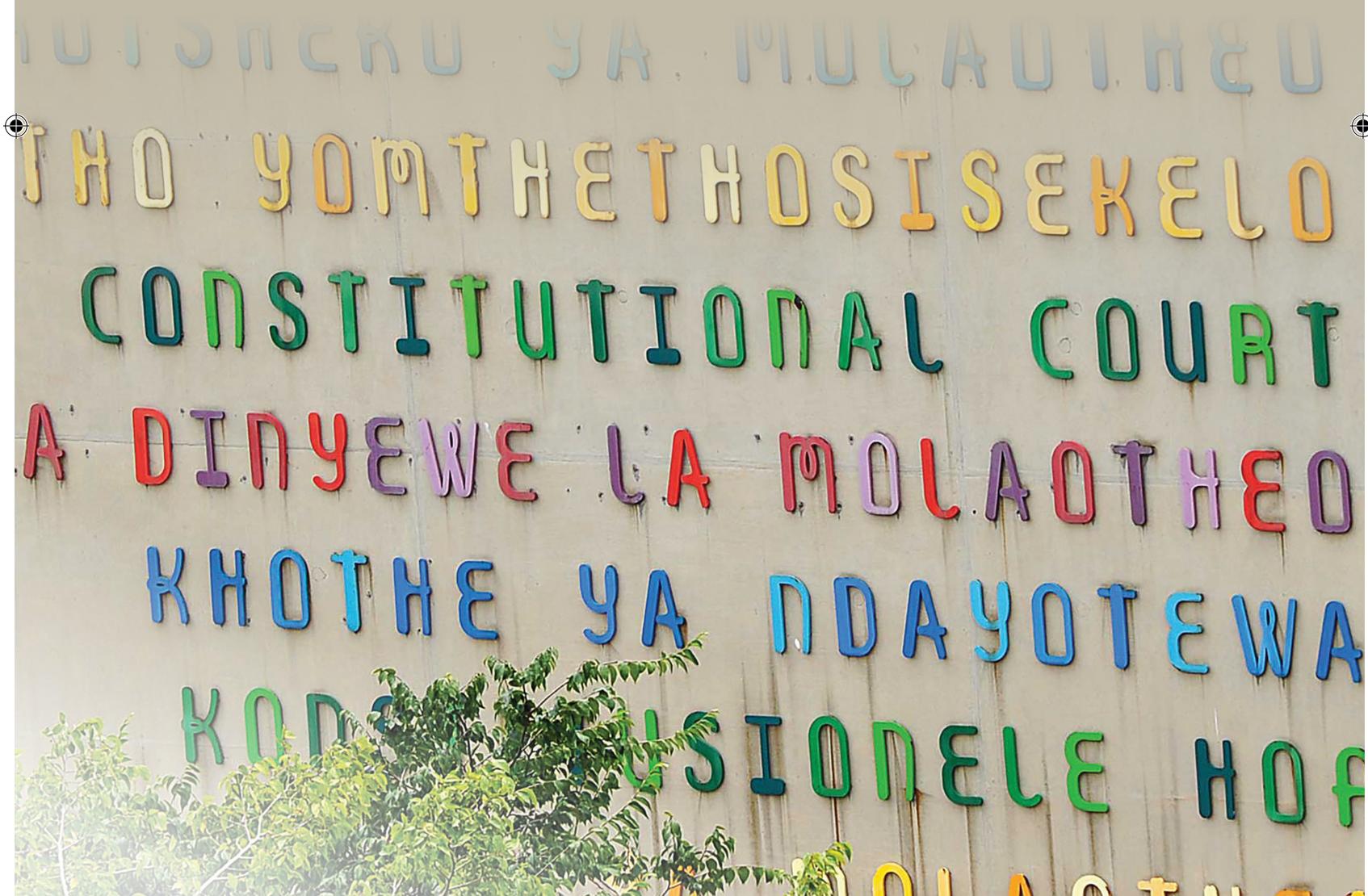




Peace, justice and strong institutions

SDG 16: Promote just, peaceful and inclusive societies



www.research.uct.ac.za/research-report-2015-16

Gang violence exposes truth about lost generation

The Cape Flats is aflame yet again. The body count is climbing, as the gangs square off in yet another unwritten chapter of this interminable war.

