Again, several of these young offenders had already served several years. As with the offenders from Gauteng, virtually all of these interviewees had been arrested several times before their current incarceration, and some had already served prison terms prior to this. Interviews with the offenders reveal that they, like their counterparts from Gauteng, had already had a long history of criminal offending from the time they were teenagers, although in many instances many of these crimes, including murder, had not been detected.

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<sup>2</sup> See Dobash et al. 2007: 243-271. In the South African context, see Centre for the Study of Violence and Reconciliation 2008a: 93, which found that 94% of perpetrators of murder were male and 6% were female. Also see Centre for the Study of Violence and Reconciliation 2008b: 74, which cites a docket analysis of cases of murder, attempted murder, robbery with aggravating circumstances and assault GBH that were reported at Randburg and Mamelodi police stations in Gauteng between April and June 1998, and which found that 94% and 87% of perpetrators respectively at these police stations were male.

What emerges from the narratives of virtually all of the offenders is a deepening pattern of offending, which started in adolescence with petty crimes such as stealing from a local shop but steadily escalated to activities such as housebreaking, hijacking, armed robbery and murder as these young men became more deeply involved in a criminal lifestyle. Simultaneously, a number of these offenders were involved, or were accused of being involved, in sexual offences. In many of the offenders' narratives, violence towards women appears normative.<sup>3</sup> While 10 of these interviewees were convicted for offences committed in the course of incidents of robbery or hijacking, many of these same offenders were also involved in violent confrontations with acquaintances, which concerned the upholding of status in front of male peers. Fortune, at the age of 16, shot dead an acquaintance who had challenged him, primarily because he did not want to appear "weak" in front of his friends. Nkosi, also at the age of 16, shot dead an acquaintance who he perceived as insulting him during an altercation at a tavern. He was never charged or arrested for this incident despite the fact that it took place in full view of a number of members of the community. Both young men went on to commit a range of other offences, including repeated muggings, housebreaking and hijacking.

What is notable in the narratives of many offenders is a failure to recognise violence as violence, indicating the degree to which violence had become normative in many of these interviewees' lives. For example, Ebenezer, like some other interviewees, argues that he would avoid violence by threatening people with a gun. The fact that this act of threatening a victim with possible death was in itself a violent act is not recognised by these offenders, as was often the case in incidents of apparently coercive sexual interactions. In general, many offenders appear to be concerned to argue that, despite their actions, they are not "violent people", indicating a need to distance themselves from the violent acts in which they were involved and preserve a sense of self separate from the brutality of their actions.

In terms of violence committed in the course of other offences such as housebreaking and hijacking, the interviewees express a range of motivations for their actions. What is evident is that while most offenders went to the scene of the crime armed, their violence was seldom premeditated and appeared to be largely determined by a series of split-second decisions, driven often by fear, alcohol, drugs or machismo. These are decisions that the interviewees themselves are often hard pressed to explain afterwards. James, who beat the owner of a house he intended to rob to death when he was approximately 17 years old, blames the fact that he had been drinking the whole day for his actions and expresses extreme remorse now. Currently a literacy coach in prison, James, despite the brutality of his actions, appears to exhibit real potential for change and self-reflection. Ebenezer, on the other hand, shot a man dead during a hijacking incident when he reached for his seatbelt because he was afraid the man had a gun. He appears to feel considerable remorse for his actions. Geoffrey was involved in the murder of a restaurant owner in the course of an armed robbery at a restaurant and also argues that it would not have hap-

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<sup>3</sup> See 4.2: Masculinity and Violence below for a more detailed account of the offenders' involvement in violence against women and their attitudes to them.



pened had he not been under the influence of alcohol. Prince, on the other hand, argues that he “got used to doing such things” (hijacking and robbery) and would simply proceed to do “other things”.

In general, alcohol and drugs do emerge as a significant disinhibiting factor among most interviewees. Several interviewees explain that drugs and or alcohol helped them commit crimes, or helped them to forget their crimes afterwards. For some offenders blaming alcohol or drugs for their actions seems to be a way not to take responsibility for their actions; others appear to struggle to come to terms with the actions they committed while under the influence of alcohol and drugs.

Although drugs featured significantly in the narratives of Gauteng interviewees in terms of facilitating the commission of crimes, in Western Cape it was clear that drugs were integral to the “economy” and functioning of gangs in this part of the country. A number of the interviewees were not only full-blown addicts but also drug dealers. Often their rewards for dealing were small: some would be paid “in kind” for their services – as Ahmed explains, “All the little bits and crumbs that were left over were mine” – or simply be allowed to drive the “fancy cars” of drug bosses. Some interviewees describe a life of complete degradation, where they would live in “drug dens” – houses from which drugs were sold and a context in which a range of violations would occur. Interviewees such as Ahmed express their desire in this context to go to prison in order to break the cycle of self-destruction:

... this is not the first time I’m in prison. I was used to this life. I would be sitting on a street corner and I would get the urge to go to prison. I would catch on crap and because I was on parole, they would lock me up immediately. Life on the outside is sometimes boring. If you are outside you are always on the look out. Looking for drug money. If you are in prison then you are in. That’s how I used to think. The drugs made me think like that.

While there were many similarities between the interviewees in Gauteng and Western Cape, it is also important to note the differences between the profiles of these offenders. In Western Cape the significant impact of gang violence was evident in the narratives of offenders, both in terms of their experience outside and inside prison. It was evident that in many but not all instances these interviewees had committed a range of violent and criminal acts directly as a result of being part of a gang. Many of these acts included violence against other gang members in cycles of revenge and counter-revenge. As Ahmed explains the deepening cycle of gang violence in which he was involved:

Yes, I have shot at people, especially during gang fights... I was every single day with those people, being in the streets. Most of the friends have been shot so they are probably dead by now... I lost a lot of friends, some that were killed in front of me. I too was shot once... I was almost killed... I’ve seen my friends being shot. My friends were stabbed right in front of me... When I was involved with drugs, that sort of thing happened... It started with stone-throwing and stabbing. But then it became evil and they started to shoot guns. It got crazy. As I said to you, that I even became afraid to walk around. I never knew when they would shoot me next. I actually lived in fear. If you’re a gangster you always live in fear.

The context of gang violence meant that the pervasive nature of violence in the communities from which these interviewees came was particularly stark in their narratives. In addition, there appeared to be a more general exposure to violence. More of these interviewees reported being victims of violence themselves, or knowing friends or relatives outside of their criminal circle who were victims of violence such as muggings, rape, sexual harassment and violence against women. The narratives of these offenders also depict a high level of violence both at school and in the home, often fuelled by drug and alcohol abuse, with adults in violent conflict with each other in the presence of children, when the children themselves were not the direct target of violence. As Xolela explains, “As the eldest one, I grew up not being a coward, you see, so when you got hit at home, got hit in the streets and you came home crying, grandmother didn’t listen to you.” On the other hand, the narratives of interviewees from Gauteng were not free from descriptions of community violence. As James explains:

*Interviewer:* You told me about incidences where you saw a person being hit by a panga [knife]; some were shot... How was the conflict in your community? Was there a lot of tension?

*James:* Yes, I can say there was a lot of tension. People used to work, then get drunk, and when they were drunk, that was when they would fight with each other. This happened mostly on weekends.

Another notable difference between Gauteng interviewees and those from Western Cape was the young school-leaving age of many of the offenders from Western Cape. While most interviewees in Gauteng report leaving school after completing Standard 8 (Grade 10), a number of interviewees from Western Cape left school without even completing their primary education. Xolela, for example, was still in Standard 4 at the age of 14 when he left school. Fazel left school after his last year of primary education at the age of 13. He started working for his elderly parents but quickly become involved in the local gang and drug culture.

For almost all the interviewees, with the exception of Sunny, who grew up in another country, the offenders were significantly influenced by a peer group who would often, as the offenders reached adolescence, exert a far more powerful influence than their families or parents. Sometimes the significance of the influence of the peer group was the result of extreme family dysfunction, as in the case of Mandla, who experienced considerable domestic violence and left home to “live his own life” with his peers, or James, who was left alone as a 10-year-old to fend for himself and ended up beating a man to death under the influence of alcohol. While it is not possible to draw direct causal relationships between these offenders’ family backgrounds and their involvement in crime or their involvement in criminal peer groups, it is clear that most interviewees experienced real material deprivation and a high degree of family instability as they were moved from household to household as parents left, separated or went to work elsewhere. In this context of relative economic deprivation and instability, where most offenders were provided with simply the basic necessities but were, like all South Africans, exposed to widespread media images of the accessories that symbolise a wealthy lifestyle, the desire for consumer goods and fashionable labels featured as a significant motif in the narratives of these offenders as a motivation

for crime, in a context where they were extremely unlikely to acquire these objects through legitimate means.<sup>4</sup>

TABLE 1<sup>5</sup>

OFFENDER	AGE	OFFENCE	SENTENCE	YEARS SERVED	PRISON
Fortune	29	Murder	15–20 years	5 years	Johannesburg
Sunny	32	Robbery with aggravating circumstances	20 years	4 years	Johannesburg
Vuyo	29	Robbery with aggravating circumstances	10–15 years	4 years	Johannesburg
Ebenezer	24	Robbery with aggravating circumstances	10–15 years	8 years	Johannesburg
Mandla	29	Attempted murder	10–15 years	5 years	Johannesburg
Smithson	34	Robbery with aggravating circumstances	Life	8 years	Johannesburg
Nkosi	26	Murder	20 years	5 years	Johannesburg
James	25	Robbery with aggravating circumstances	15–20 years	6 years	Johannesburg
Geoffrey	24	Assault serious	15–20 years	8 years	Johannesburg
Jonathon	29	Robbery with aggravating circumstances	15–20 years	8 years	Johannesburg
Walter	34	Murder	10–15 years	4 years	Pollsmoor
Xolela	33	Murder	15–20 years	9 years	Pollsmoor
Ahmed	26	Attempted murder	10–15 years	6 years	Pollsmoor
Fazel	30	Murder	7–10 years	3 years	Pollsmoor
Thabo	23	Robbery with aggravating circumstances	7–10 years	3 years	Pollsmoor
Zolani	23	Robbery with aggravating circumstances	7–10 years	5 years	Pollsmoor
Nyami	30	Attempted murder	3–5 years	2 years	Pollsmoor
Sicelo	26	Murder	10–15 years	3 years	Pollsmoor
Thembikile	27	Robbery with aggravating circumstances	15–20 years	7 years	Pollsmoor
David	23	Robbery with aggravating circumstances	15–20 years	2 years	Pollsmoor

<sup>4</sup> See section on poverty, status and violence.

<sup>5</sup> The information on this table was drawn from official data given to us by the Department of Correctional Services. However, sometimes this information differs slightly from the information given to us by interviewees. This was particularly the case in relation to the ages of offenders, some of whose current ages seem not to have been updated in official prison records. In addition, offenders sometimes provided us with extra details about their sentences that are not necessarily reflected in this table, but are included in this report under 7: Case Histories.

### 1.1.1 Thematic concerns

The three interviews conducted with offenders focused on three key thematic areas:

- Life history.
- Involvement in violence.
- Imprisonment.

The case studies were analysed through an inductive-methods approach where the offenders' narratives directed our analysis. It must be noted that each interview was only 90 minutes long and therefore only a "snapshot" of each of these areas of concern could be investigated. Significantly more in-depth interviewing would be required to investigate any of these particular thematic areas in all their complexity or to draw more certain conclusions, for example, about the link between family background and the commission of violent crimes. Here our primary concern was to collate as comprehensive a picture as was possible, within the time constraints of this project, of each offender's life, from the time they were children up to their present experience of incarceration. Thus we wanted to locate the acts of violence in which these offenders had been involved within a broader context of the overall trajectory of their lives. In this we hoped to develop a more complex understanding of these offenders than that currently portrayed in the popular imagination, where the violent acts in which offenders are involved often appear largely disassociated from the history of the individual and, perhaps most significantly, the history of their involvement in violence.

#### 1.1.1.1 Life histories

While this study was qualitative in nature and therefore was not able to quantitatively test hypotheses about the risk factors for violent crime, such as parental neglect, drug and alcohol abuse, loss of family members, etc., the life-history interviews drew on some of these insights in formulating the broad areas of investigation that these interviews covered. Critically, what the life-history interview intended to explore was the key socialising influences in the life of offenders, from their earliest socialisation within the family to the school as a context of socialisation, the influence of the peer group and the significance of the neighbourhood environment in which these interviewees had grown up. The interviews also sought to explore some of the hopes and dreams of these young men, to understand whether they had indeed foreseen a different future for themselves, as well as to understand something about role models who might have had a significant influence on their lives.<sup>6</sup> On examination of the interview transcripts three key thematic areas emerged as significant in terms of the life histories of the offenders, namely:

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<sup>6</sup> See Appendix A: Interview Schedules for more details of the areas of investigation in the life-history interview.

- Parenting.
- Peer groups.
- School.

Each of these sub-themes is explored in detail under the section of the report on life histories.

As a facet in understanding the life history of the participants, we had planned, in the conception phase of this study, to conduct interviews with non-offending male siblings of the offenders, who had grown up in the same home environment as the participants. Critically, through this aspect of this study, we hoped to explore the significant issue of choice. Wanting to move away from an analysis, which assumes that social context determines life choices, we sought to understand the important factor of resilience, that is, what makes some people, exposed to extremely detrimental life circumstances, able to resist a criminal path. Importantly, however, notwithstanding a number of practical difficulties that emerged in terms of locating siblings who were not like the violent offenders, an essentially “captured” population, we found it extremely difficult to find male siblings who were not in fact offenders. This indicates a significant line of study that needs to be pursued in future research.

### **1.1.1.2 Involvement in violence**

An important concern of the overall study is the high levels of the violence that occurs in criminal incidents in South Africa. The key objective of this thematic focus, “involvement in violence”, was therefore to engage with questions related to the specific factors that precipitated the involvement of individuals in acts of violence, how they understood their involvement in violence, and the function that violence fulfilled in the commission of crimes. This study saw the use of violence as involving a degree of choice from within a range of possible choices, but also wanted to understand how these choices had been shaped or affected by the life history and experiences of the interviewee. As a consequence the interview focusing on this thematic area sought to explore the offender’s experience of violence while growing up, his exposure to violence in the family, neighbourhood or school environment, and his own history of involvement in violence. The offenders were then asked to give a moment-by-moment account of the actual incident of violence for which they had been incarcerated, describing their feelings and thoughts at the time and afterwards. This was often an extremely difficult component of the interview process for both the interviewer and the interviewee, but most offenders were willing to share relatively detailed accounts, not only of the act for which they had been imprisoned but also a range of other acts of violence and criminality in which they had been involved.

What emerged from the interview process was a range of thematic areas that had shaped the choices offenders had made. These are explored in more detail in the report under the headings:

- Motivations and attitudes to violence.
- Violence and masculinity.
- Poverty, status and violence.
- Guns and violent crime.
- Alcohol, aggression and violence.

It became clear in the course of the interviews that few of the offenders were conscious of alternative choices at the time of the commission of violence, and, in some instances, many years after the offences had been committed, remained substantively unable to engage with these alternatives. This was a result of a range of factors, from the structural environment, what theorists such as John Galtung<sup>7</sup> Nancy Scheper-Hughes<sup>8</sup> (2004) have respectively called “structural violence” or “everyday violence”, namely the unequal power relations and life chances in society, which lead to forms of “violence” that we assume are an everyday part of life. On the other hand, social factors such as conceptions of violence as a normative way to conduct oneself, an “ordinary” way of getting something done, responding to a threat, protecting one’s identity as a man or resolving a conflict, emerged as a significant factors influencing these offender’s choices. Peer and social pressure to conform to certain role expectations, in particular what it means to be a man – that is, to be seen as “strong” and to respond violently to threats to this masculine identity – also emerged as a critical factor shaping these offenders’ decisions. Other factors such as the widespread availability of firearms, which are used to defend honour and instrumentally commit crimes, as well as the use of alcohol and drugs, which distorted individual offenders’ judgements in particular instances, also emerged as significant factors impacting on offenders’ choices with regard to violence.

While the project was initially underpinned by an interest in the distinction between violence committed between “strangers”, the interviews revealed that the offenders had generally been involved in a range of different types of violence, both against “strangers” and “acquaintances”. Nevertheless, the motivation for violence in these circumstances did appear to be different, for example, violence against acquaintances was generally informed by a need to maintain status in front of male peers within a particular framework of masculinity, while violence against “strangers” in the context of robberies or hijackings appeared to be motivated by a far more spontaneously generated set of factors, such as fear of arrest or fear of retaliation from the victim, which was often decided on instantaneously. In this context, drugs and alcohol often appeared to play a significant role in facilitating the commission of these crimes, through its disinhibiting effect. In addition, the easy availability of guns meant that most offenders went to commit crimes armed, and when they felt threatened the confrontation could easily escalate into lethal violence.

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7 Galtung 1969.

8 Scheper-Hughes 2004: 2.

Another concern that this thematic area sought to investigate was the degree of violence used in individual incidents, in relation to public perceptions that much violence is “senseless” or “gratuitous”. In this regard, we had sought to distinguish between violence committed for “instrumental” purposes to achieve a particular objective and that which appeared to be influenced more by “expressive” factors, such as a show of power over the victim. What emerged from these narratives, however, was a far less easy distinction between these two types of violence, particularly in the context of violence against “strangers”. While violence against acquaintances could indeed often be understood as “expressive” in that it sought to display authority and strength, violence in the context of robberies and hijackings did not appear to be instrumental in the sense of being used in a premeditated fashion to achieve a particular objective, such as to make sure particular goods were acquired from a specific individual. In some instances violence committed against a victim, as in the case of James, actually prevented him from acquiring information about the safe he intended to rob, from the victim whom he had killed. In this instance the violence committed against the victim, who was beaten to death despite the fact that he was unarmed and offered no resistance, does indeed appear to be “gratuitous”. Similarly, the violence of Ebenezer who shot a man as he tried to undo his seatbelt to get out of his car also appears “gratuitous” or “senseless”. However, the “gratuitous” nature of these incidents of violence emerges as less reflective of a desire to exert an “excessive” or “unnecessary” amount of harm on victims, namely, an “expressive” desire, but was rather the result of something that occurred in a moment of heightened tension and fear, created by the context of the crime, which may or may not lead to violence depending on a variety of contextual and sometimes intangible factors. Nevertheless, there is no doubt that the normative nature of violence in these offenders’ lives, as emerged from the interviews, means that the possibility that they would turn to violence in circumstances where they felt threatened, was greatly increased.

### **1.1.1.3 Imprisonment**

The key objective of this focus was to reflect on the experiences of these 20 offenders in terms of their experiences in interacting with the criminal justice system, from early arrests, short periods of imprisonment, to their final experience of long-term incarceration. The experiences of the offenders as related in their interviews are located within the context of current correctional services policy, which sees the prison critically as a site of rehabilitation, in which the deprivation of liberty is the punishment that each offender experiences, and the objective of imprisonment is to enable offenders to, on release, lead “socially responsible” and crime-free lives. The interviews conducted for this study revealed a complex picture that, on the one hand, spoke to the significant rehabilitative possibilities that do exist in prison for offenders who are willing or able to engage with the opportunities made available. On the other hand, violence, including sexual violence, drug abuse, gangsterism and various forms of corruption, appears to be an ongoing problem in terms of the narratives of the offenders interviewed for this study. Problems such as overcrowding in prisons also do not appear to have been entirely resolved. Another important issue to note in terms of the narratives of these offenders around their experiences of the criminal justice system is that many of these offenders had been arrested, some repeatedly, prior to

their final conviction for the serious offences for which they are now incarcerated. Earlier experiences of short-term imprisonment or arrest seem to have had little or no effect on the trajectory of crime in which these offenders were engaged. In this light, the importance both of diversionary interventions in the earlier stages of young offenders' criminal careers suggests itself, as well as the importance of ensuring that those incarcerated for short periods of time, or those awaiting trial are still given the opportunity to engage in rehabilitative programmes that may divert them from engaging in more serious crimes should they be released. Again, it needs to be stated that conclusive and generalisable findings on the extent of these problems within the entire prison population cannot be made on the basis of the experiences of these 20 randomly selected interviewees. Nevertheless, what their experiences seem to indicate is that a number of the problems identified several years ago by the Jali Commission of enquiry into prison conditions still exist. The experience of imprisonment is therefore engaged with in terms of the following themes in the report:

- Previous experiences with the criminal justice system.
- Awaiting trial.
- Violence in prison.
- Gangs.
- Rehabilitation.
- Reintegration beyond prison.



## **2. METHODOLOGY AND ETHICS**

Studies based on the narratives of perpetrators suggest obvious methodological concerns about the truth value of these testimonies. Mindful of these concerns, we nevertheless suggest that these testimonies give us important insights into how these acts of violence may have made “sense” to the offender who committed them, and enable us to explore how violence suggests itself in a certain context or moment as the “right thing to do”, or as the only choice available. This study therefore relies on the participants’ versions/narratives of “what happened”, on information gained from the subjective perceptions of participants. This kind of subjective account of events, in the form of “case studies”, we believe is critical to understanding the ways in which offenders themselves shape their identities and explain their actions. Rather than developing policies that prescribe a set of normative values – detached from the offenders’ worldviews and experiences – our study starts from the departure point that it is critically important to engage with offenders’ perspectives in order to formulate interventions that take offenders from the subjective perspective at which they are currently located towards more normative modes of thinking and behaviour.

It is important to note that this study does not attempt to make general claims about violent offenders in South Africa. The small, randomly chosen sample means that the findings here are not generalisable to the South African prison population as a whole. Where generalisations are made, they specifically refer to the population of 20 male offenders interviewed for this study.

### **2.1 The sampling process**

Through liaison with the Department of Correctional Services (DCS), a sample of 20 male offenders who had committed the violent crimes of murder, attempted murder, assault with grievous bodily harm and aggravated robbery, were selected and approached to volunteer participation in the study. Ten of those selected are currently incarcerated at Johannesburg prison in Gauteng, while the other 10 are incarcerated at Pollsmoor prison in Western Cape.

The process of selection of those who participated in the study was rigorous. Once a sample of 20 potential offenders had been identified from the DCS database, arrangements were made with the department to conduct an initial interview with potential interviewees. These interviews were conducted by an experienced interviewer with at least some clinical training in order to ensure that anyone suffering from a serious mental disorder or disability was immediately excluded. At this initial interview, the nature of the study and the extent of commitment involved were outlined and discussed in detail before informed consent was obtained.

## 2.2 Informed consent

During the initial selection interview, participants were given the informed consent schedule attached in Appendix B, which was explained to them and was translated into the first language of the participants. This informed consent form was signed at the end of the selection process, when it had been decided who would participate in the study and the interview process was about to begin. As the prison population is a particularly vulnerable one, the informed consent process emphasised the voluntary nature of participation in the study, that they would suffer no detrimental consequences should they refuse to participate, as well as an assurance that the information that interviewees revealed would be kept confidential and that each interviewee would remain anonymous.

The informed consent process also gave potential interviewees information about the purposes for which the study was being conducted, who was conducting it and what recourse they had if they were concerned about the interview process as it proceeded.<sup>1</sup> In addition, every effort was made to ensure that prisoners who agreed to participate in the study were not placed at risk. To this end we met with the head of the prisons in which we were conducting the study, as well as the relevant warders, in order to inform them of the purpose of this research. The interviews themselves were conducted on an “in sight, out of hearing” basis, which meant that the interviews were conducted out of earshot of warders or other prison authorities but in sight of them, in order to protect the confidentiality of the interviewee as well as the safety of the interviewer.

## 2.3 Selection process

The selection interviews were also intended to gauge the suitability of each potential interviewee for the interview process in terms of their capacity to engage with and understand the interview process. This was not a decision based on a scientifically administered test, but relied significantly on the subjective but professional judgement of the interviewer during the selection interview. We initially sought to exclude people who did not admit culpability for the crimes for which they had been incarcerated, as we felt this would undermine our ability to meaningfully engage with interviewees around their involvement in violence. However, as the process unfolded, it became clear that while many potential interviewees tended to maintain that they were innocent of the specific crimes for which they had been incarcerated, they were willing to acknowledge involvement in a range of other violent crimes and, over time, as they began to trust the interviewer, in some cases, their involvement in the crimes for which they had been incarcerated. The selection process in Gauteng was particularly complex, as at this stage of the research process we also sought the permission of potential participants to interview a non-offending sibling. As is noted elsewhere in this report, finding such non-offending siblings and acquiring their permission or cooperation in the interview process proved to be an extremely difficult process. For this reason the

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<sup>1</sup> See Appendix B.

selection process was repeated a number of times in Gauteng, but not in Western Cape as, at this stage, we had excluded interviews with siblings from the ambit of our study.

## 2.4 The interviews

In Gauteng, interviews were conducted by two interviewers, one a trained counsellor and another a psychologist who were subcontracted from the Centre for the Study of Violence and Reconciliation and conducted the interviews over a fairly extended period of time of several months. In Western Cape, the initial selection interviews were conducted by a psychologist from the Centre for Victims of Violence and Torture. The actual interviews were conducted by a group of 10 trained field interviewers from Providence Holdings Ltd. All interviewers were given in-depth training on the interview schedule by the team of researchers from the HSRC who conducted with study, namely, Vanessa Barolsky, Catherine L. Ward, Suren Pillay and Nadia Sanger.

Recalling and narrating the act of violence could be potentially traumatic for both the participant and the interviewer. We recognised this as a risk and therefore used experienced interviewers with at least some clinical training. We also informed interviewees that, should they require it, we would make available three debriefing sessions for those who participated in this study.

The process of interviewing participants involved translating the interview schedule into the language of the participant and then conducting the interview in the language or, in some instances, languages, participants were most comfortable with. During the selection process permission to record interviews was obtained from potential interviewees. Therefore, each interview was recorded on a voice recorder. While all interviewees initially agreed that their interviews could be recorded, at the time of the actual interviews some interviewees expressed concern that interviews could be used to incriminate them. One or two interviewees went so far as to initially insist that some parts of their interviews not be recorded, particularly parts of the interview that concerned their involvement in violence. However, reassurances from the interviewers and winning the trust of the interviewees were generally adequate to overcome some of these obstacles to the interview process. Nevertheless, these difficulties point to some of the methodological complexities in conducting interviews with incarcerated offenders.

After the interviews were conducted, the recordings were transcribed verbatim and then translated into English. This initial process of transcription and translation also revealed further methodological complexities. In a few instances direct translations of the interviews to English meant that some important nuances in the language of interviewees were lost. One significant example of this concerned the exact translation of the terminology around ritual practices relating to the use of *muti*. These problems were picked up by the interviewers in a quality checking process, where interviewers who conducted the interviews read the transcriptions of their interviews to ensure they were an accurate reflection of their

interviewees. The interviews were also checked internally by the transcription and translation companies we contracted to conduct this aspect of the work.

## 2.5 Confidentiality

To protect participants and ensure their anonymity we have used pseudonyms and changed some identifying details. The participants who agreed to be a part of the study were only known to the researchers involved in the study and the relevant prison authorities who facilitated access to the prisoners. The participants are not identified in the findings of the research, nor are specific observations or comments attributed to an individual participant who may be identified. The interviewers themselves participated in preparatory training workshops that focused on the ethical dimensions of conducting the study, the need for confidentiality and techniques to ensure this in the interview and research-writing process.

## 2.6 The sample

The sample included 20 male offenders between the ages of 23 and 34, who had committed the crimes of murder, attempted murder, robbery with aggravating circumstances and serious assault. While we initially envisaged a relatively even spread of offenders between the different crime categories, as a result of the selection process the sample of offenders interviewed was in the end divided in the following way:

- Ten offenders whose primary offence was robbery with aggravating circumstances.
- Six offenders whose primary offence was murder.
- Three offenders whose primary offence was attempted murder.
- One offender whose primary offence was serious assault.

However, as is noted above and will be explored in more detail in the body of the report, almost without exception all of these offenders acknowledged during the course of their interviews that they had been involved in numerous other crimes, some of them violent. Moreover, a substantial majority of these offenders had been arrested several times before. A smaller proportion had actually been incarcerated. Below is a table detailing the information on previous arrests that we acquired from the interviewees themselves. It is important to note that, unlike the information contained in Table 1, which details each interviewee's current sentence, this is not formal information supplied by the DCS and is therefore subject to potential inaccuracies. Not all interviewees necessarily revealed the full extent of their prior criminal activities or specific details of prior arrests. Nevertheless, the information below does point to an important trend of prior interaction with the criminal justice system.

TABLE 1

OFFENDER	PREVIOUS ARRESTS	ARREST AND INCARCERATION	TYPE OF OFFENCE
Fortune	1 arrest	1 incarceration (3 months)	Theft
Sunny	No information		
Vuyo	No information		
Ebenezer	1 arrest	Yes (juvenile detention)	Theft
Mandla	2 arrests	No	Theft
Smithson	No information		
Nkosi	No information		
James	Arrested (unknown number of times)		Charge unknown
Geoffrey	3 arrests		2 for assault 1 for theft
Jonathon	No information		
Walter	No information		
Xolela	7 arrests		Theft (details of other arrests unknown)
Ahmed	1 arrest		Robbery
Fazel	No information		
Thabo	1 arrest		Housebreaking
Zolani	No information		
Nyami	2 arrests		Housebreaking Shoplifting
Sicelo	2 arrests	7 months (half in juvenile detention)	Possession of an illegal firearm Robbery
Themvikile	2 arrests		Housebreaking Housebreaking and murder
David	4 arrests		Armed robbery Attempted murder

We chose offenders who had been incarcerated for crimes committed between 2000 and 2005. This was on the one hand informed by the fact that this study was concerned to understand contemporary violent crime (within the last five to six years). In addition, the quality of information from offenders who had committed their crimes relatively recently was likely to be higher as a result of fewer details being lost to memory over time.

The 2000–05 sample meant that we did not interview offenders who had been incarcerated for less than two years as it is during this period that offenders are likely to still be involved in an appeals process, which, in the conception phases of the project, we believed would affect their willingness to talk honestly about the violent offence they have been convicted for. However, during the interview process it emerged that a number of the interviewees were in fact still involved in appeals processes, some for additional charges, which had been brought since they had been incarcerated. However, this did not appear to hamper these offenders' willingness to talk about the violent crimes in which they had been involved. On the other hand, a substantial proportion of interviewees did insist that they were innocent of the specific crime for which they had been imprisoned. It is also worthwhile noting that ongoing appeals processes may have influenced some interviewees' desire to portray themselves in a positive light, particularly with regards to the effect of rehabilitation.

We excluded prisoners serving sentences for rape or other forms of sexual violence as these offences are the subject of Component 3 of this project. However, a number of offenders articulated involvement in some kind of sexual violence, even though this was not the charge they had been incarcerated for.

We initially envisaged separating our sample into offenders who had committed violence in the neighbourhoods in which they lived from offenders who had travelled to areas outside their neighbourhoods to commit acts of violence, in order to explore the purported division between "social fabric" crimes, which, according to SAPS statistics, constitute two-thirds of violent crime and crimes committed against "strangers".

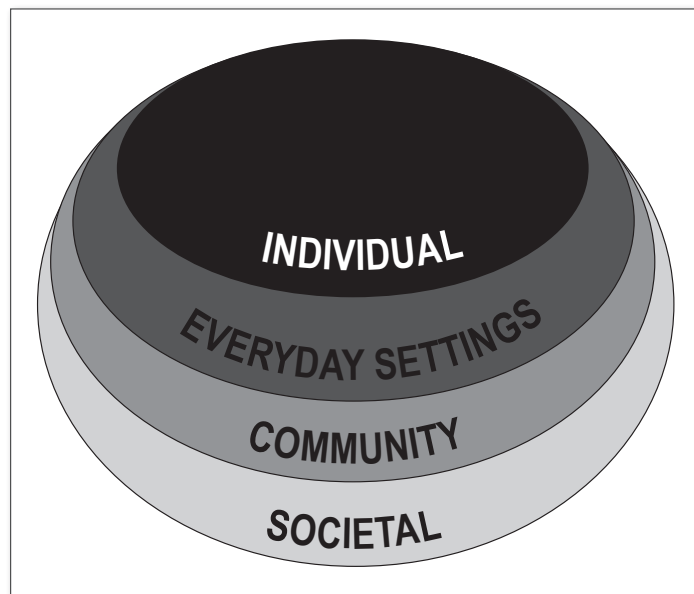
However, we found in our interviews with offenders that this distinction seemed to some extent false as most of the offenders who were interviewed had committed crimes both in their own neighbourhoods, against friends and acquaintances, as well as against "strangers" in neighbourhoods to which they had travelled. It is possible that the high proportion of "social fabric" crimes committed against "acquaintances", which is reflected in police statistics, is far more the product of the fact that it is significantly more likely for crimes to be solved where the participants are in some way known to each other or live in the same community. We did indeed find that in many of the interviews, while offenders had been involved in a number of crimes before their incarceration, including crimes against "strangers", it was their involvement in violence against someone in their immediate community that had finally led to their incarceration. This, of course, did not hold true for all interviewees.

# 3. THEMES FROM THE LIFE HISTORIES OF PERPETRATORS

## 3.1. Introduction

Child development is best understood as happening within an ecology of settings (see Figure 1).<sup>1</sup>

FIGURE 1: The ecological settings of child development



The individual child grows up within “everyday settings” – the family, the school and the peer group. These are the environments within which he or she has daily interactions, and it is these interactions that have most influence over his or her life. But families, schools and peer groups occur within communities, and communities in turn influence these everyday settings, by influencing what families can offer children, or the kinds of dangers from which families must protect children. Finally, communities, everyday settings and children are all nested within societies, which again influence what happens in other settings. For instance, the unemployment rate will influence how many parents in families are employed, and able to provide for their families; the poverty rate will influence how many children are born poor; and the gap between rich and poor, and the societal attitudes towards wealth, will influence how children view poverty and riches. A general social attitude that views violence as an acceptable means to solve problems will increase the likelihood that violent role models will abound in communities and in families, schools and peer groups, and that children will learn to use violence as a means of getting what they want. It will also mean that they are less likely to be exposed to role models who can show them alternatives to violence.

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<sup>1</sup> Bronfenbrenner 1979.

The perpetrators we interviewed all discussed their families, their peer groups and their schools as primary socialising agents in their lives. That is, they described them as being the people and the institutions which had had the most influence over them as they were growing up, and which still had significant influence over them. They also describe how societal attitudes played out in their communities and in their everyday lives, so that they began to internalise and to make their own the notions that material goods would solve their problems (make them popular, win them friends), and that violence was the means to this and to other ends (such as revenge for wrongs they felt had been done to them). In the sections that follow, we describe these themes in more detail.

### 3.2. Their family lives

There are several potential ways in which parenting influences the likelihood that a child may become involved in criminal activities. Elements of parenting that are identified in the literature as associated with children's criminality and violent behaviour include:<sup>2</sup>

- Processes of parenting:
  - » Harsh or inconsistent discipline.
  - » Inadequate supervision.
- Parental role-modelling:
  - » Parental criminality.
  - » Parental substance misuse.
  - » Family violence, including child physical abuse and other violence between family members.
- Family structure:
  - » Large family size.
  - » Young maternal age.

These should be understood as influencing likelihood, not determining a certainty. For instance, children who grow up in homes where the discipline is severe are not inevitably likely to commit a violent crime; there are many more children growing up in such homes across South Africa and around the world who do not do so, than those who do. Rather, growing up in a home where harsh physical punishment is used is just one of many factors that may play a part in influencing the likelihood that a child takes one path or another.

The more of these factors are present in a child's home, the more likely a child is to turn to crime. If, therefore, a child grows up in a home where parents are using drugs, are committing crime, use severe physical punishment in inconsistent ways, and do not supervise him adequately, it is more likely that that child will commit a crime than a child who grows up in a home where parents never use drugs or

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2 Herrenkohl et al. 2000, 2003; Dodge and Petit 2003; Trautmann-Vilalva 2006.



alcohol, work hard through legal means to obtain what they have, supervise him well, and yet use physical punishment (albeit severely) in consistent ways. Xolela, for example, was introduced to alcohol as a result of being sent by his parents and other members of the community to go and buy it for them. He felt he could not say no because “I was taught not to refuse when an elder asks you”. He explains:

I was 14 years old when I started [drinking alcohol]. It started when I was asked to buy alcohol, I did taste brandy, and also the beer, and sometimes when they gave me money to buy something at the shop, I will keep the change, knowing that they won't bother asking, because they are drunk. That is when I started becoming violent.

Xolela links the abuse of alcohol in his home to the abuse he suffered as a child:

If there is poverty and your father is drunk, the parents also have misunderstandings with their child. The child is being abused by the parents; they are always shouting and assaulting the child all the time, which is unacceptable.

While severe physical punishment has its own problems in child-rearing and has been implicated in the later development of violent behaviour,<sup>3</sup> one risk factor on its own is less likely to lead to a child's criminal behaviour. Nevertheless, it is notable that a number of interviewees describe being “beaten” or experiencing various forms of violent punishment at home, but appear to see this as completely normative and in fact a critical element of the way in which their parents would show care for them, by violently demonstrating what was “right” or “wrong”. Ahmed was beaten with a belt: “As madam knows, every naughty child must get a beating... My mother used to beat me because of the wrong things I did.” Jonathon similarly explains of his mother:

*Jonathon:* No, she treated me well and the things I did she would hit me, and ask why did I do such a thing...

*Interviewer:* What did she hit you with?

*Jonathon:* A belt.

*Interviewer:* When you did what?

*Jonathon:* Like when I came home late; you know what it's like growing up, to come home late and she would hit me not to come home late, you see?

*Interviewer:* And when she hit you did she hit you hard or softly?

*Jonathon:* No, she hit me hard and made me understand that she was showing me the right way and she wants me to be right, and I would understand.

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3 Crowell, Evans and O'Donnell 1987; Loeber et al. 1998; Patterson et al. 1997.

Ahmed, in particular, grew up in a context surrounded by violence in the home. His father was a drug addict who used to beat up his mother and this was the first violence that he witnessed. As he explains the climate of fear that prevailed in his home:

He [his father] was a drug addict and when he would come home at night, he would hit my mother, he would do it a lot... We were small at the time and when it did happen, it affected us... I used to be very scared, especially with this thing that my father did. When it was that time, it felt like it could be the end of the world.

Although his father left the home and remarried relatively early in Ahmed's life, he would return to beat up his mother. Now a young gang member, Ahmed was able to retaliate for his father's violence:

He came to our house, but my parents were divorced already, for a long time. He was married to his third wife already. He tried to hit my mother because she asked him for money. I was in my bedroom. I heard my mother screaming. That time I had a 38 Special on me. Another guy's gun. I jumped up and ran into the room and I hit him with the gun... And I said: "I'll kill you, you don't hit my mother, get out of my house. Later on I went to him and apologised and explained why I did what I did.

In terms of what prevents children from engaging in criminal acts, warm, affectionate relationships with parents who consistently monitor children's behaviour and provide appropriate limits, has been shown to protect them from engaging in criminal behaviour, as well as a range of other risk behaviours, such as substance misuse.<sup>4</sup> Parents who maintain warm relationships with children and who help them develop empathy for other people, in particular, will assist them in developing guilt for their own wrong actions.<sup>5</sup> Guilt is a powerful inhibiting force, for inhibiting both violence and other criminal acts.

