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Gang violence in the Cape Flats: An evaluation of the negative impact
that polices developed as a reaction to a moral panic may have on the
individuals and communities affected by the moral panic

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DEDICATION

This dissertation is dedicated to my maternal grandparents, Mqhobobo Dluphu Nhlumayo and Nomlando mamMqadi Nhlumayo.

To my dearest, Mhlengani “Nani” Dlomo, to know and to love you was perhaps one of the greatest gifts God gave me. You will forever be in my heart, my dear friend.

ABSTRACT

In South Africa, security is a major element of the political and economic discourse, with crime being perceived as not only a contributing factor to the stagnant economic growth but a threat to democracy. Concern about the “crime problem” is constantly growing. It does not only manifest in public anxiety but in political campaigns, with the media eagerly providing a platform for anxious and concerned citizens to express their fear. Discussions surrounding the issue of crime are often accompanied by highly publicised campaigns and so called “wars” on crime and drugs, which unfortunately often target already volatile communities.

Gang violence in the Cape Flats remains topical and academically relevant not only as a result of the significant attention it is given by the media, politicians and law enforcement agencies, but also because the gang violence is viewed as some form of corroboration of the notion of so-called “coloured” criminality. Every year when the national crime statistics are released, the city of Cape Town becomes a topic of discussion because of the usually high figures of attempted murder and murder cases, with law enforcement agencies, the media and politicians often attributing these high crime rates to gang violence in the Cape Flats. Consequently, crime, particularly gang violence has become synonymous with this region. Arguably, one cannot discuss the Cape Flats without images of gangs and gang violence coming to mind.

The purpose of this dissertation is to explore how the theory of Folk Devils and Moral Panics -introduced by Cohen, and developed by other criminologists - reveals how current public discourses misunderstand, or oversimplify the problem of gang violence in the Cape Flats and, thereby, overlooking how stereotyping both prevents us from understanding the problem and somehow reproducing the problem. The aim is not to argue that gang violence is simply a moral panic, or that the morphing of the “coloured man” into a “folk devil” is the sole cause of gang violence because attributing such a complex issue to one factor would not only be naïve but misleading to the reader. Rather, the goal is to demonstrate how the legacy of the initial moral panic, which arose from racism and the irrational fear amongst White people in the Cape of miscegenation led to false claims about people of a “mixed race” (i.e. propensity to criminal behaviour, laziness, abnormal sexual appetites and low intelligence), which were

institutionalised during apartheid, and may continue to shape public discourses about gang violence in the Cape Flats.

Moreover, this moral panic led to the systematic discrimination of coloured people and more specifically that of the coloured man. Extensive media coverage often leads to political mobilisation around crime and violence and unfortunately politicians tend to ignore the underlying socio-economic and structural problems, which are often the cause of an increase in crime and violence, choosing to rather politicise and weaponise the problem by focusing on demonising the criminals to gain political favour with the electorate, whilst ignoring the fact that their alarmist rhetoric creates mass hysteria.

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1. INTRODUCTION

1.1 Background and problem statement

In South Africa, security is often at the forefront of political and economic discourses, with crime being perceived as not only a contributing factor to the stagnant economic growth but a threat to the proper functioning of democracy. Concern about the “crime problem” is constantly growing and manifests itself in not just public anxiety but in political campaigns, with the media eagerly providing a platform for all the anxious and ‘concerned’ citizens to express their fear. Discussions surrounding the issue of crime are often accompanied by highly publicised campaigns and so called “wars” on crime and drugs, which unfortunately often target already volatile communities.¹

Gang violence in the Cape Flats remains topical and academically relevant not only as a result of the significant attention it is given by the media, politicians and law enforcement agencies, but because gang violence appears to be viewed as corroboration of the notion of so-called “coloured”² criminality. Every year when the government releases national crime statistics, the city of Cape Town becomes a topic of discussion because of the disproportionately high figures of attempted murder and murder cases, with law enforcement agencies, the media, and politicians often attributing the high crime statistics to gang violence. In response to the 2020/2021 quarterly crime statistics (released in August 2020), the Western Cape Community Safety Member of Executive Committee (MEC), Albert Fritz stated that gangs and gangsterism plague the province when compared to other provinces in the country.³ The statistics which recorded crimes which occurred during the period of April 2020 to June 2020, stated that gang violence accounted for 63 murders and 59 attempted murder cases.⁴ As a result, crime (particularly gang violence), has become synonymous with this region of Cape

¹ S Jensen ‘The South African transition: from development to security’ (2005) 36(3) *Development and Change* 551.