Six-year-old Saadiqah Lippert died outside her granny's Athlone house, when she was caught in the crossfire between two warring gangsters.

The month before, it was eight-year-old Mbulelo and 15-year-old Linathi Ngcwanga, in Nyanga.

The protagonists are almost always young men, many still in their teens; warriors in an urban jungle where the police are often scared to enter – at least, not without tactical equipment, armoured vehicles and reinforcements.

That helps to explain why Cape Town, lauded as one of the world's most beguiling destinations, is also one of its deadliest.

But the headlines don't tell the whole story.

Don Pinnock will tell you the gangs aren't the problem; they are only symptomatic of a phenomenon that affects every one of us.

It's a story of a lost generation, of unloved youths who become young adults who are not just unemployed, but unemployable.

They teeter on the edge of the abyss, threatening to pull down the entire edifice around their ears. But there is hope. The situation can be reversed.

This is the central tenet of Pinnock's latest book, *Gang Town*: a searing, methodical study of the gang crisis in Cape Town, distilling 36 years of research, and forays into the ghettos and shacklands of places such as Mitchell's Plain, Lavender Hill and Khayelitsha, in a bid

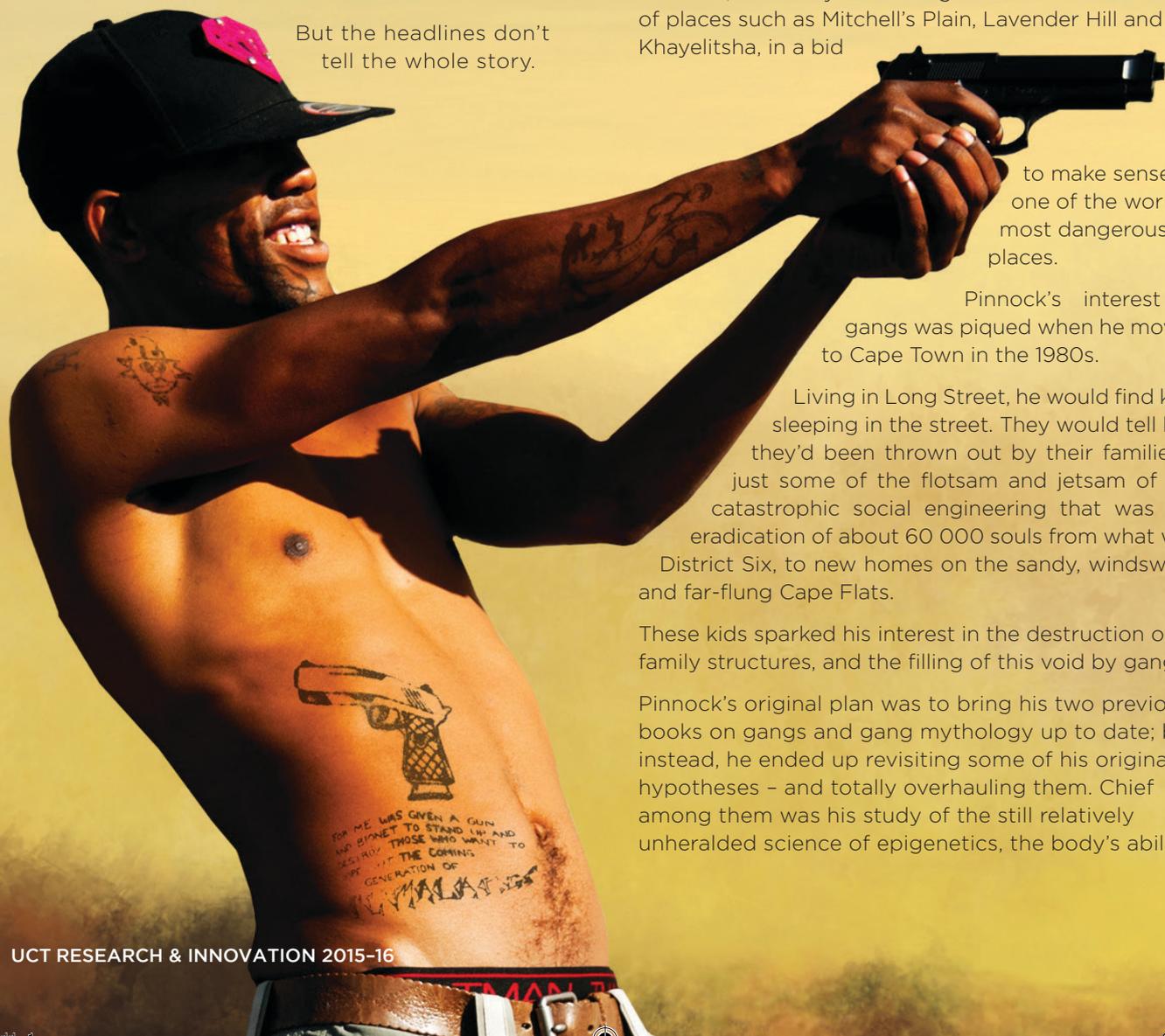
to make sense of one of the world's most dangerous places.