Two types of family structure, in particular, have been associated with children's delinquency and violence. These are large family size and young maternal age, both of which seem to exert their effects via the processes present in the family.<sup>6</sup> In a large family, it is harder to monitor each child consistently. Younger mothers are less likely to know about effective child-rearing practices and more likely to be overwhelmed by the stresses of parenting, and therefore perhaps more likely to be emotionally or otherwise abusive to their children. Of course, none of these is necessarily an absolute determinant of criminal behaviour in children. For instance, it is tempting to blame absent fathers for a wide range of problems in children, particularly in boys, but as one of the participants in the study, Smithson, remarks:

There are many families that I know where there are no father figures but the boys there are living decent lives and they do not have any trouble with their lives.

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4 Herrenkohl et al. 2000.

5 Hoffman 1998; Kochanska et al. 2002; Walter and Burnaford 2006.

6 Herrenkohl et al. 2000.

The participants in our sample grew up in a variety of family types. A few participants described growing up in stable two-parent families. Others started out in two-parent homes, but their parents divorced. What is notable is that most of them were from families where there were a number of children, or household arrangements where there were four or five children living under the same roof. This may have made it difficult for the adults in the household to monitor them consistently. In addition, as illustrated by the quote below, family structure was seldom a simple story in these narratives:

I was living with my mother, granny, my siblings and my aunt, that's where I started school until I was seven years old. Then I moved and went to stay with my father. My father was living with my stepmother.

Migration from one place to another, and from one part of the family to another, was a frequent theme in the offenders' narratives. Two stories will give some of the flavour of this:

- James started out living with his mother, but gradually visits to his father lengthened until he was living with his father. For some time, he lived with his father and stepmother until they had a child together, and then he moved to Mpumalanga where he lived with his paternal grandmother and his aunt. However, after some time there, his grandmother moved away to get work, leaving him and his cousin in the care of his aunt. Later, however, his aunt moved out to live with her boyfriend, leaving the two children alone in the house for several months, during which time he became ill and was reliant on the kindness of neighbours for care until his grandmother returned. When his father heard what had happened, he brought him back into his own household.
- Fortune was born in Soweto, where he lived with his mother and siblings, but at the age of about 8 was moved to the Transkei to live with his grandmother, which he did for about four years. On returning to Gauteng, he lived in another city (presumably with his mother and stepfather) for four years, and then – after he did poorly at school, compared with his performance in the Transkei – his mother returned him to Soweto to live with her father, sister and her sister's three children.

For a number of participants, therefore, their childhoods were marked by moves from one household to another, and by periods when one parental figure (a mother or a father) was quickly replaced by another (a grandparent, a stepparent). Although it is seldom that the participants talk about these moves as having been emotionally difficult, and, in fact, it is difficult to tell from their stories whether they do recognise the emotional impact, the signs are there in their behaviour. Fortune's school performance deteriorates; James turns to a group of peers for companionship and affirmation he was not receiving at home, and along the way finds himself inducted into criminal activity. Xolela similarly turns to a peer group in the absence of support at home:

*Xolela:* Sometimes you need help from your parents, but they do not help you, so one would rather go outside to meet friends and they would help you. Sometimes you get involved with alcohol and drugs. And then you will be destroyed.

*Interviewer:* What kind of friends did you have at school?

*Xolela:* They were naughty who grew up the way I did.

*Interviewer:* What brought you together was the fact that you grew up without care?

*Xolela:* Yes!

Moves from household to household were therefore often loss experiences for participants. Sometimes they left behind caregivers they had loved and who had loved and cared for them; sometimes the move into a new household changed a previously close relationship with a caregiver (such as James's father) into a more distant relationship because of the pressure of other relationships in the new household (such as stepparent relationships). Other participants experienced more direct losses through death of a caregiver, and were able to recognise and describe how the loss caused pain. Yet, even when they were able to acknowledge their pain, seldom did participants describe the opportunity to grieve appropriately. Sometimes they described what appears to have been an arrested grieving process: how, after the loss of a key person in their lives, their behaviour deteriorated, and it seems – at least from what they told us – that no one connected their worsening behaviour to their grief. In the exchange below, Smithson describes his reaction to his father's death:

*Interviewer:* Did he die when you were 16 years old?

*Smithson:* Yes.

*Interviewer:* Emotionally, how did you feel about his death?

*Smithson:* Somehow it changed me.

*Interviewer:* How so?

*Smithson:* Well, I have explained how he was a straight man and he helped me a lot. So when he died no one filled his space and so even when they tried to discipline me I would not listen. I'm sure you can imagine losing your father at 16 is not any easy thing to go through.

Later, he admits that although he had started to mix with "bad friends" and go out with girls at age 13, this increased after his father's death, and he also started to smoke and drink.

In each narrative, whether the participant lost a caregiver through death or through moving from one family situation to another, or experienced another form of family turmoil that caused him distress, where the participant describes how his distress led to deterioration in behaviour, there is also an absence of description of any intervention from a caring adult (any intervention to recognise his distress and to set limits on his behaviour, within the context of a warm, caring relationship) – the kind of

parental relationship that is protective against delinquency.<sup>7</sup> It seems that for many of our participants that, at a time when they needed this form of parenting most, it was not available to them.

Of course, this form of parenting depends to an extent on an ongoing relationship with a caregiver, where the child's needs are given some priority. For those of our participants who moved from household to household, or who found themselves a lower priority in a second family, this was not likely to be realised at all. James describes the pain, the aloneness and the resultant quandary in which a child finds himself:

In some instances my father, with all that I was telling him, he would pretend like he understood and that he will do something but when he was with my stepmother he would just forget about me. So that thing would hurt me internally even though he didn't see it because he was just telling himself that I am still young but my mind was mature enough to understand everything then. So I told myself that if things are the way they are I must take my own steps.

In several narratives, therefore, one of the consistent threads is that of frequent moves and disrupted relationships with caregivers, without attention to their distress at losses. Approximately half the participants spent at least some of their childhoods in large family homes, where it is likely that their caregivers struggled to monitor their whereabouts and behaviour. Another consistent thread (described later in more detail, below) is the ease with which they were able to spend time with delinquent peers, which suggests that, in fact, they were not being monitored adequately during their teenage years.

In terms of the role modelling provided by parents, three interviewees, Ahmed, Sicelo and Fortune, mentioned close relatives who had been to prison. Neither Ahmed nor Sicelo appears to have perceived these incarcerations as an indictment on the individuals involved, but on the system that had incarcerated them. According to Ahmed his father had been "wrongly" imprisoned as a result of a false accusation of rape by his second wife. Sicelo's uncle, whom he actually mentions as his role model, because he is now is a driving instructor, spent six years in prison. Fortune, on the other hand, described how his father had actively modelled criminality for him by having him assist in selling stolen goods from an early age:

But when I grew up my father was not around. He spent most of his life in and outside prison. Even now I suspect that, wherever he is, he is probably doing time somewhere. I remember clearly that I used to come and visit him. Even here at Sun City [Johannesburg Prison] I used to visit him. He used to live his life in a rough way and that was the main reason him and any my mother did not get along. Even myself to get to know him was around '94. He used to give me stuff to sell, like T-shirts or TVs, and I would sell them for him, and he will give me some money.

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7 Herrenkohl et al. 2000, 2003; Dodge and Petit 2003; Trautmann-Vilalva 2006.

A risk factor for children to be inculcated into crime is through the role modelling provided by a parent.<sup>8</sup> However, more often participants described their parents as hating crime, and as modelling the values of hard work:

*Smithson:* My family never encouraged me about crime; my mother would show me that she didn't want anything to do with crime. She hated it, unlike my co-accused's mother – that lady encouraged her son to do crime. She will hide our guns when police come to look for them. I don't know what type of a mother she was. She once gave her last-born a gun to go to her own grandmother because she wanted to occupy the grandmother's house.

*Interviewer:* What is it that you miss about him [your late father] mostly?

*Geoffrey:* Well, he would have stopped me from committing crimes. He hated that.

Role modelling is not always straightforward, however. On occasion, a perpetrator described how his family overtly stated their dislike of his behaviour, but also implicitly endorsed it because it met their own needs:

*Nyami:* Yes, my aunt didn't like it all; she didn't like it when I shoplifted but then, on the other hand, when I have done shoplifting and succeeded then I bring money at home; there will be nice things to eat at home through the month.

In this sample, far more strongly than parental criminal role models, is the influence of a delinquent peer group (discussed below). What does appear to be inadequate is parental supervision: during their teens, participants in this study seem to have an extraordinary amount of time to spend with delinquent peers, to slip away from their families and their schools to shoplift, to steal and to rob:

*Vuyo:* Yes, it changed, but it wasn't about my parents. It's because I got friends at high school that were bad, we started committing crime. We smoked, drank, experimented drugs, but I couldn't afford them. At home they gave me pocket money but it wasn't enough, so my friends always had money and I wondered where they got it. As the time went on I realised that they didn't get their money from home. So I asked them where they got money and they told me that they steal. I asked if their parents knew and he said no, so he invited me to a place – a suburb where he steal and we took things and sold them at the township, then we shared the money. That's where I started to buy myself clothes. My mother started asking me where do I get new clothes and I said, no, I have borrowed them from a friend.

*Interviewer:* So your parents were worried?

*Vuyo:* Yes, they asked if I'm shoplifting or stealing and I said no.

*Interviewer:* How old were you?

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<sup>8</sup> Herrenkohl et al. 2000.

*Vuyo*: Seventeen or 18. So one day my sister saw me with the lots of money and asked where do I get it? I said it's my friend's and she didn't believe. They also realised that I have been skipping school. So my sister insisted that I tell her the truth and come clean. So I did and end up telling the truth. I then started sharing the stolen stuff with her. So I would leave home wearing school uniform but I won't be going to school. I go straight to steal but my sister was very afraid and she wanted me to stop, but I was used to I would leave home daily as if I am going to work.

James, by contrast, describes being a model learner at school, but he clearly is easily able to deceive his family, who were not monitoring his whereabouts or his friendships with anything like the closeness they needed:

I started not to sleep at home; I spent more and more time with friends. There was a shack where me and my friends would spend time at. We would keep all items we had stolen at that shack. I got more and more involved in crime and gang activities. I would go home in the afternoon and leave very early in the morning so that at home they would think that I had slept there. But at night me and my friend would meet and commit more crime, but as far as school and my education were concerned you would not say I was involved in crime because I was making sure that I did my part and every person I met I gave him respect that he needs.

To an extent, in communities where it is unlikely that there is much in the way of after-school activities or care for teenage children, if parents are working it is highly likely that children are perforce unsupervised in the afternoons. Several studies do demonstrate that this unsupervised time does put children at risk for engaging in a range of risk behaviours: substance misuse, sexual risk behaviours and delinquency.<sup>9</sup> However, there were also clearly gaps in parenting. *Vuyo's* parents could have pursued more vigorously the origin of all this new "stuff"; *James's* parents could surely have been more alert to his whereabouts at night. Similarly, weak parental intervention is evident in *Fortune's* story: his mother confiscated a gun from his cousin, but instead of disposing of it irretrievably, she hid it – fully loaded with bullets – in her wardrobe, where it was later easily found by *Fortune* and used as part of a crime spree. From his narrative, it also does not appear that there were any consequences for his cousin, other than confiscation of the gun, for being in possession of a dangerous weapon. While this lax parenting approach cannot be held solely responsible for the criminal behaviour of their children – in each case, their child was already involved with a group of delinquent peers – none of these parents acted sufficiently firmly to interrupt the trend at its beginnings.

Another risk factor for violent offending is family violence, and several – but by no means all – participants' narratives reveal very high levels of family violence.

*Mandla*: So when you grew up you know parents and elders are keeping a close eye on you. They would beat me and discipline me all the time... So in 1985 or 1986 I left home and started my own life style.

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<sup>9</sup> Irby and Tolman 2002.

*Interviewer:* In 1986?

*Mandla:* Yes, because there were also too many fights in the family.

*Interviewer:* So when you say there were too many family fights, what were they fighting for?

*Mandla:* Eish, I was too young to understand completely what the problem was. But it seems like they were fighting for the family surname, others used [one name] and others [another].

*Interviewer:* Was it verbal fights or physical fights?

*Mandla:* Well, they would talk and fight verbally, and then from there they would break windows and just become destructive.

Mandla indicated that he then went to live in town.

*Interviewer:* What was the main cause for you to move out?

*Mandla:* I was just running away from all those fights. I was afraid that I might get hurt from all that violence.

*Interviewer:* What made you think you can get hurt?

*Mandla:* They once attacked us and I lost an uncle because he got stabbed during those fights.

Another participant also describes his fear at the violence at home:

*Nyami:* That fight disturbed me, because we were staying together and we live together at home and of you don't like something that the other one does you must tell him so that he can stop. But that day it hurt me to see my uncle beating my mother like that.

As with other risk factors, family violence is not inevitably present in the lives of offenders. However, where it is present, participants' narratives demonstrate the climate of fear that it creates in their lives, and their desire to escape it. The literature also suggests that it provides a powerful means of learning how to be violent and of learning that violence is a way to solve problems in close relationships. If this is the only way problems are addressed in their households as they grow up, they may never learn alternative ways of solving problems, such as negotiation and compromise.<sup>10</sup>

Consistent with the literature on the risk factors present in parenting for the development of violent offending in children, in this sample of offenders we can identify those who come from large families, who move chaotically from one family situation to another and so struggle to form attachments with one consistent parent figure, whose severe grief and distress over losses go unmarked by significant

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<sup>10</sup> Hawkins et al. 2000; Herrenkohl et al. 2000.



adults around them, whose parents engage in criminal behaviour, whose families are marked by high levels of violence, and whose own behaviour is inadequately monitored and disciplined by their parents. On the other hand, we can also identify those who come from small families (some who are only children), who live in one home until they are older teenagers, whose parents work hard and go to church, whose families are loving and good at non-violent problem-solving, who maintain high standards for their behaviour in a warm, consistent way, and who supervise their behaviour adequately. However, it is also true to say that all of these positive things are only true, at the same time, of one offender in this sample: of each other offender, he has at least one – or more – risk factor present in his family life. The one offender who does not fit this pattern of (at least somewhat) inadequate parenting appears to have been on a markedly different trajectory from the other offenders, as he appears to have committed only one crime – a murder – which he believes he committed in self-defence. This is in sharp contrast to the other offenders in our sample, whose acts of violence were committed in the course of committing another crime (such as robbery), to pay back an insult or for revenge. At least some shortcomings in parenting and in family contexts are present in the lives of most participants in this study.

### 3.3. The influence of the peer group

Another theme that runs through most of the participants' narratives is the very strong influence of the peer group. Studies show that delinquent acts are often committed in a context where peer approval is sought, suggesting that peer groups socialise young people in much the same way that families do: they function as contexts where behaviour (in this case, violent behaviour) is modelled and rewarded, young people are given opportunities to practise violent acts, and standards are set that approve violence.<sup>11</sup>

The modelling function of the peer group is quite clear from Mandla's narrative. After his first arrest, he spent time in a juvenile detention centre until he completed school, and then he came to Johannesburg. Then:

I met friends at taverns or clubs. We would drink and then go and do crime. They told me that the routine is that we first go out and drink alcohol, then go to steal cars or rob somewhere.

In this group of friends, there is a routine for crime that is modelled explicitly (he is told what it is) and implicitly (he learns by accompanying them in carrying it out). Fortune also describes how the group teaches him:

But I met more experienced guys who coached me on how to steal properly and they advised me never to go back to the store where I once got caught because I'm at risk of blowing our cover. They said if you can get caught the owner of the store would ask you to choose between getting arrested or tell him about other co-thieves and where you take stolen goods. And you see in that way you will expose your brothers and disappoint them.

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<sup>11</sup> Herrenkohl et al. 2000; Hawkins et al. 2000; Farrington 2005.

In both these narratives, the implication is that the young man who is uninformed about crime is coached by a more experienced peer group. Not only is criminal behaviour modelled and coached, but it is also rewarded. These rewards are internalised, and can provide a very strong internal motivation. Vuyo describes how the desire to please the group can outweigh even his own dislike of what he is doing: “So it got hectic, we were robbing stores, shops, etc. I ended up not liking it but I had to do it to please my friends. And show them that I am not coward.”

Even though he disliked what he was doing – and even though his parents had attempted to intervene (see the section on parenting above) – he felt powerless in the face of the pressure to get approval from his friends.

James’s story neatly illustrates the different pressures in a child’s life. James (cf. the section on parenting, above) had moved from household to household until he ended up living with his father and stepmother. His relationship with his stepmother was very difficult and made the family home virtually untenable to him, particularly if his father – a long-distance truck driver, who was often absent for long periods – was not at home. First he describes his friends:

I met friends, who showed me different ways of living that I’ve never seen before. That’s when I started engaging in criminal activities. That’s when I started with my first crime which was house-breaking and it failed; it didn’t turn out the way we had planned. I started not to sleep at home; I spend more and more time with friends.

The role of these friends in his life was not simply, however, to introduce him to criminal activities. Being with his friends gave him freedoms and opportunities to express himself and to develop a sense of self-efficacy that his family situation was not providing him:

Well, I was involved in crime, but more so my whole life had changed. I had more freedom of movement, freedom of expression, I could express myself better, the way I felt, and my clothes had changed tremendously. My attitude had also changed in a big way... That time I was under guidance of my stepmother I couldn’t express myself or talk freely about what I didn’t like or what I wanted. But when I was with my friends I could clearly talk about my wishes and no one was telling me what was wrong and what was right, you see.

Interestingly, although he was doing well at school and was receiving rewards there, too, this was not sufficient to outweigh what may have been more personal and immediate affirmation available in his peer group:

Yes, it was very nice because if you can get in [the] top three they would call you at the assembly, in front of all the students. They would tell them that this is so and so Mabuza, he is in top three now. You must also be as dedicated as he is today. So that encouraged me to work very hard.

In addition to the rewards and affirmation available in the peer group, standards of behaviour are also set. These are seldom set explicitly. Most often, they are implicitly set through what is regarded as admirable:

*Smithson:* Yes, we do chat about it [the crimes we have committed], not that we are thinking about them. We are just talking, it's just a topic or a joke and we just laugh about it and have fun. We even praise the person who committed the crime. So in the group there is no time for regrets, you will only regret when you are alone.

Smithson goes on to talk about how this pressure maintains membership in the group, and, hence, involvement in criminality:

*Interviewer:* Why does it always have to be compulsive or can there be a time where it can get to stop?

*Smithson:* No, unless you tell yourself that you don't want to do it anymore. But once you get in and you get used to that kind of life it is very difficult to stop.

*Interviewer:* Does peer pressure also play a role?

*Smithson:* Yes, and you ask yourself what will the boys think of you when you stop. Some boys are different. Once you join their scheme it gets very difficult for you to leave or quit. But some are not like that so you see these schemes differ.

However, the pressure in peer relationships can also act as a restraint. Nyami describes his relationship with his girlfriend:

*Interviewer:* Did you ever get involved in a relationship with a woman who was involved in crime?

*Nyami:* Yes.

*Interviewer:* Tell me more about her.

*Nyami:* I was dating her in 2003 until 2006. She was shoplifting.

*Interviewer:* Did you help her commit crime?

*Nyami:* Sometimes, but she wasn't helping me – I was the one helping her, helping her out.

*Interviewer:* Okay...

*Nyami:* Yes.

*Interviewer:* I wonder: was she against you committing crime?

*Nyami:* She didn't want me to do robbery because she feared that I will get caught.

*Interviewer:* Okay.

*Nyami:* Yes, so that she didn't want at all, otherwise the small petty crimes she didn't mind.

*Interviewer:* Okay. Did it perhaps make you angry ... the fact that she didn't want you to do robbery?

*Nyami:* No, it didn't feel like that. She was right because there were many risks in the field of robbery.

In this relationship, therefore, only certain types of criminality were acceptable, and peer pressure acted as a restraint against violence.

The narratives of many of the participants therefore indicate that peer groups played an important role in inculcating them into a life of crime. There were only two exceptions where participants had not followed a criminal career, but had committed a single crime in a moment of anger or (allegedly) self-defence. However, it appeared that for those who had a history of crime, peer groups had played a role from the earliest moments of their committing crime. All had initiated their criminal careers in a group context at a young age, typically while still at school. In several cases, as noted above, their parents had noticed the change in their behaviour, but had not intervened effectively. The reward structures of their peer groups had come to outweigh in importance those rewards offered by their families and their schools. In some cases, the peer group offered a refuge from their families, but this was not true of all the participants. In others, the peer group seemed simply to offer a more exciting alternative than the family. As identified in the literature, peer groups modelled and coached criminal behaviour, rewarded it, and set standards for it. They also maintained the behaviour, often against the participant's dislike of his own actions. The peer group is clearly a powerful force.

### 3.4 Schooling

This section of the report reflects on the relevant experience of schooling in the lives of the participants in this study. While each of them is an individual with their own story to tell, their experiences also reflect common challenges and obstacles that arise from the historically enduring social effects of racial discrimination, inequality and widespread poverty. The formative experience of education is shaped not only by the capacity and abilities that exist within the school, but also by the community within which the school is embedded, and by the multitude of individual and familial stories that collectively make up a school's population. These include teachers, learners, parents, and the institutions which administer the school. The insights shared here give us an account of the challenges many poorer South African students face within the public school system. It is widely acknowledged that the high unemployment rate in South Africa can be substantively alleviated by addressing the mismatch of skills and opportunities in the labour market.<sup>12</sup> It is essential, therefore, that schools be made as effective as

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<sup>12</sup> Cooper and Subotzky 2001; Chisholm 2003.

possible in fulfilling their objectives, that is, to produce learners who matriculate with the skills and knowledge that empower them to pursue opportunities in further education and skills acquisition, and to be well-rounded, productive citizens.

### **3.4.1 Schooling in context: the challenge of education in the midst of poverty**

All the offenders in this study have had an exposure to, and an experience of, formal schooling at either primary- and/or secondary-school level. Yet most of them did not complete either primary or secondary schooling. The reasons for this, as they recall it, have more to do with factors that negatively impact on their lives. These range from socioeconomic hardships, changing dynamics in their families or in their environments, to peer pressure.

Many of the offenders in this study describe their early experience of schooling positively, as an idyllic period of their lives which they recall with some nostalgia that describes a period of innocence. As Fortune, a young man who spent considerable amounts of his childhood in a rural setting, remembers:

There where I lived, the kids in that house were dedicated to school and there was not even a single one of them who robbed or stole. They actually competed academically. No one smoked, people around there were working and school was rated very high. The environment there was like in the village or a farm...

Similarly for David, the memory of his early schooling years reflects a commitment to “doing well” at school:

I wished to be a farmer and growing up while at school, I loved to study agriculture. That is what I wanted to be when I grew up. But things did not work out that way... We were concerned about studying and going to school and we were together from one class to the next. We would compete to pass and nobody wanted to be left behind among us.

While growing up on the Cape Flats – and before his brush with gangs and drugs – Fazel recalls: “At this point I was still at school and we would play cricket and soccer after school with the friends I had. I didn’t really have trouble at school.”

So, too, for another participant:

*Interviewer:* And you were continuing well at school?

*James:* Yes. I was doing well at school; I made sure that I attended all my classes on a daily basis...

Yet, these positive accounts all turned into negative ones later on as they left school without completing. One of the questions to ask of the provision of schooling in South Africa is whether schools are suf-

ficiently equipped for the environment and support required in poorer communities? This is not only a question about physical resources and material infrastructure, but about the capacity of the staff to take on the challenges of learners who come from poverty-stricken environments. Where children are raised in sometimes fluid and unstable home environments, are schools able to take on roles that involve caring for children, both at the level providing education but also at the level of attending to their general physical, psychological and social well-being? In the experience of Ahmed, the strong disciplinarian ethos of the school did not keep him there:

At the school, I got hit a lot more, sometimes with a cane *rottang*, then they would pull my pants tight over my bum and hit me with the cane *rottang*. The teachers would always hit me like that. In other words, I would get a worse hiding at school than what I would have gotten at home.

The case of Fortune is also instructive in this regard. He had a particular learning challenge that, if diagnosed and dealt with more constructively, might have altered his life path:

But I was not doing well at school. I was failing repeatedly. My mother was called in to explain my poor academic performance because when I was in Transkei I was doing well. My mother could not understand why I was failing so badly, so she took me to a *sangoma* (traditional healer). The *sangoma* told her that my grandmother was the reason why I was failing. Subsequently my mother took me to another school at Soweto. In Soweto we went back to my mother's maternal family and there were lots of problems in that family... In 1994 when I was in Standard 6, I had a problem with my eyes ... so I stayed at St Johns for a year three months. When I do my Standard 6 my eyes were red, and boys used to tease me and say I smoke dagga. So I had that problem at school where everybody accused me of smoking dagga. I said to myself, well, everybody say I smoke dagga whereas I don't, so I might as well start smoking. It started with the cigarettes; there was a spaza shop nearby where as boys we use to go to whenever we wanted to smoke.

From this story, we learn that Fortune was making good scholastic progress in the Transkei, but was struggling in Vosloorus. We also learn that the school as an institution was not able to offer a solution to his challenges, nor did the family seek or expect to find it there. The solution and problem were to be found through the diagnostic and healing capacity of the *sangoma*, and the family explored this path, rather than finding a solution within the pedagogic rationality of how to make a successful learning and teaching experience for a learner within the school itself. Secondly, his physical condition, which caused his red eyes, was not diagnosed as a medical condition, leading to a labelling of him as a drug user, a role he eventually took on.

So, too, for Nyami. We see him struggle with wanting to succeed at school, and eventually give up:

I had it all. When I failed Standard 8 the first time, I thought I had a chance to make it. I was the oldest in the class. I stopped drinking and studied, but when I failed the second time, I thought that school was not meant for me, so I left.

An important element in Nyami's story, reflected in a number of other stories, is that the struggle to succeed at school is seen to be an individual one, for which the learner has to take responsibility. Nyami tries to succeed, and even gives up drinking, but still fails. We do not hear him speak of family assistance, encouragement or help. We also do not hear him talk about support from within the school to help him succeed. And when he decides to give up after failing for the second time, he is not encouraged by teachers to persist or to keep trying, nor is there an account of remedial assistance. His desire to succeed is expressed as a personal one, and so, too, his realisation that he is failing. The primary responsibility for his fate either way lies in his own hands. While this may be a laudable quality in certain respects, it is widely acknowledged that children, adolescents and young adults require a nurturing environment that can provide guidance and support, and that shares responsibility for their well-being and choices.

### 3.4.2 Schooling and upward mobility

Most individuals in this study describe positive early experiences of school: of having hopes and aspirations to a more socially acceptable (and not criminal) future. They speak of wanting to be farmers, lawyers, social workers and artists. Yet these hopes and aspirations are undermined by conditions that appeared beyond their control. School appears neither to be helpful, nor to have a role to play in improving their material and social conditions. Thirdly, the dream occupations they have as children change and become more modest, and shifts from the profession they might want to have to the things that they want in the short-term. One such story is that of Smithson, who recalls that he wanted to complete school and start his own small business.

*Smithson:* I liked my studies a lot.

*Interviewer:* Since you say you liked your studies, what did you want to be when you eventually grew up?

*Smithson:* Well, I didn't know where I would end up, but I wanted to complete my studies and then own my own shop.

*Interviewer:* You attended school up until which grade?

*Smithson:* Standard 9 [Grade 11].

*Interviewer:* What was the reason for you not completing your schooling?

*Geoffrey:* Well, I attended school very far from home, so I didn't have transport money. So I failed Standard 9, I repeated it, but I struggled due to the lack of transport money.

*Interviewer:* Was it the first time you had failed at school?

*Geoffrey:* Yes, since I started at school, it was my first time.

The experience of failure as a result of insufficient financial resources, which would enable Smithson to pay transport costs and thereby complete school, fundamentally impacted on his life chances in the future.

A number of participants describe having to leave school to support single mothers, and a number speak of leaving school because they have been drawn into criminal activities and gang life. A common theme that emerges from the case studies, commented on elsewhere in this report, is that many of the individual choices about embarking on violent crime are initially motivated by the desire to have certain clothes or shoes, and to be fashionable. These are commodities that families do not have the resources for, encouraging a turn to crime. What is worth noting is that, for many of these young men, finding a different and more legitimate financial source doesn't appear as an option; nor does the prospect of delaying gratification because they are assured upward mobility and will "one day" be able to afford the commodities they desire emerge as a possibility for them. Generational poverty tends to limit, in practice and psychologically, the imagination of what an individual can become. There are few positive, successful role models to draw on who have played by the rules and succeeded. We see the imagination of the children in this study become limited as they become older. Schooling in poorer communities, therefore, has to contend with how to build self-confidence, imagination and self-esteem if schooling is going to fulfil its potential social function as a mechanism of upward mobility.



## 4. INVOLVEMENT IN VIOLENCE

### 4.1 Introduction

While the previous section of the report on life histories sought to understand and describe some of the key contexts in which the offenders interviewed for this project were socialised, namely, their families, their peer groups and the school environment, these contextual factors are relatively generic to the experience of many South Africans. While they are absolutely critical to understanding the broad context in which people become involved in crime and particularly violent crime, it is also true to say that not all people, including young men, who are most at risk of violent behaviour, become involved in crime as a result of exposure to conditions such as dysfunctional families, delinquent peer groups and inadequate education. The critical question, therefore, is: what are the specific factors that precipitate particular individuals, among the broad mass of people exposed to adverse social conditions, to involvement in violent crime?

On the one hand, these factors are inevitably as individual as the offenders themselves. While it is not within the scope of this report to provide an in-depth analysis of the specific psychological factors that motivated each of these particular offenders to commit violent acts, the factors that make a person more likely to be prone to anger have been identified in literature as including<sup>1</sup> being male, exposure to high levels of community violence over one's lifetime, low levels of social support, and chronic life strains. Certainly, these interviewees were male (issues around masculinity are dealt with below), report high levels of exposure to community violence, and chronic life strains in the shape of poverty. In terms of social support, their friendships often appear strained – certainly at least one man was in prison for killing a “friend”, and another because his friends had accused him of a crime; others told stories of girlfriends accusing them of rape, or suing them unjustly for child support. Seldom were their narratives filled with tales of robust social support networks.

Therefore, what this section of the report tries to do is to examine some of the significant factors that emerge through the narratives of these offenders as having an important impact in translating conditions of deprivation into conditions of violence. By interpreting these interviewees' own understandings of the violence they had participated in, it was possible to draw out several crucial thematic issues underpinning their choices to be violent. On the one hand, this vitally concerned their conceptions of masculinity and their sense of what it meant to be a “man”, where violence to defend honour, to control women, to acquire goods, were seen as a normative part of this identity. The deepening economic inequality in South African society, combined with the valorisation of consumer goods and an ethos of instant gratification that have accompanied South Africa's entry into the global environment after 1994, intersected with more tradi-

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1 Turner et al. 2007.

tional notions of the man as breadwinner, to legitimate violence in pursuit of the goods that have come to symbolise wealth, power and success in post-apartheid South Africa.

In addition to these belief systems, which shaped and implicitly legitimated or at least motivated these interviewees to involvement in violence, were the more immediate risk factors of widespread availability of guns, which easily translates minor altercations or confrontational situations in cases of robbery, into lethal violence; as well as the role of alcohol and drugs in facilitating the commission of crime, and particularly in Western Cape, acting as a primary motivator for the commission of violent crime. However, while crucial, the disinhibiting role that the pharmacology of these substances play also has to be seen in the context of the social meanings attributed to them, whether the shebeen “culture” of townships, the drug culture of Western Cape or the glamorisation of the gun as a symbol of power and status. It is the intersection of these social meanings with the actually pharmacological effect of drugs and alcohol that make these epidemiological risk factors so potently destructive and continually perpetuate their significance in violent crime.

While there is no doubt that for many of the interviewees violence had become normative in their lives, this did not mean that many did not feel or express enormous remorse for the violence they had committed. Clearly, some interviewees may have been concerned to emphasise their remorse in interviews for the purpose of “impressing” interviewers with the change in their views; nevertheless it does appear that many if not most acts of violence were committed without premeditation, and were the result of an aggressive, unmediated response to a set of contextual factors, whether threats to honour or the fear of arrest, in which interviewees were seldom aware of or perhaps capable of making different choices that would have led to a non-violent outcome. With hindsight and coaching many, but clearly not all, of these interviewees are able to look back and understand that they could have made different choices, and in this light express extreme regret for their actions.<sup>2</sup>

Some interviewees, such as James, who beat a man to death while drunk, are literally haunted by memories of the crimes they committed. James was initially extremely unwilling to talk about his crime.

*Interviewer:* The first time you narrated this story you said you didn’t want to talk about it. Why?

*James:* Eish, is because after hearing about that there was a time I would dream about him. I would have disturbing dreams of that guy. I would see him in a coffin or him wearing black clothes, you see. So, on a daily basis I would dream about him. I would dream police looking for me or him looking for me. So I ended up thinking that maybe talking about it too much is the reason why I had bad dreams. I thought maybe by talking about it [it] gets recorded in my mind and then at night it becomes dream, you see.

*Interviewer:* Oh... Okay, so you think if you don’t talk about it you will forget about it?

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<sup>2</sup> See 5.6 Rehabilitation for more of the interviewees’ reflections on the violence they had committed.

*James:* No, I don't think I will ever forget it, but not talking about it helps me sometimes. The other thing that makes me to not like talking about it is that here sometimes guys like talking about their crimes and about how they did; about how they took out guns and climbed on top of the table and stuff like that. You will find that a person is talking about his crime with pride. So somehow I am shameful of what I did and it didn't turn out the way I would have liked. So I regret what I did and that's why I don't like to discuss it.

Jonathon similarly recounts having to wake up fellow inmates who have nightmares about the crimes they committed:

Others shout ... so when they are sleeping you even have to go and wake them up at times because these people that he murdered haunt him at night and they strangle him; we then wake him up and we talk and he will tell you that he saw the person that he killed in his sleep...

However, James's feelings of remorse and Jonathon's story can be contrasted with those of Nkosi, who shot a man dead in a tavern at the age of 16, after the man challenged Nkosi for allegedly looking at him, "like shit". His "friends" at the tavern pressurised him to respond violently and publicly to this insult. He explains his feeling after having shot the man:

*Interviewer:* And what happened to him?

*Nkosi:* He died.

*Interviewer:* How old were you at that time?

*Nkosi:* Sixteen.

*Interviewer:* And then how did that incident make you feel?

*Nkosi:* I didn't feel bad; I just felt that is going to be easy to shoot another person.

## 4.2 Masculinity and violence

As stated above, most violent crime is committed by men. Dobash et al. note that while males are more likely to be violent offenders globally, making gender a very significant factor, this is often overlooked.<sup>3</sup> As far back as 1995, Walklate has noted that a gendered analysis requires calling "into question men, their relationship with, and experience of, their violence".<sup>4</sup>

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<sup>3</sup> Dobash et al. 2007.

<sup>4</sup> Walklate 1995: 160.

In South African prisons, only 2,2% of offenders are women.<sup>5</sup> As one of its methodological premises, this study understands gender and gender differences as critical in the ways that individuals understand their worlds, and critical to the ways in which individuals make decisions about their actions. Since men are overwhelmingly the perpetrators of violent crime, it makes sense that we consider various and diverse constructions of masculinity in the South African context – always mediated by “race”, “class”, sexuality, geographical location, and so on – in understanding the ways in which offenders understand their violent actions. Consequently, in analysing the offenders’ accounts of their violent actions, it is important to account for their beliefs about what it means to be a man as a central aspect of their identities. In other words, the involvement of men in violence is frequently shaped by the understandings of what it means to be a man. Additionally, in particular instances, violence is directly related to the perceived need to meet others’ expectations of masculinity. This section of the analysis, therefore, explores the involvement of participants in acts of violence in relation to the role played in them by ideas about manhood.

Two themes are discussed below that emerged from the 20 interviews with male offenders at Pollsmoor and Johannesburg prisons. The themes are as follows:

- Provocation and violent masculinity as a performance.
- Denials of rape and owning women.

These themes are not intended to be generalised claims about men who commit violent crime. Instead, it should be read as particular understandings by 20 men of how they understand ideas of being a man, and how these understandings are linked to committing violence.

#### **4.2.1 Provocation and violent masculinity as a performance**

Mostly, the offenders in this study claimed never to have initiated violence in any form. Their violent responses – through murder or assault, for instance – were always claimed to be a response to another’s provocation:

I couldn’t control myself, even when a person wants to start a fight with me; I couldn’t control myself... People just insult you and take you for granted ... when they challenge you and tell you that they will beat you up (*Geoffrey*).

... when I am violated or need something, somehow I had a sense of entitlement (*Fortune*).

He hurt me first so we stabbed each other. He was drunk or maybe ... I can say we were drinking together, and I gave him money to buy beer but he didn’t give me my change. So we fought for that

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5 Judicial Inspectorate of Prisons 2006.

and otherwise from there, I didn't hurt, injure or hurt anyone because actually I am not a violent person (*Mandla*).

Failing to identify the initiation of robbery as an act of violence in itself, and claiming not to be “a violent person” in general, Mandla appears to defend his violent reaction to being hurt “first” as natural. In some ways, the belief in not being “a violent person” might reflect some discomfort with his violent actions – an awareness that violence is not a desirable way of dealing with feeling (unnecessarily) threatened by another man. This is not, however, clear from the interview. In James's interview, however, he explains how violence became “necessary” in the course of a robbery; that his violent response was due to resistance from the “victim”:

Well, you see, people are not the same. There are those when you point them with a gun, they become very stubborn and you would find that a person wants to retaliate, you see ... so you end up being violent, you find that you end up shooting him.

What the men above failed to see, it becomes clear, is that they had other options to choose from as responses to what they saw as provocation, usually from other men. As Fazel articulates, these men “try to be macho”. Choices to respond differently, however, did not seem to be readily available in dealing with the situation. A display of anger – resulting in violence – appeared to be a “valid” response to another man's display of aggression. Notions of being unable to control himself and being insulted and “taken for granted” (Geoffrey); being “violated” or needing something and therefore “entitled” to “this something” (Fortune), seemed to provide, in the minds of these men, a rationale for violence. In order not to be “shown up”, made vulnerable, to avoid appearing “feminine” (read weak) it was necessary in the minds of these offenders to display aggression or violence as a response to what they understood as threatening and intimidating.

Brookman<sup>6</sup> sheds some light on the links between masculine identity, violence and control in a British study of interviews with 20 men convicted of killing or violently assaulting other men. She argues that violence is “essentially orientated toward the goal of control”, taking “command of the situation one is confronted with or has created (in the case of robbery)” where “control is exercised for a multitude of reasons, some for none other than the pleasure and sense of power gained from controlling others”.<sup>7</sup> She problematises the association of violence with “uncontrollable urges or ‘out of control’ individuals”,<sup>8</sup> arguing instead that:

... it is often the case that the men achieve some desired outcome in another individual whilst simultaneously enhancing their masculine status. Put another way, control of one's masculine identity

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6 Brookman 2000.