² In South Africa, the word “Coloured” does not refer to black people as it has historically been used around the globe but it is used to refer to a distinct racial group which does not necessarily identify as black. M Adhikari ‘Hope, Fear, Shame, Frustration: Continuity and Change in the Expression of Coloured Identity in White Supremacist South Africa, 1910–1994’ (2006) 32(3) *Journal of Southern African Studies* 467–487.

³ <https://www.iol.co.za/capeargus/news/of-63-gang-related-murders-in-sa-59-were-in-the-western-cape-303d753d-7cdb-4e1c-9ec7-5495be378eac>

⁴ <https://www.iol.co.za/capeargus/news/of-63-gang-related-murders-in-sa-59-were-in-the-western-cape-303d753d-7cdb-4e1c-9ec7-5495be378eac>

Town, to the extent that one cannot discuss the Cape Flats without images of gangs and gang violence coming to mind.

It is important to consider the manner in which the media reports on incidents of crime or violence which occur in the Cape Flats, the areas the politicians go to when visiting the Cape Flats, the images which flood various visual media platforms and how “coloured” men are often depicted as gangsters. Crime in the Cape Flats is seldom reported as a case of a random hijacking, robbery or drunken squabbles. Rather, the assumption is that all violence is rooted in gangsterism and that gangs are always the perpetrators and as such, they are responsible for all criminal acts - even if there is no proven correlation between the specific crime and gangsterism, the reporting will allude to a gang connection. An example of the media’s reporting into crime in Cape Town can be observed in the manner in which they reported on the shooting of an attorney, Jakes van De Merwe in 2020. Although no evidence has been presented that the incident was gang related, the media alluded to a gang connection and linked the shooting to other incidents in which attorneys were shot or murdered in Cape Town.⁵

The goal of this dissertation is to explore how the theory of Folk Devils and Moral Panics, which was introduced by Cohen, and developed by other criminologists - reveals how current public discourses misunderstand or oversimplify the problem of gang violence in the Cape Flats thereby, overlooking how stereotyping both prevents us from understanding the problem of gang violence and possibly contributes to it in some sense. The aim is not to argue that gang violence is simply a moral panic, or that the morphing of the “coloured” man into a folk devil is the sole cause of gang violence; to attribute such a complex issue to one factor would not only be naïve but misleading to the reader. Rather, the goal is to demonstrate how the legacy of the initial moral panic, which arose from racism and the irrational fear amongst White people in the Cape of miscegenation led to false claims about people of “mixed race” (i.e., propensity to criminal behaviour, laziness, abnormal sexual appetites and low intelligence), which were institutionalised during apartheid, and may continue to shape public discourse about gang violence in the Cape Flats.

Moreover, this moral panic over miscegenation led to the systematic discrimination of Coloured people and more specifically coloured man.⁶ The extensive media coverage often

⁵<https://www.news24.com/news24/southafrica/news/attorney-shot-in-his-car-in-cape-town-20200212>

⁶Wilcocks Commission ‘Commission of Inquiry regarding the Cape Coloured population’ of the Union’ UG 54-1937.

leads to political mobilisation around crime and violence and unfortunately politicians tend to ignore the underlying socio-economic and structural problems that contribute to an increase in crime and violence, choosing to rather politicize and weaponize the problem by focusing on demonizing the criminals to gain political favour with the electorate, whilst ignoring the fact that their alarmist rhetoric creates mass hysteria.⁷ Despite researchers' acceptance of the challenges which the government is faced with in seeking to tackle gang violence, there is consensus that the problem cannot be solved through the introduction of paramilitary and counter-insurgency approaches that feed off a "war on gangs" approach, and that such an approach merely increases gang solidarity which leads to an escalation of the violence.⁸

