

Policing the Periphery: Police and Society in South Africa's "Homelands"

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Introduction

This is a working paper which attempts to account for the character of the police forces in the homelands. It also briefly sets out some of the issues to be addressed in the process of re-incorporating (re-integrating) the police institutions of the TBVC states and self-governing territories into a national policing agency. Clearly this cannot be debated without dealing with the future organisation of policing in South Africa as an entity – which will be linked to the nature and degree of autonomy of regional government. However from the point of view of the reform and democratisation of policing, the nature of these "homeland" police forces has created a range of specific problems which will need to be dealt with in the process of re-integrating policing in South Africa. In a sense the nature of policing creates its own imperatives in any search for community sensitive and truly legitimate form of "order maintenance", in the current context.

Re-incorporation/Reintegration and the Reform of Policing in South Africa

The question of "re-incorporation" of the TBVC states and self-governing territories became central to the negotiation of a new constitution during 1991. The placing of all police forces under a single command was put on the agenda during negotiations on the National Peace Accord, mainly as an attempt to deal with what in ANC terms, has been seen as the "problem of the Kwazulu Police". To date all the representatives of the TBVC states and self-governing territories at CODESA, with the exception of Bophuthatswana have indicated their willingness to be fully re-incorporated into SA.

The other central question which needs to be thoroughly addressed is the creation of a police force which is able to serve our diverse communities impartially and effectively in a way which contributes to the building of national unity and democracy. In some ways some of the "homeland" police forces are even more controversial than the SAP. The most well-known case is that of the Kwazulu Police Force, which has been the target of repeated calls for its disbandment.

The term *re-incorporation* is generally used to describe the process whereby the "homelands" cease to exist as entities separate from South Africa. However in this context it is understood that the Homelands are being re-incorporated on the basis of a *new* South African nation, with a constitution quite different from that of the "old South Africa". However the transformation of the SAP remains a politically contested issue and in the absence of any consensus at all about the reform of the SAP, re-incorporation of policing implies that the SAP will be the dominant organisation which will "gobble up" the 10 other policing agencies. While this may in fact be the case, I would rather not be pre-emptive and will use the more neutral term *re-integration*.

In the longer term it needs to be considered what the effect of the large officer corps in the homeland forces on the new Police Force might be. Consideration needs to be given to the racial composition of the leadership of the police force and at least in the medium term the most substantial number of senior black officers will be from these forces.

Research Issues

This paper is based on a number of visits to the police agencies of some of the territories, namely Venda, Lebowa, Gazankulu, Kwazulu, Transkei, KaNgwane and Bophuthatswana. The most difficult issue in terms of the research was access to the Police Forces. Several of the police forces initially refused access, but to date all of them had agreed to some form of access, that in Bophuthatswana being the most limited. However the agreement to allow a research visit to the police force did not mean that all information would be provided and the degree of co-operation varied considerably.

The focus of this work was on the views, perceptions and interpretations within the police forces themselves, thus almost all the research efforts were focused on members and senior officers within the police forces themselves. Because of the wide variety of information elicited and experiences encountered no standard interview protocol was used, instead questions were drawn from a composite list, and in many cases this was diverged from. I also had access to the completed questionnaire results of an internal survey conducted in KaNgwane, and administered a written questionnaire to 49 officers and NCOs in Lebowa.

The process of interviewing members of police forces is not without its problems. The clearest problem is that the researcher is perceived to be an outsider and questions are thus answered in terms of the official "PR" position on all issues. The nature of police organisations is that of a "closed system" and very little of what happens in the organisation is regarded as publicly "safe" information. This means that the responses to questions often say almost nothing about the problems I was examining.

The other related problem – experienced with middle level and junior officers is that one is perceived to be "coming from Headquarters". Many officers and NCOs take the view that "what you say can, and will be used against you" Questions around racial discrimination and the SAP – coming from a white male – often elicit a "safe" answer.

Despite these problems there were a number of members and former members from at least 6 of the police services visited who seemed to speak openly about the problems encountered in the police force. The reason for this was probably that the researcher was seen to have the potential to influence the police force itself and thus

provide the opportunity (all too seldom experienced within police organisations) to express their own opinion on important matters.

Discussions were also held with "police students" studying Police science or attending law classes; as well as a class of NCOs at the Lebowa Police College. These collective discussions were very useful as the collective strength appeared to allow for frank and open discussions.