7 Ibid 2000: 12.

8 Ibid.

and control of others appear to be intrinsically linked and it is difficult to separate their relative influences upon the men's use of violence.<sup>9</sup>

Furthermore, in an attempt to make sense of why some men use violence as a means of securing control while others do not, Brookman<sup>10</sup> suggests that the answer might lie in "men's structural positions, and their access to power and control".<sup>11</sup> Conceiving of men's violence, therefore, as "one particular manifestation of masculinity ... their actions may be viewed as more overtly violent than other individuals, yet it is not so very different, perhaps, in terms of the goals sought".<sup>12</sup>

It is critical, however, to account for the ways that masculinity is mediated by racial divisions, socio-economic status, geographical location, and other social markers within the South African climate. A history of legalised violence, its effects which continue to operate as normative in contemporary South Africa, cannot be divorced from the ways that men choose to, or choose not to, engage in violent behaviour. Campbell in a study of masculinity, the family and violence in Natal, discusses the impact of unemployment and lack of financial resources on young South African men.<sup>13</sup>

She argues that young men are indeed experiencing a "crisis of masculinity", where their inability to secure jobs, support their families, and even pay *lobola* for a wife, result in frustration and a "chronic loss of identity".<sup>14</sup> She argues that "the behavioural option of violence is a socially sanctioned 'recipe for living' that is available to men of all ages for the reassertion of their manhood".<sup>15</sup> Further, Campbell notes that "in [working-class black communities], the opportunities for assertion of masculine power are limited" and violence then acts as an expression of male dominance "at a time when race and class oppression has dealt the status of adult men a particularly severe blow".<sup>16</sup> Geoffrey, James and Fortune hailed from working-class black communities, their life histories reflecting the difficulties of inadequate living space, lack of consistent parental supervision and disruptive relationships with caregivers (see section on parenting). These circumstances are linked in many ways to South Africa's violent history of colonialism, and suggest that violence might have been understood as a "valid" option.

It has been argued that violent behaviour is constituted within the way that boys are socialised into men, particularly in a society that rewards control and strength as part of becoming a man. As Connell argues, violence can be understood

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9 Ibid.

10 Brookman 2000.

11 Ibid 2000: 13.

12 Ibid.

13 Campbell 1992.

14 Ibid 1992: 623.

15 Ibid.

16 Campbell 1992: 623–624.

... as part of the practice by which particular men or groups of men claim respect, intimidate rivals, or try to gain material advantages. Violence is not a ‘privilege’, but it is very often a means of claiming or defending privilege, asserting superiority or taking an advantage.<sup>17</sup>

The narratives of Fortune, Sunny and Nkosi below highlight that there were moments when violence served as proof of being a “real” man. Fortune’s description of shooting someone reflects how he understood this kind of violence as necessary in appearing strong and in control:

He approached me directly with his hands in his pockets; he was talking many things and I knew that if I could have left him, the guys were going to think that I am afraid of him and that I am not sure of myself ... so if I could have left him, I would have appeared as if I don’t have guts or powers. So I shot him. After shooting him, when I was alone, I started regretting that, eish, if only I didn’t act like that.

Fortune’s admission that he felt regretful after shooting another person reveals, however, that, away from the “guys”, he might have made different choices. This points to the role played by male peers in choices to act violently in situations that do not seem to warrant a violent reaction. A South African study by the Centre for the Study of Violence and Reconciliation (CSVr) discusses how, in certain situations, violence appeared to be linked to a display of power, with little or no provocation:

From the information provided it appears that there is little mounting tension between the two parties ahead of the suspect/offender striking out. The suspect/offender appears to strike out simply to make his mark on an otherwise relatively neutral situation, but there is little or nothing that can be understood as a provocation.<sup>18</sup>

Another offender articulates how violence can be performed as a means of appeasing other males in the group or gang. Sunny notes, for instance, that “sometimes it’s just bad friends; a person wants to prove to his gang that he can do it”.

Nkosi relays a similar narrative when he explains how he responded to a man looking at him “wrongly” in a tavern. He explains how he was asked by the man why he was looking at him “like shit”, even though this man knew that Nkosi was armed. Nkosi then told his friends about this incident, who then “pressured” him “to do something”. His friends claimed that “this guy is insulting you. Are you going to leave him like that?” Nkosi responded by “getting angry” and shooting the man. This kind of violent response to being looked at in a certain way, to feel threatened, ways which Nkosi felt made him appear to be “less of a man”, echoes Connell’s argument that male violence is essentially a relation between bodies – a way in which to assert power and control through the body. This suggests the ways in which male bodies can be used as sites of power, and how readily this site can be accessed when feelings of threat emerge.<sup>19</sup>

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17 Connell 2002: 95.

18 Centre for the Study of Violence and Reconciliation 2008: 62.

19 Connell 2002.

Fortune, Sunny and Nkosi's descriptions of why they became violent highlight the ways in which performing masculinity, with the aim of appeasing a male audience, can lead to violence. Polk's Australian study suggests that murder/homicide may be a public and social act for men, where masculine disputes, fuelled by notions of "honour", are triggered by trivial altercations between individual or groups of men.<sup>20</sup> Looking at case studies and attempting to understand the basic interactional dynamics of such killings, Polk relates that a fundamental premise of the confrontation is the defense of masculine "honour" through a verbal fight which then leads to "the spontaneously developing fight".<sup>21</sup> Polk insists that the initial confrontation between the men is spontaneous. Confrontational homicides usually occur in public settings (bars, parties, bus stops, railway stations, and so on) where there is an active role played by the audience. In some cases, the confrontation quickly leads to lethal violence. In others, killing might only happen after weeks or months of some conflict between the parties.

The CSVR study analyses murders related to an argument, fight or spontaneous anger.<sup>22</sup> The analysis discusses various reasons for arguments or conflicts that lead to murder. While it is documented that most reasons for the argument is unknown, and that there are various dynamics at play precipitating the argument, as well as the murder, of interest here is the notion of power and anger, which, according to the report, is "by far the most prominent theme emerging from the data on arguments".<sup>23</sup>

A common factor in precipitating some of the arguments seemed to be that the suspect/offender felt disrespected or threatened in some way as a result of the fact that the victim held the moral high ground.<sup>24</sup> This can be linked to Brookman's understanding of the links between feelings of threat, masculinity and violence.<sup>25</sup> She argues that:

... the men's identity and their desire to control other people are mutually reinforcing. To elaborate, it is necessary to control one's masculine status (i.e. appear a tough guy) in order to hold the necessary credibility to control others. If you are not perceived as a 'tough guy' no one will feel threatened by you and yield to your attempts at control. In turn, you have to control others in order to keep bolstering your masculine identity. Hence, if you are unable to deal with an individual who threatens your masculine identity, you may no longer be perceived as a 'real' man; in turn, the more your ability to control others is undermined, the less masculine status you hold. Masculine pride and control are opposite sides of the same coin. The two are intimately connected, they feed off each other and rise and fall together, so to speak.<sup>26</sup>

It seems clear that violence can be used as a tool that some men see as necessary in expressing themselves, considering the kinds of dominant and "ideal" expressions of manhood men might measure

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20 Polk 1994.

21 Ibid 1994: 61.

22 Centre for the Study of Violence and Reconciliation 2008.

23 Ibid 2008: 60.

24 Ibid 2008: 61.

25 Brookman 2000.

26 Ibid 2000: 12.



themselves against within the particular spaces that they inhabit. DeKeseredy and Schwartz note, for instance, that “violence is just one way of ‘doing gender’ in a culturally specific way”, and that “for some men, violence is, under certain situations, the only perceived available technique of expressing and validating masculinity”.<sup>27</sup> As expressed by Fortune, however, an act of violence does not uncomplicatedly instill feelings of masculine power and control. Fortune’s articulation of regret suggests feelings of shame, which ordinarily do not constitute normative and acceptable ways of being a man.

#### 4.2.2 Denials of rape and owning women

While we have excluded sexual violence as the charge for which offenders had been incarcerated, incidences of possible attempted rape were narrated by interviewees. In a briefing report focused on the experiences of male youths at a correctional centre in Boksburg, Gauteng, Gear notes that “continuing cycles of sexual and other forms of violence, both in prison and when prisoners return to society [are linked to] destructive ideas about gender – what it means to be a ‘man’ and ‘woman’”.<sup>28</sup>

A number of the participants in our study indicated that they had been accused of rape. In two cases they completely denied these accusations:

It was my girlfriend from school, I took her to my room and we stayed there from Friday, Saturday and Sunday. I took her back, she was fine and she enjoyed being with me. But when she got to her parents then the parents said I have raped her... (*Fortune*).

So I walked alone with my girlfriend. We went to my house and we slept together, we didn’t have sex. I asked her nicely to give me some, but she refused and I left her. The next day she went to school and she promised to see me after school, she went her way and I left home too. When I came back my mother was upset, I asked her what’s wrong and she said the cops were here saying I had raped so and so... (*Geoffrey*).

Geoffrey also claims that it was the mother of the accused who “influenced her to lay the charge, so I never took it further...”.

In both descriptions, the interviewees deny raping their girlfriends. In the first instance, Fortune claims that the sex was consensual, that his girlfriend “enjoyed” being with him all weekend. In the second instance, Geoffrey claims that he had asked his girlfriend to have sex with him, she had said “no” and he left for somewhere else. In both instances, these men appeared shocked at the accusations of rape. While these two participants might have been wrongly accused of rape, their descriptions above might equally reflect “destructive ideas about gender”, so that sexual violence against women is not understood as violence but seen instead as an unproblematic male right to a woman’s body.

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27 DeKeseredy and Schwartz 2005: 141, as cited in Andersson, 2008.

28 Gear 2007: 1 (author’s emphasis).

Mandla, however, claims that he attempted raping a girl, but didn't end up doing it: "I started getting involved in trouble. I could say I got stupid. Mmm, I was fooling around; I tried raping some other girl, but I didn't go through with it" (Mandla). Later in the interview however, when Mandla explains how he had been falsely accused of murder, he adds that he had also been "framed for rape that I never did totally. I trialled for a year and in 1994, I got free and was released". Mandla claims that he had been charged with rape because the mother of the complainant (who he did not know at all) and his own mother "was not seeing eye to eye". While it is unclear what "did not totally rape" means in Mandla's account, it is clear that on a different occasion, he had tried to rape a woman.

Other offenders' narratives reflect the ways that the violent use of women's bodies – in this case, rape – is often understood as opportunistic, or might be the objective behind other criminal activities. Sunny illustrates this when he poses the question: "When people hijack or rob a house, they end up raping or murdering people. Yes, that part, I am not sure what causes it, because a person will say they need money, but they end up killing people." On the one hand, Sunny points to the opportunistic character of rape, but also highlights how the rape of women or the murder of people might be the intention, hidden behind a hijacking or robbery, for instance.

Salo argues that "the reasons why [men] rape are diverse, and informed by whom they rape, as well as their own and their victims' structural location in society".<sup>29</sup> Moffett stresses the importance of understanding sexual violence as intra-communal – that it is usually committed by "insiders", not "outsiders".<sup>30</sup> The descriptions of the sexual relations between offenders and their girlfriends above suggest that either the men were wrongfully accused of rape by their girlfriends; that they knew that rape was wrong, and thus denied their [violent] actions, or that they did not see their [violent] actions as constituting rape, and thus denied these accusations. Michael Flood connects being male and being violent to constructs of masculinity, stating that male violence is not intrinsic or essential to being male. Male violence should instead be understood as a social and cultural fact where "men's monopoly of violence is the product of a lifetime's training in how to be a 'real man'".<sup>31</sup> Hegemonic masculinity is often mediated by a need to express oneself as unequivocally heterosexual. Women's bodies are often central to what it means to be an "ideal" man. In other words, being a "real man" means expressing oneself as unequivocally heterosexual and having some kind of control over significant others, as the quotations below illustrate:

... I was fighting with my girl and a passer-by came and tried to stop us, so I fought with him instead... (Geoffrey).

... So when he approaches your girl and says that, you start thinking they could still be in love. Sometimes you can hold it back, but sometimes it isn't easy. So jealousy and love make you fight. (Geoffrey).

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29 Salo 2000 (author's emphasis).

30 Moffet 2006.

31 Flood 1997: 2.

I knew that my friends will not harm my girl or rape her because they knew it was my girl. I mean, when it is one of your friends' girl, it is different than when it is just a girl you bump into on the streets (*Fortune*).

Here, ideas about what it means to be a man is closely linked to violent encounters in the form of fights, revolving around a significant female other. Lack of control over the situation appeared to be seen as a rationale for violence. In Geoffrey's case, on one occasion, he was having a (private) fight with his girlfriend when someone intervened; on a different occasion, an ex-boyfriend wanted to get back together with the former's current girlfriend, and "jealousy and love" resulted in a fight. In these quotations, the reason for the fight seemed to be centred around feelings of threat by another male over what Geoffrey considered to be "his". These feelings of threat appeared to link to an understanding that his girlfriends belonged to him, and that there was a threat that she would be "taken" by another man. This had to be defended, and violence was initiated. This kind of ownership of women and the need for Geoffrey to defend what he understood as belonging to him, translated into violence, as reflected in the description of "fighting with [his] girl" and then fighting with a passer-by who tried to intervene. In Geoffrey's view, fighting with his girlfriend is a private matter, a matter he has control over. Intervention by another male appears to be interpreted as an intrusion into his space where there is the danger that he would lose control over what is "his".

Fortune's narrative around friends and women is particularly revealing around male ownership and control of women, and violence. Fortune explains how it was "safe" to leave his girlfriend with his male friends, because she belonged to him. According to Fortune, this ownership would be respected because there seems to be an unwritten, but normative code, that if a woman belongs to a male member of the group/gang, she would not be raped – she is the territory of a male member. However, as Fortune reflects, the situation would be different "when it is just a girl you bump into on the streets." In other words, a girl/woman who does not belong to a man can be raped because she is available, not tied to any man and therefore is not owned. At the very least, Fortune's description reveals an attitude that is supportive of the rape of women. Fazel, however, expressed his discontent at girls' involvement with male gang members, who knew that they were placing themselves in danger. Fazel explained how 13- or 14-year-old girls attach themselves to male gangsters who give them cigarettes, money, and drive them around in cars. While it is unclear whether transactional sex takes place between the girls and these men, Fazel narrates that "[t]he men rape them. Five or six at a time. I saw all these things and I always wonder why this girl gets involved as she was told and knew what could happen."

Two interviewees, in narrating their life histories, expressed the view that men are often falsely accused of rape. Ahmed explained how his father, a drug addict who physically abused his mother, had been accused of rape by his second wife. Ahmed claims that his father's wife

... put him there for rape. But the thing didn't happen like it was said it did ... the people outside can be very spiteful to each other ... he didn't get a couple of years ... he only got a couple of months. The courts knew that it was spiteful business that was going on.

The idea of being falsely accused of rape was also revealed in Walter's description of men who end up in prison because their wives wanted to be spiteful. Walter explains how a woman would insert "her finger into the baby", resulting in an evident scratch and bleeding. She would then accuse her husband of attempting to rape the baby.

Even though Ahmed and Walter had not themselves been accused of rape, the narratives above reveal their attitudes about women's attempt to "spite" their husbands through accusations of rape. While the truthfulness of these accounts is unclear, they do suggest a particular kind of view about women as malicious and wanting to punish men. And while these men could have been falsely accused, both Ahmed and Walter do not seem to allow space for the possibility that the men might have actually been guilty of rape.

Considering the indication by several participants that they had been accused of rape, or had been involved in incidents of (possibly attempted) rape, it appears that part of being a man involved conflicted and troubled ways of relating to women, and in some instances, involved coercive relationships with women. These relationships with women appear to be associated with attitudes of entitlement and ownership, associated on the one hand, with attitudes that they were entitled to sexual access to their "girlfriends", and on the other hand, with attitudes that they were free to abuse women who were not protected by the fact that they 'belonged' to one of their peers. These attitudes, however, feed into the ways that violence against women is often normalised.

This section on masculine constructions and violent crime has attempted – through the narratives of offenders – to provide a gendered analysis of the link between ways of being men and violence. It has, as noted earlier, not intended to provide generalised claims about masculinity and violent behaviour. What the analysis has hoped to achieve, through a discussion of two themes, is a dialogue around the meanings twenty men attach to the violent crimes they have been incarcerated for. It seems clear that the ways in which these offenders explain their violent actions, is inextricably linked to the ways in which they see themselves as men. Provocation and violent masculinity as a performance, and denials of rape and ownership of women are themes emanating from the narratives of 20 men to provide a gendered analysis of the violence engaged in by 20 offenders.

## **4.3 Poverty, status and violence**

### **4.3.1 Introduction**

South Africa is a country characterised by extremely high levels of economic inequality, which have increased rather than decreased since the demise of apartheid. The United Nations Human Development Report noted in 2004 that although absolute poverty and the poverty gap declined between 1995 and 2002 from 51,1% of the population to 48,5% of the population, using the national poverty line of R354 per adult per month, the population has grown in the same period – thus increasing the num-

ber of poor from 20,2 million in 1995 to 21,9 million in 2002. South Africa also has one of the most unequal distribution of incomes in the world, with approximately 60% of the population earning less than R42 000 per annum, whereas 2,2% of the population have an income exceeding R360 000 per annum. Thus while earnings have continued to increase for the topmost layers of the population, they have continued to decline for the bottom layers, creating a large gulf between rich and poor. While, the composition of the wealthiest class has changed somewhat, now including a small layer of wealthy black South Africans, poverty remains significantly divided by race with black South Africans making up over 90% of the 21,9 million poor. In seven of the nine provinces more than 50% of the population lives in poverty.<sup>32</sup> The report defines extreme poverty as those living on less than 1 US dollar per day. In South Africa the number of people in this situation has increased from 9,5% in 1995 (3,7 million) to 10,5% in 2002 (4,7 million). The rate has increased for all ethnic groups and all provinces.

### 4.3.2 The link between economic inequality and violent crime

A large number of studies both internationally and locally have investigated the link between inequality and crime, in particular the link between inequality and violent crime, most often measured in terms of homicide, which is the most reliable cross-country indicator of violent crime. Thus research has been conducted comparing developed countries with undeveloped countries, as well as studying areas within countries. Daly et al. found that among US states and Canadian provinces there is a tenfold difference in homicide rates related to inequality. They estimated that about half of all variation in homicide rates can be accounted for by differences in the amount of inequality in each province or state.<sup>33</sup> Kennedy, et al., using data on 39 US states, find that inequality affects violent crime mostly through its effect on social capital.<sup>34</sup> Neapolitan thus found in cross-national research on homicides a positive association between income inequality and homicides.<sup>35</sup> Lederman et al. also argue that increases in income inequality and lower growth rates lead to increases in violent crime across countries. They argue further that that higher social capital, measured using levels of trust in each country, leads to lower rates of homicides.<sup>36</sup> Fajnzylber et al. using panel data for approximately 39 countries, similarly found a link between increases in economic inequality and low growth rates with homicide and robbery rates across countries.<sup>37</sup> Although these results are not uncontested,<sup>38</sup> these studies, while useful, are hindered on the one hand by the large scale nature of their investigations across countries and between states, specifically in the US, the fact that this data does not investigate these links in depth within the developing world and also few, with the exception of Kelly,<sup>39</sup> who argues that economic theory is better suited to

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32 United Nations Development Programme 2003.

33 Daly et al. 2001, cited in Demombynes and Ozler.

34 Kennedy et al. 1998, cited in Demombynes and Ozler 2002: 11.

35 Neoplitan 1999.

36 Lederman et al. 2001, cited in Demombynes and Ozler 2002: 10–11.

37 Fajnzylber et al. 2001, cited in Demombynes and Ozler 2002: 10–11.

38 See, for instance, Neuymayer 2005.

39 Kelly 2000, cited in Demombynes and Ozler 2002: 12.

explaining property crime, separate out the link between inequality and property crime and inequality and violent crime.

Both economists and sociologists have posited a number of theories for the apparent links between economic inequality and crime. While economists tend to focus on the perceived gains from illegal activity as opposed to legal activity in contexts where unemployment is high or wages from work may be low in particular strata of society. Becker in his seminal work in this regard, proposed an occupational choice model in which the incentives for individuals to commit crime are determined by the differential returns from legitimate and illegitimate pursuits.<sup>40</sup> Sociologists on the other hand have focused on the way in which inequality may be associated with lack of social capital, lack of upward mobility, or social disorganisation, all of which may create the context in which higher levels of crime occur. One of the most famous theories in this regard is that of Merton, Merton proposes that “...when a system of cultural values emphasizes, virtually above all else, certain common symbols of success for the population at large while its social structure rigorously restricts or completely eliminates access to approved modes of acquiring these symbols for a considerable part of the same population, that antisocial behavior ensues on a considerable scale”.<sup>41</sup>

Hence, the lack of upward mobility in a society, combined with a high premium on economic affluence results in anomie, a breakdown of standards and values. According to Merton, poverty or even “poverty in the midst of plenty” alone is not sufficient to induce high levels of crime. Only when their interaction with other interdependent social and cultural variables is considered, one can explain the association between crime and poverty.<sup>42</sup> Ozler and Demombynes examined the effects of local inequality on property and violent crime in South Africa using both sociological and economic theory. They found that their results consistent with economic theories relating inequality to property crime and also with sociological theories that imply that inequality leads to crime in general. Burglary rates are 20%–30% higher in police station jurisdictions that are the wealthiest among their neighbours, suggesting that criminals travel to neighbourhoods where the expected returns from burglary are highest.<sup>43</sup>

While all these studies are useful, what they lack is specificity, particularly in the context of this study, the specific nature of the link between violent crime and economic inequality. Quantitative studies try to control for variables, which may impact on the link between economic inequality and violence, however because this is a qualitative study, the objective here is to investigate the more “intangible” factors that mediate this link, without attempting to establish an irrefutable causality. Moreover, we are guided here in large part by the narratives of offenders themselves. Bruce has argued in the South African context for the importance of the notion of “status insecurity” in understanding the link between

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40 Becker 1968, cited in Demombynes and Ozler, 2002: 3–4.

41 Merton 1938, as cited in Demombynes and Ozler 2002: 6.

42 Demombynes and Ozler 2002: 9.

43 Demombynes and Ozlers 2002.

inequality and violent crime, that is, that high levels of inequality, undermine feelings of self-esteem and self worth, for example among unemployed men, who are unable to fulfil their traditionally socially defined role as breadwinners. In essence a preoccupation with machismo or status symbols often reflects an underlying insecurity about achieving acceptance from others, be they family members, one's peers, members of the opposite sex, or other members of the community. Such insecurity, associated with low self-worth, might also be manifested in a disposition to overreact in relation to minor arguments.<sup>44</sup>

### 4.3.3 Purchasing “status” through violent crime

The narratives in this report in general speak to a level of status insecurity, in particular in relation to masculinity that undoubtedly exacerbates conflict between males. This section focuses, however, in particular on expression by participants in this study of the desire for consumer goods as a key motivating factor underpinning their involvement in criminal activities. However, what is evident is that what is being ‘purchased’ through the acquisition of material goods and their conspicuous display, is more than the goods themselves, but a particular status, the appearance at least of a type of lifestyle, as Ebenezer explained it, “my background didn’t allow me to be grand. So I had to make plans to be grand”. To be “grand” was most likely unattainable through legitimate means for these young men, certainly in the short term. In a context where many have indeed, got rich quick, as the widening economic differentials within the black community cited above indicate, it is perhaps unsurprising, as several interviewees noted, “I wanted to achieve things in a simple and quick way” (Ebenezer), “I thought instead of waking up every morning and go to work I rather commit crime and it will quickly get me to where I wanted to be” (Fortune). Or as Nyami explains, “When you shoplift you get money immediately, but if you work then you only get money at the end of the month”. In this “purchasing” of status, through crime, clothes, “fashion style” (Mandla) as an explicit marker of success” are critical, as Mandla argues, “I know that as people we are after high standard of living and style”.

Nkosi, explains:

I used to like clothes, so I can say the reason why I started to do crime is because I like clothes and fashion... it is clothes that got me into doing crime. I mean I started looking for expensive clothes.

Zolani expresses similar motivations for crime:

I was arrested for hijacking. And the reason why I was hijacking was because I wanted to have money... Or, you see someone having something, like nice shoes, and then you also want to have that thing, even if you cannot afford.

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44 Bruce 2006: 34.

Fortune's first purchases from the proceeds of crime, were designer takkies, "So we use to make lots of money ... when I first started buying myself I bought white All Stars<sup>45</sup> size 6, and we all bought All Stars and you just choose your favourite colour".

David "loved to fight at school" in order to defend his right to flaunt the "fancy" clothing he acquired through crime, and provoke the jealousy of his schoolmates:

I used to love clothing labels (branded clothes) and when someone saw me with a better brand, they used to ask me who I think I was, to wear such clothes and I saw that as a challenge. I did not face the challenge by answering back. I would show them ... I used to bite them and get into fights and stuff like that.

The desire for these symbols of status propels young men in the Western Cape into a life of gangsterism that "buys" them girls and cars. As Fazel explains of crime bosses who offer, "clothes and takkies, the young guy is not thinking about going to jail... Many young people run into gangsterism for the fun as they [crime bosses] buy them things, cars to drive and girls".

The desire for these symbols of status appears in these interviewees narratives as almost insatiable. As Nkosi explains, "although my mother bought me clothes I would say I wanted more". David expresses a similar desire for immediate "satisfaction" in the acquisition of designer clothing:

I was the type of person who loved clothing... I was trying to satisfy a need that I wanted, okay I got money at home, but it wasn't enough to satisfy me. I wanted to have my own money, so that I didn't have to keep asking for money all the time. So that is where I started misbehaving, being mischief, robbing and doing armed robberies and all things like that... I was thinking of the now and here and wanting to satisfy what I wanted, you see.

Once inside the "life", the desire for more money and more goods intensifies. Nkosi explains of his move from housebreaking to hijacking, "The other thing is that house breaking didn't score us more money because as the standard changed we needed more money and it wasn't enough there ... it was basically because of our lives, the one we lived then".

Vuyo similarly explains:

We smoked, drank, experimented drugs, but I couldn't afford them. At home they gave me pocket money but it wasn't enough, so my friends always had money and I wondered where they got it.

As the time went on I realised that they didn't get their money from home. So I asked them where they got money and they told me that they steal. I asked if their parents knew and he said no, so he invited me to a place – a suburb where he steal and we took things and sold them at the township,

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45 A brand of sports shoes.



then we shared the money, that's where I started to buy myself clothes. My mother started asking me where do I get new clothes and I said no I have borrowed them from a friend.

The desire for things and the pursuit of them becomes all consuming, "there is no time to sit and think because all I want is to steal money. All you ever think of is stealing money and buy clothes and groceries" (Smithson), "At that time I was just focusing on wanting to have things of my own; sound system, money, clothes you see everything I liked... I just wanted it, TV, etc." (Jonathon).

There is also an element of desperation, of willingness to risk one's life in pursuit of these goods, as Ebenezer who at the age of approximately 14 saw his close friend gunned during an armed robbery articulates, "I couldn't believe it because we were very close ... but eish when you want money such thought you get over them". Sicelo expresses a similar reckless desire, "When you do housebreaking you must not think of such kinds of things [getting caught], in your mind you must tell yourself that you don't care about what is going to happen, and that you want what you want and that you are going to get it".

This desire to "appear" to have a certain social status, and the willingness of the participants to engage in crime, including violent crime to acquire them, as Fortune explains of his use of violence during robberies and hijackings, "when ... I need something somehow I had a sense of entitlement", appears to accord with Merton's thesis regarding the "social delinquency" that emerges when there is a disjuncture between what are held up to be the common symbols of success and achievement in a society and the actual possibility of their acquisition for the majority of the populace. Posel has noted in relation to the particular form that modernity has taken in post apartheid South Africa, the significance of accumulation as a "marker of social advancement and improvement, as much as a goal and accomplishment in itself".<sup>46</sup> In this context consumption becomes, "an affirmation of life and marker of progress".<sup>47</sup> If consumption becomes an affirmation of life, it has become increasingly sexualised, to consume is to be "sexy". Thus, "consumption is sexualised – in ways which mark the engagement of popular culture in South Africa with more global cultural repertoires of sex". David expresses this intimate linkage of "style" and sex, "I love clothing and in that love of clothes, I also loved girls. So, you can't go to girls if you look scruffy/dirty and wearing the same clothes all the time. So you must look good, then at least your girlfriend can say nice things like "my man looks good etc."

Posel thus argues that "Particularly for youth and young adults, therefore, the prospects of a "better" life, both materially and symbolically, are closely aligned with the imagery of material acquisition and fecund sexuality – as sites of virile, pulsating new life, a life of appetite, a life of consumption".<sup>48</sup> It is possible to see many of these dynamics at play in the narratives of these offenders in their desire for the markers of the "good life" and their efforts to attain these objects through violent crime. The mode of acquisition of these goods, through crime, evokes dismay in parents and the older generation, for

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46 Posel 2002: 16.

47 Ibid 2002: 17.

48 Ibid.

whom these goods do not carry the symbolic weight that they do for their young offspring. As a number of interviewees note their parents, particularly their mothers, “hated” crime (Smithson, Mandla), and would refuse the proceeds of crime that they brought home and tried to offer them in a parody of the role of male providers:

So but my mother does not want stolen goods groceries. So you will find that if I buy groceries when I come back they are scattered all over the yard, she has spilled them. She will tell me straight on that she doesn't want stolen goods' food. She works for herself and she will buy her own groceries, I only buy nice clothes for myself (*Ebenezer*).

However, in the frequent accounts of these young offenders of the affirmation of their female peers, it appears that the mode of acquisition of consumer goods, whether legally or illegally, is less significant to these young girls than the fact that they can be seen to be associated with men who conspicuously “have”. While on the one hand many of the interviewees describe how the proceeds of crime would enable them to “to impress...my girlfriends”(Mandla), “buy our girls beautiful things” (Fortune), “to get nice clothes, girls and beers (Ebenezer), it is also clear that this “purchasing” of girls, made possible by proceeds of crime, was a fickle reward, and depended on the ability of these young offenders to keep providing the symbols of success, “when money is available, it is very nice but when it is not there is not so nice because even the lady I was with. When I had the money she would be very excited you see” (Mandla).

Such a promise, of girls and sex and status, could only be a heady mix for these young offenders. On the other hand, considerable shame as a man attaches to the failure to provide girls with “beautiful things”, “even the girls will look at you and compare and if you didn't wear what was in it indicated that you are poor and that you won't be able to provide for her if you fail to provide for yourself” (Fortune).

#### **4.3.4 Economic deprivation**

It is important to note, however, that most of these offenders came from contexts of real material deprivation, as has been elucidated elsewhere in this report. While none of these young offenders would have claimed to have been starving, a number were “hungry”. For a number of other interviewees and indicative of the context of poverty in which they grew up, the single most significant marker of “good” parenting or care was the fact that their parents made sure they had enough food; however, it is clear that beyond food, they often they had little more than the basics. As Ebenezer states, “I didn't get a lot of my needs met”. He goes on to explain, “I didn't have money to buy stationery, and my sister was attending school at Bloemfontein and it was tough”. A number of other interviewees struggled with their schooling as a result of poverty. Geoffrey didn't finish school because he lacked transport money. Sunny also struggled at school because, he did “not have any uniform or shoes or pencils”. Fazel left school at the end of primary school, “so I thought I could at least help with bread and other things for the house”. For some interviewees, their most basic need for food was not met. Fortune remembers going to steal at a shop, “one day” when, “we were hungry”. Xolela also suffered from hunger, “the other

children's mothers would prepare them breakfast when he wakes up, he'd eat you see ... when I get to school I'm hungry and can't concentrate properly then I get sent back home to go sleep because I didn't eat". For Xolela the link between poverty and violent crime is explicit:

... poverty affects violence ... if there was no food at home, you decided to try next door and you will end up being a house-breaker [burglar]. When you see your neighbour's house that has everything, you would like your home also to be like your neighbours. And if your situation at home is very bad ... that's why I decided to be a house breaker and after that you end up dead or injured. That's why you end up in prison.

Jonathon links crime to the failure of the government post-1994 to create jobs for people:

I think at about 1994 where people were promised jobs ... but now this is not happening people are getting confused... So you see there is another person who has the same problem as you that's where crime comes into the picture my brother, that is when you go and do bad things just so you can avoid the situation, you want your family to have a better life...

In a post-apartheid environment with a media and social environment surrounded by the signs and symbols of wealth as a marker of "freedom", the disparity between what these young men had and this vision must have felt stark. As Ebenezer explains, "yes we used to see other guys who are successful with nice cars and we would like to be like them".

James articulates the difference between the life he had with his father and stepmother, who withheld food and care from him, and the life he acquired once he became involved in crime. His narrative is thick with the excitement of a new freedom:

My whole life had changed. I had more freedom of movement, freedom of expression, I could express myself better, the way I felt, and my clothes had changed tremendously. My attitude had also changed in a big way. My behaviour towards people had changed. If we were going out to rob or steal somewhere with my friends we would make sure that what ever we wanted to take we get it no matter what. We were always looking out on possibilities to steal and get money. So my life was totally different from the one I used to live while I was staying with my father and my stepmother.

## 4.4 Guns and violent crime

*Even though I had never used a gun before I knew that when I have it everything will be okay* (Fortune).

### 4.4.1 Introduction

Guns, both as an instrumental means to commit crime and as a symbol of power, emerged powerfully in the narratives of interviewees in this study. While some offenders had used knives as young boys in

the commission of some of their earliest acts of violence, and some gang members in the Western Cape would stab as well as shoot their victims, the gun emerged as the overwhelming instrument of violence in the commission of the crimes these offenders had been incarcerated for as well as other crimes in which they had been involved.

In international literature the nature of the link between violent crime and the availability of guns is a source of some controversy, i.e. is there a direct causal link between violent crime and guns, do guns cause violence or is violence the product of aggressive relationships between individuals who may or may not use guns as the violent instrument of choice?

Thus while some researchers have argued that guns contribute to the escalation and lethality of violence<sup>49</sup> other researchers have argued that, “the relationship between guns and violence is spurious: The aggressor’s intent to harm is the common cause of both the presence/use of a gun and the violent outcome”.<sup>50</sup> Wolfgang thus argued that “few homicides due to shootings could be avoided merely if a firearm were not immediately present, and that the offender would select some other weapon to achieve the same destructive goal”.<sup>51</sup>

Recent research by Phillips and Maume on the use of guns in interpersonal conflict between men, which attempted to control for respondent’s intention by excluding those people who deliberately took a gun to a scene of a confrontation for the purposes of maiming or killing found that, “In conflicts where the respondent has a gun, 69% escalate to violence; in conflicts where the respondent does not have a gun, 33% escalate to violence”.<sup>52</sup>

Fazel’s story of the incident, which led to his current incarceration, is illustrative of the way in which guns can escalate interpersonal conflict to lethal violence. Fazel, a gang member, was “sitting around drinking” when a “friend”, “who was very drunk that night” asked him to keep his gun for him. Later Fazel’s 17-year-old nephew arrived at the scene and they became involved in an altercation about his alleged involvement in a gang. Fazel’s nephew went to arm himself with a knife but Fazel, now armed with the gun his “friend” had given him, fired some “warning shots” to threaten his nephew. The bullets penetrated the wall of an adjoining shack and killed a young woman. Fazel explains:

What happened would not have happened had my friend not given me the gun. I didn’t want anything bad to happen. I used it because I had it on me. It would never have happened if I did not have the gun on me that night... Since that day I learned my lesson that a gun is not a toy. I will never hold a gun again in my life.

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49 Zimring 1968, cited in Phillips and Maume 2007: 272 and Cook 1983.

50 Phillips and Maume 2007: 277.

51 Wolfgang 1958: 83, cited in Phillips and Maume 2007: 273.

52 Phillips and Maume 2007: 288.

#### 4.4.2 Illegal firearms in South Africa

South Africa is a context characterised by the widespread availability of illegal firearms, partly the result of the legacy of various armed conflicts in the region but since 1994, has significantly been the consequence of theft and loss of legally owned private firearms. By the late 1990s, police intelligence was reporting that “The theft and loss of privately owned guns is almost certainly the most important source of illegal guns for crime”.<sup>53</sup> As Jonathon explains, “the people we are going to be holding up will put their guns down and we will have more guns”.

Currently, estimates for the number of illegal firearms in circulation range from 500 000 to 4 million.<sup>54</sup> The easy availability of firearms is borne out by these interviews, in which guns are casually shared between “friends” to commit crimes as is illustrated when this interviewer asked a respondent, Smithson, where he got guns:

*Interviewer:* Will that be legal or illegal guns?

*Smithson:* Illegal because we don’t have legal fire arms so our guns are illegal. It might even be my friend’s gun.

*Interviewer:* So after you use it you return it to the owner?

*Smithson:* Yes, I might return it or take it for myself and organise him another gun. So you see it depends on how we work or cooperate.

Another respondent, Ebenezer, similarly explained:

*Interviewer:* Where did you get guns?

*Ebenezer:* We organise them from our friends in the township.

In the most recent analysis of data on non-natural deaths collected through the Medical Research Council’s National Injury Mortality Surveillance System (NIMSS), released in 2005, the study found that, “The leading external cause of death was firearms (20,1%), followed by sharp force injury (15,9%)”.<sup>55</sup> This is consistent with trends since data collection by the NIMSS began in 1999.

Thus South Africa has a large number of both legal and illegal firearms in circulation, a high murder rate at approximately 18 000 deaths a year, and according to the NIMSS the leading “external” cause of non-natural deaths is firearms. While these statistics give us an important background to the context in which firearm violence occurs, what it does not necessarily help us to understand is the “how” question,

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53 Keegan 2005: 62.

54 Ibid 2005: 7.

55 Medical Research Council 2005.

that is, how is the widespread availability of illegal firearms linked to lethal homicides? If we took guns out of the equation, would violence in South African society significantly decrease?

### 4.4.3 The relationship between guns and lethal violence

The interviews conducted for this study provide some important insights into the nature of the relationship between the presence of guns and the escalation of conflicts to the point of serious or fatal violence. Importantly, the interviews give an indication of the complexity of the relationship between guns and violent crime within in the South African context, which is mediated by a range of what could be called both “instrumental” and “expressive” factors, as well as what have been labeled as immediate situational factors in this report.

While the gun is obviously a functionally useful instrument to ensure the successful execution of a crime,<sup>56</sup> the gun, as a symbolic source of power, which draws on a history of gun use in the context of colonial conquest and struggles for democratic change, is strongly associated with many men’s ideas about what it means to be a man. Guns are seen as a means to restore lost dignity, economic empowerment and social status in conditions of rapid change, deepening inequality and high unemployment among men. As such, the gun can also be seen as playing an “expressive” role.<sup>57</sup> “The gun becomes a symbol of power and a remedy for disputes.”<sup>58</sup>

Moreover, as is illustrated in the interviews, many of the respondents appear to have grown up in a context where they were exposed to gun violence at an early age. One of the respondent’s, Ebenezer’s father died in a shooting when he was 16 or 17, “in 1999 they shot him. We don’t know why or how he got shot, we just found him at the mortuary”. When he was about 18, his friend was shot dead by police as they tried to escape after a robbery, “it was 1997 we were from town and police were chasing us. And they shot my friend and he died right before my eyes”.