Pinnock's interest in gangs was piqued when he moved to Cape Town in the 1980s.

Living in Long Street, he would find kids sleeping in the street. They would tell him they'd been thrown out by their families – just some of the flotsam and jetsam of the catastrophic social engineering that was the eradication of about 60 000 souls from what was District Six, to new homes on the sandy, windswept and far-flung Cape Flats.

These kids sparked his interest in the destruction of family structures, and the filling of this void by gangs.

Pinnock's original plan was to bring his two previous books on gangs and gang mythology up to date; but instead, he ended up revisiting some of his original hypotheses – and totally overhauling them. Chief among them was his study of the still relatively unheralded science of epigenetics, the body's ability



to develop structures in utero and shortly after birth to enable it to survive in a hostile environment.

His thesis is that the embryo is formed by three distinct information systems: the father's DNA, the mother's DNA, and the environment in which the baby finds itself, both before and after birth – particularly when the mother is living in a high-stress and dangerous environment, probably taking drugs, not getting enough to eat or enough sleep. The end result, he believes, is a child growing up with a predisposition towards danger, drugs and gangs.

"The brain is saying 'build more dopamine, the high-stress stuff, be alert to danger, boost the warrior gene'," says Pinnock.

It's a thesis, he says, that "collapses the dichotomy between nature and nurture" – and, he grins, "puts a lot of strain on Darwinism.

"At the heart of the gang problem there might be a health problem," he says, "a higher propensity for risk-taking, using drugs, being violent."

Fatherless homes

The problem is exacerbated by the fact that most of the children are growing up in fatherless homes, which leads boys, in particular, to carry a sense of shame with them into adolescence. "They wonder: 'What did I do to make my father leave me?'"

This father-love to which they aspire is often found in gangs, where they act out their impulses even more violently to gain the approval of the gang leaders who fulfil that fatherly role.

Their drug use, too, Pinnock argues, is not purely addictive, but rather driven by the quest for a 'chemical hug', a temporary and fleeting replacement for the emotional attachment they've always craved, but never received. Drug use, he says, is driven by the user's innate sadness.

Pinnock's studies, this time, took him from the gangs themselves to a deeper study of adolescence and delinquency, given that most of the gang members were school drop-outs from broken families.

Delinquency, he found, was a natural state of all adolescent progression through to adulthood; indeed, the absence of it in an individual is actually the aberration, not the other way around.

The difference lies in the duration of the delinquency,

and its scope. Youths who grow up in relatively stable family units, where grandparents take on the parenting roles of extended families, and where they are loved, could turn out very differently to the kids next door – even graduate from university, while others are shot in the street as teens.

And to make matters worse, the entire system perpetuates the cycle. He reels off the statistics: a third of all Cape Town children are cared for by a single parent; a quarter have a parent or sibling who has been jailed; 15% lived in a household that had no working adult.

Don't get him started on education. "(Some) 317 331 kids on the streets don't get to matric - and that's just in Cape Town."

All of this pushes youth into gangs, where there is an outlet for their energies and rituals that give them acceptance, status and respect.

Cape Town, says Pinnock, has a youth problem of which gangs are a natural consequence, not the other way around.