It is disappointing that in a country which is still trying to recover from the excessively cruel police force and inhumane military interventions experienced during the apartheid era, politicians lobby for the South African Defence Force to intervene and to fight the so-called "gang war" in the Cape Flats.⁹ What is even more disappointing is that the government actually acquiesced to these alarmist calls, and deployed military forces to the Cape Flats from July 2019 to March 2020.¹⁰ This type of intervention did not only infringe on the constitutional right to human dignity¹¹ of the people in the Cape Flats but was a disproportionate reaction which might create a perception of abnormality and isolate the predominantly "coloured" Cape Flats community, which is already marginalised.

1.2 Gang violence and the Cape Flats: A contextual background

In September 2014, the Western Cape Provincial Police Commissioner General Arno Lamoer stated that eighteen percent of murder statistics could be attributed to gang violence.¹² However, it must be noted that the estimates provided by law enforcement agencies do not always provide accurate figures for crimes, which only the gangs are responsible for as the police cannot actually estimate with absolute certainty which murders or acts of violence

⁷A Baderoon 'The representation of the crime question in Cape Town' 5 available at http://www.cci.uct.ac.za/usr/cci/publications/aria/download_issues/1999/Baderoon_A.pdf.

⁸D Pinnock *Gang Town* 2016 16.

⁹<https://www.news24.com/Columnists/GuestColumn/call-for-the-army-to-be-deployed-in-crime-ridden-area-in-the-city-of-cape-town-20180720>.

¹⁰<https://www.news24.com/Columnists/GuestColumn/call-for-the-army-to-be-deployed-in-crime-ridden-area-in-the-city-of-cape-town-20180720>.

¹¹Section 2 of the Constitution of the Republic of South Africa, 1996.

¹²D Pinnock *Gang Town* 2016 17.

occurred due to gang violence.¹³ It was reported that “in a single year ending in March 2015” more than 17 000 cases of murder and at least 600 000 cases of violent crimes (such as attempted murder and rape) were recorded in South Africa.¹⁴ The murder rate in South Africa during this period was measured at 35 per 100 000. Significant disparities are observable when you compare these national figures with the murder rate of 55 per 100 000 for Cape Town.¹⁵ Even more alarming are the figures for Nyanga township with the murder rate being estimated to be above 200 per 100 000.¹⁶ These statistics are reportedly attributable to gang violence.¹⁷

Although the existence of gangs, and the gang violence, which occurs as a result thereof, affects several communities in South Africa, the Cape Flats stands out in the sense that gang violence is portrayed in its most extreme form and has come to be accepted as an extremely violent space.¹⁸ The socio-economic and security interventions implemented over the years appear to be informed by this acceptance of the Cape Flats as a violent place.¹⁹ Redpath claims that the subculture of gangsterism and violence is so deeply entrenched in the Western Cape province that some areas are even referred to as “Little Bosnia” and “The Battlefield”.²⁰ Magidi also notes the deep rooted culture of gangsterism in the Western Cape and how it often results in the deaths of innocent bystanders.²¹ Different researchers identify different time periods in respect of the emergence of gangs in the Cape. However, most of them agree that the gang problem started prior to 1994.²²

Whilst it is important to recognise that there exists a gang violence problem in the Cape Flats, it is also important to understand the history of the region, and the emergence of the

¹³Ibid 100

¹⁴D Pinnock *Cape Town Gangs: the other side of paradise* 2017 9 available at https://www.researchgate.net/publication/312003589_Cape_Town_Gangs.

¹⁵D Pinnock *Cape Town Gangs: the other side of paradise* 2017 9 available at https://www.researchgate.net/publication/312003589_Cape_Town_Gangs.

¹⁶D Pinnock *Cape Town Gangs: the other side of paradise* 2017 9 available at https://www.researchgate.net/publication/312003589_Cape_Town_Gangs.