*Interviewer:* What did you do?

*Ebenezer:* I ran away... I just ran away for my own cover.

*Interviewer:* Was that your first experience [of death]?

*Ebenezer:* Yes.

*Interviewer:* How did you deal with the death of your friend?

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56 Decker and Van Winkle 1996, cited in Stretesky and Pogrebin 2007: 87.

57 Sheley and Wright 1995, cited in Stretesky and Pogrebin 2007: 90.

58 Kubrin 2005, cited in Stretesky et al. 2007: 486.

*Ebenezer:* I couldn't believe it because we were very close, but in time I had to accept it, but that made me to fear going to town. But eish when you want money such thought you get over them.

On other hand another respondent, Fortune, is duped out of his gun by his friend's father who steals cars for a living. His own mother hides his cousin's gun in her cupboard.

It is evident from the interviews, however, as will be examined below that whether a gun is used for lethal intent, in the final instance during the moment of confrontation, is often shaped by a range of situational or instantaneous factors, in particular the offender's "in the moment" subjective judgment of the situation guided by his own sense of fear, assessment of potential danger, possibility of capture or offense to his self esteem. It is in terms of these subjective judgments that a split second choice is made to kill or injure. The reasons for the decision for use the gun for lethal effect is often as opaque to the offender himself as to the outsider. As the following interaction between Ebenezer and the interviewer indicates:

*Interviewer:* Have you ever shot someone?

*Ebenezer:* Yes [sighs].

*Interviewer:* What happened?

*Ebenezer:* We were driving and there were white people working for a contract at the township. So we saw a van – double cab. We thought eish that one we must take it.

*Interviewer:* You just decided?

*Ebenezer:* Yes, we approached him and when I got near him I saw him and trying to unbuckle his safety belt so I thought he wanted to shoot me so I shot him.

*Interviewer:* How did you feel?

*Ebenezer:* Eish, there I unbuckled him and drove off; I kept on thinking that eish I hope that person is not dead.

Another respondent when asked why crime becomes violent had the following to say:

... people don't know crime, they just get too excited by having a gun. They do not have experience and they do not understand the nature of crime properly (*Smithson*).

What emerges from the interviews therefore is a range of different types of relationships to the gun. Ebenezer, for example seems contemptuous of those who openly display their weapons, "I would not go around with a gun. Even my mother has never seen my gun". On the other hand Smithson expresses a relationship of "intimacy" with the gun as an object. Musing about what would happen if he were

released and he were unable to find employment Smithson fantasizes about “polishing” his gun and being tempted to commit crime:

I might just start thinking about where my gun is and then go and fetch it start polishing it and then my mind gets tempted.

However, in recounting past crimes, Smithson also presents his relationship to the gun more pragmatically:

... if needs it be we will use gun but if there is no use then we won't use a gun (*Smithson*).

On the other hand, in the narrative of Fortune, as evidenced from the quote that begins this section, the gun takes on almost “magical” quality; it becomes a reified object that can magically resolve problems of hunger, loss of esteem, interpersonal conflicts and relationships with women. In Fortune's narrative the gun is interwoven into the everyday spaces of his life, his relationships with friends, his girlfriend, his mother and his cousins. One of his earliest memories of his childhood recounted to the interviewer concerns an incident in which his cousin Thabo is involved in a violent altercation with other youths about the possession of a gun. Thabo overpowers his opponents and takes their guns, one of which he hands to his younger brother, Sizwe and one which he uses to shoot two youths.

Sizwe did not have a gun at that time he was still a young boy. So when they over powered that guy Thabo took that gun ... and you know we grew up with toy guns and ...Thabo gave another gun to Sizwe and then he shot another guy two times ... and shot another one also two time and they both died.

Thabo gives the gun to Fortune's mother who hides it in her cupboard. Fortune thinks obsessively about the gun and cannot concentrate on his schoolwork:

The schools were about to reopen but in my head I was just preoccupied with that gun because it was supposed to be mine.

Later Fortune locks himself in his mother's home in order to search for the treasured object:

So I started looking for the gun in my mother's wardrobe and I found it in one of her bags. And it was full of bullets. Even though I had never used a gun before I knew that when I have it everything will be okay.

He finds it and goes to show it to his young cousin, who is excited and impressed and immediately sees its potential to enable them to achieve “great things”:

So I called my aunt's young child; Nelson and I showed him the gun and he got very excited and he started persuading me to use the gun to rob and we will return it safely where we found it. So he kept insisting and convincing me of what great things we could achieve if we can borrow ourselves this gun for few hours.



Nelson shows the gun to his father, who steals cars and who according to Fortune “appreciated it because he knew guns very well”. However, Nelson’s father plays on the naiveté of the children and takes the gun for himself.

Fortune doesn’t know what to do in response to this:

I didn’t know how to go and get it back because I had stolen it from my mother’s bag and right there I knew I had made a huge “flop” [that is, a big mistake].

His mother later discovers the gun is missing and confronts Nelson’s father. The gun is returned but Fortune’s narrative remains centred on the gun. He recounts how he and his friend successfully robbed someone at a bus stop. After this incident they want to remove the serial number of the gun so they consult older more experienced peers for advice:

We knew that there was a way of changing the serial number of the gun so we went to find more knowledge regarding that. We met older brothers there who convinced us that our gun was too big and they offered to exchange it with the smaller one. So we agreed and took a smaller one. They removed its serial number and they told telling us what to do.

Now the two young boys felt ready to rob in town. They linked up with another youth with more experience in the techniques of gun crime:

So we knew that we needed to start in town so there was another guy called Selu who used to steal and rob with other more experienced guys, even though he was of our age he was more experienced.

Fortune and his colleagues, successfully and regularly robbed people on their way to work, acquiring cash, wallets, cell phones etc. At the same time they were going to school and took the gun with them. A sense of the “everydayness” of these actions pervades this narrative:

So we went robbing and came back then the next day we decided to go back to school. When I got there the teachers searched me and my friends, and they found a gun and they took it.

This didn’t deter Fortune and his friends, they brought another gun to school but his friend left it in his schoolbag at the front of the exam hall when they were writing exams and another pupil took the bag with the gun:

So we were writing exams and you know when we write exams we all leave our bags in front near the writing board. So when we were busy writing another boy finished quickly and he took Mzamo’s bag and Mzamo saw him but he couldn’t say anything, after the examination I went to Mzamo to get the gun but he told me how they took his bag together with the gun.

They followed the alleged culprit after school:

... we followed that boy and we asked him to give the gun back but he refused and he said he doesn't know anything about the gun. So you know my sister when I fight I fight badly because I can even stab you and when I do stab I don't just cut you I make sure that you die.

Thus, for Fortune the gun was more than simply a means to acquire goods, it was an end in itself and such he couldn't resist showing it off. He would take it to parties and while under the influence of drugs and alcohol show it partygoers and allow them to hold the gun, which someone inevitably fled with:

... there were bashes held in our location (kasi) weekly. I used to get the gun and keep it there, only to find that there was someone who saw where I kept my gun. The waited for us to smoke the pills and then he approached me and asked to see the gun because he wants to check its cassette. So I would give him the gun, he would pretends like he is checking but then ran away with the gun.

While Fortune immediately, "went to see guys who can hook me up with a gun", it was a matter of honour to retrieve the gun that had been stolen. As he explains, "I was the forerunner in that case because he took the gun from me." He had lost face in front of his girlfriend who, "came to me after school and she asked me where the gun was" and his friends who, were asking me when am I getting the gun and I promised them that I will get it".

Fortune and his friends embarked on a campaign of intimidation against the family of the boy who had stolen his gun, whom he knew. They went to his house and took the "TV, DVD player and sound system and told his siblings that he can come and get all those appliances if he returns the gun". However, several days passed and the gun had not been returned. Fortune went back to the house and this time told the boy's mother:

I explained to the mother and I urged her to speak to her son because he doesn't want to return our gun and now we are getting very impatient with him and we plan to kill him but we feel sorry for her because she will through hard times when we have killed him.

On this occasion, Fortune didn't end up acting on his threats because the police came looking for the gun but later, when he had "lent" a gun to yet another "friend" who did not return it, he finally committed the crime for which he would later be convicted.

#### **4.4.4 Guns and masculinity**

He and his friends had been drinking on a Saturday afternoon when the "friend" whom he had lent the gun to arrived.

He approached me directly with his hands in the pockets he was talking many things and I knew that if I could have left him the guys were going to think that I am afraid of him and that I am not sure of myself.

*Interviewer:* So there was pressure from the guys for you to respond?

*Fortune:* Yes, too much, so if I could have left him I would have appeared as if I don't have guts or powers. So I shot him, after shooting him when I was alone I started regretting that eish if only I didn't acted like that.

In this last incident it is clear that the use of the gun here was motivated by a need to use violence to repair a perceived injury to Fortune's masculinity that had taken place in front of his male peers. In interviews with gang members Stretesky and Pogrebin as well as others who have done research into gang violence<sup>59</sup> emphasise the importance of the "value of masculinity as a form of expression".<sup>60</sup>

Crucially the way in which this "masculinity" is understood and expressed is significantly through violence and threats of violence that help an individual either establish a "reputation" as a "man" or protect such a reputation through demands for respect that are, if necessary violently elicited as seen from Fortune's narrative. Thus Stretesky and Pogrebin found that a defining feature of "manhood" as understood in the gang context was the willingness to perpetrate violence.<sup>61</sup>

In this vein Stretesky and Pogrebin found in interviews with imprisoned gang members that the gun served not only an instrumental purpose of protection but were also essential, "tools of impression management that helped to project and protect a tough reputation".<sup>62</sup> This "tough reputation" as has already been elucidated earlier in this report is critically linked to constructions of masculinity as not only "tough" but as violent.

In this context, guns become important tools to project and express a reputation based on a particular notion of "manhood" or to reclaim respect, should that "manhood" be injured.<sup>63</sup> In this context the gun becomes a means to, "redeem one's reputational identity".<sup>64</sup> Thus, according to Short and Strodtbeck, a good portion of all gang violence can be attributed to threats to one's status within the gang.<sup>65</sup>

Although Fortune was not operating in a formally constituted gang, the group dynamics operating among his peers and those of other groups of peers in the narratives of respondents in this study, were in many ways similar to the dynamics of a gang, where maintaining "face" is critical for social survival and peer acceptance. Thus, "If a gang member does not comply with gang role expectations when they are challenged, the result may be a loss of respect. It is important to project a violent reputation to command respect and deter future assaults. Walking away from conflict is risky to one's health."<sup>66</sup>

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59 Miller and Decker 2001, cited in Stretesky and Pogrebin 2007: 88.

60 Stretesky and Pogrebin 2007: 88.

61 Ibid 2007: 100.

62 Ibid 2007: 85.

63 Ibid 2007: 108–109.

64 Ibid 2007: 104.

65 Short and Strodtbeck 1965 and Howell 1998, cited in Stretesky and Pogrebin 2007: 88.

66 Stretesky and Pogrebin 2007: 89.

While Fortune's narrative is unusually centred on the gun as an object, what his narrative also points to, which is common to many of the narratives in this study, is the diversity of the role that the gun plays within the life of each protagonist. This is supported by Stretesky and Pogrebin's research in which interviewees both, "emphasized the importance of the gun as an attribute that communicated their masculinity in some situations but was protection in others. Quite often, both definitions of the situation existed simultaneously".<sup>67</sup>

Thus for Fortune, the gun is both an instrumental means to perpetrate crime as well as, in terms of the crime for which he was eventually jailed, and his various efforts to recover lost firearms, a crucial means of asserting masculinity through the performance of violence.

What this seems to indicate is that while police statistics divide the occurrence of violent crime including gun related homicide and injury into crimes which are committed against "strangers" and those that are committed in the context of interpersonal conflicts, what are generally known as "social fabric" crime, these interviews seem to indicate that frequently the same people commit both types of crime.

#### **4.4.5 Guns as instruments to carry out crime**

In addition what Fortune and other narratives appear to be indicative of is the rapid rise of aggravated robbery, which increased by 40% between 1994 and 2002–03.<sup>68</sup> These robberies are generally carried out like Fortune and his friends, "by small, autonomous groups of local youth – often friends from the neighbourhood or school – who band together, get guns and take up predatory crime. They carry out "pavement" robberies, robberies in people's homes, burglaries and drug sales".<sup>69</sup>

In these instances, as Thornberry et al. report of gang members who carry guns, they may feel "emboldened to initiate criminal acts that they may otherwise avoid".<sup>70</sup>

Fortune articulates this perspective clearly:

There was no way I can continue with my crimes if I didn't have the gun.

He explains how the gun gave him and his friend "courage" to commit a robbery:

We took the gun and we woke up very early because we got a tip of that we will find a person at the bus stop. We went there and we found him, he was holding his bag and there was another person there, so what gave us courage was that we had a gun handy and his gun was in his bag. So we ap-

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<sup>67</sup> Stretesky and Pogrebin 2007: 106.

<sup>68</sup> Keegan 2005.

<sup>69</sup> Keegan 2005: 24.

<sup>70</sup> Thornberry 2003: 125, cited in Stretesky and Pogrebin 2007: 90.

proached them and the gun was in my possession. So I pointed the gun at him and Jeffrey pulled his bag and threw it on the ground so we took the ring and everything that was in the bag. And we went back to the location (*kasi*).

In other narratives guns are routinely used to threaten people and ensure their compliance, “by the time we need a car we would point a gun at the driver and take the car” (*Nkosi*).

Keegan reports in this vein that, “Offensively, guns are extremely effective in reducing the likelihood of resistance by a victim, meaning they will readily comply with demands. This is extremely useful in certain types of crime, like bank heists, car hijackings and robberies. Thus, reported one youth saying, “Guns are not an “optional extra” on the job.<sup>71</sup>

Thus paradoxically, the intimidation that showing a gun evokes can prevent violence, as Ebenezer explained his desire to avoid violence by using a gun:

If you are doing crime it doesn't mean we just enjoy killing people and taking money. We prefer taking money and leaving people unharmed because no one enjoys knowing that you have killed people.

*Interviewer:* So how do you deal with your conscience?

*Ebenezer:* We do have conscience that's why you will see people who are being hijacked at gun point they are not harmed especially if they cooperate.

However, the balance between using the gun as a means of intimidation that prevents death and as an instrument of death is a fine one in highly charged confrontational situations:

*Interviewer:* When you shoot, do you think about it or does it just happen?

*Ebenezer:* Sometimes when a person retaliates you are not sure if the person has a gun or what so you shoot him for your own safety.

*Interviewer:* So it happens unplanned?

*Ebenezer:* Yes.

*Interviewer:* So when the victim is cooperative you don't harm him?

*Ebenezer:* Yes, if you cool and tell you to look that way while I search you, I will leave you unharmed. Some shooting happen accidentally, especially in town you don't want to shoot because just one shot will attract attention.

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71 Segal et al. 1999: 25, cited in Keegan 2005: 32.

Another respondent explains how fear in the moment of an encounter can cause one to pull the trigger:

*Interviewer:* During the hijack are there the times where you experience incidents of violence?

*Nkosi:* Yes, there are such times.

*Nkosi:* What leads to them?

*Nkosi:* [Giggles].

*Interviewer:* Why does it seem like you are afraid to talk about it?

*Nkosi:* Eish.

*Interviewer:* What? Am I making you uncomfortable?

*Nkosi:* No, you are not; it's just that I have to talk about it, I don't have a choice. Violence happened when you find that we wanted to take a car and other things and the owner refuse ... you see ... something like that. So it's obvious what is going to happen because even myself I am scared and nervous. So I am thinking that this person is giving me tough time and police might come anytime. So I don't have time to waste and my temper is also easily provoked, you see.

*Interviewer:* Yes, so there are some people that you have shot?

*Nkosi:* Yes.

## **4.5 Alcohol, drugs, aggression and violence**

Alcohol consumption, drug use and violence have an intimate, if complex relationship in South Africa. This section will focus on alcohol consumption, but will also comment on drug use. Two important aspects of alcohol consumption and violence emerge in the narratives of offenders in this study. Firstly, alcohol consumption is a social activity which plays a social function with a long and ambivalent history in mostly poor black communities in South Africa. Secondly, there is an important link between alcohol consumption, aggression and gendered social role expectation.

### **4.5.1 Socialising and shebeens in South Africa**

The tavern is an important site of leisure activity for many black South African citizens, particularly in urban settlements. And the stories of offenders in this study reflect this. Taverns and shebeens have a long history of surviving prohibition, of flourishing under conditions of illegality, and of providing a stable and regular source of income for poor communities. There are, according to Rogerson and Hart, three major phases in the persistence of shebeening, viz., (1) the era of liquor prohibition, which extend-

ed to 1937, (2) the period between 1937–76 when shebeens confront the system of municipal monopoly and a progressive relaxation on liquor controls, and (3) the slow moves from 1976 onwards, towards the official acceptance and legalization of shebeens.<sup>72</sup> This post-1976 period also contains period during which younger township activists targeted taverns for attack, arguing that they were designed to lull adult men into a passivity which detracted from active political activity against the apartheid state.<sup>73</sup>

In the context of chronic and excessive levels of unemployment that characterises the townships of South Africa, the tavern has also become a daily place of resigned gathering for many men who no longer attempt to seek employment. Fortune, when describing an older man that he regarded as a role model when he was younger, notes this:

*Fortune:* Eish the other men, they just like to hang around at the tavern ... uhm like my uncle he would wake up early, at 5am and he will buy a case of beer and they will sit around for the whole day drinking.

The history of alcohol consumption in South Africa is deeply embedded in its colonial and apartheid past, especially in older colonial settlements like the Cape. In the Western Cape's wine farms it was part of the weekly wage, creating generations with the worlds highest levels of foetal alcohol syndrome, and a genetic disposition towards alcoholism. In certain communities it is an intrinsic part of traditional rituals, and it has become part of urban rituals in many different ways. It is a practice that has thrived under stringent illegality during the apartheid years, and it continues to provide a form of routine solace to the resigned jobless who fill shebeens from morning till dusk. Alcohol consumption is therefore deeply embedded in the society and its association with violence is a complex challenge. A common thread that runs through the biographical reflections in this section is that alcohol consumption is intimately related to the end or goal of a state of drunkenness, witnessed in the binge drinking of weekends, which induces states of behaviour that channel, elevate and heighten behaviours, practices and feelings that might otherwise remain latent. Towards different ends it also creates a state of being where behaviour takes place "outside oneself", giving violent form to spontaneous aggression, or the organised form of robberies, and assaults, where a certain amount of "diminished" responsibility occurs.

The pharmacological effect of alcohol on aggression in individuals is the subject of considerable debate and scholarship.<sup>74</sup> In an early longitudinal European study, for example, Roslund and Larson found that over a four-year period, alcohol use was noted in 68% of offenders before or during attacks.<sup>75</sup> A recent study in South Africa found that more than "47 percent of murder victims tested positive for alcohol at the time of death, as did 66 percent of trauma victims, while 50 percent of rape victims were found to be either drunk or high at the time of their incident, particularly young girls".<sup>76</sup>

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72 Rogerson and Hart 2001.

73 Badat 1999.

74 Boyatsis 1974; Gottheil 1983; Tomsen 1990.

75 Roslund and Larson 1979.

76 Holtman 2008.

While the literature establishes a strong link between alcohol, aggression and violent behaviour, there is however no easy consensus on the precise nature of the causal link between alcohol consumption, aggression and violence.

### 4.5.2 Alcohol, aggression and masculinity

Increasingly studies are beginning to point to the social context of drinking as a contributory factor to violence. The “all-male setting, group drinking, and threatening or stressful surroundings, will all result in observable increases in aggression”.<sup>77</sup> Combined with assumptions about masculinity, certain social spaces become governed by role expectations, inducing forms of response required in order to ‘perform’ an affirmation of an identity. The social spaces can be thought of, according to the sociologist Pierre Bourdieu, as a “habitus”.<sup>78</sup> These structure how men are expected to act and react to certain situations or events, usually involving the feeling of being offended, wronged or violated in some way. The reaction becomes something of an automated response, like the act of self-defence, with the participants unable to imagine realistically different options open to them in that moment. These are not natural but learnt ways of responding. In the cases below, alcohol is seen to have played a marked role in the choices made. Fortune, who is serving a prison sentence for murder, shot and killed a “friend” and criminal accomplice over a dispute about the possession of a fire arm that he (Fortune) claims rightfully belonged to him. After a day of drinking, he encounters his “friend” on a public street. The public nature of this confrontation “forced” him to act to preserve his social standing, and with the addition of alcohol, the choice became a fatal one:

*Fortune:* ... He approached me directly with his hands in the pockets, he was talking many things and I knew that if I could have left him the guys were going to think that I am afraid of him and that I am not sure of myself.

Nkosi had a similar memory of shooting someone for the first time in a tavern, where he was drinking, and felt the pressure to act in a manner which did not undermine his social standing:

*Nkosi:* There was a guy we were at the tavern and me and that guy had met before and he asked why I looked at him that way. So I asked him how do I look at him and he said you look at me like shit, and I was armed at that time and he knew me, but he I didn’t know him... So we went outside... They said this guy is insulting you, are you going to leave him like that, I got angry and I shot him.

Similarly, Sicelo describes his violent behaviour, which originates from a drunken fight in a tavern, and later manifests in a public altercation during which he shot someone who died:

I had an argument with these homeboys while I was drinking in one of the shebeens... The following week I met the same guy... He was walking with a girl ... but I did not realise that she was walking with

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<sup>77</sup> Tomsen 1990.

<sup>78</sup> Bourdieu 1998: 54.



him and at the time I had my gun. I took out the gun and I asked him if he still remembered me and he started raising his voice, I pointed the gun to him and told him that I was going to kill him...

Sicelo's story describes both the violent context of male interaction within shebeens, and the need to perform a role "as a man", where violence and fear become expressions of power and powerlessness.

The social context of drinking and its role in violence was further highlighted by Mandla, in the way in which he describes an altercation he had in a tavern with another man, where they got into a fight and stabbed each other:

Well, we hurt each other actually, because he hurt me first so we stabbed each other. He was drunk or maybe, I can say we were drinking together and I gave him money to buy beer but he didn't give me my change. So we fought for that and otherwise from there I didn't injure or hurt anyone because actually I am not a violent person.

Note how he locates the violence "outside" of himself, in the social context, with the statement that "he is not a violent person". If he is not a violent person, and he committed a violent act, it therefore is located, and explained, in his own self-understanding, in the drinking, which brings out behaviour which he feels is alien to his own nature. This could, on the one hand, if taken at face value, be seen as evidence of a clearly causal relationship between the consumption of alcohol and a remorseful reflection on the choices made. There is, however, in the literature, also an argument that the ways in which violent offenders recall their actions, often in the context of where they are disputing their own legal guilt, and proclaiming their innocence, they tend to displace their ownership of their actions, known as the tendency toward "diminished responsibility".<sup>79</sup> If the latter is a valid understanding, then Mandla could be disowning his past violent record and displacing the responsibility for that onto alcohol.

### 4.5.3 Drug use and violence

Most of the offenders in this study have described using illegal drugs at some point in their lives. The most common drug referred to is marijuana or dagga. In relation to violence however, there is a particular narrative that emerges from some of the offenders in Western Cape, relating to drug use that is worth isolating for consideration. The use of drugs in so-called "coloured" working class residential areas of the Cape Flats overlaps strongly with the existence and survival of gangs. The relationship between drug use, drug distribution and sales, and violence is therefore somewhat different in these communities. Gangs here span both an identity and incorporate an economy that, in certain instances, cross generations.<sup>80</sup> Secondly, the drugs referred to are also more varied. Several interviewees from the Western Cape describe using or being exposed to a variety of drugs including Tik, crack, "candy", "rocks" and Mandrax.

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<sup>79</sup> Howard 1970.

<sup>80</sup> Pillay 2002; Steinberg 2004.

Involvement in drugs also often means membership of a gang, and involvement in an economy of drug sales. The violence committed in these instances is related to the protection of drug markets, and the elimination of competing drug dealers from other gangs. The extent to which drugs on the Cape Flats are connected to a criminalized economy of survival is clearly explained by another participant in this study, Fazel, who is also from the Cape Flats. He describes how a gangster with money sets up a small recreational business and how young people are drawn into the gang in these spaces:

He puts fear into the people around him and this is how many of the youngsters got involved in drugs. The older ones influence the younger ones. After that they get tattoos and then the choice is to have a normal life or get involved with this. This place is like hell... The biggest problem in the community is the people who do drugs...

In his view, it is the widespread use of the methamphetamine derivative, Tik in particular, by gangsters that is widely associated with horrific acts of violence. Extremely addictive and pervasive in communities of the Cape Flats it also seemingly contributes towards aggression:

*Fazel:* I once saw four guys cut out someone's throat...they stuck a knife into his throat and pulled [sic] out his throat. He was quite a big man and these guys landed up in jail.

This is not to suggest that Tik is only used in so-called "coloured" communities. David, a participant in this study from Nyanga East, also ascribes some of his willingness to be violent, to the use of Tik. In David's case, he sees a strong link between his tendency toward aggression, and taking drugs, specifically "rocks", "tik", crack, "candy" and dagga. What distinguishes the association of alcohol and violence and drug use and violence is the criminalised context of drug use. Since these are illegal substances, they bring young people into contact with drug dealers, and many of them are recruited into this illegal economy, giving them both social status and material benefits. With that comes membership of a gang, and the need to follow orders or to act in ways that protect the "turf" of one gang from another, which also means protecting the illegal drug market of one gang from another gang's encroachment.

A common narrative in the experience of offenders in this study is the relationship between intoxication and committing violent crime, either as a preparatory ritual, or as an activity that follows the commission of violent acts. Importantly, whether preceding or following violence, the consumption of alcohol, or drugs, as described here, is not an individual act done privately, but an activity undertaken in the social context of the group, often in a tavern with others, and among men. Understanding in this manner, the pharmacological contribution of substance abuse to the propensity towards violence should be separated from the social context of alcohol and illegal drug use. The former might induce individual dispositions towards violence, while the latter induces social dispositions: the need to be seen to be violent in a social context of aggression and masculinity or the need to have recourse to a narrative that allows one to disown feelings of guilt or conscience.

## 5. IMPRISONMENT

*Prison is not a place for people, it's a place for animals. People are outside (David).*

*You see, the things I have learned in here have made me feel better. I am better from being in here. If I was outside, I could have been worse off. I may even have died with my friends (Fazel).*

These two quotes illustrate some of the complexities and contradictions of the prison experience in the South African context that emerged through the narratives of the offenders interviewed for this project. In some narratives therefore, prison appears to have offered the possibility of a life saving reprieve from a cycle of self destruction and violence, while on the other hand, in the narratives of other interviewees, the prison environment appears as a place of significant violence, danger and corruption. For many interviewees, these two realities coexist side by side, and their prison experience involves attempts to negotiate both violence and abuse alongside the opportunities of education and self development that are available to them in prison.

### 5.1 Introduction

The advent of South African democracy in 1994 led to significant shifts in policy and thinking in terms of the role of prisons in a criminal justice system. However, the experiences of the violent offenders here speak to some of the complexities of translating this shift in policy and conceptualisation into substantive prison reform. From the period of apartheid, where people who went to prison lost all rights and were often subject to violent and inhuman treatment, the new dispensation sought to develop a policy on imprisonment that accorded with the principles of constitutional democracy. Section 35(2)(e) of South Africa's constitution provides in this regard that:

Everyone who is detained, including every sentenced prisoner, has the right to conditions of detention that are consistent with human dignity, including at least exercise and the provision, at state expense, of adequate accommodation, nutrition, reading material and medical treatment.<sup>1</sup>

In accordance with these principles a White Paper on Corrections was released in 1994.<sup>2</sup> In 1996, the drafting of new prison legislation began and in November 1998 a new Correctional Services Act was passed into law.<sup>3</sup> The purpose of the Act was explicitly to give "effect to the Bill of Rights in the Constitution, 1996, and in particular its provisions with regard to prisoners" (preamble). In regard to the legislative objective of the implementation of prison sentences, the Act indicates a significant shift in

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1 Constitution of the Republic of South Africa, Act 108 of 1996.

2 Department of Correctional Services 1994.

3 Correctional Service Act, 111 of 1998.

thinking around the purpose of imprisonment, which would no longer be for the purposes of retribution, or even for purposes of deterrence. In terms of this act, the deprivation of liberty itself would be the punishment suffered by those imprisoned while the actual period of imprisonment would serve a rehabilitative function. In this regard the Act states that:

With due regard to the fact that the deprivation of liberty serves the purposes of punishment, the implementation of a sentence of imprisonment has the objective of enabling the sentenced prisoner to lead a socially responsible and crime free life in the future (section 36).

However, partially due to conflict between the IFP Minister of Correctional Services appointed under the Government of National Unity and the ANC led Portfolio Committee on Correctional Services in parliament, it would take another six years before the full act would be promulgated in 2004. This legislative and leadership vacuum has led one analyst to comment that:

The period between 1994 and 2001, as well as thereafter but to a lesser extent, was an extremely difficult period in the transformation of the South African prison system and the DCS was oscillating between managing successive corruption scandals and releasing various new policies. These near chaotic conditions, lack of leadership and the uncovering of large scale corruption have done great damage to the prison system but, more importantly, society's perception of the prison system and its ability to make a constructive contribution to addressing crime and violence.<sup>4</sup>

The extent of apparent mismanagement and corruption led to the state president to appoint a judicial commission of enquiry in 2002, under Judge Thabani Jali, whose mandate was broadened after the broadcasting of videotapes from Grootvlei prison documenting illicit trade in drugs, alcohol and children being sold by warder to inmates for sex.<sup>5</sup> The interviews with offenders for the purposes of this project would seem to indicate that many of these practices are still ongoing.

In March 2005 the Department of Correctional Services (DCS) released a second White Paper, known as the White Paper on Corrections in South Africa, which specified the new strategic direction of the Department, "with rehabilitation at the centre of all its activities".<sup>6</sup> The White Paper states:

The White Paper on Corrections in South Africa represents the final fundamental break with a past archaic penal system and ushers in a start to our second decade of freedom where prisons become correctional centres of rehabilitation and offenders are given new hope and encouragement to adopt a lifestyle that will result in a second chance towards becoming the ideal South African citizen (White paper, 3).

The experiences of the offenders detailed below speak to some of these challenges of creating this "ideal South African citizen" within the context of the current prison system. While on the one hand

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4 Muntingh 2008: 1.

5 Nielson 2007: 381.

6 Department of Correctional Services 2005.

it appears from the narratives of these offenders that the prison system does offer, in some instances, significant opportunities for rehabilitation, through work, education and targeted programmes, on the other hand prisons remain places characterised by violence, (including sexual violence), gangsterism, drug abuse, corruption and illicit trade in goods, including cell phones and “fashion labels”.

It is also clear that offender’s engagement with the rehabilitative opportunities that are offered is complex and varied. It is possible that the sample of offenders interviewed for this study, is biased towards those offenders who are in general more open to positive engagements than the general prison population, whether engagements with outside research organisations such as the HSRC or other engagements with rehabilitative programmes. Consequently a large proportion of the sample of offenders that were interviewed for this study did appear to be actively involved in a variety of education and rehabilitative opportunities. The fact that these individuals were participating in these programmes, obviously cannot be simplistically assumed to have resulted in the internalization of a significantly different set of values and types of behaviour, particularly if the new dispositions and attitudes they express in interviews were tested against the pressures that exist outside prison after their release. There is also the possibility that some offenders were exaggerating their purported “rehabilitation” in their interactions with the HSRC researchers in the hope that such assertions would impact on their chances of parole. There is also the possibility that some offenders were in fact cynically attending courses in order to increase their chances of early release, rather than for the purposes of genuine self development. As Sicelo expressed it, “You don’t get out if you don’t do the classes. You must do the classes.”

Nevertheless, despite all these reservations what emerges strongly from the narratives of these interviewees was the lack of opportunities, whether social, emotional or intellectual for them prior to their imprisonment. Most had left school early, often after poor educational experiences at school, and in addition came from economically poor and often dysfunctional, unstable or violent family backgrounds. In this context, interventions such as Life Skills programmes, Restorative Justice and self-development programmes, as well as a range of craft, art, woodwork and other programmes and the opportunity to complete education that had been abandoned, undeniably gave these interviewees access to a range of resources, both emotional, practical, and intellectual, that they had simply never encountered in any of the key socializing contexts to which they had been exposed when growing up, particularly in terms of the home and the school.

Their prime socialisation instead occurred in the context of violent and delinquent peer groups. Exposure to different values and ideas and in particular the notion of choice seems to have had a significant impact on a number of interviewees, for whom life, prior to prison, as expressed in their narratives, was often infused with a sense of inevitability, a destructive, unfolding trajectory of events, in which the interviewee was inexorably caught up and in which the possibility of choice, was rarely engaged with. The realisation, within the context of prison that violence and criminality are not inevitable responses to a set of social and structural pressures, whether peer criminality or economic deprivation or family dysfunction, was for

several interviewees a significant revelation, made possible through the reflection and engagement with their life experience within the context of various learning programmes in the prison.

## 5.2 Previous experiences with the criminal justice system

Many of these interviewees view the criminal justice system with suspicion and believe there are different types of justice for those who are wealthy or those who are white. As one interviewee explains: “Most of the time money talks. If you have money you get released, if you don’t have you will stay in prison and do time whether guilty or not” (Nkosi). James similarly argues: “I had a state lawyer and such lawyers, I don’t think they give their all in court. They don’t represent you well, especially if you are Black. Well, that’s how I feel.” Two of the interviewees also alleged that they had been “tortured” by police into making confessions for the crimes they were now jailed for, and that “they [the police] do it all the time” (Fortune).

A striking number of these interviewees became involved in crime early in their lives, generally at the onset of puberty and had had several interactions with the criminal justice system prior to their current incarceration. David for example explains of his earliest involvement in crime, “I was 13, 14, 15 around those ages. I did not carry a gun at that time”. However, within a short time David was carrying gun and shot a “foreigner” who was “stubborn”, when he refused give David his money at an ATM machine. David was in fact never arrested or charged for this crime, however he was arrested three other times for other crimes, before his current incarceration. Thus many interviewees had been involved in numerous criminal activities and a large proportion had been arrested, if not always sentenced, several times before their current incarceration. At the extreme end of the scale, Xolela had been in imprisoned seven times including his current incarceration.

A number of the interviewees were also extremely young at the time of their first arrest, Ahmed had been jailed at the age of 17 and experienced considerable violence in juvenile detention:

... there are lots of juveniles, they stabbed the guards and stabbed each other. And hit each other with ‘ysterkoppies’... the cups we drink out of. We hit each other with these cups. [The guards] were not there at the time. They’ve gone home already and we were locked in already.

Sicelo was also first arrested at the age of 17 when he stayed in prison for approximately seven months. He was arrested again after his release and then for a third time when he was sentenced to his current term of incarceration. James at the time of his arrest for the offence for which he was jailed was held in a police station, allegedly because he was too young to be held in prison and was early on inducted into some of the survival skills that would be required for life in prison:

So I stayed at Delmas police station for a very long time and that was not allowed. It only happened because of my age. So the policemen used to tease me and they called me ‘Small’. They would say,

‘Hey, Small, what are you arrested for?’ And I will tell them. They would say such a small boy like you, is arrested for murder? You are going to prison and there life is tough. So it was a bit easier for me when I got there because I had already got tips about how to survive here.

Ebenezer, a 24-year-old in jail for robbery with aggravating circumstances, who was placed on trial at the age of 17, had also already been arrested as an adolescent for car theft but was released. Mandla, a 29-year-old jailed for attempted murder who recounts leaving home at the age of 14 to escape violence at home, was arrested twice for cell phone theft as an adolescent. As he explains, “So the madam got her phone back but we remain in police custody for three days.”

Fortune, a 29-year-old in prison for murder explains of his previous interactions with the criminal justice system that he had been to prison:

Two times, the first time I was arrested for theft for stealing from Shoprite and I was sentenced for three months or R3 000 fine, but I did my three months time. I was also caught a number of times but the case will be withdrawn or thrown out of court.

Geoffrey, a 24-year-old imprisoned for rape and serious assault, explains that his girlfriend broke up with him because he “kept going in and out of prison”. Under the influence of alcohol Geoffrey had stolen from a shop and been arrested. He had also been arrested twice for assault because he stabbed, “others with bottles or any other harmful objects”.

There is a significant body of literature linking the early onset of offending to chronic offending in adulthood, making explicit the importance of early intervention in order to prevent this progression into chronic offending. Recent studies in Britain<sup>7</sup> argue strongly that the criminal justice system is ill equipped to helpfully divert young offenders from a criminal path, and in fact frequently exacerbates their criminality. Similar arguments have been made in the South African context,<sup>8</sup> which emphasise the need for a range of interventions in the family and community context to prevent a cycle of juvenile offending. Nevertheless, what the experiences of these offenders indicate is the importance of the principle of diversion. While these young men had come to the attention of the criminal justice system early in their lives and the cycle of offending, it appears that this system was ill-equipped to handle these young offenders, most of them were simply arrested and then released to continue offending, going on to commit serious violent offences.

Themvikile, for example, who was first arrested at the age of 17 for housebreaking and was released on bail of R500, went on to participate in a series of increasingly violent crimes. He recounts what occurred during a housebreaking he was involved in at the age of approximately 21, after which he was arrested for housebreaking and murder “I found a dead person in the bathroom ... a female ... maybe

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7 Farrington 2003.

8 Holtmann 2008.

other robbers choked her, because her body was floating on the water". Themvikile spent two months in prison for this incident before being released on bail and then going on to commit another violent crime which finally led to his current incarceration.

The potential impact that diversion programmes could have had on these offenders is indicated by the significant impact on some offenders of the programmes they were exposed to in prison, and the capacity for change such programmes had evoked in them. While most of the interviewees had been arrested before this was the first time they had been incarcerated for a long period and had the opportunity to be exposed to such learning experiences. In this context, for a number of younger offenders in particular, prison was a life changing experience. For them it felt like a critical intervention in a downward spiral that they now understood would have led ultimately to the complete destruction of their lives. As Fortune explains:

Somehow I am grateful that I got here because it has saved my life. I might have died or being disabled, that's why they say when you come to prison you must say thank you, because God and your ancestors have protected you.

Jonathon articulates almost exactly the same perspective:

You know what I am actually thankful that I came here because if I was still out there maybe I could have got hurt or maybe died. So somehow I think that this place has helped me, even though I have stayed a long time but I feel that it has really helped me. So now I am only focusing on my family and changing my life.

For Ahmed, prison was the only way to escape the brutality and violence of gang life:

If things didn't turn out this way, then I think I would have been dead by now. And this was the only way for me to escape; from being in that life that I was.