Common-sense solutions

Pinnock's book also has solutions. Some of them are controversial; others, plain common sense. Like rethinking crime and punishment, instead of sending delinquents to prison to emerge as proper, hardened criminals; rethinking education towards creating young adults who are actually employable – particularly those who do get sentenced to jail; bringing back community nurses to do home visits to help young mothers raise their babies properly, particularly in the first few months after birth.

Pinnock's more controversial call is for the decriminalisation of drugs. He cites the success of Portugal in this regard, where levels of addiction were dramatically reduced and the market for illegal drugs eradicated – freeing police resources to pursue serious crime, while treating drug addiction as a health issue, not a justice issue.

Breaking the lure of the streets can only be achieved, he says, by giving young men back their identities and sense of self-worth. 

By Kevin Ritchie, Saturday Star.

Images from Gang Town. Gang Town by Don Pinnock is published by NB Publishers. Read an extract.



Are our media holding our institutions accountable?

The media are often seen as having the potential to contribute to social progress on a number of levels. These contributions can be linked to several of the United Nations (UN) sustainable development goals (SDGs). The role that the media can play in deepening democracy, for instance, is often held up as an important justification for allowing the media freedom to criticise politicians and officials. The media are therefore seen as an important democratic institution that can contribute to SDG 16: the promotion of just, peaceful and inclusive societies, writes Herman Wasserman.

The idea that the media can act as the 'fourth estate' in society by acting as a watchdog over corruption and abuse of power is one that is entrenched in journalistic norms and in the popular imagination. The amount of space and airtime that has been given to the money spent on President Zuma's Nkandla homestead is a good example of this type of journalistic work. According to this view, such reporting can assist democratic societies in reaching particular targets of SDG 16, such as 'Substantially reduce corruption and bribery in all their forms', and 'Develop effective, accountable and transparent institutions at all levels'.

Despite the media's claims to making these contributions to the deepening of democracy and the development of society, there is often disagreement about how well this ideal is translated into practice. Furthermore, there is much controversy around exactly what these roles should entail in the first place. For instance: what should the relationship be, exactly, between the media and government? Should a different role be expected of media in transitional democracies than we expect in established ones? How well do the South African media perform these roles? How should these contributions be measured?

Do citizens trust the media to hold government to account? Do citizens feel that the media represents their interests?

These are some of the questions that academic research in media studies seeks to answer, through both theoretical explorations and empirical work.

Media studies research can help to assess how well the media in a country such as South Africa are performing these roles. Critics of the media often point out that they are too elitist or commercially minded, and therefore fail to 'Ensure responsive, inclusive, participatory and representative decision-making at all levels', as described in one of the SDG 16 targets. The fieldwork conducted by a group of researchers (Professor Herman Wasserman, Dr Tanja Bosch and Dr Wallace Chuma, as well as several student research assistants) in the Centre for Film and Media Studies (CFMS) on an European Union-funded project called Media, Conflict and Democratisation (MeCoDEM) has shown, for instance, that the media does not pay enough attention to community protests aimed at giving communities greater say in policymaking. Poor communities often feel excluded from news agendas and have expressed frustration at not being listened to by journalists.

MeCoDEM involves research projects in four different countries, all transitioning from authoritarian rule to more democratic government – South Africa, Egypt, Kenya and Serbia – and the role of media and ICTs accompanying these transitions. Findings suggest that in all four countries, citizenship conflicts tend to be portrayed through a judicial or rights-focused lens, rather than with focus on social and cultural factors. The South African branch of the study reveals systemic problems underpinning news agendas and coverage.

Case studies covered by researchers from CFMS included media coverage of the ubiquitous community protests in South Africa, xenophobic attacks and conflicts erupting in parliament around the state of the nation address. The investigation into community protests included content analysis of major publications, and interviews with journalists and with community activists. Anger over unemployment, housing, water and sanitation, electricity, corruption and crime have all been listed as reasons for the rising number of protests, which started in the early 2000s. However, they are about more than just a struggle for basic public services; they are also an attempt by the poor to be heard and included in democratic discourse and policymaking.

According to protesters, media first ask if 'anything is burning' in order to decide whether it would be worth sending a journalist to report.



