

# HOW WE *REALLY* GOT IT WRONG

## Understanding the failure of crime prevention

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In the previous issue of the *SA Crime Quarterly*, Antony Albekker argued that the country's decision after 1994 to 'place the prevention of crime at the centre of the strategic vision for the criminal justice system' undermined the building of an effective criminal justice system and may have led to the country's high crime levels. In response to Albekker's article which is based on his new book *A country at war with itself. South Africa's crisis of crime* (published by Jonathan Ball), this article explains why his arguments<sup>1</sup> leave one both disappointed and despairing.

**E**ssentially, Albekker's book presents an analysis of what to do about violent crime in South Africa. But it is disappointing that the book does not answer the key question it sets itself; it misses the essential point of South African crime prevention policy; and then proposes an unimaginative, contradictory and, most likely, ineffective response to the situation.

To take this critique in the order it is presented, the book sets out to answer the question: why is crime in South Africa so violent? A simple but ambitious question, and very difficult, if not impossible to answer. In his attempt, Albekker is reduced to tautology: crime in South Africa is so violent because South Africa has so many violent criminals. Quite. But why?

### Understanding violence

For Albekker, the pervasiveness of crime and violence is:

... the result of a chain reaction that has seen high levels of criminality lead to ever

more people copycatting others into crime. This has turned what would have been a serious crime problem into one that has turned violence into something approaching epidemic proportions, a problem far bigger than can be explained solely by the factors – whether historical, social or economic – that are usually deemed to be 'the root causes' (Albekker 2007:130).

To elaborate on this: he uses an analogy of a dance floor at a party that is, after a few people take to it, increasingly populated as the music pumps and more and more join in. In his article in the *SA Crime Quarterly*, Albekker uses a different and slightly more crass analogy: crime is 'contagious', it is "caught" by non-criminals from contact with criminals in the same way that obesity seems to spread through a population.'

Despite the flourish in these analogies, the analysis is neither new nor particularly original, and the loose conflation of crime and violence is not helpful in explaining why those criminals whom

the copycaters emulate are so violent in the first place.

Here, the country's history may well be more important than Altbeker acknowledges. Actually, his analogy refers to an analysis made 21 years ago by the late Percy Qoboza who, writing in *City Press* in April 1986 about 'the dark, terrible beauty' of the courage of the young township fighters acknowledged '... a great shame ... that this is our heritage to our children: the knowledge of how to die, and how to kill.' This analysis was then taken up 15 years ago by, amongst others, Colin Bundy (1992), in an article presciently entitled 'At war with the future? Black South African Youth in the 1990s' and then a little later by Graeme Simpson who wrote with real insight on the 'amagents' and the emerging 'culture of violence'. So, when Altbeker argues that 'Suggesting that violence in South Africa is a cultural phenomenon, like any culture-based argument is controversial, even provocative' (2007:119), this is an issue that we have known about and lived with for some time now.

Therefore, while Altbeker's analogy may be useful as an easy reference to this work and, perhaps, to Bandura's (1977) 'social learning theory' and France and Homel's (2007) theory of criminal 'pathways', it does not address the key issue: why has the music been allowed to play on, and get louder?

This question refers to the second critique of Altbeker's book – it misses the essential point of South African crime prevention policy, which is simply that it has never been implemented.

#### **The ignored policy**

Altbeker will no doubt know (and probably agree) that the only bits of the 1996 National Crime Prevention Strategy that were implemented were those concerned with improvements to the criminal justice system (CJS). Specifically, this included the Business Against Crime (BAC)-supported Integrated Justice System programme that aimed at improving the management of offenders and victims and the flow of information through the CJS, and which initiated projects intended to enhance systems of

reporting, recording and investigation at police stations and detective units, improve the administration of the courts and strengthen the sentencing regime, and reduce escapes from prison and parole violations (Rauch 2001).

Altbeker will also know that the 1998 White Paper on Safety and Security was, from the date of its Cabinet approval, almost wholly ignored.

This has meant that the key social and situational crime prevention policy provisions contained in these policy documents have either not been implemented, or, when there has been an attempt at implementation, at nowhere near the scope and scale envisaged by those who drafted and approved the policy.