In this light, it is significant to note a proposed amendment to the Correctional Service Act currently being formulated which intends to exclude prisoners serving a sentence of less than 24 months from the benefit of a sentence plan.<sup>9</sup> According to Muntingh:

On average 4 300 sentenced prisoners are released per month from South Africa's prisons. Of this total, 65% have served a sentence of less than 12 months and 73% served a sentence of less than 24 months. If the amendment is accepted to exclude prisoners serving a sentence of less than two years it would effectively mean that three quarters of prisoners released would not have had the benefit of a sentence plan and consequently not the benefit of the services described in the White Paper. The bizarre implication of this amendment is that an offender needs to commit a serious enough or violent offence in order to benefit from rehabilitation services.

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<sup>9</sup> Muntingh 2008: 3.



The interviews with offenders would appear to demonstrate the potentially detrimental implications of such provisions, not only for offenders themselves but for society at large, as the failure to intervene with rehabilitative programmes in the initial stages of offenders' "criminal careers", which often involve arrests or imprisonment for shorter periods for more minor offences, would mean that these offenders are released into society, more, rather than less invested in a criminal lifestyle as a result of their experiences in prison, which it would seem from these interviews are likely to include exposure to violence, gangsterism, criminal networks and drugs. Many of these conditions have been well documented.

### 5.3 Awaiting trial

Conditions while inmates are awaiting trial appear to be particularly severe as the systems of prison control and discipline, which are operative, if imperfectly, once people have been sentenced, simply do not exist in the awaiting trial environment. It is notable, as Sloth-Nielson points out that unlike many other countries, South Africa, holds its awaiting trial offenders in prisons. This has been an ongoing source of contention in post apartheid South Africa, with the Department of Correctional Services arguing that awaiting trial inmates are not their responsibility. Those awaiting trial are not eligible for rehabilitation programmes and therefore are seen as "undermining" the new strategic direction of correctional services in relation to rehabilitation.<sup>10</sup> In the context of what the Department of Correctional Services has described as a "policy gap" regarding awaiting trial prisoners,<sup>11</sup> violence and abuse among prisoners who are awaiting trial flourishes.

As Zolani starkly explains of his experience awaiting trial:

There [in awaiting trial] it is really bad because no one has time for anyone. It's not like here [in prison after sentencing]. People are just going to court. It's more violent than here. There are always fights because people come from court and they have money and things. So, there are always fights... You can beat up anyone and nobody makes a record of it in your file. Or maybe you might lose a chance of getting parole. There you can just beat up anyone. Here if I beat someone I can get charged. There is nothing like that there. There is just fighting, that's all... Here if you beat someone, it will be on your file and a case might be opened against you.

On the [awaiting] trial side there is a big difference, there you get robbed. There is nothing the police can do, if they don't see it. Or if I rob you and you go report me, the police come to me and I tell them I don't know anything...But other people don't report, they are threatened and told: 'Look if you go report, you sleep here with us, the police leave and you get left here with us' and you end up not reporting that you were robbed and just keep quiet.

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<sup>10</sup> Sloth-Nielson 2007: 385.

<sup>11</sup> Ibid 2007: 385.

The severity of the experience of violence in awaiting-trial conditions appears to be exacerbated by overcrowding, another phenomenon that has been well documented.<sup>12</sup> As Fortune explains:

... at the trial, eish, it's too full. People sleep in the showers and some people at F Section they sleep on the floor... I realise that the overcrowding is caused by people who come back here even after they are released ... most of the time, it is full of foreigners; they come for 30 days get released then get rearrested.

In general the prison experience appears to be significantly impacted on by the question of networks. Conditions in awaiting trial imprisonment are exacerbated by the fact that either people do not have prior connections with each other or they form exclusionary networks, by “ganging up” together, for example on the basis of a common geographical origin:

... there are rapes and fights. Those things exist, there are some prisoners who come to prison and just start fighting and quarrelling with others. Then the trouble begins because that person is now mixing with other people that he does not know. He gets into gangsters, and then he gets hurt.

Like when you arrive in prison and you don't know how the prison system operates especially at the awaiting trial. You will get confused as a first time offender. You will get confused because you don't know how things work and you don't know anyone (*Ebenezer*).

James experienced the impact of exclusionary networks while awaiting trial:

Well, awaiting trial is the most difficult phase; you get punished for nothing especially if you can get a group of people who know each other, for example if you are the only one from Mpumalanga and others from the same place. That's where they will treat you badly ... you would find that people were cutting others with razors and some stabbing, others were hitting each other with their lockers and such events made one to realise that yes its true I am in prison for sure. There were also gangs as I've said before where you find that a person is required to go and stab any one as a ritual for his gang. So such things would make you feel like you will be a victim.

On the other hand, prior networks can have a significant mitigating effect on an individual's experience of violence when previous associates from “outside”, now in prison are able to testify to their “tough” reputation, as Zolani explains:

No, nothing happened [to me] because I arrived to people I know. Who live in the township and they know my story outside. Because there, we all know each other. So everyone knows who you are outside. And then people will treat you with respect. But if nobody knows your story, you will suffer there [in awaiting trial]. ... If you are known outside, that you carry a gun, there are people who know you [inside prison]. When you get in you are safe. No one will rob you inside here.

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12 See, for instance, Steinberg 2005; Muntingh 2008; Sloth-Nielson 2007.

There are those who don't know me, they will hear from those who do, what kind of a person I am and you get treated like that. That's how I survived, because I knew my story. I was put in a room with someone I know. Each section had four rooms. In the room I was in, there was a room opposite mine where there was someone who knew me outside who had been here for a while. I got put into this room but he told people what kind of person I am outside, they shouldn't try their luck on me. That's how I survived.

### 5.3.1 Social networks

The narratives of these interviewees thus speak to the importance of social networks in prison in defining the kind of experience each offender has. Offenders, who choose to associate themselves with or feel obliged to associate themselves with the social networks of gangs, will tend to exacerbate the level of violence and corruption they are both exposed to and perpetrate. On the other hand an offender's chances for rehabilitation and growth are significantly enhanced by choosing to associate with inmates who share a similar goal of change.

On other hand, previous networks of association can assist a newly arrived inmate to quickly learn the skills necessary to survive in prison. As Fortune explains, "Well I did not stay long as an awaiting trial. I was fortunate because when I arrived there I found some of the guys from my community and they tip me on how to live and how to protect myself". While Fortune, like some of the other interviewees, found people who they knew from their neighbourhoods in prison, which in some ways facilitated their transition into prison life, Fortune emphasises the importance of discriminating among these previous connections, some of whom may still be strongly associated with criminality:

... for me because of my criminal life there were times some of my guys got caught and when they get inside here they talk about their criminal life and the people they committed crime with, in that way my name got known before I even arrived in prison... But I am very selective I don't want to befriend people who are still clever,<sup>13</sup> you see... I befriend people who are at my level those who want to live an improved life. I do not want people who are preoccupied with crime and guns. I want to change so I need people who feel the same way.

Ebenezer also warns against the danger of "friends" in as uncertain an environment as prison, "you see here you can befriend someone and that same someone will get you into trouble here in prison".

However, not having "friends" can leave one in a vulnerable position as Smithson explains to an interviewer that as a first time offender you are more likely to be assaulted, "especially if you are alone and don't have friends".

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13 Involved in a criminal lifestyle.

## 5.4 Violence in prison

In terms of violence, in 2007 there were 1822 reported assaults in South Africa's prisons.<sup>14</sup> However, as Gear argues: "Violence, described as endemic to South African Correctional Centres ... is generally underreported and a severe hindrance to the Department of Correctional Services' current and ambitious vision to reduce re-offending through rehabilitating offenders ... Sexual violence and coercion – often especially underreported in prison – are of particular concern as they intensify the risks of HIV and AIDS and other sexually transmitted diseases."<sup>15</sup>

The narratives of these offenders reveal prison to be a place of considerable violence. How one defends oneself against this violence, requires a range of strategies, either a concerted attempt to not engage in reactive violence, even where provoked, membership of one of the gangs, which emerge in these testimonies as ubiquitous, or an ability to evoke fear through your ability to use violence to defend yourself. The way in which the prison system works, leaves inmates particularly vulnerable at night as Ebenezer explains:

... some people think being in prison and outside is the same thing. It is dangerous in prison too much too much too much! At four o'clock they lock up, they lock up everything, they knock off and they go to their homes. Only one official is left and you can only see him from a distance through the window. So the section will only be having that only one official. So if you are in a fight with one inmate it will take them two hours to open. They must first call the head of security, sign off the keys and then open by that time you have already sustained a lot of injuries, you have probably lost an eye already.

Ahmed describes a similar situation in juvenile detention where inmates are left extremely vulnerable to be being beaten up after "lock down":

*Interviewer:* Who hit you?

*Ahmed:* Other inmates.

*Interviewer:* And what do the guards do?

*Ahmed:* They were not there at the time. They've gone home already and we were locked in already.

*Interviewer:* Is this mostly in the evening?

*Ahmed:* Yes, mostly in the evening after lock down. From three o'clock onwards.

Walter describes a horrific incident, in which three men were stabbed and then burnt after the cells had been locked up:

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<sup>14</sup> Ibid 2008: 4.

<sup>15</sup> Gear 2007b: 1.

... luckily one of the kitchen guys saw [what had happened] and he ran to one of the police officers and told him and not long afterwards, they had to run downstairs, imagine three floors down, they had to run downstairs [with] those guys to the hospital, the burnt guys. As they opened the door, they pulled the guys out. And they opened our cell, across from it, they were burnt, burnt, even the paramedics, when they came to pick those guys up, the flesh would just fall off. And I am talking about burnt, and I had to go for counseling and [more] counseling. Asking questions, asking what I saw.

Thus violence appears to be ubiquitous; this emerges particularly strongly from the narratives of interviewees from Western Cape, and is often exacerbated by the strong presence of gangs in the prisons in this region. In some of these prisons there appears to be an extreme cycle of violence, in which guards are stabbed and in turn commit violence, such as severe beatings against prisoners. As Ahmed explains of another prison he stayed at, “It’s a messed up place...The guards got stabbed a lot there....Lots of trouble”. On the other hand Xolela alleges that some warders are themselves armed with knives or supply them to prisoners, “...they [warders] even bring weapons themselves things like knives...don’t investigate me, I was just telling you that knives have no feet; there is someone who brings it inside”.

In general several interviewees express the feeling that warders, if not directly complicit in violence, do not want to know what is happening in cells after they are locked up. Geoffrey argues, “Warders don’t care about prisoners, they just want to guard. They don’t show any interest in us, they don’t ask if we are okay or anything ... especially in the section in our cells, many things happen here and they don’t see them”.

On the other hand prisoners are involved in ongoing violence against each other, primarily beating and stabbing each other. Sicelo explains:

... we fight against each other. People beat others with the locks from their lockers. So they tie it to a belt and they hit others over the head. And you fall down and need to be hospitalised. That’s what happens.

Fazel also recounts, “And if your heart isn’t in the right setting, then people will abuse you. They would kick you, they would smack you, they would beat you, and someone could have sex with you. All those things happen here”.

Some interviewees acknowledge that they themselves were the perpetrators of violence. As Xolela explains:

While I was in C maximum prison, I met this guy from De Doorns. I met this guy at C maximum, and that guy was jealous of me and I ended up killing that guy. I ended up having a lot of cases against me for killing people inside the jail.

Ahmed concedes that while a member of a gang he, “stabbed a man in prison and I fought a lot here in prison”. Fortune also admits, “in 2003, 4, 5 on a daily basis I was involved in a fight”.

In this environment, you have to be constantly on guard for potential attacks:

Sometimes when you fight with someone you want to avoid that person because you know you have had problems with him in the past. He might not attack you personally; he might send someone through gangsters or something. So you must be careful not to cause any trouble. Someone can just come up from the blue and attack you (*Ebenezer*).

Fights occur for a range of reasons, from petty disputes over utensils, or other small issues, as Sicelo explains, “An example: I said ‘Give me your cigarette’ and you refuse and give it to someone else. So that causes stress and then you end up beating someone else;” to conflicts over, money, dagga and *abafana* (girlfriends) (Nkosi).

Sexual violence appears to be common. Geoffrey explains, “for a long time it has been happening in all prisons”. Vuyo goes on to describe this type of violence in detail:

You know that here in prison the guys who have been here for a long time like to prey on young boys and make them theirs... sodomy and things like that in other words these guys they target these young boys and make them their girlfriends ... most is elderly guys who do it to small boys... Even here it happens because this prison is structured in a weird way... Usually the juvenile will agree out of the fear, he might be afraid that you will beat him or hurt him in some way. But some force them any way even if he doesn't want to.

Sexual violence spreads HIV/AIDS. As Smithson explains, “Many of them [prison inmates] die ... many come here already infected and some get it here in prison”. Geoffrey explains further that “some” of those infected are infected through sex in prison to which, “some ... consent but some are forced and raped”.

## 5.5 Gangs

The existence of gangs appears to be accepted as the norm by most of the participants in this study, as Geoffrey explains, “In every prison there are gangs” or as Mandla argues, “it is very common ... it exists most of the time”. Gangs are clearly linked to a range of types of violence, corruption and abuse, including sexual abuse in prison and have an enormous amount of power. As Mandla explains, “you will find that a person [who is a gang member] offends you intentionally knowing that there is nothing you can do to him”. Partly as a result of their power and reach, gangs have become central to the way in which prison life is organised in South Africa.

Thus, “Prison gangs are powerful organised crime structures within the prison system that have been with us for the past 120 years. They are a major source of violence, fear and coercive relations in the prison system, but are also, in a strange way, important ‘governance’ structures. It is the gangs that decide in many ways what happens inside prisons, even to the level of which prisoners are allowed to attend programmes in some instances.”<sup>16</sup> Fazel explains in this light:

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<sup>16</sup> Muntingh 2008: 4.

Things work like this, the 28s are on their own, the 26s are on their own, and the 27s are also on their own. The things they do in prison it all has to do with respect. They keep the discipline within the prison, so the young guys who end up here in prison are told that this place isn't their mothers' house. And then let them know how things work around in this place. Tell them to respect each other. The only way they get messed up is when someone causes trouble amongst each other.

Gangs, in the narratives of offenders here, like the gangs operating in prisons around the country, take their names from the well known Numbers gangs – the 26s, the 27s and the 28s – that are about 100 years old and originated in the jails, mine compounds and informal settlements of turn-of-the-century Johannesburg, and that constitute a formidable force in every prison across the country.<sup>17</sup>

Geoffrey, who states he is now a former gang member, explains the difference between these Numbers gangs: “Well, there are... 27, 28, Air Force and Big Five ... 26 like money; Big Five don't like violence, they like peace; 28 likes sex and sexual violence ... 27 is a mixture of everything, they are similar to 26”.

Mandla, a current gang member, gives details of some of the activities he is involved in: “I'm a 26 gang member ... taking people's cigarettes, dagga and money, basically taking people stuff by force because I basically like money.”

In addition, it is evident from the narratives of these interviewees that gangs are centrally involved in sexual violence in the prison as a means of exercising control and power. What are known as *abafana* in prison, often young men who are “taken” as “girlfriends”, frequently by older men, become the virtual property of their “boyfriends” who exercise autocratic forms of control over them. As property, like drugs or dagga, they become a critical source of contention in the prison, and often precipitate conflict between inmates. Jonny Steinberg has commented on the nature of these “relationships” in prison:

We know that sexual relations between prison gangsters and their lovers are highly stylised, caricaturing the most pungently misogynist relationship imaginable between a man and a woman. The passive partner in an archetypal prison relationship is stripped of the jail equivalent of his juridical personhood: he is not allowed to conduct commerce or to leave the cell without his partner's permission; he cooks for his partner, makes his bed, washes his back and cuts his toenails.<sup>18</sup>

The other key currency of gangs is drugs, particularly dagga in Gauteng prisons as well as other drugs such as Mandrax in Western Cape prisons. There appears to be a thriving internal economy within the prison that inmates and warders are allegedly complicit in. According to these interviewees, prisoners sell dagga, while warders do not intervene. Nkosi, who acknowledges smoking dagga regularly, goes so far as to argue that warders turn a blind eye to dagga smoking because it makes prisoners more compliant:

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17 Steinberg 2004b: 2.

18 Steinberg 2004b: 1.

I wouldn't say it's officially allowed but officials know that if offenders do not have dagga. Eish they give them problems, they fight and it became difficult to control them.

He explains, "if we don't smoke it there are problems... You are short-tempered ... so dagga makes you more relaxed ... even when another prisoner talks to you about things you don't like you don't hurry to beat them up you see".

Ahmed on the other hand, alleges that he smoked dagga and Mandrax while in juvenile detention, which were given to him when appeared in court by "friends" with the full complicity of warders. He explains, I smoked dagga and drugs ... Mandrax... As you walk into court, there are always friends that can get it to you. Or they give it to the guards to give to us...They [the guards] maybe get a parcel fish and chips, or enough money to buy alcohol. It's all the guards that did this. Maybe one or two that did not.

While warders ignore or are complicit in the trade in drugs, it appears that others are directly involved in eliciting bribes from inmates, "I don't let them [warders] get to know me because here it is prison. So you find that at times they ask for R10 or R20 even though they know that cash is not allowed in prison, they demand the money ... you see (Ebenezer). Fortune similarly argues, "Most of them [warders] are corrupt; they do not give you direction. All they are good at is to charge you and to prove to you that they are dominating you and to teach you a lesson".

The network of corruption inside the prison extends to an active cash economy and trade in designer goods. As Geoffrey emphasises, "...you will be shocked to see just how much money prisoners has, some has thousands in their cells... They buy whatever they need, food, favours etc, and you must remember that the money that enters prison never exits..."

Competition for designer labels is as fierce inside as outside prison, "You can say it is like life outside prison, I mean here is competition to accumulate and have things; I know they don't allow private clothes but things like tekkies... I mean it depends on what kind of shoes or tekkies you are wearing..."

Cellphones are also, according to Vuyo, widely available in prison, and are the subject of similar competition as clothing, "there are many cells in here... They find a way [into prison] ... they put them on silence, they just vibrate, and there is always competition on what kind of a cell are you having ... people want the latest models, they sell the old ones... [For] maybe R250 or so ... it depends on the model".

### **5.5.1 Joining a gang**

The reasons why inmates join gangs are complex but it is clear from the narratives of these interviewees that the climate of fear in prison and the desire for some form of protection from violence, robbery and abuse, which are endemic to prison life, are strong motivating factors for many new inmates. However, involvement in gangs precipitates a vicious cycle of deepening involvement in violence and criminal-



ity that on the one hand perpetuates the climate of fear and abuse in prison and on the other hand is obviously extremely detrimental for both the gang member himself, and for his victims. While victims of gang violence often feel compelled to seek protection in gang membership as a result of their victimisation, the gang members who commit violence, may have their sentences extended as a result of their involvement in violence. Thus both perpetrator and victim end up helping to perpetuate an institutionalised culture of violence and abuse. Walter explains, “there was a guy ... he was sentenced to six years in prison; he ended up doing 20 years... Because of the number he had here in prison. Being a number would just keep you here forever in prison”.

Zolani thus explains that he is a member of the Numbers gang for purposes of “protection” and the fact that it gives him access to more “rights” in the prison system:

... in prison there are gangsters with different numbers you know. If you are not a gangster you will be robbed...When you are in the number, you have more rights than someone who is not in the number. You can have your own things and no-one will rob you. But if you are not in the number people will take advantage and rob you. But if you are a gangster it is hard for people to rob you or take your things.

Sicelo explains what takes place when inmates first arrive and the violence to which they are subjected, which paradoxically, he argues, is meant to “teach” them not to come back to prison:

When you arrive they call you *impata*... It's someone who's new in prison who knows nothing about prison. He's not a 26 or a 27 or a 28. Then he suffers and people push him around. You send him here and there. And to wash my clothes or my shoes. So he lives a hard life ... he will get beaten... He gets kicked with the sole of the shoe, so that he won't come back to prison, so that he can know that prison is a bad place and warn others outside.

Walter outlines the types of pressures and the level of fear, in the absence of substantive protection from prison officials, that propel new inmates to turn to gangs for “protection”, as well as the extraordinary violence, including murder, they are often required to commit to simply gain entry to a gang:

... you can't beat them. You are not a number, can't you see it? Even if you are young or not, they stab ... some people will join a number because they are afraid. Can't stand being here, every time when you go to the shop you have to watch out so you decide to join, so in the same way [as you were robbed] you going to rob someone else. And that is why they get killed... They won't stop even though they know what they are doing is wrong. They do a lot of killings; they just kill people to join. When you get robbed, you run to the wardens and then you don't get that thing back and then you think what you are going to do, so there are people in here that would join the gang. If they don't kill the members, then they will kill the other gangs.

David when asked by an interviewer whether the prison was a safe environment paints a picture of the levels of fear to which inmates are exposed, the absence of prison officials in mediating the threats to

which inmates are exposed and the violent forms of internal discipline which emerge in the absence of effective official regulation:

*David:* It [prison] will never be safe. If you were given something nice from your visitors, it would be a fight with the inmates. Those were the kind of things that made me fight in jail.

*Interviewer:* What did the warden say when all these things happened and what were the steps taken?

*David:* We do not involve them. We fix our own problems.

*Interviewer:* How did you fix it?

*David:* We listened to both arguments and found out who is right and who is wrong. And discipline the one who is wrong.

*Interviewer:* In what way was he disciplined?

*David:* In the right way. We would put soap in a sack and hit him on the back and punish him.

*Interviewer:* Did that not hurt the person?

*David:* Yes it does.

*Interviewer:* After he has been hurt will he not report this?

*David:* No, because he is a man. And he will not do it again.

However, Ebenezer is adamant that gangs actually don't offer protection and argues that they are in fact, "old-fashioned":

I don't see any protection because if ever someone wants to hurt or inflict injuries on you he will hurt or injure you irrespective of whether you are a gang member or not, he will succeed in hurting you. So for me gangsters is an old fashioned practice and it does not work ... it does not work.

Other interviewees emphasise the loss of autonomy that comes with membership of a gang. Ebenezer explains:

... it is actually a waste of time. When you are in prison you must have your own thing that you can take ownership for. So when I am part of a gang I know that if one of the guys wants to borrow my shoes I know that it is a must, I have to lend him. Anything that I have be it money or cigarettes I have to make sure that I share it with them.

Being a gang member also means being compelled to commit acts of violence, "They can come to you and say that here is a knife, go and stab a specific person for a fee of R500 or R1 000" (Ebenezer).

James similarly argues of gangs, “it doesn’t make any sense to have someone to force you to do things, even things that you don’t want to do. Now, if you don’t want to do what the person tells you to do, there’s punishment. So I don’t think it is wise for a person to just be chasing after dagga, money and power”.

While gangs are ubiquitous and there are undoubtedly various pressures to join a gang, according to interviewees, the choice to join a gang is “voluntary”. As Walter explains, “they don’t force you”. However, whether you are able to resist becoming a gang member requires a degree of personal resilience or ability to inspire fear. Geoffrey, a former gang member, initially did join a gang when he was first imprisoned for “protection”: “I didn’t know better but in the end I realise that they did not behave right.” After his experience of being a gang member, he refused to join a gang when he was moved to the prison in which he is now incarcerated. His ability to do this appears to have been as a result of a known history of aggression inside and outside prison, which equipped him to defend himself against attacks, as well as the knowledge he had gained through his own experience of gang membership. As he explains, “you must remember that most of their tricks I already know so there was no way they could trouble or scare me and the other thing is that I trust myself... I rely on myself completely”. He concludes, “when you are not afraid of them you can quit successfully”.

Smithson on the other hand was advised early on not to join a gang, exactly because of the difficulty of leaving, “I was advised very early that I must not get involved because once I start I won’t be able to go out. My [co]accused were part of the gang and they are the once who advised me to not be tempted to join”.

Fazel, who had been deeply involved in gang life before his incarceration, saw the gangs in prison on a continuum with the gangs in the area where he had lived prior to his sentencing, “they are in prison, but they still have their own gangs”. However, he refused to join a gang when he came to prison. It appears Fazel’s resilience and ability to stay out of a gang in prison was the consequence of a combination of the familiarity of the phenomenon of gangs that he was encountering, as well as a strong sense of self, a renewed commitment to religion and the lessons learned from courses he had attended on life skills and gangsterism, as well as those run by a group called Positive Muslims. He explains how was approached to join a gang when he first came to prison:

They’d ask if I was interested in the number and I would tell them that, that doesn’t interest me. I just want to be the way I am and I would rather want to go to a Muslim room, where I would know that I am better off doing that... I told myself that I am a grown man and I decide things for myself. Another person can’t tell me what I should or shouldn’t do.

For Fazel becoming part of a gang, where you are part of a gang hierarchy, is emasculating, “They will make you into a woman, if your heart deserts you. I am lucky that things didn’t turn out for me that way. I didn’t choose that road”.

While emphasising his ability to “cope with things on his own”, Fazel acknowledges, that at first his choice was not always an easy one:

At the beginning, when I was starting out on my sentence, when I didn't really know how things worked around here and ran into a few problems, but nothing serious where I couldn't cope on my own. But now, everyone knows me and has befriended me, they talk to me about doing the right thing.

Fazel has not completely distanced himself from gang members, and, according to him, successfully negotiates his relationship with gang members through the expression of mutual "respect":

I have some friends who are Numbers, 26s, 27s and 28s. But there isn't a time when they could tell me to become a gangster because they know and understand me. I am a man who wants to come right, I have huge respect for them and I think that is why they also respect me.

Fazel even appears to have the authority to try and persuade gang members of the error of their ways. He explains:

I speak to them [gang members] and tell them how I feel about these things. That I don't like the way we are living with each other, calling names and telling each other what to do...

Asked by the interviewer whether gang members did not get "mad" at him as a result, Fazel avers:

They don't get mad at me. They can't get mad because I am telling them the truth about it. The thing about me is if I know I am right about something I stand my ground. I won't let him tell me something different when I know what is right or wrong.

However, for most other interviewees, negotiating the complexities of gang membership or non-membership of gangs is a much more difficult path. As Mandla argues, "When you miss your people and here you meet other people and some are gangsters and if don't want to be a gangster you find yourself in trouble".

Ahmed also explains the difficulties of serving out your time outside of a gang, "I had a 15-year sentence and I could not be on my own for all that time. That is why I joined... I learnt how to defend my stuff. If you were not a number in prison, life was hard. That is what I learnt there ... so ... I could get what I wanted and that others could not take my things away from me".

For Ahmed membership of a gang in prison was a natural continuum of his membership of a gang outside of prison. During his first incarceration in juvenile detention, he did not join one of the existing gangs because he simply continued his membership of the gang in which he had been involved prior to his incarceration, a number of whose members were serving time with him:

That time I did not join the prison gangs, because I was in a gang of my own. The friends that I got on the inside, we were from one gang on the outside, we walked together. We still stood for that gang.

When he was incarcerated for his current long term of imprisonment Ahmed became involved in the 27 gang and was increasingly involved in a range of forms of violence:

I was also involved with stabbing there [at the prison where he was incarcerated]. It was there that I got involved and hooked up with the 27s... They are a gang in prison. They make sure that we are treated right. And if we are not treated correctly then they will take a knife and stab a guard so that he bleeds. And we can see that his bleeding. The guards need to know that we not happy with the way they treat us. They also smuggle drugs.

For Ahmed the turning point came when he was sent away to another prison as a result of his gang activities. There he met a religious man, who was a powerful influence on him:

That was when I met the other man in a room. He always said 'salaam' and he prayed five times a day. Those things made me worry. It made me realise that I'm living in a daze. I approached him. And I prayed with him. I prayed with him once and I decided that I was going tell my gang members that I was not going to take part in their activities anymore. It was hard for me.

However, leaving his gang was not easy for Ahmed:

I had to consider my gang friends and I had to consider this new life. I had to choose. But I know that I can't just leave this gang. The only way out is death. So I prayed every day, I prayed hard, because I'm alone now. That other man who prays like that can't stand with me. I have to stand alone. They [my gang] were not happy. They did not like the fact that I wanted out.

Ahmed was told he had to kill a guard in order to be allowed to leave the 27s, "But I did not want to kill a guard. That would make me a danger in prison." However, he could not speak to the guards about the danger either he or they were in, "For a 27 to go to a guard and speak to him ... that goes against the rules of the 27s. That's why I could not speak to just any guard." He realised he would have to "make a plan". He devised a strategy to get himself isolated and safe from retribution:

So I had to think how to get away. So the next day when I saw the guard I said to him "Jou ma se poes" and that made the guard angry. He told me to take my things and he sent me to a single cell. It was there that I could do things my way. Praying five times a day.

On several occasions, wardens tried to remove Ahmed from his single cell to end his "punishment" but he did not want to go:

I was there a long time. They wanted to take me out on two occasions, so I told them about my faith and how I wanted to be alone. So they sent me to the head of the prison. I explained that I wanted to change my life. I told him that he was the only one who could help me. That I needed to be alone so that I could change my life. Okay, he said it's out of his hands but he can't keep me in there forever. But he said its okay I can stay there.

Ahmed did actually manage to extricate himself from the gang system in the long term. As he explains:

It is almost three years now that I am away from all those gangster things happening here in this prison... There is a lot of quiet time here in prison and you have time to think about a lot of things. And I realised that I will never change if I carry on like this. And that is when I approached those guys and told them that I was going to pray eight times a day. That they should not come around to me because I will practice the faith. It was difficult especially for my gang brothers but I stood my faith. I told them if they wanted to stab or shoot me, to go ahead.

## 5.6 Rehabilitation

*If there is a chance to come to jail, you then have two choices. Either you are going to turn your life around, or get worse. You either get better or worse, when you are in jail (Fazel).*

While the account above may paint a bleak picture of life in South African prisons, this experience seems to co-exist with another, more redemptive picture in which the possibility for the kind of rehabilitation envisaged by various policy and legislative instruments governing the Department of Correctional Services, continues to survive amidst the violence, overcrowding and corruption in which it takes place. The critical element differentiating an inmate's prison experience as either one of deepening criminality and violence or a genuinely rehabilitative process is as Fazel articulates it the notion of choice. However, the ability to exercise choice freely is constrained by questions of limited resources, which mean that the opportunity to participate in various programmes, educational opportunities, courses in craft or technical skills, or work opportunities are all subject to varying degrees of availability at different prisons. In addition, as the preceding sections outline, the ability of inmates to take advantage of the opportunities which do exist in prison are hampered by the institutional conditions of gangs, violence and abuse. As Steinberg has pointed out, gangs may in fact be in charge of determining who is allowed to attend which programmes. Thus, as Walter explains, what you "learn" in prison can be radically different to the rehabilitative learning that the Department of Correctional Services envisages:

There are a lot of skills that you can learn in here to not get caught, you learn about criminality and everything. Here we have murderers, I am talking about murderers, not like me, bad people, we get armed robbers, we've got rapists, we've house-breakers, we have a lot of skills and everybody is here... This is like another high school. We could talk about it as a high school or as a college, the old people's college; you experience a lot of different kinds of criminals. A lot of things that you can put in your mind. There are a lot of things you can learn from.

Jonathon, is similarly concerned about the type of "learning" that takes place in prison where people who have committed a variety of types of crime are thrown together:

Here you find a person arrested for theft staying with a person arrested for robbery so you find here a person who has never thought of robbery being influenced and you find them telling each other that at a certain place there is a lot of money so what you are doing is you are planting this in his head and what does he do when he gets out? He goes and commits that crime...

Under these conditions, it is likely that it is those inmates with the most personal resources and individual resilience who will take advantage of opportunities that do exist and will be able to internalise the “lessons” that prison can offer them in terms of leading a “socially responsible life” in the future. As Zolani points out, “there are a lot of things done here. But there are other people who don’t want to do courses, who just sit here”. On the other hand, as Walter explains, attending classes does not necessarily mean that you are internalising their content:

You can now attend all the classes and don’t get nothing out of those classes. Just hear everybody. It’s like a person who goes to church, some people just go to church to show that his is a Christian, but on the inside he is not. I’ve been in the church; it doesn’t mean that I’m a Christian.

These contradictions are evident in the discourse of someone like Walter himself who on the one hand attends educational classes, and proclaims that he has to, “find another way” and “focus on the way forward” but at the same time appears to be completely lacking in self-awareness around the violence he continues to be involved in:

If I am going to make it in here, you will find out when you’re living here, you don’t have parents. You are without parents. So you must protect yourself. I do back-biting, but in a reasonable way. If a guy should attack me here in prison, I will forget about my prison sentence and I will burn him, throw hot water over him, because I will not let anyone touch me in the way that he wants to.

Then after embarking on a long, illustrative story of a man who was “falsely” accused of baby rape by a mother who deliberately hurt her baby in order to cover up her own infidelity, Walter articulates the legitimacy of violent retribution in such a context:

And then I get sentenced of life sentence in prison by my marriage wife. What do you think I will become for something I didn’t do? I will be very bad. Because I’m going to kill that wife of mine when I’m leaving prison because I’m done with that sentence. I will kill her family, brothers, sisters, and mother. I will kill anybody who is close to her just because of one person. See how bad is that? And I’m going to kill innocent people because of her.

However, on the other hand, what these interviews do reveal, is the significantly positive effects that rehabilitative opportunities can have on some offenders, and the potential to divert them away from serious violent crime at an early stage in their criminal careers.

As Fortune explains in terms of the rehabilitation programmes that he had encountered:

Well, some help to open your mind and make you see things differently. There is school, and other useful programmes... I enrolled at the school so that I can get some education and a better chance in life... Yes, I have learnt a lot, I am even in a position to advice and encourage another person...

When asked about the impact of an earlier, briefer period of incarceration when he was not exposed to any rehabilitative programmes, Fortune explains, “No it didn’t make any difference beside it was only for a very short time”. In contrast reflecting on his current period of incarceration, Fortune states:

I have had enough I don’t want anything to do with crime anymore... I am fine now, I mean I have a child now and my child was five years old when I came to prison and now he is twelve and he doesn’t know me very well, I want my child to be proud of me. I can’t go back to crime because I might influence him to follow my footsteps.

Ebenezer also sees in the opportunities offered in prison a chance to focus on self development and change. As he explains in relation to the hardware course he is attending, “it’s all about me. So it helps a lot to see how I can change my life”. Talking about his feelings talking to the interviewer, he explains, “I just want to be a better person, so I feel that I get relieved the more I talk about my past... I like advising others wherever I can. I feel like I am opening someone’s eyes so that they can stop it or not be involved [in crime]”. Smithson also emphasises prison as a learning experience that he tries to share with his son growing up outside prison:

You see, since my incarceration in 1993, I write to my young one, I tell them him that I am in prison because of friends. I encourage him to go to school and church, I am here because of bad company, so nowadays crime does not pay. I have quit, I don’t drink or smoke. I don’t want to do crime anymore, I want to work and provide for my child. Prison has taught me a lesson.

Some interviewees had made significant use of a range of opportunities offered in prison. However, it is evident that not all offenders have had as much access to these opportunities as they would like. Fortune has asked to be transferred to another prison because of the lack of opportunities where he is currently incarcerated, “Well here there aren’t many programmes, that is why I have decided that next year I am going to ask for a transfer, where I can go to a place where I can work with my hands in a workshop somewhere because I did not go to school”. Smithson explains in terms of the programmes available where he is currently incarcerated, “It’s what we need mostly. They will only tell you about HIV and such things they do not help much because we are already in prison. If maybe they could offer life skills, anger management or conflict resolution, such programmes will help a lot”.

However, several offenders have clearly participated in a range of programmes during their time in jail. James recounts participating in life skills, anger and aggression management courses, conflict management and a restorative justice course. He also completed his matriculation exams in prison, plays soccer and wanted to continue his studies but was unable to due to a lack of financial support from his family. For him, the anger management courses he attended were of particular value:

I learnt many things about anger. I learnt that anger is a complicated matter that deserves serious attention. It can lead you to serious problems especially here in prison. If you are not careful anger can



cause you to act hastily. A small thing can cause you to fight and then you end up in big problems because of a very small thing. So it also taught me about respect...

Ebenezer has similarly participated in a number of programmes and taken advantage of educational opportunities:

I did Street Law. They taught us about constitution and how it works as well as magistrates. I also did HIV/AIDS awareness. I also completed my matric senior certificate, life skills, social training, drugs and alcohol awareness, I did all those programmes. Also work at the electricity workshop. Currently I work with woodwork and cutting glass and welding, and every Thursday I attend a course of hardware.

For James, who committed a brutal murder during the course of a robbery, during which, drunk, he beat the owner of the house to death, prison has created a context for significant reflection, introspection, and currently involvement in the education of others, ultimately he is working towards becoming the “ideal citizen” the White Paper envisages. As he explains:

Here in prison, especially for us maximum, there is more time for you to sit and think about your life. To think about what you did while outside. So I have also realised that you must not distance yourself from activities offered towards rehabilitation. One needs to involve himself and participate in such activities. Here in prison, your things would go well only if you are pushing yourself. But if you just sit and relax nothing will go as you want it. Here in prison there is an opportunity and a chance for us to review our lives, to start afresh so that when we get released we are changed people.

These reflections have led James to wish to engage in a process of reconciliation with those he harmed:

Well now time has passed and I arrived in prison when I was still a bit younger. But there is a course that I did while in prison it is called restorative justice, that is where a perpetrator approaches a victim and asks for forgiveness. So I am happy that maybe in future I can be able to do that. Well I don't know how his family will take it, I mean having to listen to a person who killed your loved one. I know that it won't be easy, maybe after his death they suffered with poverty. It will be difficult but I would like to have an opportunity to ask for forgiveness.

Introspection has led James to a way of life, which incorporates the value of service carried out through his involvement in literacy education within the prison, from which he derives intense emotional satisfaction:

And you find a person not able to write ... not even his own name. So such thing made me feel very sorry for them, that is why I have decided that I want to help people especially elderly ones to be able to learn to read and write. And also it feels so special to realise that you have changed someone's life you see...

It is however evident from the interviews that while rehabilitative programmes did have a significant impact on some offenders, there were other offenders who were less willing to engage in these activities or grapple

with the actions and lifestyle which had led to them to imprisonment. This was generally reflected in a degree of ambiguity about the actions which had resulted in them finally being convicted for serious offence, for example unwillingness by these offenders to take responsibility for their actions or view them as problematic.

As Geoffrey, a 24-year-old jailed for 18 years for rape and assault who occasionally participates in “Bible classes” but who spends most of his days thinking about his release date and believes he has been jailed for a crime he did not commit, explains in relation to his actions, which included various violent assaults, “Well, some I feel I was wrong, but some... no I don’t think I was”. On the fact that he was sentenced for a crime he believes that he did not commit, specifically the rape charge for which he has received an 18 year sentence, he states, “sometimes it changes me you see, it changes me. I sometimes get angry and I think if I’m released I might make mistakes, I even tell this to my family”.