¹⁷D Pinnock *Cape Town Gangs: the other side of paradise* 2017 9 available at https://www.researchgate.net/publication/312003589_Cape_Town_Gangs.

¹⁸Other areas which the media usually reports on being amongst others; Polokwane (Limpopo), Westbury and the East Rand (Gauteng).

¹⁹Jensen (note 1 above; 553).

²⁰J Redpath ‘The bigger picture: The gang landscape in the Western Cape’ (2012) 18(1) *Indicator SA* 34–40.

²¹MD Magidi *Experiences of gangsterism by non-gang affiliated high school learners in Hanover Park, Western Cape* (Unpublished Dissertation - Master’s, University of Western Cape, 2014) 2.

²²BE Van Wyk, & W Theron ‘Fighting gangsterism in South Africa: A contextual review of gang and anti-gang movement in the Western Cape’ (2005) 18(3) *Acta Criminologica* 51 –60.

figure of the “coloured” man or “skollie”²³ as a folk devil, to fully understand how the problem emerged. The public, media and politicians’ understanding of gangsterism is influenced by misconceptions, which often results in confusion with not just the definition of what constitutes a gang but the manner in which “gang violence” is addressed. There are different definitions of what constitutes a gang. This is largely a result of gangs having different structures, identities, cultures, hierarchies and different reasoning for their formation. Laws targeting gangs often reflect the changing perception of gangs from being randomly violent and anti-social, to groups involved in organised criminality. However, law enforcement agencies rarely ever achieve notable success in fighting gangs.²⁴ Moreover, the underlying prejudices which can be detected from the manner in which politicians, the media and society in its entirety ‘discuss’ gang violence cannot and should not be ignored. Despite the Cape Flats being home to Black residents (some who can also be regarded as active participants in gang violence), the matter has been racialised, whether consciously or unconsciously, to attribute blame to the “skollie”, who is viewed as the problematic “coloured” man.

1.3 Rationale of the study

Several researchers have relied on various sociological, economic, philosophical, theological and political theories to explain the incessant gang violence in the Cape Flats. Nevertheless, this study aims to show that studying the gang violence “crisis” from a Folk Devils and Moral Panics perspective could possibly provide the much needed insight, especially considering that the problem appears is escalating. Furthermore, this study is important because it is problematic to associate a certain racial or ethnic group with criminality because that does not only perpetuate negative stereotypes but may lead to racial profiling by the police, which may lead to disparities in the justice system. Therefore, situating the study on gang violence within a deeper understanding of the negative stereotypes which resulted from colonialism and apartheid may result in the construction of policy decisions that reflect on social issues at stake.

²³Pinnock describes “skollie” as “a term that is derived from the Dutch word *schoeljie*, meaning ‘scavenger’ or ‘scoundrel’. The name came to be used for vagrants who picked at city refuse dumps or begged on the streets and, generally, for troublemakers. “Skollies” were considered by residents of District Six to be people from ‘outside’ the area. Many of these youths had prison experience or had spent time at porter Reformatory, a youth detention centre. See D Pinnock *Gang Town* (2016) 19.

²⁴CM Katz, VJ Webb and TA Armstrong “Fear of gangs: a test of alternative theoretical models” 2003 20(1) *Justice Quarterly* 97.

1.4 Aims of the study

1. To investigate how moral panic and folk devils research may be used to understand gang violence in the Cape Flats.
2. To explore how the idea of the “skollie” influences the manner in which society in general and authorities in particular relate to gang violence in the Cape Flats.

1.5 Methodology

This dissertation is based on a qualitative approach. Data were collected using desktop research using official crime statistics, reports by Commissions of Inquiry, and Parliamentary Committees, as well as academic books, journal articles, and news reports.