The analysis in this paper is based heavily on the collective discussions and the more open discussions held. Because of the small number of such interviews and discussions the conclusions drawn are thus of necessity impressionistic, but are nevertheless highly instructive in terms of both the nature of policing and of future options and problems for the re-integration of police forces.

It must also be stated that the focus was not specifically on police abuses of power and the abuse of human rights – which have been extensively documented elsewhere particularly in relation to Kwazulu, Ciskei and Bophuthatswana.¹ Thus the paper may appear to understate these issues in some cases.

Nature of Homeland Police Forces

History and Origin

The homeland police forces were always seen as an essential part of the "grand apartheid" plan and were conceived of and established in terms of the twin philosophies of white supremacy and ethnic segregation. Self governing homelands were legally entitled to establish and administer their own police forces in terms of the Item 21B and Item 22 of the Schedule to the National States Constitution Act 21 of 1971. They are entitled to do so, however only upon conditions established by the Minister of Law and Order (South Africa). Provision for the police forces of the TBVC states appears in the constitutions of those states.

When the forces were established the core members were drawn from the appropriate ethnic group. In some cases these ethnic members of the SAP were transferred against their will.

I was a member of the Security Branch in Cape Town, I was quite happy where I was and they came and told me that it was government policy that I should be with 'my people' – the Tswanas who were now establishing their own police force. Soort by soort they said.²

Although this experience was no doubt widespread, for many of those joining the fledgling police forces the rewards were large. Both officers and NCOs found themselves suddenly members of an elite group. The policy of establishing the homelands as independent entities meant that it became a priority to fill posts with "indigenous people". Discrimination in the SAP had meant that there were very few

black officers, and so those who chose, or were sent the homeland route found themselves with little competition for the new homeland police posts.

For example the core group of 27 "Tswana" police who were to "build a new police force" had only two officers. The rest of the group went on a course and were promoted shortly afterwards.

It was in the need to create ethnic police forces that the seeds of the present problems lay. The "independent" bantustan leadership was not to be persuaded that the top "ethnic officers" were not up to standard and some promotions took place despite the opposition of the early "white" commissioners.³

The way in which the homeland forces were established also had other effects on the emerging policing elite. The beneficiaries of such rapid promotion were often those thought to be "politically reliable" as the security establishment in South Africa was uneasy at the thought of creating "autonomous" police agencies in the homelands. Very often with a security branch background, these people are generally conservative and highly uncritical of the SAP. This has implications for the future (see re-integration issues below).

Perceptions of the Police forces among the residents of the various homelands has been fundamentally affected by the lack of legitimacy of the homeland administrations. This lack of legitimacy meant that in many cases the police became a key state institution for the protection of the position of the new political elites. This is borne out by the practise of Chief Ministers (or heads of state) taking on the portfolio of Law and Order. This is the case in five of the seven territories visited.

In Lebowa, Venda, Gazankulu, KaNgwane and Transkei a common view within the police force is that it is a product of apartheid – and that "it cannot be accepted by the people until apartheid is gone". This perception is reinforced among members of the police in that the standing orders and police acts of all the territories are almost identical to those of the SAP. The style and nature of Policing has remained very similar, although there are variations which have developed over time, as a result, primarily a result of the nature of homeland politics.

The police are thus perceived (usually by a large number of their own members) to be a "product of apartheid". Despite this realisation little has been done to develop a new vision of policing. The only evidence I found of initiative being taken to develop a more professional or more democratic approach to policing, was in the case of KaNgwane.

SAP Influence and Control

Quite apart from the historical origin of all the homeland police forces, the SAP continues to wield significant influence, or even control over the police forces of all the homelands, including the TBVC states.

Although the TBVC states have theoretical autonomy in terms of policy making, the real independence of the police from the SAP is in practise, limited.

A vital symbol of this relationship of dependence is the "co-ordinating committee" which exists to discuss police policy. The focus of this forum has been on uniformity,

particularly of training and promotion. Since 1990 Bophuthatswana and Transkei have withdrawn from the forum -clearly much to the displeasure of the SAP. Apparently the SAP determines the agenda of this forum and dominates the process. Their attitude to the other police agencies is illustrated by their response to an invitation to attend a seminar on the "Role of the Police in a Changing Society" hosted by Transkei in June 1992. The SAP declined the invitation on the basis that "the issues have been discussed in the co-ordinating forum over that past two years". The SAP then phoned all the other homeland police forces and encouraged them not to attend.