Smithson who is serving a life sentence for robbery with aggravating circumstances, also has not participated in many programmes. He too believes in his innocence and has had suicidal thoughts, particularly since his two co-accused have died in prison, “It’s not right because I’m arrested for what I didn’t do. So being here its not nice because you are here for what you don’t know, you even think of killing yourself”. At same time as contemplating his own death, he expresses a similar desire for retribution as Geoffrey, “So now I am here for nothing so when I am released I might just do crime for revenge. So you see they are the ones that cause crime to increase”. Nkosi, a 26 year old who is serving 20 years for murder, also believes that he has been sentenced for a crime which he did not commit, does not attend any courses and gets through his days by smoking dagga because, “I am still stressed by this sentence, so I have not really relaxed and focussed on programmes or school”.

While it is impossible to predict whether these changes in thinking as articulated by offenders, would actually translate into significantly altered life styles were they released, it does appear that several interviewees felt that the experience of incarceration was almost a welcome intervention in a downward cycle of criminality and violence. There appears to be some basis for thinking that had these offenders been exposed to diversion programmes earlier in their lives and the beginning of their cycles of offending that they may have had the capacity to alter their conduct.

## 5.7 Reintegration beyond prison

*... you would be able to see how my new heart is (Jonathon).*

A number of these offenders appear to be cognisant of the dangers of reoffending should they be released and the difficulties of reintegration into their communities but nevertheless demonstrate determination not to allow these difficulties to draw them back into a criminal lifestyle. For these offenders, the notion of taking personal responsibility for their lives is seen as a critical factor in making a new life possible. As Fortune explains:

I am the one who supposed to make it for me. They [his community and family] will see by my actions that I am a different person. By cooperating and behaving well they will see. I will not be doing it for them but for myself and they will judge me from my own behaviour.

Ebenezer states similarly:

I know it won't be easy but people are not the same. What counts is your commitment. Another person might know that this person has a criminal record but decide to give you a chance and he can actually see from your commitment that eish, this person has indeed changed.

... it will all depend on me and how I behave. There are other people who came from prison, went back to the community, work and lived a normal life even though people talked about them. They are just focused because they know what they want from life.

However, it is evident that for former gang members from the Western Cape, "reintegration" into the community from which they came, would inevitably mean reintegration into gang life and would offer them little opportunity or space to pursue an alternative path. Moreover the possibility of retributive violence is very real. As Ahmed explains:

*Ahmed:* I told my mother that when I get out I will apologise to everyone. But the place where I was staying, you see people don't just forget. There are lots of gangsters that get out and then they get shot dead on the outside. I had a friend that got out of Victor Verster; they shot him 16 times when he got out.

*Interviewer:* Who shot him?

*Ahmed:* A youngster, he's now in the juvenile section. I actually met him. He is 19 years old... He was on tik; it makes you mad.

Fazel articulates similar concerns about the possibility of living a different life in the community, which he comes from:

If I go back, I am going to bump into these people again and I don't want to be involved in anything they are doing. They smoke drugs and are gangsters. Some of them are dead already, while I have been in here. Some used to sit with me as you are now, but it scares me. I don't want to be in that environment again. Nothing will change my mind again, not money, nor friends. Nothing will change those people.

Thus, as Sicelo argues, going back to one's old community as a former gang member poses significant challenges and the possibility of violent retribution for not continuing one's gang membership:

I want to work for my mother and my child. That's what I think about most. If God can give me strength for bad friends to be far from me and for me to stay away from them. The problem is if you stay far from bad friends, they kill you because if you stop being with them they think you are

disloyal to the friendship. I wish I could go and live somewhere else... Because they will say you think you are better than them or you will rat on them with the police. That is why you can't leave once you are in.

If you leave, you must find the right way. You cannot say you are leaving gangsters, because you will be shot. You have to leave by going to church. And then tell them that I am going to church. But you cannot criticise them and tell them the gang is wrong, because it's clear that you will go to the police.

For several offenders, therefore starting in a new environment, away from old influences, such as peers who were involved in crime, is a significant part of protecting themselves against reoffending:

I think it is better to start a new fresh life on my own in a new place. Where I can work and live with my girlfriend and my child. I am willing to work any work no matter the pay is, I am going to be very patient and not rush to earn big money (*Fortune*).

Jonathon explains, "If I go home those people will still be there and they can invite me to go with them and such things can easily lead me back to where I was". Ebenezer confirms, "It will be challenging but I must start somewhere in life. I must select friends carefully the way I have been doing from here...I know that whatever action I take it is my responsibility and I know that in prison when you are about to be released it is very simple for a person to offend you just so that he can spoil your ticket".

While going "home" to the communities from which they came, exposes offenders to the danger of becoming reintegrated into criminal networks, there is also the stigmatisation that comes with having been in prison. Jonathon explains his concerns about being ostracised by neighbours when he returns home:

As for me I will be extremely happy and excited but I am worried about the neighbours you see... I do not know how they will react but I am not the same as before... They will look at me as a criminal because I was arrested in front of them and there is nothing I can do about it. They will just say Mrs N's [his mother] criminal is back.

However, Jonathon believes that the degree to which he will be stigmatised will be mitigated by the fact that he did not commit crimes in the community in which he lived:

People they say it is difficult to reintegrate and feel accepted in their communities. They see them as criminals who are back in the societies. I think such things are caused by people who were hurting and harassing their own communities, so when you come back people hide away their properties even if you are just passing by the street. So a person would hold her bag tight when you pass by, so you see in that way your name has lost good reputation in the community. So for me I know I won't have such problems because even my sisters they tell me that many people ask them about me and when I'm coming back and they say I've been gone for so long they miss me.

For Ebenezer it's a matter of ignoring potential stigmatisation and proving himself through his actions:

I know that talks are always there. So I know that they are going to say things like I am from prison etc. so I will maintain my dignity and won't care what they say. I know that talks are always there... I do worry that the community will say many things about me. But it depends from me how I will react. I must prepare myself just prove myself.

On the other hand it is clear that there are other offenders who have either not significantly engaged with the possibility that they could lead their lives differently if they were released, who argue that their "unjust" incarceration has made more likely to offend, see themselves as unfairly disadvantaged by their stay in prison, or envisage the stigmatisation they anticipate as inevitable and unchangeable. There is a significant contiguity between those offenders who have not engaged in any rehabilitative programmes and have consequently not shown a particular capacity for self-reflection who are most likely to express these type of sentiments.

Thus, for example, Walter, imprisoned for the murder of a friend of his family, believes that the matter should have been dealt with "internally" between the two families involved, without the intervention of the law and that therefore his incarceration is "unjust". In the absence of a reconciliatory process between the families, he believes that when he is released, members of the family of the murdered man, will want revenge against him and that he needs to be prepared to "defend" himself, "I will prepare myself with an illegal firearm... I don't want to lie... Because nobody ... will phone me and tell me that they [the family of the man he murdered] are coming now".

Currently in South Africa prisoners are released from prison either at sentence expiry date and then there are no further obligations, or they are released under community corrections. According to Muntingh, community correctional release, where offenders are released on parole, has primarily been implemented in South Africa as a "policing" function, that is, making sure the parolee reports to a police station at a certain time, restricting their movements, etc. However, "international research indicates that this has little effect, if any, on reducing reoffending".<sup>19</sup>

Muntingh argues, therefore, that release under conditions of community corrections must be seen as part of a broader sentence plan initiated while the offender is in prison and which continues to be implemented on their release. Crucially, "All investments made during the imprisonment phase will either be sustained or lost in the immediate period after release."<sup>20</sup> The narratives of some of the offenders detailed here, speak on the one hand to the critical importance of support mechanisms for offenders on their release, given the challenges that even the most willing and able offender is likely to face as well as the importance of effectively implementing a community corrections sentence. It is clear that

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<sup>19</sup> Muntingh 2008: 7.

<sup>20</sup> Ibid 2008: 7.

some of the offenders interviewed for this study, were they to be released, would be in serious danger of reoffending.

Nkosi, sentenced for murder explains his ambiguous feelings regarding the possibility of leading a “civil” life should he be released. Believing himself to be innocent of the crime for which he has been incarcerated, he envisages an impossible and unjust burden of stigmatisation and disadvantage as a result of his stay in prison:

I can say I do want to stop crime, I mean but when you are here well some manage to stop it completely and go out and get work and live a civil life, but for others it makes them become even worse... I mean like serving time for something you didn't do, so when you do go out, some tell themselves that is better that they should go out and do what they said he did. So that he can come back here and serve time for something he is guilty of ... you see.

Others you find that crime is in their heart, when he gets released he find that people out there have cars, houses, and things like that, so he can't think of work because he is not educated, because he spent many years in prison.

Geoffrey has not even thought about what he would do should he be released. “Eish, I will just see when I'm out,” he explains. He anticipates that he will be irrevocably ostracised as many of his old “friends” have stopped visiting him in prison. “Sometimes I think about what kind of life am I going to live when I go outside, you see... I also wonder about how people are going to treat me, because some don't see me anymore.” He goes on to explain that while he thinks that his family will “accept” him, he is not sure how they will “treat” him. In terms of the community in general, his is “...not sure. Some will not trust me anymore because of prison. I mean, I would have been gone for a long time.”

## 6. CONCLUSION AND RECOMMENDATIONS

This report has, through interviews conducted with 20 men convicted of violent offences that explore three key thematic areas: their life histories, their experiences of violence and their experience of incarceration; attempted to sketch a more detailed and textured account of the lives of these men and in this process to begin to understand how they became the violent offenders who are now the object of our study and, in more detail, who they are today. As was stated at the beginning of this report, this was a qualitative study, which was not intended to elicit findings that could be definitively generalised to the entire population of what we call “violent offenders”. At the same time many of the key themes, which emerged from the narratives of these interviewees, ranging from the impact of child abuse, child neglect, and dysfunctional families, the influence of the peer group, poor schooling experiences, questions of masculinity, the role of firearms, alcohol and drugs, are all supported by other literature, which examines the impact of these variables on the incidence of crime. What this report has sought to do, through qualitative interviews, was to begin to understand the complex interaction of these factors within the lives of individuals and to understand the way in which these questions, whether it be masculinity, or child neglect or peer group pressure are experienced and mediated, in sometimes complex and surprising ways by individuals themselves.

This report has therefore sought to probe beneath the label “violent offender” to begin to unpack the complexity of this identity. Clearly, much more detailed interviewing would have to be done to fully probe this identity. Nevertheless, what has emerged is a harsh picture of lives lived in difficult circumstances and perpetuated in brutal actions against others. On the other hand significant potential and willingness for change, given appropriate interventions, is also evident, even among men who have carried out the most violent crimes. It is also apparent that the post apartheid context has created new pressures and new motivations for violence among young men, who have internalised the values of conspicuous consumption as a marker of “freedom”, along with a belief, not totally unsupported by their life circumstances, that they will never achieve this type of “success” legitimately.

What has also emerged from an examination of the totality of these young men’s lives is that rather than violence taking place in discrete arenas, either as violence in the public domain against strangers, or violence in the “private” domain against intimate partners, is that many of these individuals are implicated in a wide range of violent or coercive interactions, whether with girlfriends, “friends” or the “strangers” they explicitly go to rob and hijack. Moreover, it appears that violence, rather than being a premeditated phenomenon, instead arises out of an identity in which aggression and violence are deeply entrenched as part of the modus operandi, the ordinary ways of being of many of these young men. Violence, which becomes normative in this way is not even recognised by these young men as “violence” in a context where coercion, threat and survival, mark their “ordinary” interactions and modes

of behaviour. In this environment, a threat, perceived or real, from an intimate partner, acquaintance or stranger, quickly translates into violence, including lethal violence.

Another significant finding of this research was that the vast majority of young men now incarcerated for violent offences had been involved in petty criminality since their adolescence and many committed violent actions, including murder prior to their current incarceration. What is notable is that while this repeat offending had indeed brought many of these young men to the attention of the criminal justice system, in that they had been arrested, sometimes repeatedly, and some had even been incarcerated for brief periods, there appeared to be no mechanisms available to divert these young men away from a pattern of repeat offending. It is evident that intervention at the first interaction with the criminal justice system, which for most of these young men occurred as young as 17, that specifically addressed these early signs of anti-social behaviour, could have made it possible to divert them from a deepening cycle of criminality, and ultimately the commission of brutal acts of violence.

On the other hand, in terms of interventions which are currently implemented in prisons and which many of the offenders for this study were exposed to, it is crucial to emphasise that these interventions need to be supported on the prisoner's release in order to reinforce any behavioural or attitudinal changes made and to ensure that the gains made by the offender in this regard, are not lost once they are released. Currently there is very little provision to continue the process of rehabilitation once offenders have been released. Many individuals are simply released from prison, with no further follow up. For those who are released on parole, this has primarily been implemented in South Africa as a "policing" function directed towards monitoring offenders' movements rather than supporting a significantly changed lifestyle. International evidence indicates that parole conditions implemented in this way have little or no impact on reoffending.

Although many of the offenders in this study seem to have genuinely changed their attitudes towards violence through the educational programmes they have enrolled in at the prison, and the space prison affords for reflection, when released most will have to return to the very communities in which they cultivated their violent attitudes and lifestyle. It is at this point that prisoners have to contend with their pasts, including the possibility of revenge from their former victims or their victims families. They will also have to grapple with their futures, as frequently stigmatised "ex-convicts", and often unemployed men. Without significant support at this point many offenders will struggle to put into practice the lessons they may have learnt in prison, especially with regards to alternative means of conflict management since they would have to contend with the very same personalities, circumstances and lack of resources that often led them to criminality and violence before. It is here that the cycle of recidivism often repeats itself, underscoring the need to transform the environment that shapes individuals in order for individuals to transform their attitudes towards their own lives and the lives of others.

It is thus important that the prevention of a repeat cycle of violent offending is not only seen in terms of these young men's first interactions with the criminal justice system, by which time they have already



committed offences, but in a truly preventative paradigm, that looks at both the home and the school as crucial environments that need to be supported in terms of addressing the needs, in particular of adolescent boys. Lack of care and supervision, and sometimes violence, in both the home and school environment creates a context of considerable risk for young boys as they reach adolescence and begin to turn towards peer groups for support and affirmation.

In this context, the school emerges as a potentially critical institution for socialisation, care and support. This is an environment that needs to engender hope and above all, if we intend to prevent violence in the future, to help learners, by example and practical experience within the school environment, to internalise a belief in the intrinsic value and sacredness of life, the touchstone of all rights in our constitution. This is particularly important within a context of general deprivation and brutalisation that may lead many young people to devalue both their own and other's lives.<sup>1</sup> Reducing the availability and use of firearms is clearly crucial to such an approach and the need for programmes to specifically address firearm violence, is evidenced by the narratives of these interviewees, many of whom were carrying guns by the time they were 16.

More specifically, recent research on youth violence indicates the critical importance of strengthening schooling and the learning of key cognitive functions and skills. Research indicates that many young people leave school when they begin struggling with their education. This may in some instances be a result of these learners' own cognitive inabilities, but has been shown to be significantly compounded by very poor teaching of basic subjects, as well as inadequate skills to support learners through any learning difficulties.

Thus, after-school care that includes homework support, remedial lessons for those who need them, and a variety of sports, arts and cultural activities are an essential support for working or dysfunctional families, or those parents who are simply unable to support their children's educational activities and homework due to their own lack of educational backgrounds. In this regard, parent support programmes, possibly particularly focusing on the challenges of managing adolescent boys, could be extremely useful, particularly for the many female headed households in South Africa, where mothers often seem to be extraordinarily disempowered in terms of exercising authority over their young sons. The importance of male role models that demonstrate non-violent ways of being a "real man" and support for the involvement of such male role models, whether fathers, uncles or others in the upbringing of boys cannot be overemphasised and would be a critical intervention in support of effective parenting that could potentially reduce "delinquent" behaviour among adolescent boys.

Moreover, it is evident from these interviews that most of these young men started truanting from school long before they left school completely and became engaged in habitual criminal activity. There-

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<sup>1</sup> A programme in the city of Bogota in Colombia, Latin America, successfully reduced homicide rates higher than those in South Africa by running a programme entitled, "Life is Sacred", which was premised on the belief that the right to life is a fundamental prerequisite for all other rights.

fore, truancy from school needs to be seen as an early warning sign that schools need to assist parents to deal with, possibly through the employment of social workers as truant officers. Other support that could be provided through the school includes much more widely available substance abuse treatment for adolescents, as it is evident from these interviews that many young boys are already involved in a cycle of substance abuse from early adolescence, which, combined with their youth, and lack of emotional maturity, significantly exacerbates the potential that they will commit violent acts.

Critically in the light of the fact that all these interventions are intended to assist in the prevention of violent offending, the anger management courses that many interviewees attended while incarcerated and the significant value they appeared to have drawn from these courses, which they felt had provided them with the skills to manage their own anger and aggression as well as that of others without resorting to violence, indicates that the widespread introduction of such programmes at early high school level, as young boys begin to grapple with their own and other's aggression, could be a critically important intervention to equip them with the skills needed to manage conflict without violence, skills which are currently rarely modelled for them in the home, school or community environment.<sup>2</sup>

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<sup>2</sup> Research on offender rehabilitation has indicated that the most effective interventions are cognitive-behavioural in nature and address anti-social attitudes, feelings and behaviours and attitudes, and promote anti-criminal peer associations, increasing self-control and self-management strategies, developing pro-social skills and resisting substance abuse (Andrews et al. 2001: 301). Further research would have to be done as to the most effective means of teaching these skills in the school context.

## 7. CASE HISTORIES

### 7.1 Case history 1: Fortune

Fortune is a 29-year-old man who was interviewed at the Johannesburg Central Prison, where he is serving an 18-year sentence for murder. He has served five years of his sentence.

Fortune was born in Soweto, the oldest and only boy in a family of five (his four sisters were in fact his half-sisters, and he lived with his mother and step-father). Around the time he completed the second grade, his grandmother died and he was sent to live in the Transkei for four years before his mother brought him back to Gauteng. He then lived with her for four years, but failed repeatedly at school. His mother sought an explanation for this from a sangoma, who told her that his grandmother was calling him to become a sangoma. If he was to begin passing at school again, he needed to complete a number of traditional rituals to release him from his grandmother's call. These rituals were carried out, but his mother also returned with him to Soweto to live with her father, sister and her sister's children. This was not a happy situation: there was conflict between family members, and they needed to rise early – at 4am – in order to get all the chores done in time to get every one off to school and work in time. Fortune took on the bulk of the household chores, despite his being the only male child in the household. He describes how this interfered with what he perceives as a normative transition to dating amongst his peers: he was busy doing chores while his peers were beginning to date. At the same time, he had a problem with his eyes so that they were red all the time, and he was constantly teased about smoking dagga, until at the age of 17 he decided he might as well give some substance to the rumours and started smoking cigarettes.

Throughout his childhood, his father was not in the household. He saw him from time to time, but was aware that his father was engaged in criminal activities. In fact, he remembers visiting him in Johannesburg Central Prison. On occasion, his father got him involved in selling stolen goods.

Around the age of 18 or 19, his older cousin got involved in crime. Fortune clearly remembers an incident where two of his cousins came home with guns, then shortly thereafter went out and very near the house got involved in a shooting incident in which two people died, resulting in one of his cousins being on the run and the other arrested. This sentinel incident seems to mark the start of his career in crime; he remembers it as the moment when he realised that he needed a gun to be successful in crime. His mother had taken the gun his cousin had used earlier but unfortunately had only hidden it in her wardrobe, where he found it easily. Together, he and a friend used it to threaten a stranger at a bus stop, and took his jewellery and bag. This was the beginning of a crime spree that paid for dagga and mandrax, and for taking their girlfriends out and buying them gifts.

However, at the point at which Fortune committed the murder for which he was incarcerated, he was living a far more settled life. He had turned away from this life of crime, and had a steady girlfriend with

whom he was living. Both of them worked, although it seems from his story that his work was not as demanding as hers, because he took responsibility for the cooking so that she could “just relax” when she got home after work. Unfortunately, a “friend” borrowed his gun and then sold it, but lied to him, telling him that he had lost it. Fortune later came across his gun in the hands of others who revealed that it had been sold to them by his “friend”. Later, he and some acquaintances were drinking, when in came the “friend” – and the story was well known to all there; Fortune felt that he would be seen as weak by all if he did not take definitive action, and so he shot his “friend”. He now regrets this action and still has nightmares about it, several years later. He intends to ask forgiveness of the deceased’s family as well as of members of his own family that he feels have been affected by his action.

This is, however, not his first murder, his first prison sentence, or his first arrest. He has killed before in the course of committing crime, but this is the first murder that has bothered him, perhaps because he knows the victim and the consequences are so immediate to him. His earlier prison sentence was for theft from a supermarket. His first arrest was for rape (on his report, a girlfriend willingly spent the weekend with him but her parents insisted that she lay a charge of rape), and then he was later arrested for housebreaking and for being in possession of a gun. In both these later arrests, the charges were dropped.

In prison, he is working as a cleaner, and is also enrolled in school. His mother, sisters and aunt visit him regularly in prison. In terms of what he has learned in prison, he says he has learned to be patient, since one must wait for every little thing in prison; and to live with others. He is grateful for what prison has taught him, and feels it has saved his life: if he had continued along the path he was taking, he says, he would have died, but now he has had an opportunity to change and he wants to take it.

## **7.2 Case history 2: Sunny**

Sunny is a 32-year-old man who was interviewed at the Johannesburg Central Prison where he is serving a 20-year sentence for robbery with aggravating circumstances. He has served four years of his sentence.

Sunny grew up in Maputo, Mozambique. By his account he grew up in a large caring family of nine siblings. His father was a priest and did not drink alcohol. Some of his family members are educated. He recalls that while he was growing up some of his siblings were at university. However, it appears that he grew up in considerable poverty. He would fish with friends in order to have food for lunch while at school. As he explains, “Iesh, my life in general was just difficult. I did not have any uniform or shoes or pencils”. Sunny believes that poverty was the primary driving factor behind him becoming involved in crime, “Yes, if my family was not so poor I would have went to school, I would not be here [in prison] today”. He is the first member of his family to have become involved in crime but it appears that his family have not rejected him and still come to visit him even though they live in Mozambique and he is imprisoned in South Africa.

Sunny explains that he struggled at school and decided to leave in Standard 6 (Grade 8) to get a job. It appears that it was at this time that he became involved in crime through a peer group in his neighbourhood. He was not close to his peers at school but emphasises that they were not involved in crime, it was his “friends” in the neighbourhood where he lived that introduced him to crime. He left for South Africa at the age of 18 or 19 because an uncle of his lived here. His uncle was only two years older than him and they had grown up together. He saw him as a role model. According to Sunny, “they helped each other and got along”. When he first arrived in South Africa he had another mentor, an elderly man who took him in, taught him Venda and gave him piece jobs. As Sunny explained, “He liked me a lot. He had a good heart”. When the piece jobs “ran out”, this elderly man organised Sunny a job at the municipality where he explains that he “worked nicely”. He was again taken in by another mentor, a fellow countryman who, “who took me in as his son then we lived together”.

Sunny’s life appeared to settle into a stable routine of “work, home, work”. However, there were problems in his relationship with the mother of his child whom he met and had a child with when he was 20. Sunny explains that she was older than him. According to Sunny she initially pursued him but “he was not interested”. However, they then “fell in love” and had a child. He asserts that he “loved my child”. Problems started to emerge when his partner wanted to have another child. Sunny explains that, “I didn’t want anymore children because I didn’t have any money”. At the same time he paints a picture of a middle class lifestyle, “we found a place to live, we were buying furniture from Lewis, we even had a Citi-golf...we rented a townhouse. It was just cool life, even neighbour were surprised that I am in prison”.

Suddenly, apparently out of the blue after he had left their home for work one morning, “the family court people came to where I work, about maintenance. They said my girlfriend had reported me and that I had to go with them, I didn’t want to but they forced me”. His girlfriend had apparently claimed that he did not pay for groceries. He protested that he paid for crèche for the child as well as food and that he would leave work at 4pm to fetch his child. Sunny explains, “I was very surprised by all of this and asked myself why didn’t she tell me what the problem was. So from there she left me, she left with my child. She disappeared but was busy running up and down with boys”. However, Sunny acknowledges that when he got the Citi Golf, he “started visiting girlfriends and would come home very late”. He also explains that he and his the woman he lived with used to have “fistfights”, which he accounts for in terms of the fact that he was “very young” when they got involved. Sunny continues to harbour anger towards the mother of his child who tried to come to visit him in prison but whom he turned away because he heard that she had had a child with another man.

After he and his girlfriend split up, Sunny set up a ‘business’, in which he bought smashed cars, built them up and then sold them. This is when he became associated with the criminal world again as he would, “even buy cars from robbers”. While Sunny denies that he was involved in any other criminal activities except for the one for which he is currently imprisoned, he casually mentions that “I only got involved in some light criminal activities, especially when we were drunk. I mean I remember one time

we went to a nightclub and there was a guy who wanted to take a girl by force. We interfered with guns and we started shooting around”.

Although Sunny claims in his interview that it was poverty that drove him to crime, at the time of his incarceration he was earning approximately 300 rand a week or more for overtime. On the one hand Sunny argues that “I am sentenced for something I didn’t do, I mean I never committed a crime but I am in prison. I feel that I have been treated unfairly”. However, he also claims that he doesn’t want to be a “second time offender” and that, “I have always hated crime, even during that time when I was involved in it”.

### 7.3 Case history 3: Vuyo

Vuyo is a 29-year-old man who was interviewed at Johannesburg Central prison, where he is serving a 17-year sentence for robbery with aggravating circumstances. He has served four years of his sentence.

Vuyo spent the first 13 years of his life growing up with his grandmother and mother and three siblings in the Mofolo area of Soweto. Both his mother and grandmother were unemployed so his father who was living in another area of Soweto, Jabavu, came to take him to live with him there. According to Vuyo he did reasonably well at primary school, never failed a grade and didn’t have any problems with his teachers. However, things changed when he got to high school where he started to become involved in criminal activities.

He emphasises that this was not his parent’s fault but the influence of his peer group, “Yes it changed, but it wasn’t about my parents, it’s because I got friends at high school that were bad, we started committing crime”. The group smoked, drank and drugged. However, all this cost money and although Vuyo got pocket money from his parents this was not enough to keep up with his friends. He asked them where they got their money from and “they told me that they steal. I asked if their parents knew and he said no”. One of his group of friends then ‘invited’ him, “to a place – a suburb where he steal and we took things and sold them at the township, then we shared the money, that’s where I started to buy myself clothes”. As in other respondent’s narratives, clothes become a central motif in Vuyo’s story as a symbol of achievement and status, which would enable him gain access to other things. As he explains later in terms of girlfriends, “they liked us because of our fancy clothes”.

Vuyo’s mother was aware of and concerned about the new clothes she saw her son wearing but when she enquired he told her that he had borrowed them from friends. Later his sister found a large amount of cash in his possession. She asked where it came from. At first he lied but then confessed to her and started “sharing the stolen stuff with her” in the hope it would appease her. However, “my sister was very afraid and she wanted me to stop”. Vuyo’s sister’s pleas fell on deaf ears as he was now involved in a double life, “I would leave home wearing school uniform but I won’t be going to school, I go straight to steal”.

Vuyo and his friends were then caught during an attempted housebreaking. However, the woman whose house they had been trying to break into was unable to identify them properly so after eight months in custody they were released and the case was dropped.

A key turning point took place when Vuyo was in Standard 8 (Grade 10), when he got a firearm and stopped going to school. Although he says he did not enjoy what he was doing, he felt unable to stop because of peer pressure, “I ended up not liking it [crime] but I had to do it to please my friends. And show them that I am not coward”. In order to impress his friends he would, “do even more than what they do”.

However, Vuyo does not see himself as a violent person. As he explains:

...all I ever wanted was to have things, nice things like my friends but I never hurt anyone by being violent or aggressive... I've always told myself that I will not fight my victim or try to stab him, never... actually I am not a violent type. I feel for others. Well even after I have taken their stuff and robbed them, I would still feel that eish what I've done is not right. But I will just brush off and say it has already happened and it's over.

Despite his misgivings and fear about the crimes he was involved in, “I would feel very guilty and ask myself why did I do it, I mean I will shake, I will still shake”, Vuyo seems to have been so significantly influenced by his peer group that he ignored his own conscience. As he explains, his group of friends would always want have him with them when they committed crimes as they believed he helped them be more ‘successful’, “I was fast I would lead the way if we had the gun I would be the one holding it... Most of the time when they are with me, things becomes right. Things go well and we will have some money”. This led him into a cycle of compulsive involvement in crime, “I used to tell myself, tell myself that I will never do it again... Next thing it will happen again”. All this to gain the affirmation of his friends, “I used to force myself, you see?... Even, they could see that I was trying to impress them... I have told myself that I want to live a nice life, during my lifetime, you see?... I just told myself I want to be right, and be a man”.

Although Vuyo was armed when he went with his friends to commit housebreakings, he says that he would try and avoid actually committing any physical violence, if they encountered any individuals while breaking into homes. He describes one incident where he and his friends broke into the house of a young woman during the early hours of the morning. While she was afraid that they would rape or physically hurt her, according to Vuyo, he and his friends simply tied her up and gagged her while they took her belongings. While at the time he was deeply involved in criminality Vuyo thought of little but what he would acquire through housebreaking, “I was just focusing on wanting to have things of my own; sound system, money, clothes you see everything I liked... I just wanted it, TV etc”, he soon realised that the material gains from crime were short lived, “that thing only made us even poorer. We ended up realising that we are not succeeding because whatever we got we had to share amongst ourselves, some people would want to sell theirs but myself I wanted to own them and keep them for myself”.

In the final instance of crime, which led to his arrest, Vuyo was again significantly influenced by a friend who came to his house one morning, “because he knows I always have a gun with me”. Although Vuyo’s friend had ostensibly visited him to ask him to accompany him on some errands he wanted to run in the township, he suggested that they take Vuyo’s gun with them, “in case we come across something/someone that will give us some money”.

Although Vuyo was initially reluctant to take a gun along if they were not specifically intending to commit a crime, in case they were stopped by police, his friend persuaded him, “He said ‘but you know that we are broke, I am trying something’”. They then left the house and soon encountered a man and a woman who his friend suggested they rob. However, according to Vuyo, “I said let the people pass, you see? I was not in the mood to do crime, my mind wasn’t there...Okay, I told myself he is my friend, let me go along, I don’t want to make him angry, you see?”. They pointed the gun at the couple, “like all other people they were scared when they saw the gun...sharp we robbed both of them, we got some money, if I can estimate I think it was 300 and something rands”.

Vuyo and his friend then continued on their way. They soon encountered an elderly man who “looked like he was coming from work”, “I thought we were just passing, eish my friend pulled out a gun. Eish, I had to act as well, he just acted, and he didn’t tell me that we are going to approach him, he didn’t tell me we are robbing this one as well, you see?” They got a cell phone, some cash and jewelry from this man, however, unlike their previous victims, this man went to a nearby police station. Vuyo and his friend continued to wander around in the vicinity of the crime. They saw a police van approaching them but initially didn’t believe that the police were coming for them specifically. The police opened fire, they fled in different directions. Both were caught hiding in toilets. Vuyo’s friend had hidden a gun in a tool box, near where he was hiding, which was quickly found by the police.

Now Vuyo feels considerable remorse in relation to incidents of crime in which he was involved, “when I think about it eish I have many regrets. I asked myself what if that was done to my sister or my mother. So I think about them and I regret, I pray for my release and to start afresh”. In particular he feels regret about the distress he caused his parents who continued to be supportive and visit him after he was sentenced, despite the fact that they were elderly and sickly. This feeling was particularly acute at the time of the interview as Vuyo’s elderly father had died a few days prior to his third interview. His mother too had died a year earlier. As he was due to be released soon on parole, he had hoped that he would be released in time to support his sick father, “I used to ask them to please hang in there. I really prayed that they would stay alive until I got released but eish they didn’t”. He was not able to attend either of his parent’s funerals. He blames himself for their deaths, “I am sure that some of the reasons they died and left me is because they were stressed a lot...I caused them a lot of stress. So that thing eats me inside”.

Vuyo has spent eight years in prison, initially in juvenile detention and feels that he has learnt a lot during this period and that it in fact saved him from a destructive cycle of criminality that could have ended his life, “I am actually thankful that I came here because if I was still out there maybe I could have



got hurt or maybe died. So somehow I think that this place has helped me, even though I have stayed a long time but I feel that it has really helped me. So now I am only focussing on my family and changing my life”. He attended life skills courses while in prison as well as an anger management course, which he found particularly useful, “the anger management one I learnt many things about anger. I learnt that anger is a complicated matter that deserves serious attention. It can lead you to serious problems especially here in prison. If you are not careful anger can cause you to act hastily. A small thing can cause you to fight and then you end up in big problems because of a very small thing”. However, his stay in prison has not been without difficulties and in particular he speaks about the sexual abuse of young boys by older men in the prison, including the section where he was initially held as a juvenile when he was first sentenced. He speaks of difficulties of intervening in such a situation:

...so maybe I might come in and try to speak to this older guy to leave the boy alone. I might try to show him facts that this boys is also a man he is not a woman, so I would try to show him because you know this place can affect a person’s mind badly...He might then feel like I am after him and the way he lives his life. Even if I try to explain to him that the boy he wants to take is not that kind. I know him from outside we live in the same street. He might say I am lying and he can start insulting and swearing at me, so in that way I can get offended and a fight might break out.

In general Vuyo feels that he will be easily accepted back into the community from which he came as he “respected” people and was not “abusive”, although he thinks that people probably suspected that he was involved in crime because he wore nice clothes even though he was unemployed. However, he did not commit crimes against his neighbours:

...other people they say it is difficult to reintegrate and feel accepted in their communities. They see them as criminals who are back in the societies. I think such things are caused by people who were hurting and harassing their own communities, so when you come back people hide away their properties even if you are just passing by the street...so you see in that way your name has lost good reputation in the community. So for me I know I won’t have such problems because even my sisters they tell me that many people ask them about me and when I’m coming back and they say I’ve been gone for so long they miss me.

## 7.4 Case history 4: Ebenezer

Ebenezer is a 26-year-old man who was interviewed at Johannesburg Central Prison, where he is serving a sentence of 10 to 15 years for robbery with aggravating circumstances. He has served eight years of his sentence.

Ebenezer was born in Sharpeville, into a family of four siblings. When he was very young, his parents divorced and he was actually raised by his grandparents. He saw his father every weekend. This was a good relationship until his father remarried, when his stepmother seemed unable to accommodate her stepchildren into her new marriage. Sadly, his father died when he was sixteen or seventeen: he was

shot, but Ebenezer does not know how: they were simply notified that his body was at the mortuary. His mother and grandmother were the providers in the household, as his father seems to have been disabled in an accident and unable to work (and hence, by implication, unable to pay child support). The family seems to have relied chiefly on his grandmother's pension, and Ebenezer describes a childhood of much struggle. His emotional relationship with his mother was also marked by broken promises, and eventually she left the household.

He describes a good academic record in the sense that he was passing, although he notes that he did repeat one grade. This he attributes to changing schools when he moved to live with an aunt. However, he does say that he began his criminal career while at school, and although he was passing, he was often playing truant (especially after lunch). He notes that school was very important to him, and it was not friends he made at school who encouraged him to do this, but "township friends"; he took care that the two groups should never meet.

What made crime attractive to him was that it gave him the opportunity to be "grand": access to nice clothing that he would otherwise have no access to – except on the rare occasions that his father was able to give it to him.

In terms of crime, it seems that he was part of a group of associates who would cruise the streets looking for an easily saleable car, and that sometimes they would be contacted by a syndicate to go and find a particular type of car. He taught himself to drive by changing "gears and drive it until we arrive at the township. The more cars we stole, the more perfect I got, that's how I learnt". However, he now feels remorse about his life of theft and wants to change.

## 7.5 Case history 5: Mandla

Mandla is a 29-year-old man who was interviewed at Johannesburg Central Prison, where he is serving a 10- to 15-year sentence for attempted murder. He has served five years of his sentence.

Mandla was born and grew up in Orlando, Soweto, where, according to Mandla there were numerous gangs operating, some of which he names as, 'amatabase, amajapuse, amarambo, amakiss and twice'. He describes them as being involved in robbing and stabbing people. While there were gangs operating in the area, he describes his relationship with his neighbours as close, "They are very nice people, they understood me very well even when I was drunk they knew how to handle me. I would listen to them when they talk to me especially when I did wrong".

Mandla grew up as one of three siblings. Each of the siblings had different fathers. He never knew his father at all. The fact that the siblings were from different fathers caused tension between himself and his siblings. He acknowledges fighting with them and telling them to "go and find their own fathers". However, he claims that despite this they were close and supportive of each other.

Only one of his siblings is still alive, the other, a young woman with two children died while he was in prison, which he acknowledges later in the interview was probably as a result of HIV/AIDS. He felt the loss intensely. She was very ill when he went to prison in 2002 and died in 2005 while he was in prison.

While the three were still at school his sister became pregnant and according to Mandla became the key focus of his mother's attention, getting "nice food" because she was pregnant and leading him to feel that "my mother doesn't love me anymore".

He feels the absence of his father acutely as well, "I know he is alive [his father] and maybe he is old now but I have to find him and know him". Mandla's sense of loss concerns a sense of dislocation from his cultural heritage and ancestry and concerns about his ability to achieve success as a man, "You need to know who gave birth to you because sometimes cultural rituals require you to know your background in specific details. So your ancestors need to know you too, for you to have luck in your life".

In general he appears to have felt a desperate need to know more information about his father and the circumstance in which his parents separated, "I just wanted to know why did he not stay with my mother, what caused their separation. I wanted to know who was right and who was wrong". This need to know about his father caused numerous conflicts with his mother, from whom he would demand information when drunk, which she would then refuse to give him because he was not sober.

Besides the absence of his father, Mandla experienced an extreme level of violence in the home environment including corporal punishment and general violence between family members.

At the age of 14 he decided to leave home and "start his own lifestyle", "I [was] just running away from all those fights. I was afraid that I might get hurt from all that violence... They once attacked us and I lost an uncle because he got stabbed during those fights".

Despite the general violence in the family environment, according to Mandla, his mother was extremely averse to her son's involvement in crime, "she truly hated crime" he recounts. She refused to take money from him that she thought was stolen or allow him to bring stolen goods into her home. She warned him that if he was imprisoned for crime she would not come to visit him. She died without ever having come to visit him in prison.

Mandla explains that he enjoyed school, which he attended until Standard 8 (Grade 10) and had supportive friends but then in his own words, he "got stupid", "I tried raping some other girl, but I didn't go through with it. Thereafter I was on the run, but the following day I went to school but the police came and fetched me from school". He does not elaborate on this incident further.

He also states that he was "never involved in fights at school" but goes on in the same sentence to say, "I only fought once at school and stabbed [someone else]" with a nail cutter over a fight around food.

After Mandla left home he stopped attending school and went to live with friends and his girlfriend in “town”. Here he was introduced to a life of crime, “I met friends at taverns or clubs. We would drink and then go and do crime. They told me that the routine is that we first go out and drink alcohol then go to steal cars or rob somewhere”. Crime became a way of supporting himself, “I started stealing and make a living out of crime I was buying my own food, clothes and all”. He was involved in, “Stealing, robbing and car theft”.

It appears that he was drinking heavily as well as taking drugs during this period. He gave up drugs in 1999 because he says he saw other people getting sick and making “flops” like selling their own household items in order to buy more drugs.