The study found that even in the media coverage of these protests, the voices of the protesters often remain unheard. Coverage of protests is often reduced to reports on traffic disruptions, and some communities report that photographers are often sent to document the protest without being accompanied by journalists to conduct interviews. Activists also told researchers that they only get media attention when they go to extremes. According to protesters, media first ask if 'anything is burning' in order to decide whether it would be worth sending a journalist to report.

This study reveals that while a free media has gone a long way towards ensuring democratic accountability in South Africa, there is room for improvement. Activists interviewed for the study said they believe the media could play a bigger role in boosting democracy, by highlighting the issues poor communities face before they spill over into violent conflicts. A focus on community could shine a spotlight on the most marginalised and vulnerable citizens, and help focus government attention where it is needed most, in order to achieve the SDG of creating a just, peaceful and inclusive society.

Herman Wasserman is professor of media studies in the Centre for Film and Media Studies. Feature image of Tahrir Square in Cairo by Jonathan Rashad, Flickr. Second image by Ramy Raouf, Flickr.

Why so few reports of rape end in conviction in South Africa

About 150 women report being raped to the police in South Africa daily. Fewer than 30 of the cases will be prosecuted, and no more than 10 will result in a conviction. This translates into an overall conviction rate of 4% to 8% of reported cases. In this edited extract from her new book, *Rape Unresolved: policing sexual offences in South Africa*, Dee Smythe explores why this is the case.

Attrition and discretion

For a range of reasons, attrition happens in the criminal justice system, so that not all reported cases are prosecuted and not all prosecuted cases result in conviction.

While attrition is to be expected in any functional criminal justice system, it occurs in an institutional context that is shot through with discretion. One scholar has gone so far as to suggest that: "... what we call the criminal justice 'system' is nothing more than the sum total of a series of discretionary decisions by innumerable officials."

The actions of criminal justice actors and the decisions they make are a crucial part of the attrition story.

The police decide whether to open a case, whether they will investigate it, and how much effort they will put into accumulating evidence and finding the perpetrator. It is their choice (whether they recognise it as such or not) to encourage a complainant in her efforts to bring the perpetrator to justice or to acquiesce in her withdrawal from the justice system. The police decide whether a case should be referred to the prosecution.

Prosecutors decide how to frame a particular set of facts as an offence – shaping a fit between what they can prove happened, and a set of elements that defines the conduct as criminal. They decide whether a case has sufficient merit to be taken to court, what evidence will be brought, who will be heard.

And ultimately, a judge decides whether the state will provide redress.

Throughout this process, manifested at key decision points, cases leave the criminal justice system. In this way, criminal justice actors have the power to select those whom the state will protect, who will be put on trial and who will obtain justice.

Stereotypes of what constitutes rape

Scholars studying attrition in rape cases generally explain the low rate of reporting and conviction in these cases by pointing to the stereotypical views held by criminal justice actors about what constitutes a sexual offence, and who can validly claim to have been victimised.

They argue that these beliefs have become scripted into criminal justice practice, with the result that the cases filtered out of the system are not those that are intrinsically weak, but rather those that offend the normative assumptions of decisionmakers.

There is empirical support for this contention. Studies conducted over the last 40 years have shown that the closer the fit between the facts of the rape reported and the decisionmaker's conception of what constitutes 'rape' (as opposed to 'bad' or even 'normal' sex), the more likely it is that the case will proceed successfully through the system.

On this account, 'violent' rapes committed by predatory 'strangers' against 'respectable' (for which read white, middle-class, married or virginal) women, who are injured while resisting, have become the paradigm cases against which all rape reports are measured in the criminal justice system.

Complainants who are perceived to have precipitated their own victimisation, whether through their conduct or their relationship to the perpetrator, are at a particular disadvantage.

Police's story

The police tell a different story. At least, in South Africa they do. Theirs is a tale of uncooperative victims. Police talk about complainants who cynically use the criminal justice system, fabricating or exaggerating rape complaints to further their own instrumental goals – of revenge or extortion, mostly – or to explain away their sexual misdemeanours.

The police argue that even when they are sympathetic and helpful, large numbers of victims withdraw valid complaints, refusing to cooperate in the investigation and prosecution of the aggressor.

These police officers have been through many hours of sensitivity training. They can reel off the 10 biggest rape myths, and they care about bringing rapists to justice; but they maintain that if complainants do not cooperate, there is little that can be done to pursue the case.