Seconded Officers

All the police forces other than Transkei still have the services of a number of seconded SAP members. In the case of TBVC states these officers are formally attached to the department of Foreign Affairs. Their role has ostensibly been to provide the technical and management expertise lacking in the homelands and specifically to train local members in the skills required to fill specialist and technical posts.

At a management level, four out of the six of the commissioners of self-governing territories are seconded officers. Venda has had the services, for some time now, of "retired" members of the SAP as commissioners.

Bophuthatswana which has been very vocal about it's "independence" still has the services of more than 20 seconded SAP officers in key positions. These seem to play a relatively low key role, with the official history proudly stating that "ll divisions districts and posts are commanded by Batswana members, and seconded officers are involved in training/advisory roles only."⁴

In the Venda Police force the situation is similar, with the seconded officer playing more overt role in the leadership of the police. Some Venda officers allege that these South Africans "control" the Venda police.⁵

Members of the police forces are not in general very positive about the role played by seconded officers. Of 49 members of the Lebowa police, of all ranks, only 8 felt they had made a positive contribution. Most were "unclear what the role of the seconded officers was" or felt that they had not made a positive contribution. In many cases there has been significant resentment at the preferential benefits enjoyed by seconded officers. They earn extra for working in the homelands, a kind of "discomfort allowance". Others complained that the SAP officers were lazy, and lacking in commitment to the Lebowa police.

It's quite clear that the seconded officers ... are in Lebowa for the purpose of getting or receiving more privileges, but not to promote the standard of policework. They are keeping themselves away from the members of Lebowa Police.⁶

Actually they do not have any important duty to perform, because you'll find a sergeant who can not do the work, but

being regarded as an expert of a certain section of the department.⁷

Very few do real policework.⁸

The privileges of seconded officers in Lebowa include cars, (which even sergeants from the SAP are entitled to) despite the fact that many commissioned officers in the Lebowa police are not allocated vehicles. Positive sentiment towards seconded officers appears to be directed at outstanding individuals – people who are described as "very good police officers".

The seconded officers have been the subject of ongoing controversy in some of the territories. Lebowa and Venda have in recent years de-seconded their seconded officers. This however did not last long – they were recalled within a year, apparently because of the poor performance of their replacements.

Effective and meaningful training by seconded officers appears to have been the exception rather than the rule and the generally low-key role of seconded officers suggests that they are there to keep Pretoria informed of developments. An officer in Lebowa said that he thought they were here to "spy on the Lebowa Police".

In Bophuthatswana the seconded officers occupy positions in the Stocktheft Unit, Special Branch, Finance and Quartermasters divisions, as well as playing a role in the inspectorate. In Venda a seconded officer acts an advisor to the fingerprints section. Most of the seconded officers appear to be attached to head office in the case of Lebowa and KaNgwane.

Security Branch and Jurisdiction

The police forces of the six self-governing territories do not have their own security branches. In general it is claimed that the South African security branch is still active in the area, despite that agency supposedly having transformed its own security branch into a crime focused unit; the "Criminal Intelligence Service". None of those interviewed asked about the "security branch" referred to it by its new name, nor did they feel that the role had changed since 1990. The SAP security branch seems to have their own informers in areas in the "self-governing territories" and even in the TBVC states.

These operations of the security branch (and indeed other units of the SAP) are made possible because of the fact that the powers of the South African Police extend throughout South Africa, apart from the "independent" states.⁹ In practise this means that a Sergeant of the SAP has full police powers inside a self-governing area, while a commissioned officer of that homeland only has authority to act inside the homeland territory.

While in the case of Kwazulu the question of jurisdiction has been the subject of some controversy with the SAP being unwilling to intervene in criminal matters inside Kwazulu,¹⁰ the relationship appears to be a bit different in other areas. Police in KaNgwane, Lebowa and Gazankulu complain that the SAP "just comes into the homeland to arrest people", sometimes without informing the homeland police force. While this situation is different in the TBVC states, a Venda police officer described an

incident where an arresting officers was told by their superiors to release a white suspect who was a South African, although the crime was committed inside Venda.¹¹

Budgetary Process

The funding of the self-governing territories and the TBVC states remains their major source of dependency on SA. This funding was formally administered by the Department of Development Aid, but according to senior homeland officers budget applications for policing were always checked with the SAP.¹² The SAP has always been able to wield enormous influence over the development of policing and the determination of priorities. An example of this control is the ranks provided for in the force establishment. A common complaint among senior officers is that they cannot be promoted to the same level as their counterparts in the SAP. This is because that funds have not been approved for posts above the level that the SAP believed appropriate for a police force of a particular size. This has put the ceiling on promotion in most homeland police forces at Brigadier level (the exception being Kwazulu).