He and his group of friends would target *amashangaans*, referring to foreign nationals because they knew they were illegal and wouldn't report the crime.

He was arrested for one of the first incidents of theft that he was involved in 1987 at the age of approximately 15 when he and two friends “saw a white lady and took her phone”. They were chased by security guards and were caught, “So the madam got her phone back but we remain in police custody for three days”. He was later sentenced to juvenile detention, from which he tried to escape but was apprehended. His mother then sent him to boarding school where he completed his education.

The incident for which he was eventually sentenced for long term imprisonment concerned a hold up at a restaurant. As he and two other men were leaving the restaurant the restaurant owner opened fire on them and they returned fire. When the police arrived on the scene they also opened fire. Mandla and his remaining colleague (the other had fled) returned fire. It is unclear who was killed or injured in this interaction. According to Mandla returning fire was the only option open to them but that their actions were significantly affected by alcohol as they had all been drinking prior to the crime, “if we had not drunk nothing like that could have happened”.

Asked to express how he felt after the first incident of crime he was involved in, Mandla mainly expresses the fear of being caught or of being hurt himself, “Eish it was scary because when you go to take someone else's things you don't know if you might get caught or if that person will be having a gun or what, you see”. In order to overcome this fear, he and his friends would outnumber their victim significantly, usually committing a crime in a group of six.

When asked why he had got involved in crime, although Mandla had clearly left home because of the violence he experienced, he explained his actions in terms of his desire for “fashion” and the need to impress his peer group, both male and female, “in my background my mother was maintaining and providing for us, but I joined crime to impress the guys and my girlfriends. I was also after fashion style”.

For Mandla, rather than a moral or ethical prohibition against crime, his perspective on why crime may

not “pay” is, “that money you can’t enjoy because scorpions will come and take everything away. So in that way crime doesn’t pay”. Nevertheless money gives you power and the ability to attract girls. As he explains, “you know when money is available, it is very nice but when it is not there is not so nice because even the lady I was with. When I had the money she would be very excited to see me”.

However, Mandla also articulates his own moral code around which crimes are acceptable, “Well those [crimes] that were right for me was robbery but what I would never do is rape, I don’t like it”.

However, he eventually decided to reduce his involvement in crime after a friend of his was killed after being involved in a robbery where they, “took someone’s grocery’s and money”. According to Mandla, the man followed his friend home and later in the evening returned with the security company Amapogo to “sort them out”. His friend was killed in the ensuing confrontation. Mandla alleges he was blamed for this killing as well as another incident of rape, “that I never did totally” allegedly because his mother had a longstanding conflict with the mother of the girl who claimed she was raped.

According to Mandla violence is largely provoked by people who resist being victimised, “it will always be in cases where a person gets stabbed, sometimes when you try to steal a purse and a person fights back”.

His first direct experience of violence took place in a bar brawl when he was drinking with a friend who he lent some money to buy beer but who allegedly did not return this money. As a result the two got into a fight in which both were stabbed and injured, however, Mandla contends, “otherwise from there I didn’t injure or hurt anyone because actually I am not a violent person”.

Mandla strongly feels that his life choice have been affected by the absence of his father.

Attempting to explain the context at the time in which he was involved in various acts of violence, Mandla explains, “there are those who do things but are normal but others it seems like they are bewitched”.

Mandla states he is a member of the 26 gang in the prison, which he says “takes people’s stuff by force” (money, dagga, cigarettes). His involvement, he explains, is motivated by the fact that he, “basically like[s] money”.

## 7.6 Case history 6: Smithson

Smithson is a 34-year-old man who was interviewed at Johannesburg Central Prison, where he is serving a life sentence for robbery with aggravating circumstances. He has served eight years of his sentence.

Smithson grew up in the township of Tembisa on the East Rand in Gauteng and is currently serving a life sentence for robbery with aggravating circumstances. According to Smithson, he was arrested for involvement in the killing of a policeman. However, he vehemently denies that he was involved in this

crime, and believes that he has been wrongly incarcerated. According to him, after the police arrested him, he was “beaten up very badly...the pants had blood stains”, as well as hit with a spade and “tortured” to acquire a false confession from him.

Smithson’s primary caregiver was his mother. He never knew his father. His only close male relative was his uncle, however, his uncle does not appear to have played a significant guiding role in his life. As a result of his own lack of fathering, Smithson is particularly concerned to be a good role model to his own 14 year old son, with whom he appears have a good relationship and who visits him frequently in prison. At home he was the oldest of several siblings, whom he got on well with and who he is still close to. According to Smithson, he had a good relationship with his mother, until he became increasingly involved in criminality with a group of his peers that lived in his neighbourhood. His mother was strongly opposed to his involvement in crime and although he tried to ‘help’ her because she struggled to provide for the family by herself, by bringing her home stolen groceries, she would become very angry and scatter the goods around the yard, saying that she earned her own money.

As a result he “stopped doing that” and “only bought nice clothes for myself and my girlfriend”. Therefore, when asked whether family background plays a role in crime, Smithson is concerned to emphasise that unlike some of his peers, in particular one friend who stood trial with him and whose mother actually gave him a gun to shoot his grandmother, in order to acquire her house, his family was different, “my family never encouraged me to do crime. My mother would show me that she didn’t want anything to do with crime”. He now feels an enormous amount of regret about the trouble that he caused his mother while growing up as she warned him about becoming involved in crime but he did not listen to her at the time. She is also now suffering without any financial assistance and he feels remorseful that he remains financially dependent on her to buy him things in prison. As he explains:

My mother is working and she is the sole breadwinner looking after kids at home who have needs like food and clothes you see? And I am also here in prison, I want sneakers, I want so many things you see? Some of them I do get others I don’t you see? I have to accept that situation...because I know all about the problems at home. And again at home they never send me to come to prison. They also never said I must hang around with such people in fact they try to stop me from doing bad things. And now I am coming back to them asking for help now that I am in trouble you see... now I am crying on my mother’s shoulder, the very one who warned me against those friends, life is hard... eish.

However, now he is in prison it appears that Smithson has repaired his relationship with his mother who comes to visit him often.

According to Smithson, he did not struggle at school, but after he became involved in crime with a group of “friends” from the neighbourhood, he would commit crime both after school and sometimes during school hours. As his involvement in criminality escalated, he eventually dropped out of school altogether.

Prior to his current incarceration Smithson had been involved in a wide range of acts of criminality and violence, however, because he had never been charged or arrested for any of these incidents, he was not willing to speak on tape about these activities. As a result the interviewer was obliged to turn the tape recorder off when Smithson spoke about his previous criminal activities as he remained concerned that the information would be used to open new cases against him. Nevertheless, his 'off the record' discussion with the interviewer revealed that Smithson had a significant history of violence and aggression, which played itself out in a variety of contexts, from his relationship with his girlfriend, the mother of his child, with whom, he acknowledges that he would sometimes "lose his temper" to his involvement in a range of violent brawls in taverns, during the course of which in one instance, a female "friend" was killed. He was also involved in committing violence during the course of armed robberies and housebreaking.

At the time he was involved in criminal activities with his group of peers, Smithson would show little remorse about the violence that had been perpetrated and he and his friends would even boast to each other about this violence. As he explains, "We even praise the person who shot a person...So we will say ja, man, you did very well by shooting that one and we will all laugh". However, when he was alone, Smithson acknowledges that he would begin to "regret" and "wonder if that person is still alive or dead". He experienced his criminal involvement at the time as "compulsive" and once he had started he found it very difficult to stop. He also felt peer pressure to continue, "...you ask yourself what will the boys think of you when you stop". In addition there seems to have been some concern for him regarding possible retaliation from the group should he leave, "...some boys are different once you join their scheme it gets very difficult for you to leave or quit".

According to Smithson, the reason why crimes become violent, is because of the early exposure of young people to guns, first as toys and then the real thing:

...today's youth grow up around guns as if they are toys. Even petty crime they commit it using toy guns. And as time goes on the person realises that he needs a real gun. Once he gets a real gun he can shoot to kill you see...

He is particularly concerned about the levels of violence in schools and argues that this is the consequence of the fact that many young people are exposed to high levels of violence in the communities in which they live. As a result of their involvement in violence at school, such children do not get an education and are left with few options but crime:

[you] will find school kids stabbing and shooting each other at schools, you see? It's because this thing are happening in locations in which they grew up in....and you find that older guys are doing bad things in front of these kids and that can make this very same kid to copy this behaviour and go and practice it at school or for this kid to shoot the same older guy and not even realize that what he did was wrong...You see school is a place that should be respected because that's where one gets their education and total maturity... and if you go there and behave in a bad way, where will you go

for your education, which school will accept when you harass teachers and kids, you will end up not having a bright future, you will just be a criminal.

In general he believes that people commit crimes for a variety of reasons:

And there are those who do things because they want to impress other people and there are those who do things because they want to hurt someone, you see and there those who will do thing because they are really determined to do it, you see?

For Smithson personally, his involvement in certain types of crime such as housebreaking appear to have been motivated by racial considerations, particularly the assumption that white people are inevitably rich, as well as a tendency to “dehumanise” white people. However, with hindsight he now realises:

Although I was robbing white people but the truth is that they are also people just like any humans. So going to them and hurting them like that was not right...it was a stupid...because money is all the same, it doesn't matter who is the owner black or white, and it is all the same.

Although Smithson is remorseful about his previous actions, he is absolutely adamant that he is not guilty of the crime for which he is incarcerated. He argues that even his co-accused stated in court that he was not at the “crime scene”. He says that he had poor legal representation at the time as there was no evidence linking him to the crime and although he has appealed his sentence, this was unsuccessful. When he was first incarcerated, according to Smithson he was extremely ill and depressed, even suicidal, particularly as a result of the ‘injustice’ of his sentence, a life sentence for a crime he was allegedly not involved in committing. As he explains, “on my arrival here I was sick. I was sick for a long time because the thing is I don't know why I was found guilty as I don't know of anything and why would they give me so many years that I don't even know where am I going to start and finish this sentence, you see?”

He argues that the wrongful incarceration of people as was allegedly the case in his incidence, can lead to the exacerbation of crime, “If you wrongful arrest someone over something they didn't do when they get out they might tell themselves that ‘because I was jailed for something I didn't do, let me commit more crime’, you see?”

Inside prison, Smithson has kept largely to himself as he describes himself as a “shy” person who did not have a lot of friends, even outside prison. Here he is also concerned about becoming friends with the “wrong” people who might get him involved in criminality in the prison, “I have also decided to live my life alone (here in prison) in order to avoid too many things; I spend most of time alone...This thing of having too many friends might influence you to do things that you never planned on doing, you see?”

However, on other hand, Smithson acknowledges that not having ‘friends’ in prison can make one vulnerable to abuse, particularly when awaiting trial:



...in terms of being on an awaiting trial...when one doesn't know anyone here in prison, the risk of being beaten up is very high, to be abused and all that...especially those people who got there not knew anyone you see? It's easy for anyone to be abused, any abuse from the inmates, you see? Torture...to be treated badly, you will get bullies, you see things like that? Yes, there it's easy to experience things like that.

The two men Smithson stood trial with died soon after they arrived in prison, allegedly of TB, which Smithson asserts was picked up from dirty blankets. He felt a considerable degree of loss as a result of the death of his two co-accused who were also his friends, "You see that one affected me badly, every time I thought about how I am now left alone to finish the sentence, for something I don't even know of. That thing really hurts. I even asked myself 'what is happening?' 'Am I one of them? Am I going to die and follow them or what?'" It appears that Smithson himself also spent a considerable time in hospital in Venda, but it is unclear in his interview what the cause of his hospitalisation was.

In general, although he keeps to himself Smithson says that he gets on well with warders, who have given him the responsibility for "fixing the TV" in his cell, and other prisoners who, "like me very much, many of them like me very much because I am not a violent person, I am not aggressive. So when they see me they just see me as a peace loving person. So they like me very much".

At "Sun City" or Johannesburg prison, where he is currently imprisoned, Smithson alleges that conditions are difficult because there is considerable overcrowding with 130-140 people sleeping in a cell, some in the passages. As a result of the overcrowding, there is a shortage of supplies such as toiletries.

While in prison, Smithson has participated in courses, in particular an anger management course, which he has found particularly useful in terms of learning how to deal with small conflicts in prison. Now, "I always think before I act, I won't hurt anyone". He uses as an example of this a conflict with a cell mate who kept borrowing his writing materials and novels without returning him. Although he acknowledges that he would end up shouting a lot, he states that he was able to control himself to the extent that he would not turn to violence to resolve such situations, "because I went for anger management courses, I now know what causes such things, you see? I can control it. But there are times when I shout and shout because of anger but I never take any action because I know what the results will be". In general though, he feels that there is too much emphasis in the prison on HIV/AIDS awareness programmes as opposed to other programmes such as Life Skills, anger management and parenting courses, which he feels would be of more value to those who are already in prison. In relation to HIV/AIDS programmes that are being offered where he is currently imprisoned, he has refused to participate in them as they are of no value to "people who are already in prison", although he acknowledges that, "some claim to have gotten it here in prison, how I don't know?". When questioned by the interviewer he acknowledges that, "there are people who engage in sodomy here in prison, you see?"

Other than writing and reading, which Smithson enjoys a lot he is also employed in the prison as a gar-

dener and spends most of his time doing this. While he was introduced to gangs when he first arrived in prison, he was warned not to join by friends who said he should not “break the law” in prison if he wanted to be released early. According to Smithson, if you do not “pry into other people’s business” you will not get into fights in prison.

In terms of the future, Smithson says that, “I have also told myself that when I am set free I am going to work hard for those people I know love me, you see?” In particular he is concerned to set a good example for his young son, “I wish to do something better out there, like I have a son you see? I want him to see that his father has changed I want him to be proud of me”. He wants to make his young son and his friends aware of how harsh prison is, the loss of freedom it entails, the fact that you are incarcerated with a variety of different people, including those who have committed serious offences and you are therefore in constant danger.

When he is released he does not foresee considerable problems integrating back into the community, particularly in relation to people who knew him for a long time before he went to jail. However, he is concerned about the reaction of the “new generation” who did not know him before he went to prison and might have heard a variety of rumours about him, “they are going to be told things about me like ‘he is from jail and you should be careful of him’ such influence will take place, you see?”

## 7.7 Case history 7: Nkosi

Nkosi is a 26-year-old man who was interviewed at Johannesburg Central prison, where he is serving a 29-year sentence for hijacking and murder. He has served five years of his sentence.

Nkosi was arrested when he was 21 years old for the crime for which he has been jailed. He was originally sentenced to 24 years imprisonment but while he was in jail an additional five years was added to his sentence for another hijacking case that was opened against him. He expresses considerable resentment about this additional charge and was hoping to appeal it at the time of the interview. Prior to this long term sentence, Nkosi reported that he had been arrested approximately three or four times.

Nkosi was raised by his grandmother until she died when he was approximately 10. He stayed on with his grandfather and elder sister. He is one of three siblings, one of whom appears to be much younger than him (four years at the time of the interview) and the other, his older sister. His mother is a teacher but she appears to have been absent during his early years as she continued with her “schooling”. Nkosi later went to live with his mother but they appeared to have a conflictual relationship during his teenage years. He remembers her withholding his clothes as punishment, apparently because he really liked “fashion”. His mother was aware of but opposed to his involvement in crime and would urge him to stop. His father was largely absent during his growing up years and he remembers fighting with his him when he did see him because he would promise to come and visit but would not arrive. He is aware of

one instance when his father was arrested but did not know the details.

Nkosi appears to have been driven largely by a desire for consumer goods, in particular “fashion”. He started to take drugs while at school, which facilitated his criminal activities. He fought constantly with his mother who attempted to control him by taking away the clothes he valued so much. Crime seemed to him to offer a viable alternative route to independence from his mother.

So when I started smoking dagga, I started skipping school and just concentrating on clothes and money. So that caused me and my mother to fight a lot. So every time we had a fight she would take away all the fancy clothes she bought me and lock them away and claim that it's her money and her clothes. So I decided that it is better that I buy my own clothes, so I did crime to get money for that.

Nkosi became involved in violence early on his life. The first incident of violence occurred when he was 16 years old and Nkosi was involved in an altercation at a tavern where he shot a man dead after he had insulted him in the tavern in front of his peers. He felt pressurised in this context to respond in order to prove his “toughness” in front of his contemporaries. It is notable that Nkosi was already carrying a gun at this age. This man died but no one was arrested and no charges were laid. It appears there was no reaction from the community in general despite the fact that there were numerous eyewitnesses to this incident. Nkosi felt little remorse. He explains however, that the commission of this crime was facilitated by the use of drugs.

It is notable that Nkosi grew up in an environment where crime was normative and role modelled for him by people in the neighbourhood. He saw it as a legitimate response to unemployment and also learnt how crime was committed by observing people in his community involved in crime. While Nkosi acknowledges that there were people in the community who were doing “good things” he cannot explain why he did not choose to follow these role models. In general, he did not see the people who did work in the township as role models because the nature of their work at “ordinary jobs” did not “impress” him. Nkosi himself was never formally employed. Although his mother is a teacher, he never felt capable of emulating her.

While for other respondents there was continuity between various forms of violence, including violence against women, for Nkosi, he appears to have held a personal prohibition against this form of violence, although he once again cannot articulate why he feels this way. While Nkosi initially started his criminal ‘career’ in housebreaking, the risks of being caught during housebreaking were high. Moreover, the expectations of his group of peers around the rewards they should be getting from crime increased and they did not feel that they were achieving an adequate return from housebreaking as they now needed to support a certain “lifestyle”.

Nkosi and his “friends” therefore started to engage in random, unplanned acts of hijacking or attempted hijacking. Lack of planning and experience seems to have led to a number of botched attempts. He

argues that they were primarily looking for jewellery, rather than the cars themselves. One incident of hijacking he describes appeared to have been motivated more by a desire to go home after a long day “loitering around” than a specific objective to target a particular car or individual.

In another incident as he and his friends fled from the scene of an attempted hijacking, they were intercepted by a security guard at a boom gate. Nkosi opened fire shooting the man twice in the chest.

Nkosi’s narrative thus reflects the way in which violence becomes routinised in an individual’s life. As he explains, “you become used to such things” and it does not stop you from committing similar acts again. When asked by the interviewer to specifically explain why some hijackings become violent, Nkosi largely understood this violence as a response to provocation when somebody does not comply with the perpetrator, combined with the ever present fear of being caught, as well as his own professed difficulty in controlling his aggression.

The hijacking case which Nkosi was sentenced to an extra five years for took place in Morningside in 2001 and gives the same impression that it was committed randomly, without a sense of what the outcome would be.

The case for which Nkosi is serving a 24-year sentence concerns the hijacking and shooting of a man who lived in his street. Two witnesses from a car wash in the street identified him as the culprit because he alleges, they knew he was involved in car hijackings and “did not like what they were doing”, “the witnesses were from my home street, I think there was something against me”. While clearly having been involved in numerous incidents of crime, including murder and hijacking, Nkosi, feels an enormous sense of injustice about the fact that he is allegedly serving time for a crime he emphasises he did not do. As he says, “I’m innocent’... I am serving time for something I didn’t do you see”. He feels continued anger towards the two witnesses who identified him, “I hate them but two of them died. (of Aids)”.

It does not appear that Nkosi has taken up the opportunities for education or other forms of ‘self-improvement’ which are available in prison. When asked whether he had attended any courses, Nkosi, exhales and responds, “I have not been free and focussed, I am still stressed by this sentence, so I have not really relaxed and focussed on programmes or school”.

In general he describes prison conditions, his fellow inmates and prison warders as “not sharp”. He resents the authority of the warders, “When they say do this, you must do it even if you think it is not right”.

He smokes dagga, which is being sold by prisoners to relieve the “stress” of being in jail and to control anger, otherwise, “I get short-tempered”, “it is easier for a person if you are smoking because the stress here requires that you smoke, that’s why I smoke because when I smoke I get stress free...even when another prisoner talks to you about things you don’t like you don’t hurry to beat them up you see”.

According to Nkosi, warders are not involved in selling dagga but are complicit because, he argues it

helps them keep control of prisoners because it keeps offenders passive, “officials know that if offenders do not have dagga. Eish they give them problems, they fight and it became difficult to control them”.

Nkosi joined a prison gang when he came to prison because he argues, “if [you] don’t want to be a gangster you find yourself in trouble”. Gang members take people’s money, drugs etc but he has not been targeted because he is not seen as “weak”.

He explains that there are ongoing fights among gang members about “dagga and abafana”. He struggles to explain to the female interviewer what is meant by abafana, and eventually explains it as, “A person that they are living with, like his girlfriend em...umfana...do you get what I mean?”

On the future and the effect of the prison experience on prisoners, Nkosi clearly talking about himself in the third person argues that for some people it may make them stop crime and go out and live a “civil” life but for others “it makes them worse”.

## 7.8 Case history 8: James

James is a 25-year-old man who was interviewed at Johannesburg Central Prison, where he is serving a 15–20-year sentence for robbery with aggravating circumstances. He has served six years of his sentence.

James describes one of the major influences in terms of his choosing to commit crime as being a desire for “clothes, the style, cars, all those things”, even though it seems he grew up in a largely rural area. He and his friends socialised by playing soccer, but the community itself was very violent, with much of the violence apparently fuelled by weekend alcohol binges.

For the first seven years of his life, he lived with his mother, grandmother, aunt and siblings in Roodfontein, and then moved to live with his father and stepmother. This was a gradual process that started with him visiting his father, until it lengthened into his living with his father. However, after some time, his father and stepmother had a child, and he then moved to Mpumalanga, where he lived with his paternal grandmother, his aunt, and a cousin. In that household, only his aunt was working, and economically things were tight. At some point, his grandmother left the household and then his aunt when to live with her boyfriend, and it seems that James was left alone in the home and became ill, dependent on the kindness of neighbours for care. His grandmother moved back after some time, but his father heard of this episode and took him back into the home. Unfortunately his stepmother made things very difficult for him, for instance by not giving him school lunch yet giving her daughter lunch. A neighbour tried to intervene, but with only moderate success.

Around this time, he fell in with a delinquent peer group, and he began to be involved in crime at night. He maintained his school attendance, however. His attitude began to shift, however, and he began to invest more and more of his time and energies into crime.

In 1999, because he was being sought by the police, he left his father's household and moved to that of an elderly female relative, telling her that his stepmother was not treating him well. Through a relative in this household, he got a job as a night watchman, and used this position to plan to carry out a robbery at the house he was guarding with a younger friend. He and his friend waited some time for the owner of the house to return. When he did they hid in the dark, as the man entered James, heavily drunk, started to beat the man with an iron bar until he lay motionless. He and his friend fled the scene, but he was soon apprehended and now faced a charge of murder. At this point, he was in Grade 11.

In prison, he has now completed his schooling and written his matriculation examinations. He has also taken a course in restorative justice, and feels great remorse for what he has done. He would like to apologise to his victim's family for what he has done. He has also taken courses in anger management, conflict management, aggression management, and life skills. Once he leaves prison he would like to further his studies, but fears that he will not be able to afford to do so. He would like to be able to teach people to read and write.

## **7.9 Case history 9: Geoffrey**

Geoffrey is a 24-year-old man who was interviewed at Johannesburg Central Prison, where he is serving a 15–20-year sentence for serious assault. He has served eight years of his sentence.

Geoffrey is from Taung, in the North West Province of South Africa where he lived in a household of ten, with his mother, sisters and small children. He had, however, grown up in a household of three: his mother, father and himself, while his sisters had lived with other relatives. His father had worked away from the household but had come home every weekend. Geoffrey was close to both his parents. Sadly, his father died when he was sixteen, which was a significant loss to Geoffrey; at this point, he began to smoke and drink heavily.

Geoffrey had enjoyed school, but dropped out after Grade 11. He started dating at age 13, and smoking and drinking as well as shoplifting at age 16. He attributes all of these activities to the influence of "bad friends". His father's death led to an increase in his substance use. He had had a steady girlfriend for several though, through many ups and downs, but she ended the relationship because of his criminal activities. At one point she was pregnant with his child, but he suspects that she chose to terminate the pregnancy in order to focus on her studies.

He is serving a sentence for rape, assault and theft in the Johannesburg Central Prison. This was not his first assault charge, but his first conviction for assault. In each case, the charge was for assaulting someone he knew, typically under the influence of alcohol. Similarly, the theft was also committed under the influence of alcohol. He describes himself as an angry person who feels better when he drinks; unfortunately, he also describes incidents in which he reacts very quickly and violently to perceived

insults when he has been drinking (usually using a bottle to assault the other person). He denies the rape conviction, saying that his girlfriend falsely accused him of rape.

In prison, he spends his time attending Bible courses and has attended an anger management course at the prison he was at before he was transferred to Johannesburg Central.

He is concerned about what will happen to him when he is released from prison. He knows that ex-prisoners are not treated well, and that he does not have much education.

## 7.10 Case history 10: Jonathon

Jonathon is 29-year-old man, who was interviewed at Johannesburg Central Prison, where he is serving an 18-year sentence for armed robbery. He has served eight years of his sentence.

Jonathon grew up in KwaZulu Natal where he lived with his mother and, from the age of approximately 15, his stepfather as well as eight siblings including four brothers and four sisters. He was the third of the siblings. Jonathon's biological father died when he was a small child but he did not feel this loss too acutely as he had a very close relationship with his stepfather whom he thought of as his father. Jonathon says that he also had good relationship with his mother but nevertheless mentions that he had a better relationship with his stepfather than his mother who would hit him with a belt when he came home late. However, he does not blame his mother for hitting him and feels in fact it was the right thing to do to 'teach' him how to behave properly, "she hit me hard and made me understand that she was showing me the right way and she wants me to be right and I would understand".

Jonathon remembers that he was "pretty happy" at primary school but that he often did not have lunch money. He mentions that he would "get left behind here and there" in terms of school work. He had a favourite teacher at school who he liked even though he used to "hit us a lot". Jonathon left school in Grade 9 as a result of "financial problems" and because he had "started dating" and appears to have got a young girl pregnant and had to support the child. Since he has been in prison, the mother of his child has died and he has lost all contact with his daughter, whom he last saw eight years ago when he was imprisoned, which distresses him considerably. His daughter was seven at the time.

When he first left school Jonathon's stepfather's son got him a job as a security guard. However, according to him some items went missing during the shift that he was doing and he was arrested, although he does not directly acknowledge involvement in this crime. After being tried for the crime, Jonathon was however, released. He then got a job at a driving school doing administrative duties. However, Jonathon had an argument with the man who had initially recruited him and he left the job. This is when he became seriously involved in crime.

Jonathon appears to have been involved in a significant amount of organised crime, which started with

“smaller jobs” and then progressed to holding up armed security companies transporting large amounts of cash. Jonathon explains that he and the group of accomplices he was committing crimes with would, “always get inside information because you don’t just go and do a robbery without any information”. This information came from a range of sources, from a disgruntled employee who gave them information that they used to follow and rob the owner of a restaurant, “you must find someone who...is not happy with the salary they are getting paid, that’s how a plan is started”, or a specific request that they should hijack a particular type of car for a ‘buyer’, “Maybe you find that a person has a car that is in demand you see?.. So we follow the car along the way we force it to stop and we hold them up and take the money”, or ‘inside information’ on Fidelity security guards transporting money, “you see we also have inside information that there is so much money going to a particular place something like you see?” or ultimately in the case of the crime for which he was finally arrested, information about cash and guns on a farm where he and his accomplices conducted an armed robbery. As he explains of this incident, “we had a person who knew that area very well, too bad that we didn’t find anything... he said there was money and guns”. While Jonathon and his accomplices went to the farm armed, they did not use their guns in this particular instance, nevertheless they were violent, “We arrived there and we robbed them and beat them...The woman got hit above the eye and got 7 stitches”.

Jonathon now feels remorseful about this incident, “if I think carefully now that I am in prison I see that was not the right thing to do” and alleges that he felt this way after the incident, even wanting to give evidence against his accomplices but he was allegedly afraid for his life, “I didn’t feel that good because even the time when we were arrested I wanted to change and become a state witness but now on the one side they will kill me, all those that were accused with me”. However, Jonathon, a former member of the informal defensive structures, Self Defence Units, that operated in South African townships during the pre-1994 period, believes that the government and its failure to provide jobs is significantly to blame for current levels of crime. He specifically blames the ANC for having trained him in the use of guns while he was an SDU member but then not ensuring that men like him who had been trained to use a gun, were employed, “So all in all the ANC is the cause because knowing how to use a gun has sent me to where I am today...”

Jonathon explains in terms of his own situation:

I lived with a woman and what happened is she got pregnant and here I am looking for a job, they tell me about experience, I don’t have experience, they tell you about matric, I’m illiterate, who will employ me? No one, so I will have to sit and think...So you see there is another person who has the same problem as you that’s where crime comes into the picture my brother, that is when you go and do bad things just so you can avoid the situation, you want your family to have a better life, what I will say is that why doesn’t the government give people jobs?

Jonathon argues that his original intention in getting involved in crime was to start a car repair business. However, he also acknowledges that the motivations for crime are also more complex and that often



once people become involved in crime it becomes both habitual and compulsive, an ‘easy’ and quick way to make money:

I think it has become a habit to some people, they enjoy it, to them it feels nice that they are waking up to go somewhere so they can be millionaires, others just enjoy the fact that they are going to a robbery, they do it for the thrill of it and there are some who go knowing very well it’s wrong but the situation at home is not good. There are people who come from homes without a single breadwinner.

Sometimes, involvement in crime is perpetuated by the fact that the ‘spoils’ have to be shared by a number of participants, meaning that each individual only gets a small portion, “it’s not the amount you were hoping for so you will go on and on, others end up dying on the job”.

In terms of his general lifestyle prior to his imprisonment, Jonathon says that he, “smoked marijuana, drank alcohol and loved women”. He would also get into fights when he was drinking.

Jonathon sees his prison experience in a positive light and sees himself as a changed person, “I am not the same person as I came to prison anymore....I am attending church. I do not take grudge. I know I have no right to beat or hit another person. If you do me wrong, tell the warders I don’t want to any more trouble. I just want to be released that’s all”. He says that he “behaves well” and has a good relationship with the warders, even joking and chatting with them. He says he has never got into any fights with fellow inmates and manages his temper, “when I get very angry I just leave it and cool down”.

Jonathon has remained close to his family, in particular his mother during his prison sentence and is not concerned about how they will accept him if he is released, however, he is concerned about how people in his neighbourhood will react, “I am not sure about the neighbours...They are just going to think that I am a criminal; they will say the criminal is back in town”. However, he also understands the possibility of this reaction, “I will really not mind, because indeed I was in prison because of criminal activities so I won’t mind”. In general he feels a loyalty to his community and wants to “prove” to the community that he has changed.

His main concern for the future appears to be in terms of women. Jonathon seems to see women and crime as intrinsically bound up with each other. Talking about his plans should he be released he emphasises, “I just stay away from crime and girls”. He says he used to have many girlfriends because he was teaching at a driving school and when there was a “beautiful girl” he would date her. According to Jonathon women liked him because he was earning well and drove a BMW. However, Jonathon despite his self-proclaimed life as a “playboy” prior to his incarceration, appears to see women in general as intrinsically dangerous, likely to let him down, reject him or falsely accuse him of rape, “You can either contract HIV, or have problems with this person you have a relationship...She can even get me arrested claiming that I raped her when that is not so. By that I can come back to prison for nothing...So that’s why in my mind....no, no women! They claim that they were created for us and we were created for them but I still do not trust that in my mind”.

## 7.11 Case history 11: Walter

Walter is a 35-year-old man who was interviewed at Pollsmoor Prison in the Western Cape, where he is serving 10–15-year sentence for murder. He has served four years of his sentence.

Walter was born in the Eastern Cape. His father worked in Cape Town and was the sole breadwinner of the home. Walter had three siblings: one brother and two sisters. His brother passed away recently. All three siblings passed matric but Walter left school in grade ten because he impregnated his girlfriend at the time. He speaks fluent Xhosa, Sotho and Afrikaans. He eventually married his girlfriend after saving for lobola for a few years, but divorced after nine years because he found out that his wife was having an affair. They have three children together, the eldest daughter who is in grade 11 recently had a baby. All his children live with their mother.

Walter describes his childhood as a happy one although he frequently moved between Eastern Cape and Cape Town with his family. While in Eastern Cape, he and his siblings lived with his aunt and grandmother, while his mother spent most of the time with his father in Cape Town. His grandmother and aunt took care of him and his siblings, while his parents consistently sent money for their schooling. When he was in Grade 3, he and his family moved to Cape Town and Walter attended school there. He describes his life as “hard” during his childhood in terms of making ends meet. But he also remembers the political violence during apartheid and how, at the age of about 10 or 11, he saw someone “necklaced”.<sup>1</sup> During high school, Walter remembers seeing activists tortured and murdered.

He describes his family as “strict” with a lot of pressure on the children not to do anything wrong, as this would embarrass the family, and cause them to be “looked down on”. Walter describes Eastern Cape as “in his blood” and is eager to go back there on release from prison to start his own business in cabinet making, one skill, among others, that he has learned in prison.

Walter worked in a number of security jobs before he was sentenced to prison. He studied A, D and E levels in order to become a security officer. It was in 2002 in the Eastern Cape when Walter was arrested for murder. He had returned to the Eastern Cape to attend his sister-in-law’s funeral, when a few men attempted to rob him. Walter owned a legal firearm and shot and killed one of the men who attempted to stab him. At this time, Walter had a girlfriend and his son was only three months old. In 2004, he was sentenced to 15 years in prison for murder, which he claims was in self-defence. Walter has appealed his sentence a number of times, but all these appeals have been dismissed. The parole board, according to Walter, has minimised his sentence to seven and a half years, which means that he should be released in 2010. While his father and sister visit him in prison, Walter’s mother has a heart problem, and feels unable to visit him in prison.

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<sup>1</sup> Burnt to death by placing a tyre around a person’s body and setting it alight with petrol.

Walter has completed the first two phases of cabinet making, and has also completed a business course while in prison. He's also done 'Restorative Justice' and 'Planning and Development' programmes.

## 7.12 Case history 12: Xolela

Xolela is a 33-year-old man who was interviewed at Pollsmoor Prison in the Western Cape, where he is serving a 15–20-year sentence for murder. He has served nine years of his sentence.

Born into the Nongwe family in Cape Town, Xolela inherited his mother's family name. He was raised by his grandmother, and in fact had called his biological mother "Makazi" (mother's little sister). Although his granny loved him very much, being elderly, she did not have the energy of a younger parent, and he recalls having to take care of himself quite early on, having to do things that his friends parents would do for them, like make his own breakfast, before going to school. She was also someone who tried to teach him the consequences of right and wrong by spanking him from the age of eight onwards. She would explain his wrong doing, listen to his explanation, and then spank him to remind of the consequences of his actions.

The story of his "illegitimate" status, and his absent father, features strongly in his identity. He only met his father, for the first time, at the age of eight. His other three siblings had a different father. He does feel that this contributed towards his being ignored in the family and not being given the attention he wanted.

December was a month he recalls, as a child with mixed emotions. On the one hand, family would visit from the Eastern Cape, or they would visit there, and on those occasions they would eat food that they normally would not eat. This would be a treat, in addition to seeing uncles, sisters, and aunts that he might not otherwise see. On the other hand, it was also a period where the adults would drink a lot, and this was often followed by fights as verbal disagreements became physical. He recalls in particular a fight between his step father and his uncle in 1982, when he was nine years old as a turning point. Violence itself was not unusual in the wider community. He recalls seeing dead bodies, and seeing people being shot and stabbed during fights.

Schooling in Khayelitsha was not an experience he recalls with great fondness. What he really enjoyed was drawing, rather than mathematics. Although he liked the teachers he found himself unable to concentrate on what they would be saying, and would rather draw to occupy himself. Or he would distract the other children. Homework also became a difficult activity to fulfill. Being the eldest child, he had to take care of household chores, including cleaning, cooking and doing dishes. This left him too exhausted to attend to homework at the end of the evening.

Around 14 he started to smoke. He had seen adults at home smoking, and it was common practice for the adults to send him to the shop to buy cigarettes. He also started attending the disco at this age, and would do the "pantsula". This caused his grandmother some concern as she believed the disco would

influence him negatively. He also started smoking dagga around this time. His neighbours sold marijuana, which he had seen in the rural areas of the Eastern Cape during his childhood, but never smoked there. Before that he started sniffing benzene, amongst the “iziyobisi”, the kids who don’t have homes and sniff petrol on the streets. His mother had alienated him because she did not like his friends, whom she described as gangsters. One day she came home and found him with a younger friend at home, who was known as a thief, and she asked both him and the friend to leave the house.

By his early 20s he felt that he had looked for a job without luck, and decided to give up. Whilst he felt he had nothing, he would notice that his neighbours had a lot more, and this made him envious and angry. He also feels angry towards white South Africans, “the Boers”, whom he feels took the land and food and have left black people hungry and poor. He also witnessed political violence and protests in the township. Later he started picking pockets and begging. He also started stealing wallets and would run off with them, resigning himself to his luck: “if I get caught, I get caught”. He felt pride in the decision he had made to stop looking for work, since this was not successful, and surviving through petty thieving and robbery. This pride escalated in him until he killed someone who had “cheated” him of his money. After this, he felt that he had given up hope in life, and that he could do “bad things”. Whilst he had almost seven cases of theft against him by 1991, he had not been to jail yet. Once convicted, he was sent to De Doorns to a C Maximum prison in the Western Cape, and it was there that he killed a fellow prisoner. He describes this as a horrendous experience. He subsequently killed more people in prison.

This shifted when he was transferred to Pollsmoor. Here he encountered social workers for the first time. At Pollsmoor he feels that he has been able to live his “dream”, of being an artist. He feels that divine intervention has saved him, and that his seventeen year jail sentence has been a blessing, to remove him from the negative environment in which he was previously enmeshed, and has exposed him to the creative courses he has taken in painting and sculpting. He has also become a committed Christian while in prison for nine years so far. In addition, he has taken courses in drug and alcohol abuse, and the restorative justice programme has been very helpful. His life, through these courses, and through art, he believes, has been irrevocably changed for the better.

## **7.13 Case history 13: Ahmed**

Ahmed is a 27-year-old man who was interviewed at Pollsmoor Prison in the Western Cape, where he is serving 10–15-year sentence for attempted murder. He has served six years of his sentence.

Ahmed grew up in Belhar, Cape Town. At 19 years old, Ahmed was sentenced to 15 years in Pollsmoor for armed robbery, attempted murder and possession of an illegal firearm.

Growing up, Ahmed describes his father as a drug addict who physically abused his mother. His father was also convicted of rape and spent a few months in prison. His parents got divorced when Ahmed was 6 or 7

years old and his father married another woman. Ahmed is the third child of four siblings: two older brothers, and a younger sister. To date, according to Ahmed, his father has had three wives and 12 children.