2. MORAL PANICS AND FOLK DEVILS

2.1 Introduction

Stanley Cohen argues that moral panics arise when,

a condition, episode, person or group of persons emerges to become defined as a threat to societal values and interests; its nature is presented in a stylized and stereotypical fashion by the mass media; the moral barricades are manned by editors, bishops, politicians and other right-thinking people; socially accredited experts pronounce their diagnoses and solutions; ways of coping are evolved or (more often) resorted to; the condition then disappears, submerges or deteriorates and becomes more visible.²⁵

According to Cohen, moral panics are not only derived from, but they reinforce, underlying fears and anxieties.²⁶ Cohen asserts that each society has its own preconceived notions about what causes “deviation”, and the questions which arise after an incident regarded as deviation focus not only on attempting to understand what may have caused the individuals to deviate from the set norms but on how the deviation should be dealt with to prevent a similar occurrence in future. Furthermore, Cohen argues that society has a collection of set images of typical deviants, and it is these images and the ideas which accompany them which inform the manner in which society reacts to what it considers a deviation.²⁷

A moral panic occurs when a deviation from society’s moral values occurs, and unity is heightened by driving deviants further away from the ambit of society’s moral boundaries.²⁸ Due to society’s response to the deviant’s behaviour or infraction, the deviant begins to associate with individuals who have also been the subjects of similar treatment or punishment. Deviants form an alliance based on their deviance and the labels they would have received, which results in further deviation from conventional society.²⁹ For example, whilst conducting research on gang violence in Heideveld (one of the townships which make up the Cape Flats), Jansen found that the identity of “coloured” people, as constructed by society is interlinked with that of gangsterism, and that gangs have managed to, through the invention and validation

²⁵S Cohen, *Folk Devils and Moral Panics* (1972) 1.

²⁶Ibid 56.

²⁷Ibid 16.

²⁸N Ben-Yehuda, ‘The sociology of moral panics: towards a new synthesis’, (1986) 27 *Sociology Quarterly* 495-513.

²⁹S Cohen ‘Folk Devils and Moral Panics- the Creation of Mods and Rockers’ -1980 18.

of the “skollie” identity, dictate the social discourse. Jensen also found that the law enforcement agencies, “social workers, community workers, and church members” play a role in strengthening the idea of the “skollie” through their labelling and by “engaging notions of “ordentlikheid” (respectability)”.³⁰

Cohen also claims that, if the deviant group is structurally weak and easily susceptible to social control, it can find itself under the control of groups which have more resources and social capital.³¹ As a result of increasing levels of deviance and the consequent spike in deviant behaviour such as crime, people begin to migrate out of the areas which are populated by the deviants, creating additional displacement for not only the deviants but the residents of these communities, thus creating cultural and economic instability in the community.³²

Rohloff and Wright describe moral panic as

a sociological concept that explains a particular reaction or rather an overreaction to a perceived social problem, which was developed in the turbulent political and intellectual context of the 1960s with the intention of exposing the processes involved in creating concern about a particular social problem and the societal reactions and policies, which subsequently follow as a solution to it.³³

Becker argues that the manner in which society reacts to a particular situation or incident informs what should be considered a social problem and can lead to a demand for the creation of new rules and regulations needed to exercise social control.³⁴ Further, Cohen states that once the initial impact of the ‘moral panic’ incident has passed, society attempts to understand what has happened, particularly if it sees the occurrence, situation or deviation as posing a risk to the existing social order. The dialogue is less about the incident itself and more about what consequences it may have for society.³⁵ Although the theories, ideas and opinions about the problem are initially supplied by the media, they are then discussed by the

³⁰I Kinnes, *Contested Governance: Police and Gang Interactions* (unpublished PHD Thesis, University of Cape Town, 2017) 30.

³¹S Cohen “Folk Devils and Moral Panics- the Creation of Mods and Rockers” -1980 18.

³²CM Katz, VJ Webb and TA Armstrong “Fear of gangs: a test of alternative theoretical models” (2003) 20(1) *Justice Quarterly* 101.

³³A Rohloff, S Wright ‘Moral Panic and Social Theory’ (2010) 58 (3) *Current Sociology* 404.

³⁴HS Becker *Outsiders: studies in the sociology of deviance* 1963.

³⁵Cohen (note 23 above; 47). S Cohen “Folk Devils and Moral Panics- the Creation of Mods and Rockers” -1980 47.

public in social settings and debated by policy makers in more formal settings and it is in this context that they either receive support or face resistance.