Lack of Self-sufficiency

Our problem is that of many African states, namely that the leadership of the civil service. That is not to say that the leadership is incompetent, but rather that they are not self sufficient.¹³

This lack of self-sufficiency applies to the training and development of personnel, a number of technical areas and at a more profound level the lack of planning and development of policing in the homelands.

In a sense a relationship of interdependence has been fostered (and enjoyed) by the SAP, whereby the SAP is seen as the expert advisors, to be consulted by the homeland police on a range of issues.

The police forces of all the homelands rely heavily on the SAP criminal records service for the matching of fingerprints and the tracing of stolen cars, as well as a number of other forensic services which is provided to them by the SAP's forensic laboratories.

Training is still conducted for many of the homeland police forces by the SAP. Of the self-governing areas, only Kwazulu and Lebowa have their own basic training facilities, and of the TBVC states Venda is still reliant on the SAP.

"Management training" is offered at three levels by the SAP and none of the homelands have attempted to develop their own alternatives. Junior, Middle and Senior management courses seem to have become particularly important to the homeland police forces recently with "re-incorporation" being put on the agenda, as they are essential for certain promotions in the SAP.

The nature of the borders of many homeland territories and the fact that there is no meaningful border control between any of the TBVC states and South Africa, has further ensured that the policing agencies have to co-operate closely. In areas like

Bophuthatswana most serious crime is thought to be "cross-border", and close relationships with individual SAP stations and units are common in most border regions.

The Transkei has done the most of any homeland to break the links with South Africa. Yet even here the influence of the SAP on the leadership and thus on the policy directions which have been taken are pervasive. At a recent Transkei Police seminar the leadership were accused by members of the Police Force, of "sitting on the fence", and of being afraid to break with the SAP – "in case the Holomisa Administration did not succeed".

There is little doubt that the international isolation of the homelands has contributed to this dependence. Lesotho for instance has extensive contact with the UK police – and thus has an alternative point of reference in the development of policing.

Rapid Establishment, the Inequality of Separate Development and the Civil Service in apartheid's Homelands

Apart from the influence of the SAP, two key factors have determined the character of policing in the homelands. The first is the effects of the process of rapid establishment, and the relative paucity of resources, both material and human. The second is the nature of homeland politics, tribal structures and absence of mechanisms for broader police accountability.

Rapid Establishment

Senior officers in the homeland police forces are in general underqualified for the roles they fulfil. Not only were they drawn from a force which had systematically discriminated against them, but they were promoted very rapidly in order to fill the necessary posts. In Kwazulu (and possibly elsewhere), some of the senior posts have not been filled – because of the "shortage of qualified officers".¹⁴ The weakness of the police administration can largely be attributed to this process of rapid promotion, as well as the relative absence of personnel development in the homelands. The first "Tswana Commissioner of the Bophuthatswana was promoted seven times in six years, before his untimely death."¹⁵

While basic training has been conducted along more-or less the same lines for all the police forces in South Africa, in service, management and other "advanced training" have lagged significantly behind that in the SAP.

By 1991, officers in Gazankulu had never yet been afforded the opportunity to attend management courses. (although these had in fact been offered by the SAP)

Between 1977 and 1987 there was no in-service training conducted in the Transkei Police,¹⁶ and no officers have to date been on the SAP's senior and middle level management course.

This is exacerbated by what can only be described as a resistance to education, on the part of police leadership. Commissioners have been known to resist sending their members on management courses,¹⁷ or of discriminating against members studying at university.

If someone is brilliant and interested in studying then the leadership will send them into the bundu, far from the University.¹⁸

Most of the homeland police forces have however been sending their members on SAP junior, middle and senior management courses since 1989, but this is a relatively recent development, and they complain that not enough courses are provided by the SAP.¹⁹

The result of this is an apparent lack of confidence on the part of junior members in the leadership – probably in all the homelands. Discussions with police members in Lebowa, Venda, Transkei, Bophuthatswana and Gazankulu all revealed that there is a widespread feeling that the senior leadership is not properly qualified. The majority of Lebowa Police questioned felt that the standard of senior officers in the Lebowa Police "was below, but is improving", or "is below that of the SAP."²⁰

This lack of confidence has been exacerbated by unprofessional practises in the administration of the police force. Corruption, nepotism and interference in cases from the leadership all appear to be common.