So, the real issue is not so much that South Africa's crime prevention policy is wrong or ineffective, as Altbeker would have it, but rather more about why it has not been tested properly. One reason may be that the rhetoric associated with the supposedly tough approach adopted by the police following the 1999 elections consistently puts the police at the centre of 'a war against crime'. This has allowed the Departments of Social Development, Education, Health, Housing and Transport to either ignore or abdicate their responsibilities, with the result that the police continue to be seen, incorrectly, as the primary crime prevention agency.

To argue then, as Altbeker does, that South Africa's embrace of crime prevention has resulted in a weakening of law enforcement is simply wrong. In fact, it is South Africa's misguided embrace of law enforcement since roughly 2000 that has weakened crime prevention. The point therefore is less about the country's embracing of crime prevention at the expense of effective law enforcement, as Altbeker argues, but rather more about the fact that we have done neither coherently nor consistently.

This is clearly visible in the lack of engagement by the social cluster departments (health, education and social development) and in the weakening of the detective service, about which Altbeker is right. The constant organisational restructuring, the change of reporting lines and the demise of the

specialised units have been disastrous for the investigative capacity of the police service. But this was never policy. Rather, it is the result of a police administration that has simply ignored the policy it was meant to implement. Also, this seems to have happened with the complicity of the Portfolio Committee in Parliament that was supposed to oversee the implementation of that policy.

In short then, Altbeker's analysis of what went wrong in crime prevention in South Africa is fundamentally flawed and so too is his key policy recommendation.

#### **Is cultural change through imprisonment plausible?**

Altbeker argues that to deal with violent crime, South Africa needs to double the number of convicts over the coming years. In Altbeker's analogies, this will limit the number of dancers getting to the floor, or in his other analogy, 'quarantine the infected'.

There are a number of things that are not clear in Altbeker's argument. First there is nothing in this argument that motivates why doubling the number of convicts would provide the critical mass or tipping point that changes the values held by a significant proportion of South Africa's young men. Why only double the numbers? Why not triple them? The trajectory is not difficult to see and the populist appeal is obvious.

However, Altbeker does not explain just how a massive increase in the number of convicts would actually positively change the values of those who are incarcerated and those with whom they interact. Although there is little agreement on the actual number, most analysts agree that South Africa has a very high recidivism rate – variously 'guess-timated' at upwards of 60 per cent – and this surely indicates the weakness in the argument.

In the words of Celia Dawson, the deputy executive director of the National Institute for Crime and Rehabilitation of Offenders (Nicro):

Research and practice worldwide has shown that prison is not the ideal environment for rehabilitation. In fact, imprisonment can

often worsen an offender's cognitive and behavioural patterns, as he becomes more deeply socialised into accepting criminal behaviour as normative, learning the 'tricks of the trade' and (becoming) more able and eager to commit crime on release (Kendall 2007).

There is, it appears, some truth in the colloquial description of prison as the 'college of knowledge'.

It would appear that rather than a deterrent or a quarantine ward, prison functions for a large number of its inmates as a finishing school, and those graduating may well have 'earned' themselves greater acknowledgement and 'respect' amongst their peers and in their neighbourhoods. As a participant in Cathy Ward's recent focus groups study among youngsters in Cape Town said:

... And once you go out and sell drugs then it's over; you are part of the gang. But you must go to jail to get the tattoos of what the names of the gangs are. They call it the history. You go to jail and you become a man (Ward 2007).

So, returning to Altbeker's analogies, larger scale imprisonment of young men may simply function to turn the music even louder, to draw more people on to the dance floor; the 'quarantine' may result in greater rates of 'infection'.

South Africa's prisons currently release some 7 000 prisoners every month (except when government provides an amnesty, when the numbers can increase substantially). It is not clear that Altbeker has thought through what the impact of doubling (or tripling) the number of ex-offenders or parolees may be. What is clear though, is that Altbeker's recommended solution contradicts his own analysis of the initial problem, and may plausibly exacerbate that problem.

Finally on this issue, it is worth noting that the large scale and longer term imprisonment of offenders is precisely the intention of the tough

policing approach that has been implemented since roughly 2000 in South Africa. Now, Altbeker does not argue for more of the same – he wants it done a whole lot better. However, I think the obvious and spectacular failure of this approach should serve as an indicator of its weakness.

While it is not easy to explain why crime in South Africa is so violent, it should by now be clear that if South Africa is required to change the values of a generation, then prison is not the place to do it.

So much for the disappointment in Altbeker's thesis. Now for the despair.

