



“Blessed are the Peacemakers in KwaZulu-Natal”

“Peacemaking invokes images of people whose mission it is to bring together individuals or parties who are in a state of conflict with each other, with the aim of resolving the issues which led to the conflict. We think, perhaps, of various peace missions in war-torn Africa or of the peace structures which operated in our own province in the recent past.

While such initiatives may pave the way for peace, they may also achieve little if the parties are not committed to peace, and to making the necessary behaviour change, in the first place. Marriage counselling, for example, is only likely to bear fruit if both partners want their relationship to continue, but need assistance with overcoming their problems. That the violence in this province carried on in the early 1990s, despite peace structures, was due to the lack of commitment of those participants (such as party warlords and elements in the security forces) who, despite their participation, remained (as shown by TRC reports) deeply implicated in the continuing carnage.

There is no doubt that some people have a gift for mediating and reconciling and bringing peace to those who want it but need help with the obstacles that prevent it. However, I believe that working for peace is something we can all do – and if we care about our fellow human beings, and our country, we should do.

If you want peace, work for justice

The words of the late Pope John Paul II provided impetus for the work of Justice and Peace groups in the heyday of apartheid : ‘If you want peace work for justice’ This sentiment is found in all societies – from small bands of hunter-gatherers to modern complex states - regardless of religious and politico-legal systems : If there is no justice, if the shared norms and values of society are not upheld by those vested by its members with the authority to do so, disorder and lawlessness will threaten the fabric of society.

A sense of justice – of a need for restitution for wrong done – is common to all societies but, depending on the size and nature of the society, the rules for dealing with transgressions vary. We are used to thinking in terms of some centralised authority ruling and dispensing justice but, historically, many societies lacked such structures, yet had mechanisms for averting a spiral into ever-increasing conflict, through shared rules about procedures to be adopted if a serious violation, such as acts of violence, occurred.

In societies with centralised political leadership, including complex modern states, authority (legitimised power) is vested by citizens in specific people or institutions to deal with those who transgress societal rules. If sanctions (ranging from public opinion to the death sentence) are not applied to wrong doers, not only is there no incentive for them to stop breaking the rules but their conduct will, sooner or later, lead others to break the rules by taking the law into their own hands.

South African society

Let us apply these universal human solutions to the problem of lawlessness and the need for justice to South Africa. Like other modern democratic states the citizens/voters have vested authority to deal with those who break the law in the government, which is responsible for administering the criminal justice system – the police, courts and the prisons. While our society has not descended into anarchy it could hardly be described as peaceful, being characterised by high levels of violent crime in all spheres of social life – from the most private (family) to the most public (politics) of domains.

This failure of the State to deal with the problem of violence erodes the rule of law – through, for example, vigilantism and so-called faction fights (which bear little resemblance to the rule-governed feuding of pre-colonial times). People take the law into their own hands because justice is denied them and, even if they do not themselves engage in such ‘eye for an eye’ conduct, they support those who do, including the police – who are supposed to be ‘disinterested custodians of public order’ (Brewer et al 1988:214) - who shoot suspects dead instead of bringing them to trial.

Legal theorist Nathanson (1987) makes it clear that private justice negates the process of law, and invites reprisals and retaliation. Private vengeance is a serious offence and is a threat to public well being.

In other words, if we want to stop the further erosion of the rule of law, and to work for peace in our society we should be working to ensure that the government does what we have given it the authority to do : Administer law and order in such a way that violence no longer poses a threat to social stability and wellbeing.

The violence around us

Before outlining some practical ways in which we can all work for peace in our country and in our province, I want to make some important points about the violence we see around us:

1. High crime rates are not new. South Africa has long been a very violent society, with high levels of family killings, domestic violence, aggressive driving, to give but a few examples. Very little was done about high levels of crime in black townships, except to fuel the flames from the 1980s by flooding guns into these areas. Crime has become more prevalent and more visible in middle class urban areas since 1994.

2. It is a gross oversimplification to blame poverty for crime – poverty simply makes people recruitable as foot soldiers for syndicates. Those behind syndicates are usually wealthy people (of all racial groups). Drug syndicates are central to the crime we see around us. Poor people are recruited (as they are still steal cars – or to act as hit men) and may fuel crime further by stealing to feed their drug habit.

3. While we think at this time especially about political violence, especially given our history, (a) the motives may serve political purposes, but the act is criminal, so ways of dealing with it same as for other types of crime (b)political and ‘ordinary’ criminal overlap. Frequently, those who engage in political violence also take part in other forms of violent crime, including robbery.