The effects of this dissatisfaction with leadership is a simmering discontent in some of the Police forces. In Bophuthatswana such discontent is repressed and hardly ever surfaces. In Transkei it is becoming increasingly vocal, with public calls being made on the leadership to allow police unionisation.

Corruption, Nepotism and Undue Influence by Political Actors

It can be argued that the leadership of homeland police forces is not in fact managing the police force at all. The police force runs itself in terms of the bureaucratic mire of police regulations and standing orders. The role of the leadership is thus ad-hoc and often arbitrary. The leadership acts on the organisation not in a systematic planned way, which is based on the realisation of defined organisational goals, but rather in terms of the demands of the political system described above.

The "state like structures" in the Homelands in general have less legitimacy than the than the South African State, which at least has some degree of symbolic accountability to it's white constituency. The importance of political control over security forces is reflected by the number of homelands where the chief minister is also minister of Police. Commissioners in these cases are invariably political appointees, sometimes on the recommendation of the SAP. The degree to which this political allegiance in the police force is felt among junior and middle ranks is dependant on the grass-roots legitimacy of the ruling party, although there is a level of dissatisfaction among lower level officers for other reasons as well.

Local political influence in the homeland forces are wielded in a variety of ways. General Buchner acknowledged in June last year that "chiefs" wield considerable influence over policemen working in their area. This is due to the traditional authority that chiefs have in their communities, which is respected by members of the police force.²¹ In Lebowa the practise of using police to protect Chiefs or headmen (and their associated municipal offices) has lead to a similar process whereby chiefs are able to get regular policemen to harass their political opponents.

Of the members of the Lebowa police surveyed, 47,8% felt that the Chiefs had "too much influence over the police."

In Bophuthatswana the relative weakness of the system of tribal authority compared to the personal power of President Mangope and the Commissioner means that the situation is reversed. It is the police who represent the power of the state, and consequentially very little influence is wielded by the chiefs or headmen over policing.

The situation in Transkei reflects the changing nature of tribal authority. In some areas tribal chiefs are regarded as key agents of law enforcement and are regarded by the police as vital partners, thereby wielding considerable influence over policing. In other areas the system of tribal authority is under siege from democratic structures such as civics.

The chiefs are not prepared for the changes which have been taking place. They used to use the police as their dogs. Headmen are saying that they are not on good terms with the community, so they have to use us when they hold their meetings. They need the presence of the police to intimidate people.²²

Nepotism and the use of senior positions in the police force to pursue personal interests is widespread in most of the homeland forces.

The nepotism that is taking place here is first degree.²³

The process of promotion, appointment and transfer seems to provide the easiest path through which executive abuses of power occur.

We are supposed to have selection criteria and a selection board. However we fail to select people according to capabilities. Favouritism and nepotism are rife.²⁴

While most members of the police complain of family and favourites being the beneficiaries from the way that authority is abused, the process is very similar to that taking place when the police are used to further certain political interests. These arbitrary actions have begun, in the Transkei context to be exercised in the interests of grassroots "organisations".

If you arrest someone who is a member of an organisation you can just get transferred to another station – they do not even hold an enquiry to see if there was a reason to arrest the person.²⁵

There is also no doubt that interference in the actual conduct of police investigations is common.

senior officers ... complain that the commissioner pressurizes them to push certain cases.²⁶

Resource Issues

The administration of homeland police forces appears to have been continuously plagued by resource shortages. This means that none of the homeland Police Forces are as well equipped as the SAP. In both the Transkei and Bophuthatswana policing effectiveness seems to be severely compromised by the shortage of transport.

Police stations in the Transkei may have as few as two, or even only one vehicle. As is the case in Bophuthatswana it is a common practise to ask the complainant to provide transport so that the police are able to go out and deal with a problem.

In the Transkei a term of basic training was cut short midway through in 1991 and the recruits simply sent out as if the course had been completed. This coincided with the withholding of finance from central government.