Their discontent runs along the following lines: investigating rape complaints is often a frustrating waste of time, and the effort required to investigate those cases needs to be weighed against other urgent organisational pressures and priorities, particularly in a resource-constrained environment such as South Africa. They argue that South Africa is fighting a “war on crime”, and the police are the vanguard. If rape victims are not serious about their own cases, they have only themselves to blame if they don't get justice.

Victim recalcitrance and systematic failures

The stories I collected in my research reflect evidence of both victim recalcitrance and systemic failures. They cannot be neatly parsed. A picture unfolds of attrition as deriving from the complex interaction of individual, structural and systemic factors.

While it is likely that the factors identified in my research share similarities with those of other, more developed countries, it is also arguable that many of them – and the way in which they combine – are reflective of the social and institutional dynamics of a developing country, and even more specifically, of the transitional post-apartheid South African milieu.

Why the blame game is unhelpful

Simplistic accounts of uncooperative and prevaricating victims on the one hand, and unsympathetic misogynist cops on the other, do not take us any further towards understanding the dynamics of rape attrition.

If the police are correct in their estimation, we are dealing with tens of thousands of deceitful women who are placing an intolerable strain on the system and its very limited resources.

If women's-rights activists are correct, the police remain deeply and irredeemably misogynist in culture and in practice. When nine out of 10 reported cases are not prosecuted (and two out of three are not even referred to the prosecutor for a determination), we are faced with a massive systemic failure that needs to be understood. When the numbers are as substantial as they are in South Africa, the problem becomes urgent.

Understanding this phenomenon is therefore at the centre of identifying ways to strengthen and develop police and civil society interventions, and to effect meaningful access to justice for victims of sexual offences. 

Rape Unresolved: policing sexual offences in South Africa by Dee Smythe is published by UCT Press. Dee Smythe is a professor in the Department of Law.



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Why democracy should be taught in South African schools

Research has revealed that South African learners born after the end of apartheid, the so-called 'born-free' generation, are less supportive of democracy than their parents or older generations in comparable studies.

Worryingly, only 60% of students believed that democracy is always preferable, and only 45% said that it is important for them to live in a country that is governed democratically. However, the same study has shown that civic education has an important role to play in encouraging a 'demand for democracy' among South African youth.

Once factors such as economic background, family situation and gender had been controlled for, the results showed that race was not a determining factor. Rather, the most important influences were found to be linked to education: the depth of the students' knowledge of democratic processes, the degree of discussion and debate encouraged in the classroom, extracurricular activities and their expectations of their future prospects for education all affected their desire to live in a democracy.

According to Robert Mattes, professor of political studies and director of the Democracy in Africa Research Unit, and lead researcher on the project, the study "sought to establish the relative impact of socialisation and education on young citizens' political values and activities, and the extent to which schools can impart a critical, engaged democratic citizenship, despite the ongoing vicissitudes of unemployment, political divisions and social uncertainty." Mattes concluded that "the extent to which Cape Town's youths learn basic facts about the political system, develop an appreciation of the necessity for active, critical and lawful citizenship, and understand the importance of political procedures and institutions to democracy – all factors,

presumably, affected by schools and teachers – makes them far more likely to demand to live in a democracy".

Knowledge of what constitutes a democracy was shown to be the single most important determining factor influencing students' attitudes. "Students who know more about politics, both theoretically and practically, are likely to have read and heard more about democracy and about government in general, to have thought more often about history and politics, and to have taken part in more discussions and debates about the pros and cons of various ways in which governments are organised and run," explains Mattes. "This greater interaction with political ideas is likely, we believe, to result in more positive judgments about democracy; and correspondingly, more negative views about autocratic forms of governance." While students' family situations may play a role in their knowledge of politics and governance, these results make a powerful argument for ensuring that high-school students are exposed to civic education classes.

The success of a democracy depends on the vigilance of its citizenry. As those active citizens who fought apartheid grow old and die, it will be up to the new generation of citizens to safeguard the country's hard-won democratic freedoms, explains Mattes. For this reason, it is vital that the South African curriculum includes a greater focus on understanding democracy and promoting civic activism. ○

By Ambre Nicolson. Image supplied by the Schools Improvement Initiative.