Moral entrepreneurs are tasked with leading the discussion on what should be viewed as a deviation from societal norms and work vigorously not only to bring the deviation to the public's attention but lobby for policies which align with what they consider to be an appropriate and more superior value system. The first act of deviation by the deviant group is seen as deserving of attention by the moral entrepreneurs, and require punitive measures to be instituted. The actor or actors are then labelled as deviant and isolated from conventional society. As a result of being ostracized by society, the actor or actors may begin to accept society's conception of their identity and the labels which they receive as a result thereof. Eventually, the actor or actors gravitate towards other members of society who have also received similar labels, and this serves to further isolate the actor or actors from conventional society.³⁶

As a result of being exposed to different opinions, theories and attitudes, an individual's perception about the incident or deviant are influenced and might change from what he initially believed to reflect the views of their peers or the views that moral entrepreneurs deem appropriate and moral. Eventually, these collective beliefs and opinions which are not only formulated but endorsed by the collective tend to overpower and replace individual opinions. They form part of the community concept, the set of common views that each individual usually conforms to.³⁷ These views are then legitimized by policy makers through legislation and enforced by state agents through organs of state such as the courts and prisons.

After an incident or behaviour which is regarded by society as an anomaly, whether it is an interracial relationship in a racist community or gang violence in a country which is heavily preoccupied with maintaining law and order, society endeavours to make sense of it and to ensure that it does not occur again. There are measures in place to swiftly address the deviant behaviour. Cohen states that after an incident has occurred, the first step is to identify the culprit, who is often a suitable enemy and is not only vulnerable but can be easily denounced since they usually do not have any social capital or bargaining power in the political and cultural arena. Secondly, an equally suitable victim, who is not only relatable but easily accessible to the general public is identified. Thirdly, there must be agreement that the deviant

³⁶Cohen *Folk Devils and Moral Panics- the Creation of Mods and Rockers* 1980 18.

³⁷HS Becker, *Outsiders: Studies in the Sociology of Deviance* 1963 112.

act is not an isolated incident and that certain aspects of society will be negatively affected if putative measures are not implemented to deal with this deviation or infraction.³⁸

Moreover, acceptance of the presence of risk or threat is closely linked to the question of who is perceived to be posing a threat as being able to effectively assign blame to a specific actor is essential to the success of a moral panic.³⁹ Cohen argues that “successful moral panics owe their appeal to their ability to find points of resonance with wider anxieties”.⁴⁰ Although it is not the sole factor needed for a successful moral panic, a certain amount of fear towards some minority groups is necessary for the creation and growth of a moral panic. According to McCorkle and Miethe, society’s concern about “threatening” groups remains in existence regardless of the activities of claims makers, as their claims only bring to the surface what is already in existence.⁴¹

Sensitisation to deviance is one of the organised systems of control’s responses to deviance and is based on an understanding of the complexity of different belief systems.⁴² Sensitisation does not only involves conceptualizing the labels which are given to certain behaviour but involves the allocation of blame and the direction of measures of social control towards the actor or actors who are deemed to be responsible for the deviance.⁴³ Furthermore, sensitisation is regarded as a form of the simplest type of generalised belief system, hysteria, which ‘transforms an ambiguous situation into an absolutely potent generalized threat’. The clarity which is brought by this transformation then leads to elimination of the anxiety which was created by the ambiguous nature of the condition. The actual nature of the condition is not as important as what claims makers say about that condition. As such, numerous conditions, including those which are regarded as non-threatening can exist. However, due to limited resources, intense competition exists among claims makers for the public’s attention in the spaces where social problems are framed. Crime, especially gang violence consistently receives a significant portion of the attention of claims makers and the public as a whole.⁴⁴

³⁸S Cohen *Folk Devils and Moral Panics: the creation of the Mods and Rockers* 2011 xii.

³⁹Ibid xxxii

⁴⁰Ibid xxxviii

⁴¹R C McCorkle, T D Miethe “The political and organizational response to gangs: an examination of a moral panic” 1998 15(1) *Justice Quarterly* 61.