4. There are huge number of guns, including AK47s, in this province, and some persons associated with the taxi industry are known to have access to illegal guns. There has also been paramilitary training in the province in recent years, which produces recruits who could be used as political foot soldiers, or as criminals, by unscrupulous operators

5. There are problems with the functioning of the criminal justice system generally, which are particularly serious when it comes to policing. The transformation of the SAPS has been conspicuously unsuccessful.

Working for peace

How, given the difficulties I have referred to, do we work for peace, especially in the context of electioneering – characterised by political intolerance in a number of areas? Here are some practical tips, built up over twenty plus years of experience (I shall touch on main points, and leave a sheet about with specific factual information you should try to obtain insofar as is possible) :

1. Get involved in helping those who are under threat or are victims of violence. It is essential to make it clear that you are politically non-partisan, but this in itself may be very difficult, especially if you are living or working in an area in which everyone is supposed to be a member of a political party. If that is the case, it is very important for you personally to network with people from outside of your area who could assist you (e.g. for ministers the wider structures of your church and bodies such as Diakonia).

2. If people around you (or you yourself) are under threat obtain as much information as possible about the nature of the threat. Most commonly, people receive anonymous telephone calls (with number concealed), or hear from others (such as neighbours) that they are under threat. When direct threats are made they may be very subtle – but the language used (e.g. the way it is phrased in Zulu) may leave little doubt about the meaning. Apart from exercising great care, if there seems to be substance in the threat, then – provided people are prepared to go to the police – a report should be made at the local station, an entry made into the Order Book, and an OB reference number obtained. If the threat is made directly by a known party a case of intimidation can be opened – and if guns are fired a case must be opened.

If you are really concerned about someone’s safety, it is also useful to put your concerns in writing – with the permission of the person/s concerned - and fax your letter to the station commissioner responsible. If the matter is urgent

– e.g. someone phones and tells you that there are armed men near his/her home – telephone the police immediately and request that they send a vehicle forthwith. Obtain the name of the member to whom you spoke, the time you phoned, and the OB number (ask him/her to record the facts you have provided in the Order Book)

3. If people are victims of any form of violent crime do assist them to follow up with the police (the type of information to be obtained is detailed on the sheet referred to). Keep up the pressure and, if you receive no assistance from the investigating officer, take the matter up with the station commissioner and, if there are still problems, the provincial and national commissioners (you can also complaint to the Minister, or to the parliamentary portfolio committee concerned).

When people make statements to the police it is very important that, if they are not highly literate, they be accompanied by someone who is, so that their statement can be checked to make sure all relevant facts are included and they are correct. A copy of the statement made should be obtained by the person who has signed it.

4. Monitor the policing in your area. Support the police members who are trying to do their jobs properly, and make a note of those who are not performing or who are corrupt. Put complaints about poor policing in writing and send to station commissioner or provincial commissioner. If police vehicles are being used for private purposes make a note of the registration number and the time and place where it was seen and, if possible, who was in it (members in uniform? How many? Are names known? Then complain to management (preferably in writing)

5. Network with others engaged in similar work and, if relevant make reports to the media (never give them people's names or contact details without checking with people first; many people in fear of their lives do not want their names mentioned to others)

6. There are problems in many areas relating to alleged complicity between police and local troublemakers, including at election time. Check on local levels of confidence – or lack of confidence – in policing and, if people do not trust the local police to keep them safe at election time, lobby the IEC and police management to send police (or even soldiers if the area is volatile) to be in the area from the days before the elections until the whole process is over.

7. If you are a minister, or involved in church structures, educate congregations about the secrecy of the vote.

While election periods tend to heighten tensions, threat and intimidation, and may lead to acts of overt violence, the steps outlined above, insofar as they relate to threats or acts of violence, are relevant when dealing with all manner of crime.

Although there are not that many examples in this province, there are some which illustrate how the effective use of the criminal justice system creates a climate of peace. In the mid 1990s over 100 people had died in political

violence in the Mandeni area in the space of 8 months. With some difficulty, a small team of detectives headed by (then) Captain Vilakazi was allowed to investigate the killings. Within weeks the team had made arrests and subsequent high court convictions were obtained (despite the police trying to stop Vilakazi's work!) Violence levels dropped dramatically, and a local IFP leader and local ANC leader reached out to each other and worked for peace in the area. Vilakazi's work in the violence-ridden Mtubatuba area in the latter 1990s also led to a dramatic drop in political violence. Because police management was anything but supportive of Vilakazi's work it was necessary to do a great deal of intensive lobbying, including with the then Minister of Safety and Security – which is what I mean by supporting the work of good police members!

I am convinced that it is only through a concerted effort by all of us that we will see a change for the better in the administration of justice and, with it, a more peaceful society.

References cited

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