It is worrying that an analyst of Altbeker's experience and acumen can reach the point where all he can really say is 'nail 'em 'n jail 'em.' There is certainly much more that can be done and Altbeker's thesis is surely a sign of frustrated desperation. However, of more concern is who will hear him.

In roughly 18 months, South Africa will have a new administration which, because of the neglect of the past administration, will no doubt have to say it is 'serious about crime', that it 'will leave no stone unturned' and similar platitudes. However, it will also have to make a show of some of this, and because of the limited institutional memory and learning in many of the key government departments, Altbeker's voice will no doubt resonate loudly in the newly refurbished corridors. Perhaps expecting this, Altbeker has already started to do some of the maths – in the *Business Day* piece, he proposes a R60-billion prison building programme, over ten years.

Now, no-one can rationally argue against Altbeker's desire to improve the investigative capacity of the police – the task is urgently required. Nor can one argue against making South Africa's prisons more humane and the fact that to make this happen we may need to build more (if only to house the current numbers). These are necessary interventions, but they are surely not sufficient – particularly if the point is to effect change in a value system in which crime and violence has been normalised.

### Rethinking the policy framework

This is amply demonstrated by recent research conducted by the Centre for Justice and Crime Prevention (CJCP) among 395 young offenders (of mainly violent crimes), their parents or other caregivers, and their siblings.<sup>2</sup>

Five points from this research are relevant to the argument:

- 163 of the 395 young offenders (41 per cent) reported they had lived mostly with their mothers only – just one in five said they lived with both parents (23 per cent).
- More than half of these respondents (53 per cent) indicated that they had not received emotional support from their fathers (who were either not around, or, if they were, did not seem to care much), as did 48 per cent of their siblings. Just 29 respondents (7 per cent) indicated that they had had a positive and consistent relationship with their father.
- Their households, in which five or six people lived, consisted of a single breadwinner (usually the woman head of household) and were often violent – 43 per cent of the young offenders reported having witnessed a violent interpersonal dispute in their homes, while the same was reported by one in four of their siblings (27 per cent) and roughly one in five of their caregivers (22 per cent). The victims of this violence were mainly other members of the family.
- Also, criminal activity was prevalent in many of these households – when asked whether they had knowledge of any family members who had, in the year preceding the interview, dealt or sold any drugs, 21 per cent of the young offenders reported that they did; and a further one in three of this sample also reported knowing of family members who were engaged in other illicit activities that could get them into trouble with the law (36 per cent).
- More than trouble with the law, it is clear that for many of the young offenders, the imprisonment of members of their families is a relatively common experience. A total of 165 of the 395 young offenders (42 per cent) reported that a member of their family had been imprisoned before their own incarceration.

Of course there is much more to be learnt from this study, but the point here is that if we are to work on changing the values held by a significant proportion of South Africa's young population, then the family (the place of primary socialisation), rather than the prison, is a good place to start.

This view is supported by a stream of empirical research which indicates that 'parenting variables' mediate some 80 per cent of the factors like 'family dissolution, unemployment, geographic mobility and household crowding on juvenile participation in crime' (Laub and Sampson 1988) and demonstrates that an 'aggregate level variable measuring parenting quality ... mediates the effects of structural variables on crime' (Weatherburn and Lind 2007).

In other words, while we need to enhance the investigative capacity of the police, ensure the swift and fair administration of justice for offenders, and make our prisons more humane, this is not going to be effective in reducing crime unless it is supported and complemented by serious and comprehensive interventions in the ways in which young South Africans are socialised.

What is clearly required then, is:

- A coherent and sustained family support programme that focuses on single-parent households, particularly those headed by teenage mothers
- A dedicated and comprehensive early childhood development programme that provides support to the children coming from these and other dysfunctional households (for instance, those households in which the primary breadwinner has been imprisoned)
- A functional national youth service programme that picks up and supports those young people aged between 14-22 years who are not in school or working
- A sustained effort to improve the management and quality of South Africa's schools, so that they function more positively as places of positive socialisation

This is, of course, exactly what the drafters of South Africa's crime prevention policy intended 11 years

ago. So, what we really need to do is to go back to what South Africa's policy on crime prevention actually entails, review and amend it where necessary and, importantly, secure the political will and management capacity to implement it.

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#### Endnotes

- 1 Also presented in summary in the *SA Crime Quarterly*. No. 21 and The Great South African Crime Debate, *Business Day*, September 28, 2007.
- 2 This research, together with research analysing the key factors that build resilience to crime, will be published early in 2008.