⁴²Cohen *Folk Devils and Moral Panics- the Creation of Mods and Rockers* 1980 80.

⁴³S Cohen “Folk Devils and Moral Panics- the Creation of Mods and Rockers” -1980 81.

⁴⁴Hiltgartner, S and Bosk, CL ‘The rise and fall of social problems: a Public Arenas Model’ 1988 94(1) *American Journal of Sociology*:53-78.

When analysing the manner in which state agencies approach crime and violence, particularly the strategies that have been utilised to deal with problems of crime in the Cape, whether it was during colonialism, apartheid era or even in the present day democratic dispensation - it is evident that when it relates to criminal behaviour or rather beliefs about who is responsible for deviance or criminal behaviour in the Cape, “Coloured” people are not treated in the same manner as their “Black” and “White” counterparts.⁴⁵ The coloured community has continuously experienced disproportional levels of incarcerations (especially considering that they are a minority group)⁴⁶. They are the objects of derogatory labels and policies, which have led to the degradation and emasculation of the coloured man and guaranteed that criminality becomes a distinctive marker of coloured identity.⁴⁷ As will be shown below, societal reactions and government interventions have not just been influenced by the racist belief that coloured men are innately criminal, but legitimised and institutionalised this stereotype.

2.2 The role of imagery and labels with regards to the formation of a moral panic

Cohen states that “moral panics are by no means an intellectual exercise whereby precise labels are decided upon, in the same way, for example, that a medical professional would assign certain symptoms into diagnostic categories or a botanist would classify different species of plants”. Further, Cohen argues that the process of defining deviance involves a conception of the essence of the deviation and the deviant is assigned a function or social component, shared experiences evolve in which their actions are visualized and clarified. During this process, the deviant’s motives are imputed, causal patterns are sought and behaviours are grouped together with similar behaviour.⁴⁸ Cohen asserts that imagery is an integral aspect of the process of identifying labels that are given to deviants. The labels which are given are not invented as a result of the deviation, because the labellers already have an existing inventory of images which can be associated with this behaviour to draw upon. According to Cohen⁴⁹

Once the initial identification has occurred, more labels are created, the primary label then serves to evoke secondary images, some of which are purely descriptive, some of which contain explicit moral judgments and some of which contain prescriptions about how to handle the behaviour.

⁴⁵S Jensen *Gangs, Politics & Dignity in Cape Town* 2008 36.

⁴⁶S Jensen *Gangs, Politics & Dignity in Cape Town* 2008 36.

⁴⁷A Venter *Coloured: a profile of two million South Africans* 1974 1-2.

⁴⁸Cohen *Folk Devils and Moral Panics- the Creation of Mods and Rockers* 1972 74.

⁴⁹Cohen *Folk Devils and Moral Panics- the Creation of Mods and Rockers* 1980 74.

Cohen studied the organised system of social control and its response in terms of certain representations of the deviant community, as well as the role that the response plays in creating images that sustain these folk devils.⁵⁰ Cohen found that negative and positive stories have a similar impact on the community's perception of the deviant symbols.⁵¹ As a result of sensitisation towards certain words, phrases and images, society remains vigilant to any signs which indicate that deviation is about to occur and what dangerous consequences they might have for society. This often leads to disproportionate reaction to the perceived threat.⁵² The media's approach to the incident is not only informed and influenced by previous symbolisation but the incident is seen as proof of what is already known about the deviant. Of importance therefore is not whether the incidents are 'real' or not but rather the manner in which they are interpreted by the media and the public.⁵³

Subsequently, members of society identified as 'deviant' receive intense scrutiny from moral entrepreneurs and become objects of social control by law enforcement agencies.⁵⁴ The targets of this scrutiny are not chosen by accident, but are chosen from communities that are already vulnerable to social control, which in most cases will be minorities that may include people of colour, refugees or poor people. According to Cohen, the most common targets for labelling and social control are young working class males.⁵⁵

Cohen states that the "empirical existence of forms of behaviour labelled as deviant and the fact that persons might consciously and intentionally decide to be deviant, should not lead us to assume that deviance is an intrinsic act or a quality possessed by an actor".⁵⁶ He uses Becker's theory on the transactional nature of deviance, which can be summarised as follows: Society establishes deviance by creating rules whose violation is regarded as a deviation from societal norms and labelling those who fail to adhere to these rules as deviants.⁵⁷ By employing this view to explain its nature, deviance can thus be viewed not to be rooted in the actual act but rather to be a consequence of the application of society's enforcement of its rules.⁵⁸

⁵⁰S Cohen *Folk Devils and Moral Panics* (1972) 74.