Homeland police stations are often ill-equipped and overcrowded, particularly those I visited in Venda and the Transkei, where a number of people work in one small office, without adequate typewriting facilities and with two (difficult to use) phones for a station of 43 people.

More profound and problematic in the long term has been the effects of the shortage of resources on long-term development in the police. In the context of the lack of self-sufficiency and planning referred to above it is hardly surprising that training and staff development have been underfunded.

The problem is – whenever one wants to establish a training programme one is barred from doing so – the reason given is that there are no funds available.²⁷

Police Perceptions: The issue of re-incorporation

The perceptions among homeland police personnel of the nature of the SAP and of the process of re-integration itself is instructive in terms of the perceived power relations and the kinds of problems which will be encountered in the process.

At a senior level all the police forces except for Bophuthatswana spoke of re-incorporation as if it was inevitable. The Bophuthatswana PRO reflected the official government position, which is that Bophuthatswana does not consider itself as a "homeland" or an even a "TBVC" state; "We are an independent nation."²⁸ KaNgwane was the only other homeland where reservations were expressed at an official level. They said that they wanted to "consult our membership as to their feelings", but felt that re-incorporation should occur after the negotiation of a new constitution.

A more common view is that re-incorporation is inevitable and positive.

We have no problem with re-incorporation. We don't foresee any problems because after all we were created by the SAP.²⁹

Of police members surveyed in KaNgwane 62 % were in favour of re-incorporation into the SAP. However many of those who said "yes" made their approval conditional on fair treatment and the eradication of discriminatory practises.

Of the class of 49 members of the Lebowa police surveyed, 44,6% felt that re-incorporation/reintegration of police forces would be "a very good thing". 14,3 % felt that it would "not make much difference" and 12,5 % felt that it be negative for policing in Lebowa.

There is a general reluctance to discuss this issue because it is perceived as "political". However once homeland officers talk of their real concerns they in fact appear to feel quite strongly about the likely results of re-incorporation. Almost without exception members feel apprehensive about the racial discrimination in the SAP. The way that this is spoken about indicates enormous depth of feeling – which appears to be "repressed" most of the time. One particular incident with a colonel in the Kwazulu Police is worth mentioning. He denied throughout the interview that racial discrimination occurred. However, once the tape had been turned off he immediately started speaking with great emotion about the racism in the SAP. One also encounters older members who have served in the SAP who go to great lengths to deny that racial discrimination has ever existed.³⁰

In the Transkei support for re-incorporation of the Police force appears to be motivated by the belief that working conditions and "the way we are treated" will be better under the SAP, than under the Transkei police.

Among senior officers the major concern is the status that homeland ranks will enjoy under the new system. The widely held belief that senior officers in the homelands are not as well qualified as those in the SAP obviously contributes to the insecurity. One senior officer expressed the view – with some anger (and considerable justification) that he had been discriminated against, both in the SAP and in the homeland police force (where he was prevented from attending management courses because of lack of funds) and that this would be used as a basis for further discrimination during the process of re-incorporation.

Prospects for the Re-integration of Police Agencies

While the stereotype of "homelands police" suggests images of repressive and partisan policing, there is evidence to suggest that some of the police forces have established relatively good relations with communities. (Compared to SAP relations with black communities). This is the result of a degree of autonomy, sensitivity to local issues and the recent democratic trend in some homeland administrations. Certainly in the case of the Transkei, despite claims (by the police) that the police are a product of apartheid, they have never been placed in the kind of antagonistic relationship with the community that the SAP has. As a result, despite the problems at a leadership level the relationship between station level personnel is much less militarised than

that encountered in SA. The Police stations do not have military style "gate guards" (which are the norm in SA and in Kwazulu), and police on duty in the charge office do not carry side-arms.

KaNgwane seems to have gone some way towards democratising the process of decision making and has a quite visibly more relaxed atmosphere at head office. The KaNgwane Police Service responded to the possibility of re-integration, by conducting a survey "to ascertain the views of the members towards the question of re-incorporation".

At the other end of the spectrum are the characteristics exhibited by the Kwazulu and Bophuthatswana police. These include exclusive accountability to the ruling party, the excessive use of force, discriminatory policing and disregard for legal boundaries and directives.

One might ask whether this is not also true of the SAP. Indeed some of the positive sentiments about re-integration of policing are premised on the assumption that the new national police force will be fundamentally different from its predecessor. The general reform of policing is thus of central importance to the efficacy of homeland re-integration.