When his father left the home, Ahmed narrates how they struggled to make ends meet, especially with all the children at school at the time. They lived with his father's parents (his grandparents) for 3 years, after which they moved to his mother's parents' home, where they lived for 2 years. When he was approximately 15 years old, after the house which his mother was building in Belhar had been completed, the family moved back to their hometown and into their own home. His father, however, sometimes came to their house and would physically beat his mother when she asked for money. On one such occasion, Ahmed, who owned an illegal gun, hit his father with the weapon on the head, threatening to kill him if he hit his mother again. Ahmed felt remorseful about this incident and claims to have forgiven his father for his violence against his mother. His father now often visits him in prison.

Ahmed describes his "must-marriage" to a 14-year-old girl when he was about 18 years old. Because his mother was a "God-fearing woman", Ahmed explains that pre-marital sex was taboo, and this was the reason for the marriage. The marriage did not last however, because, according to Ahmed, he and his wife consumed drugs together. They did not have any children, and his ex-wife is now remarried.

Ahmed left school in Grade 5 – he was 16 years old at the time – because he became involved in "gangster activities" which included using and selling drugs like mandrax and marijuana. Ahmed describes his mother as angry when she found out about the drugs. Explaining that he had been "indoctrinated" by others who had been released from prison and come back home, Ahmed spent every day with friends who were gangsters, many who died because of violence. Ahmed too had been shot in the head and almost died during this time: "I could never see what I was doing...[f]or me, it was like playing Cowboys and Crooks." At 17 years old, Ahmed was arrested for the first time. He and a friend stole and sold cabinets. He spent a year and a half in Pollsmoor Juvenile section, and says that although he wore a tattoo, he was not part of any gang. He continued using mandrax and marijuana, which the prison guards gave to him from people outside of prison. The guards, according to Ahmed, accepted bribes of money, alcohol and food in exchange for the drugs. Ahmed was sent to Malmesbury prison, then to Drakenstein prison because he was involved with gangs. At the same time, however, it was at Drakenstein where Ahmed was exposed to another offender who regularly prayed and practised Islam. He admits feeling "worried" because of the way he was living his life. He joined the man in praying regularly and tried leaving the gang. After Drakenstein, for a year and a half, he was in Brandvlei prison prior to being sent to Pollsmoor. It was at Brandvlei where he describes prison guards often getting stabbed by in-mates who were part of gangs. It was also at Brandvlei when Ahmed got involved with the 27s gang again, and stabbed a prison guard. Ahmed explains that the 15-year sentence was a long one and that he joined the gang in order to not be on his own (for protection) inside the prison.

In retrospect, Ahmed claims that he has never been happier; that his imprisonment has taught him to take control of his life. He began practicing Islam while in prison, and narrates how he is thankful to

“the man from above” for putting him in prison: “I did do it, the crime, and if it wasn’t for this crime I committed, then I probably would’ve been dead a long time already.”

Ahmed’s parents, grandparents and siblings continue to visit him in prison. His eldest brother has just been released from prison where he was convicted for car break-ins and theft. Ahmed tries to live a religious life, does not use drugs, and wants to focus on taking care of his mother when he is released. He does religious artwork in prison, and sells them to people outside of Pollsmoor. He is currently in Grade 9, and is struggling to pass all the subjects. He hopes to be released in 2010 after he appears before the parole board in March 2009.

## 7.14 Case history 14: Fazel

Fazel is a 30-year-old man who was interviewed at Pollsmoor Prison in the Western Cape, where he is serving a 7–10-year sentence for murder. He has served three years of his sentence.

At the age of 13, Fazel decided that “life was getting too hard”, and he decided to leave school to get a job. He never went to school again. Raised by his parents, both of whom have since passed away, he found casual employment at a local fresh produce market in the Athlone area of the Cape Flats. His mother’s death, he believes, was brought about by the nervous breakdown she suffered, and from which she never fully recovered. This in turn was the result of the criminal activities of his older brother, and the effects of his excessive drinking. Fazel recalls trying, along with his father, to help her cope, but to no avail. His father passed away three years before his mother. He himself, then already twenty one, had a child of his own to take care of, and a girlfriend to support. She would later become his wife and they would have two children.

In the midst of his adolescence, he developed friendships with gangsters in his neighbourhood, and began to use drugs. His parents had set strict rules against him becoming part of the gangs, but at the age of fifteen he became embroiled in drug dealing and gang activities. Although he objected to their violent activities, they threatened him if he did not take part. In turn, they would often take him to night clubs in the city over weekends, with promises of drugs and girls. Drug use was not something entirely new to him. He recalls watching his father and his friends smoke marijuana at home as a child. His girlfriend quarreled with him often about his drug habit, and about his friends. By that time he had a cashiers job at the fresh produce market, and supported his family and his drug use with this meager income. The death of a friend from a drug overdose, and the effect of the drugs on his physical well-being, combined with the pressure from his girlfriend, led to a change of lifestyle. He tried to avoid certain friends, and cut out the drug use. He cultivated new friendships in an effort to build a better family unit.

His efforts to transform his life were undercut dramatically however. While sitting having drinks with some friends, someone asked him to store a gun for him. Fazel took the gun and hid it in his jacket, and

continued with his socializing. During the course of the evening, his sister's son, seventeen at the time, arrived, and became aggressive with him when he enquired about the gang tattoos he was now wearing. The young man retorted that he had no right to ask him questions and drew a knife on him. During the altercation, after being threatened repeatedly by his nephew, he drew the gun from his jacket, and fired it. His intention, he says, was not to shoot his nephew, but merely to frighten him. He therefore did not aim to hit him. One of the bullets had however pierced the wood of the Wendy House nearby. Inside his cousin was socializing with a group of her girlfriends. One of the girls was struck by a bullet. She was still alive, and rushed to hospital. By this time the police had arrived, and immediately charged Fazel with culpable homicide, a charge that later changed to murder, after the tragic death of the girl. In 2005 Fazel was sentenced to four years imprisonment.

He was 27 years old when he entered prison. During this time his youngest son, three at the time, was hit by a car on a busy road, and is now on a life support system in a children's hospital. Fazel expresses remorse for his actions, and has found solace in his religious practice as a Muslim while in prison. He performs the obligatory prayers five times a day. He has also completed courses in anger, abuse and communication management, and is adamant that he will not place himself in the situations that led to his incarceration, nor will he deal with provocation and aggression in the manner that he was prone to. He says he will stay clear of alcohol, drugs and gangs, and is resolved to focus on taking care of his family when he is released from prison.

## 7.15 Case history 15: Thabo

Thabo is a 23-year-old man who was interviewed at Pollsmoor Prison in the Western Cape, where he is serving a 7–10-year sentence for robbery with aggravating circumstances. He has served three years of his sentence.

Thabo was born in Nyanga East, Cape Town, where he lived with his mother, grandmother and 2 sisters. His father died when he was little. Thabo describes himself as an obedient child, who listened to his parents, and “liked joking with people, making people laugh and be happy.” Thabo relates that he played many sports at school, including rugby, soccer and basketball, as well as sang in the school choir. He was very close to his mother, and often asked her for advice. Describing her as “stubborn with money”, Thabo explains that she often spoke, instead of beat him, when trying to discipline him. He felt loved and cared for by his mother. He also notes that most of his relatives drank regularly, including his grandmother.

Thabo got involved in criminal activities – muggings – in 1998, when he was 13 years old. He claims that he had an older friend who influenced him “to do bad things.” His friends drank alcohol, did drugs and engaged in criminal activities. Thabo left school in 2003, while he was in Grade 10. He explains that his friends who drank and had money didn't attend school, and school therefore kept him

away from these activities. The first time Thabo got into trouble with the law was in Goodwood, Cape Town, on his way home after writing an exam. He and a friend went into a store where they began stealing items. They got caught and were arrested, but the police let them go because they were under-aged at the time.

The first time Thabo was arrested was for robbery in 2002. He was 17 years old and in Grade 7. He was given an “outside sentence”, under his parents care. The second time he was arrested, he was working in a part-time job. He was 18 years old. Thabo and his friends went out to drink, and “decided to rob someone” on the way back home. They robbed 4 people. Thabo explains that he partook in the robbery because he didn’t want to come across as a “moffie” to his friends: “I did not want to be a sell out, so I helped them.” Thabo was unaware, however, that the girlfriend of one of the people he robbed knew his name. She laid a charge, and Thabo was arrested the following day. He was sentenced to 10 years, of which he might serve only 5, depending on the decision of the parole board in 2010.

Thabo narrates how prison is a stressful place, but that it has changed him. He admits to being part of a number’s gang in Pollsmoor, even though he wasn’t forced. He notes that he would have put himself at risk if he hadn’t become a number, being “ordered to run up and down, doing favours for the intsizwa [the boss gangster].” He is no longer part of a prison gang, and is currently studying in prison, playing sport, and sings in the prison choir.

His mother and girlfriend visit him in prison, but it bothers Thabo that they have to spend so much money on transport in order to see him. Thabo notes that “one day when I leave here, I’ll do something special for them. My mother has spent more than R6 000 to come visit me.” He feels that there is no male figure to help at home, since his elder brother is also serving a sentence in Pollsmoor’s maximum section.

Thabo wanted to become a police officer, but realises that this is not possible because he now has a criminal record. He identifies his television hero as John Travolta who, he claims, “has everything – his house is big and he has two planes... I will work and buy myself a house and a car. Even if it is not as big as John’s.” He plans to start a small business on his release from prison and to help the youth stay out of prison.

## **7.16 Case history 16: Zolani**

Zolani is a 23-year-old man who was interviewed at Pollsmoor Prison in the Western Cape, where he is serving a 7–10-year sentence for robbery with aggravating circumstances. He has served five years of his sentence.

Zolani lived in the informal settlement of Samora Machel near Philippi on the Cape Flats in the Western Cape with two brothers and a sister. His parents are separated, and his father lives in Site B, Khayelitsha. He does not recall having a deprived childhood and describes his early schooling years at



a “township school” very positively, as a period when he worked hard, and was “obedient”. He does however recall often being in conflict with his older sister and his mother, both of whom imposed strict rules on him. His two older brothers did not live at home, one was in Port Elizabeth, and the other in Umtata at the time. The oldest brother in Port Elizabeth was in the army, and died while Zolani was in prison. His two children live with their mother in Port Elizabeth.

His mother would go to church regularly, and he recalls going to church often, but not liking it, and having to be forced to attend. He would sometimes runaway when he had to do this. He would then spend time at his friends’ houses. There parents were not as strict, and they could come and go more freely. Young people could enter their houses even when elders were there, unlike at his house, where his friends could not enter when his mother was there. He attributes his mother’s strictness to the fact that his father was absent and she was protective. When he was in high school he would see his father on Fridays occasionally, visiting him at his place of work. He was however never allowed to visit him at his home. On these visits his father would give him money, which he would use for train fare to get to school during the week and for lunch money. Having only met his father when a teenager, the visits remained strained, and they never developed a close relationship. He only knows his father’s clan name, and never called him “father”. His father has never visited him in prison.

Life in the township, according to Zolani meant that you were constantly surrounded by fights and stab-bings. As someone who developed a penchant for “having a good time”, he witnessed significant amounts of violence, particularly during his many late nights out. Whilst this was happening around him, he says that he and his friends did not participate personally in the violence they saw taking place around them.

One day in 2002 he and his three friends were returning from the beach, after a day of drinking, when their car broke down. They decided to hijack a car, both to return home and to acquire cash. The car belonged to a “white man”, who offered them no resistance and stepped out of the vehicle. Unbeknownst to them, the vehicle had an electronic tracking device, and they were arrested soon afterwards. They spent a long time at the police station, and for the first three days he had no contact with his family since he did not want to notify them. His friends’ relatives informed his family. Being strict, they were angry with him and did not come to see him at the police station. He is aware that he severely disappointed them. Three years after the arrest, he was convicted on the 2nd September, 2005 and sentenced to eight years in prison. Upon conviction he immediately thought about his mother, and called her to let her know the news, which she received with shock. He has since served three years and two months of his sentence. At first his girl friend would visit him, but she has since stopped, and he does not feel any resentment towards her for this. He understands that she was angry and disappointed with him, particularly as she had asked him to stay at home with her on the day he and his friends went off to the beach and ended up hijacking someone.

In prison Zolani has come to regret the choices he has made. Friends whom he went to school with have made progress in their lives, whilst he feels he has missed out on much. His experience of prison is

mixed. On the positive side, he has learnt that he needs to put his own needs first, and should not do things to impress other people. This is a pressure he felt very strongly before his experience in prison. He felt considerable need to possess certain goods, like shoes or clothes in order to get the approval or attention of others. He has taken course in prison dealing with personal development and gangsterism. And he has also taken part in the restorative justice programme. He is active in the soccer teams in prison, and enjoys this immensely, and is also a member of the choir. The choir has enabled him to travel where he has competed in prison choir competitions in Oudshoorn, and Limpopo. He has also found new role models in prison, whom he feels are positive examples. The person he particularly admires is the Metro FM radio DJ, Glen Lewis, whose radio show he listens to every day. His hope is that with the courses he is doing in prison that he will be able to look for a job at a radio station when he is released.

His worst period was the three years he spent awaiting trial in prison. Since awaiting trial prisoner are not part of the prison system formally, he explains that there were more robberies and violence between the prisoners because they had no prison record to maintain or to jeopardize. He is still troubled by the number of fights in the prison, by the ever present possibility of being robbed, and by the dominance of the number gangs. While no one is forced to be a part of the gang, he notes that you are much more vulnerable to robbery and attack if you decide not to join a gang. For this reason, he joined the 28s, since he knew members of this gang. Since then he has enjoyed more safety and rights amongst the prisoners.

## 7.17 Case history 17: Nyami

Nyami is a 30-year-old man who was interviewed at Pollsmoor Prison in the Western Cape, where he is serving 3–5-year sentence for attempted murder. He has served two years of his sentence.

Born in Nyanga East, a township in the Western Cape, Nyami was raised by his aunt. Although he had a brother and a sister, they lived with an older aunt of his and therefore they did not grow up together. Both his parents passed away in 1999, however, his father was not a presence in his life prior to that, although his mother was. She would visit him whilst he lived with his aunt, and he recalls her fondly, remembering the love she felt for him.

Nyami completed Grade 10 at a school in the area, and he attributes his achievement at school to the persistent and positive influence of his grandmother. He wanted to be a lawyer or a social worker, but he left school (at Grade 10) because, he feels, he got too involved in drinking alcohol and was influenced by friends he made at the local tavern. He failed Grade Ten and decided to try again, even giving up drinking in order to focus on his studies. When he failed the second time however, he decided to give up school since he would be the oldest in the class. When he was 21 a group of friends and himself were arrested for housebreaking, which, he explains he did because he did not have enough at home to eat. They spent a week in court, and were then released. He grandmother spoke with him, and always

tried to reason with him when she disagreed with something he did. However, the attraction of the life he could lead outside of school was too strong to convince him to listen to her at that time.

While his aunt and grandmother attended the local Baptist church regularly every Sunday, he would only attend when he wanted to, and most of the time he did not want to. He feels this was an act of rebellion. He enjoyed participating in playing soccer rather, but because of the distance they had to walk to the soccer field, this was a challenge too, and he later gave it up.

He describes the community as “people of love” who “lived together like people who care for one another”. On the other hand, he remembers certain experiences of violence quite vividly. An early experience of violence was being mugged by a group of younger kids. He particularly recalls it as a “bad experience”, somehow humiliating, because they were younger than him and he could not take action against them because they had weapons.

Another ongoing experience of violence, which had severe consequences for himself and his family, relates to his uncle. This uncle lived away from his aunt’s home most of the time but would come to the house and beat up the children, based on rumours he had heard about them misbehaving. If one of Nyami cousins, whom he describes as “naughty”, would do something wrong, the uncle would collectively punish all of them. It was this uncle whom Nyami blames for his prison sentence, since it was during a dispute with him that the violence act for which he as in prison had transpired.

His uncle had a reputation for being violent and for spending the family money recklessly when he was drunk. This angered Nyami. After a night of drinking himself, Nyami arrived at his aunt’s house one morning to find his uncle there, embroiled in an argument with another aunt’s husband. He decided to leave and went to purchase some beers, and returned to the house to consume it. He had had a confrontation with his uncle the day before about a pair of shoes that he had just purchased, which his uncle had taken and not returned. After listening to the argument between his two uncles for a while, and emboldened by the beer he had consumed, Nyami confronted his uncle with his history of violence and about the shoes, and rebuked him. Nyami recalls thinking that he was an adult now and “being beaten as an adult was not good, so I had to put a stop to it”. His aunt intervened, pleading with Nyami and his uncle to calm down, but the argument continued. Nyami then observed that his uncle had a knife, and anticipated the older man was going to stab him. Seeing an axe which was used to chop firewood lying close by, he grabbed it and struck at his uncle three times. The wounds were not fatal, and his uncle was able to leave to go home by himself but nevertheless subsequently spent two weeks in hospital. Nyami recalls being afraid that his uncle would die and praying for his life. Two weeks later policemen arrived and arrested him. He pleaded guilty to the charges and was sentenced to a four year prison term. He has since served a year and a half of his sentence.

While his uncle has never visited him, and he fears that he still harbours anger towards him, Nyami hopes to rebuild a relationship with him. In prison he has learnt different techniques to deal with his

anger, and has become involved in the Church, and in using “Christian ways of solving problems”. This often comes in useful in a cell shared by sixteen men, and he now finds talking through a problem a better option than using violence.

## 7.18 Case history 18: Sicelo

Sicelo is a 26-year-old man who was interviewed at Pollsmoor Prison in Western Cape where he is serving a 10–15-year sentence for murder that has been reduced to eight years. He has served three years of his sentence.

Born in Port Elizabeth, Sicelo grew up as the only child in Langa, Cape Town. His parents never married, and his mother took care of him, while his father lived in Port Elizabeth. Although on the same property with his mother’s sisters, brothers and his grandmother, he lived in a separate dwelling with his mother.

Sicelo, describes himself as being “spoilt” by his mother, who seemed overprotective. Sicelo claims that his mother never beat him and because he was the only child, she treated him “like an egg”. When she reprimanded him, she often felt guilty, and then took him out to buy shoes. Sicelo states that his mother never allowed anyone to upset him. Sicelo was not, however, close to his father. Having last seen him in 2002, Sicelo narrates how it was only in the event of a ritual that he visited him in Port Elizabeth: “But I don’t like him... I want to be with my mother, the person who raised me.”

Sicelo became involved in criminal activities in 1998, between 15 and 17 years old. At this point, he had also moved to Khayelitsha township on the Western Cape and started attending high school there. His friends smoked marijuana, but he only began to do this once he’d entered prison. He did, however, drink a lot with his friends and a number of girls in his home, while his mother was working. The neighbours would often complain to his mother. His first arrest took place when he was 17 years old, and he served seven months in Pollsmoor Prison. He returned to school to complete Grades 8 and 9. Sicelo describes the rape of his girlfriend, which took place around this time, as a significant event in his life. She had gone to a party with girlfriends, and all 6 of them were raped by four men. This angered Sicelo, and even though he and his girlfriend remained a couple for a while, he eventually ended the relationship as he could not come to terms with what had happened.

At school, he remembers having arguments with his friends about girls, and this, he claims, led to him dropping out of school while he was in Grade 9. Sicelo mentions robbery and possession of illegal weapons as the offences he committed. He was once arrested for throwing a stone at a couple in a shebeen while with his girlfriend: “Even though the owner laid a charge against me ... it was sorted.” Sicelo mentions that he has a child who is 8 years old.

The incident for which Sicelo was convicted in 2005 involved an argument at a shebeen, where he had an altercation with a boy whom he believes disrespected him by calling him by his first name. The older brother of the boy poured a drink over him, slapped him, and told him to leave the shebeen. Claim-

ing that he “could not control [his] anger”, he proceeded to collect an unlicensed gun from his home, which he says he “picked up from the township”. He did not however go back to the shebeen that day. A week had passed when he claimed to walk into the same man who had slapped him at the shebeen. Sicelo threatened the man with the unlicensed gun, and told him that he was going to kill him. The man grappled with Sicelo to get the gun from him, and during this altercation the gun went off and killed the man from the shebeen. Sicelo claims that he “did not mean” to kill this man.

He currently does welding and art in prison, but describes Pollsmoor prison as very violent both between inmates and with wardens treating offenders aggressively. He does not want to go back to his hometown because he is afraid of being killed outside of prison, by people who hold “grudges” against him. He wants to find a job and take care of his mother and child.

## 7.19 Case history 19: Thembikile

Thembikile is a 27-year-old man who was interviewed at Pollsmoor Prison in Western Cape, where he is serving a 15–20-year sentence for robbery with aggravating circumstances. He has served seven years of his sentence.

Although born in Philippi in the Western Cape, Thembikile, describes himself as coming from Gugulethu township. This is where he grew up with his mother, grandmother and two brothers, one of whom passed away. He is now the oldest child in the family. Whilst his father is alive, Thembikile has never lived with him.

He feels that death and “bad things” have been all around him: most of his family, he observed, are also in prison. His uncle, the current breadwinner for his family, was in prison from 1992–1998, and now runs a driving school. He was involved in a serious car accident on the 23rd January, 2001. In his family, it is his mother that he expresses the strongest bond with. His mother went to great efforts to show him respect, and to guide him towards making good decisions with regards to his life. And for a while, he followed these, particularly with respect to his school, where he describes himself as someone who listened, and who did his homework with compulsion. His ambition at that time was to be a lawyer or a doctor.

However, he was caught and sentenced to imprisonment when he was about to start his final year of school. Thembikile was first arrested in 1998 and charged with housebreaking, at the age of seventeen. His current sentence is for armed robbery. The mother of his five year old son was with him in the car, and she is also currently in prison. Armed with a hand gun (Glock 21) and shotguns, they had hijacked a car from “a white man” in Sea Point. They began by robbing him of his money and then decided to take the car. The man was not randomly chosen. He was the barman and another employee of this bar had explained to Thembikile the procedure for locking up the business and the way in which the days takings were transported in the briefcase of the barman, which he stored in the boot of his car every night. It was around midnight when the barman left the bar. After following him, they stopped his vehicle,

transferred the money from the BMW they were driving to his car, which they then hijacked. Following a tip-off, the police identified the hijacked vehicle near Langa, and a chase ensued, which eventually ended at 1.30am on the 27th December in Mannenberg. There were two other people involved in this hold up but they escaped, Thembikile and his girlfriend took responsibility for the hijacking.

Thembikile attributes his entry into crime to the friends he made in school, who were gangsters. As part of this circle of friends it was difficult for him to not take part in the activities of the group. A turning point for him, the moment when he joined a gang, quite voluntarily, was when a girl in the community was stabbed by a gang in own section of the township. This divided the gangs, particularly two gangs, the Dog Pound and the Moscows.

In the gang there was widespread use of alcohol and drugs. Whilst others used mandrax and “the rock”, Thembikile preferred whisky and vodka. According to him, drinking didn’t particularly affect his behaviour by him making less or more violent, but he acknowledges that this depended on “his frame of mind at the time”. In the gang he describes himself as “just being a soldier”. He was not “a leader” but had to follow orders and instructions. And these he followed strictly, even though he would at times doubt the correctness of what he was doing and the consequences of his actions. On the other hand, he rationalized, since he had chosen to embark on this path, that he could no longer reverse his choices or actions, and the best thing to do was to continue. This was despite the sanction he would receive from friends, from his family, and from elders in the community.

In prison he receives regular visits from his family- his mother and grandmother, his brother and his cousin, and these are joyous occasions. He enjoys sports very much, in particular soccer. In the prison he has made a resolution to finish school, and he is currently completing his matric year. This, he feels, has the potential to give you rewards in life, rather than crime, which he now says will only reward you with “a grave or a prison”. Thembikile is currently doing a class in prison on gangsterism. Doing classes is part of the requirement for being released or being eligible for parole, and he is eligible for parole in two years and four months’ time. His intention, however, is to continue his studies when he is released. His experience of prison has been a very positive one. He feels that, contrary to the image of prison on the outside, he has found that there is respect among the inmates, regardless of age. The only concern he has is the lack of privacy and not being able to be in control of your time. However, he believes that as long as you focus on completing your sentence, and not jeopardise that, prison can be a good experience.

## **7.20 Case history 20: David**

David is a 23-year-old man who was interviewed at Pollsmoor Prison in Western Cape, where he is serving a 15–20-year sentence for robbery with aggravating circumstances, which has been reduced to eight years. He has served two years of his sentence.

David grew up in the Eastern Cape and lived with his mother, stepfather and sisters. His biological father

remarried and lived in Khayelitsha in the Western Cape, but David explains how his stepfather took good care of him. Despite having his needs met, David explains that he began robbing because he wanted money to buy himself clothes. He states, for example, that he couldn't go to girls looking "scruffy/dirty and wearing the same clothes all the time." Punishment for David by his mother would mean not buying him clothing. The robberies meant David could buy clothes, and use the remaining money for drugs – "rocks, crack, tik, candy and dagga." These drugs, according to David, while keeping him awake at night with stomach problems ("gastro"), also pushed him into crime. At one point, David also sold tik.

At school, David fought with other children a lot. He explains how when someone saw him wearing branded clothes, and asked him about this, he reacted by biting them. He also fought with a teacher because he felt he was being treated like a child. He pushed the teacher off a railing and was expelled for this. David states that his classmates were "intimidated" by him because he carried a gun at school. He also took drugs on the school premises.

David has been involved in a number of criminal activities, four for which he had been arrested, although he was only convicted only. In 1999, David and a friend (who has since died) were arrested for being in possession of a (probably illegal) firearm. He went to court but was not sentenced and got bailed out. David was between 13 and 15 years old. He left school a few years later, in Grade 7. At 17, David describes falling in love with a 15- or 16-year-old girl, who he believes played a huge role in keeping him away from crime. But in 2002, David was arrested for stealing a licensed gun, which he used to rob vehicles carrying furniture: "I had told myself that I'd use it to make money. When I had the gun, I'd see money." This incident saw David's mother taking him to the police station in the hope that his behaviour would change. David was once again released on R500 bail. David claims that his mother sold the gun to the police. He also speaks of a different incident when he and friends robbed a (foreign) man at an atm. Claiming that "foreigners are very stubborn", David shot the man in the stomach and robbed him of R8 000 and cellphones. David was not, however, arrested for this crime.

In 2005, at 20 years old, David was sitting with friends, and a few girls, smoking and drinking, when he was arrested. A few weeks before, David claimed that "the influence of the devil came from nowhere", and he and friends hijacked a delivery truck carrying washing machines, microwaves and televisions. They robbed the truck drivers of their cell phones and jewellery, and took a television. On the day of the arrest, the police found David and his friends with (probably illegal) guns. David was sentenced to 16 years, but the sentence has now been reduced to eight years.

David's vision for the future is to find someone to marry, take care of his family and help to keep the youth out of prison. He believes that a girlfriend will help him to stay away from crime, in that she would have a positive influence on him, and keep him away from bad behaviour. He is currently doing Grade 8 and plans to develop skills in woodwork, for instance, in order to get a job.

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# APPENDIX A: INTERVIEW SCHEDULE

## Outline for interviews:

We have 3x90min interviews with the offenders, to be used as follows:

### 1. Perpetrator interviews:

(a) Life histories: To provide a picture of the types of life stories and circumstances that perpetrators of violent crime emerge from and to shed light on questions to do with the role of developmental and risk factors.

(b) Involvement in violence: to engage with questions to do with the specific factors that precipitated the involvement of individuals in acts of violence and how they understand their involvement in violence and the function which violence fulfills.

(c) The experience of incarceration: To reflect on the purposes which are achieved and the value and impact of incarcerating offenders. This may include how prison affects the offender, the daily and weekly routines of prison life, narratives about formal interventions, and violence and other aspects of relationships between prisoners.

### 2. Sibling interviews:

To provide a reflection on the life stories of siblings who, although growing up in very similar circumstances to the perpetrator, and to shed further light on the role of developmental risk and protective factors that might lead to someone making different choices, despite facing similar circumstances, from those the perpetrator made.

## First interview

This schedule will be used as the first interview with the offender, and the same schedule will be used for the only interview with the offender's sibling.

Materials needed:

A4 sheets of paper, and crayons, pencils or pens. Head the A4 sheets "0-6"; "7-13"; "14-18"; "18-29"; the 30s; the 40s; etc.

Say to the participant:

Imagine your life as a train journey. The train travels along the railway line, and makes stops at particular stations. These stations are the important events of your life – times when something important happened, something good or something bad, something that affected your life. The train journey takes place in stages: ages 0–6; ages 7–13; ages 14–18; 18–29; the 30s; the 40s [a stage for each decade of the person’s life]. On each sheet of paper, draw a trainline, and the significant events of your life in those periods.

Note:

The participant may be more comfortable if the interviewer does the drawings, so offer to do that for him; or he may be more comfortable just talking. Flexibility, and ensuring that the participant is comfortable with the method, is what is important here – important life events can be explored and noted, regardless of method.

Give the person about 30 minutes to do the drawings. Then ask him to tell you about each of those “stations”. Here are some areas to explore:

- Family structure (one or two parents, siblings, who else lived in the household).
- Changes in family structure and why (e.g., death, imprisonment of caregivers or siblings).
- Relationships between family members: Who was the person closest to? What kinds of relationships existed between family members? Were they close? Did they fight? If they did fight, was it verbally or physically? Gender of person closest to?
- Parenting styles: How did parents discipline children? Were they violently punished? Were there close, warm relationships between parents and children, or cold, hostile ones?
- Schooling: look for attachment to school, to teachers, to schoolwork; or for their opposites.
- Peer group: significant friends, their criminality, involvement in gangs. Gender of friends?
- Other significant relationships (other than peers or family)?
- Substance misuse: of the person, or of significant people in his/her life. What drugs? Who introduced him/her to drugs? Involvement in selling drugs?
- Employment: Explore employment history and significant reasons for moving from one job to another.
- Neighbourhood: What was the neighbourhood like, the one in which you grew up? Did people generally trust each other? Was there a lot of drugs and crime and violence?
- “Career” in crime [this may not be relevant for the sibling, except for the questions about attitudes]: When did it start? How did it start? Did it escalate over time? What do you think about these crimes – are they acceptable?
- Hopes for the future: Can remember what his hopes for the future were when he was a child? What were they? What are his current hopes for the future? What has changed them (if there has been a change)? How does he hope to achieve these?
- How did the family spend weekends, holidays or other free time? What was “fun” in the family con-

text? Was drinking or violence ever a part of these events?

- Who were your heroes – who did you look up to? This could be someone in your family or neighbourhood, or on TV or in the movies.

Note that you may not be able to explore all of these themes in the interview, but the life events history should make it possible to explore most of them.

## Second interview

This will have three facets to it:

(1) Ask for clarification or extension of anything confusing from the first interview.

(2) Ask the offender to describe experiences of violence growing up:

Many people have either seen violent acts, or been victims of them. Could you tell us about your experiences of violence, either things you have seen, or where people you care about have been the victim, or where you have been the victim? By violence, I don't necessarily mean extreme acts – include things such as parents smacking children, as well as more serious things.

Allow the offender to talk freely, but explore the following areas:

- First memory of violence.
- How did people around him (his family, friends, teachers) resolve differences? Did they argue, fight, seek mediation, pray?
- Exposure to violence at home, at school, in the neighbourhood, in other arenas.
- Perpetration of violence: What is his first memory of perpetration? Has the extent of the violence escalated over time?

(3) What we'd like to do now is to talk about the violent incident that resulted in your being arrested. Could you tell us in detail about that?

Have the offender tell the story in detail. Ask them to start the story at the beginning of their relationship with the victim (if any), and to describe the relationship up until the final event that ended in their arrest and conviction. If the event was committed in a group, they should also describe the relationships in the group. Throughout the narrative of the actual event, they should try to give a moment-by-moment account of facts and their thoughts and feelings. Ask specifically about substance use of both the victim and the offender at the time.



## Third interview

In this interview, the offender should give a history of his experiences with prison. Again, start at the beginning, and explore thoughts, feelings, positive and negative experiences, and positive and negative relationships in prison.

Experiences in prison:

- How many times have you been in prison? Were you ever in a Place of Safety, prison or Special Youth Care Centre (reform school) as a child? Were these imprisonments for acts of violence?
- Explore relationships with friends in these places – what kinds of role models did they provide, ones of deviance or of prosocial behaviour? Experiences of violence with or at the hands of friends? (Victim, perpetrator or witness). Induction into prison gangs.
- Relationships with staff: Were these good, or bad? What kinds of role models did staff members provide? Were they ever violent?
- Relationships with people who visit, and the history of visiting; feelings around that. Pay particular attention to family members and other significant figures: What do they think about the crime itself, and about his incarceration?
- Other opportunities offered in prison, e.g. sport, worship, workshops, etc. What are these? Did he participate? What did he gain? What does he think he needs instead?
- Preparation for life outside: What is offered in terms of rehab and support? It's particularly important to ask this of offenders who've been incarcerated multiple times – what did previous prison experiences do to deter or encourage offending and violence?

# APPENDIX B: INFORMATION AND CONSENT FORM: OFFENDERS

Hello, I am ..... I am from the Human Sciences Research Council. Our organisation is asking people who are serving prison sentences for violent crime, as well as their relatives, to answer a few questions, which we hope will benefit the society and the community at large.



The Human Sciences Research Council is a national research organisation, and we are conducting research regarding the reasons people commit violent crime. We are interested in finding out more about the life history and choices we make as individuals, and how these affect our lives in the long term. We are carrying out this research to help the society, and those who make policy, to better understand how these choices are made in order to make interventions which improve the lives of South African citizens.

We are doing this research in a prison in Gauteng and a prison in the Western Cape. After combining all people's answers, we hope to learn more about violent crime, which will help us compile a report and make useful recommendations to the relevant authorities and organisations.

We will make sure that your name does not appear in the report, and we will keep anything you say in the interview confidential. Although you can talk in general about crimes you have committed in the past, we cannot guarantee confidentiality if you give us the *details* of a crime you may have committed for which you have *not* been charged or convicted, as we *may* be obliged to reveal this information if called on to do so by the relevant authorities.. Please remember this as you choose what to say.

Please understand that **your participation is voluntary** and you are not being forced to take part in this study. The choice of whether to participate or not, is yours alone. However, we would really appreciate it if you do share your thoughts with us. If you choose not take part in answering these questions, you will not be affected in any way whatsoever. If you agree to participate, you may stop me at any time and tell me that you don't want to go on with the interview. If you do this there will also be no penalties and you will NOT be prejudiced in ANY way.

If you agree to participate in the study, I would also like to ask your permission to contact one of your relative for us to interview and we will request the contact details of this person from you. We would like you to choose a relative who has not been to jail, is also male, is close to your age and grew up in the same home as you. We would like to do this because we feel it is very important to get more information from your family about your family situation and the home you grew up in. We also want to understand why your relative who grew up in the same home as you did not get involved in crime. This will help us to understand your story better. However, if you do not have a male relative or do not feel comfortable about us talking to one of your relatives, please say so. Remember your participation in

the study is voluntary and you will not be affected in any way if you decide not to give us permission to speak to your relative. However, if you are unable to give us permission to speak to your relative or do not have a male relative, we will not be able to include you in our research project because we need this information for our research.

If you agree that we can contact one of your relatives and you give us their contact details, we will first speak to your relative to get their permission to interview them. However, it is important to remember that your relative's participation in this study, like yours is completely voluntary. Therefore if your relative does not feel comfortable talking to us, we will not be able to include you in the study. We will inform you should this happen. However, please remember that neither you nor your relative will be affected in any way if either of you decide to not to participate. If you or your relative does participate in this research neither of you will receive any personal benefits but you will help us to understand violent crime and how we can prevent it.

If you agree to participate in the study, I would also like to seek your permission for us to look at the docket for your case. This will help us a lot in our research to make sure that we have the accurate and full information about your case before we do our interview with us. However, if you do not feel comfortable about us looking at the docket for your case please say so. Remember your participation in the study is voluntary and you will not be affected in anyway if you decide not to give us permission to look at the docket for your case. However, if you are unable to give us permission to look at the docket for your case, we will not be able to include you in our research project because we need this information to make sure our research reflects your story properly.

It is easiest for me if I can tape-record the conversation. This recording will be transcribed by someone who will not know your name. The tape recording will be destroyed once the transcript has been completed. If your name is mentioned in the interview, I will remove it from the transcript. There will be no way that anyone will be able to link your name to the answers that are given in the interview. In the final report, I will not be able to link your name to any statements that are given in the report. No one will be able to link you to the answers you give. The information will remain confidential and there will be no "come-backs" from the answers you give.

We would like to do three interviews with you, lasting approximately an hour each. The interviews will take place in the same place at the same time each week, for three weeks. The interviews will be recorded on an audio device for transcription purposes and will be safely and securely stored. I will be asking you a number of questions and request that you are as open and honest as possible in answering these questions. Some questions may be of a personal and/or sensitive nature. You may choose not to answer these questions. I will also be asking some questions that you may not have thought about before, and which also involves thinking about the past or the future. We know that you cannot be absolutely certain about the answers to these questions but we ask that you try to think about them. When it comes to answering these questions, there are no right and wrong answers. If I ask you a question which makes

you feel sad or upset, we can stop and talk about it.

We have also made arrangements with Centre for the Study of Violence and Reconciliation (Gauteng)/ The Trauma Centre for Survivors of Violence and Torture (Cape Town) for you to have between one and three meetings with them at the prison if you would like to discuss your feelings about the interviews privately, after we have finished interviewing you. If you want further counselling support after these three sessions, we will refer you to the Department of Correctional Services' counselling services and put you in contact with a social worker or a psychologist.

**Questions**

If you have any questions about this research, you may contact the following people:

Dr Catherine Ward 021-466-7882

Mr Suren Pillay 021-466-7837

Ms Vanessa Barolsky 021-302-2824

Questions about your rights as a study participant, comments or complaints about the study also may be presented to the Research Ethics Committee, Human Sciences Research Council, Cape Town. Contact: Ms Jurina Botha, Secretary, HSRC Research Ethics Committee: 012 302 2009 or telephone 0800 212 123 (this is a toll-free call if made from a landline telephone; otherwise cell phone rates apply).

**CONSENT**

I hereby agree to participate in research regarding violent crime. I understand that I am participating freely and without being forced in any way to do so. I also understand that I can stop this interview at any point should I not want to continue and that this decision will not in any way affect me negatively.

I understand that this is a research project whose purpose is not necessarily to benefit me personally.

**Signature of participant**

**Date:**.....

I give permission for the relative I nominate to be contacted for this research project and undertake that my relative will not suffer any harm from me if they decide **not** to participate in this research.

**Signature of participant**

**Date:**.....

I give permission for the HSRC to look at the docket for my case so that they can have the full and cor-

rect information about my case.

**Signature of participant**

**Date:.....**

I also understand that my answers will be recorded.

**Signature of participant**

**Date:.....**

I have received the telephone number of a person to contact should I need to speak about any issues which may arise in this interview.

I understand that this consent form will not be linked to the questionnaire, and that my answers will remain confidential.

I understand that if at all possible, feedback will be given to my community on the results of the completed research.

.....

**Signature of participant**

**Date:.....**

[This introduction and consent form as well as the questionnaire will be translated (and back translated) into the first language of participants].