Two of the central questions to be addressed in the reform of policing are those of non-racialism and the representivity of the police leadership. The SAP is overwhelmingly dominated by white Afrikaner males and the most senior "non-white" officers occupy the rank of Brigadier. While the current incumbents in senior positions in the homelands are not generally likely to lead the way to a non-racial and community sensitive professional police force, one of the most positive signs in the homelands is the emergence of a new generation of more critical police officers.

While this is no more than an impression, I encountered officers in five different police forces who felt personally frustrated at the constraints on greater professionalism and were harshly critical of their own police leadership as well as the policing system in South Africa in general. These officers are most strongly in favour of reincorporation because of the perceived "greater professionalism" of the SAP. At the same time none of them were under any illusions about the commitment of the SAP to the "new South Africa".

A national police should reflect national character in a unifying manner and not be divided into "ethnic" sub-forces. However considerations of language and the ethnic reality, particularly in traditional areas, make this far from easy to realise. In general however the dominance of the SAP's own police culture has meant that the police forces have very little "ethnic character" at all. In fact the notion of ethnic homogeneity of the homelands is one of the great myths of apartheid. The Bophuthatswana police force, ostensibly an ethnic "Batswana" police force has several senior officer (including the PRO) who do not speak Setswana at all! The Transkei police include Zulu and Sotho speaking members (and polices such constituencies). As a result of these factors concern about "ethnicity" of the Police forces seems to be over-emphasised by the SAP. The resolution of this problem will be inextricably tied up to the nature of the political settlement arrived at.

Quite apart from the ethnic issues, there is little doubt that democratic and accountable policing should be as decentralised as possible. A greater degree of

operational autonomy at a local level is a precondition to meaningful community accountability or "community policing". However, the realisation of this form of policing requires fundamental reform of the policing organisation, which must occur before decentralised police accountability becomes practicable.

Conclusion

There is a problem, or there will be a problem – if something is not done to let us understand the situation as it should be understood. We need to be realistic and we need to be able to point out problems. But that is not the situation in the police force at present.³¹

Homeland police forces will be an important building block of the policing institution in the "new South Africa". A legacy of illegitimate political elites, discrimination and a tradition of self-service within the civil service has left them arguably in a worse condition than the South African Police. These agencies cannot however be wished away and debates around their transformation are of vital importance.

Notes:

¹ See MAREF 1992, LRC 1991, Africa Watch 1991

² Former member of Bophutatswana Police, 1992

³ Kwazulu Police Magazine, Anniversary Edition, 1990

⁴ Bophuthatswana Police History p.10

⁵ Venda Police Lieutenant

⁶ Lebowa Police Lieutenant Colonel

⁷ Lebowa Police Lt-Col

⁸ Lebowa Police Brigadier

⁹ Section 4(d) of the National States Constitution Act of 1971 and section 3 of the Police Act of 1958

¹⁰ LRC & HRC Durban 1991, p.37

¹¹ Venda Police Lieutenant

¹² KaNgwane Police Colonel

- ¹³ Transkei Police Traffic Inspector
- ¹⁴ Maj-Gen J. Buchner, 1992
- ¹⁵ Bophuthatswana Police History
- ¹⁶ Transkei Police Traffic Inspector
- ¹⁷ Gazankulu Police Officer
- ¹⁸ Transkei Police Officer
- ¹⁹ Senior officers in KanGwane, Lebowa and Venda
- ²⁰ Centre for the Study of Violence and Reconciliation Questionnaire, May 1992
- ²¹ Maj-General J.Buchner, June 1991
- ²² Transkei Police Lieutenant
- ²³ Former Officer, Bophuthatswana Police
- ²⁴ Transkei Police member
- ²⁵ Transkei Police Lieutenant
- ²⁶ Former Officer, Bophuthatswana Police, June 1992
- ²⁷ Transkei Police Traffic Inspector
- ²⁸ Bophuthatswana Police Colonel
- ²⁹ Transkei Police Major-General
- ³⁰ Venda Police Major
- ³¹ Chief Traffic Inspector L.R.M. Bula, Transkei Police

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Interviews

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Questionnaires

KaNgwane Police : Questionnaire to ascertain the views of Members towards re-incorporation. (161 respondents – rank unknown)

Policing Research Project : Questionnaire for members of the Police Forces of the TBVC states and the self-governing territories. (49 respondents from Lebowa Police – rank known)

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