⁵¹NZ Medalia and OT Larsen 'Diffusion and Belief in Collective Delusion: The Seattle Windshield Pitting Epidemic' *American Sociology Review* 23 (1953) 180-186.

⁵²S Cohen *Folk Devils and Moral Panics* (1972) 82.

⁵³S Cohen *Folk Devils and Moral Panics* (1972) 82.

⁵⁴S Cohen *Folk Devils and Moral Panics* (1972) 74.

⁵⁵S Cohen *Folk Devils and Moral Panics* (1972) 83.

⁵⁶S Cohen *Folk Devils and Moral Panics: the creation of the Mods and Rockers* 2011 12.

⁵⁷HS Becker *Outsiders: studies in the sociology of deviance* 1963 9.

⁵⁸*Ibid* 9.

Therefore a person is only labelled deviant because society found that the person has failed to adhere to its rules that relate to what it deems as normal or proper.⁵⁹

Cohen asserts that any person who intends to study and understand deviance should challenge and not accept the granting of labels of certain behaviour as deviant or problematic at face value, but rather must aim to understand why particular actors are labelled as deviant, as well as who benefits from the labelling thereof. Further, Cohen argues that apart from the established questions which are generally raised by society when deviance has occurred (i.e., why did they do it? What kind of people are they? How do we stop them from doing it again?), there are at least three additional questions which must be asked, namely: (i) why are there laws that define the particular act as an infringement; (ii) what are the processes and procedures involved in defining and applying the law to someone who is deviant; and (iii) what are the implications and consequences to society and individuals which emanate from the application of this rule or law?⁶⁰ The meaning and perception that the deviant gives to their own actions is also regarded as essential to this process.⁶¹ It is not just the imagery of vulgarism, violence, and drugs, which is linked to the gang image that society hates about gangs, it is also the symbolic nature of the collective existence of gangs and how the existence of the gang defies society's norms and violates the social contract.⁶² To the lay person, gang members can stereotypically be 'identified' through their secret languages, tattoos and their dress sense amongst other things. Cohen describes this symbolic cycle in three stages; first, a word (gang) becomes a symbol of certain behaviour. Thereafter, certain objects also begin to have symbolic meanings, which can be linked to that specific word, these can be clothes or even hairstyles and finally the objects without any words or action linked to them become a symbol of that behaviour.⁶³ It is through this process of social constructions that stereotypes are formulated and sustained.⁶⁴

Goode and Ben-Yehuda identify five factors whose presence must be considered when ascertaining if a moral panic has occurred.⁶⁵ They noted that the first sign that there exists a moral panic is an elevated level of concern about certain behaviour and the potential repercussions it may have for society. The concern is evident in the degree of attention that the

⁵⁹Ibid 9.

⁶⁰S Cohen *Folk Devils and Moral Panics* (1972) 13.

⁶¹. S Cohen *Folk Devils and Moral Panics* (1972) 30.

⁶². S Cohen *Folk Devils and Moral Panics* (1972) 30.

⁶³S Cohen *Folk Devils and Moral Panics* (1972) 40.

⁶⁴S Cohen *Folk Devils and Moral Panics* (1972) 30

⁶⁵E Goode, N Ben Yehuda *Moral panics: the social construction of deviance* 1994 120.

incident receives from the media, policy makers, the public, and law enforcement agencies.⁶⁶ Thereafter, individuals who are deemed to be engaging in the deviant behaviour and as responsible for the threat are ostracised and become the recipients of negative attention from society. A large portion of the public believe that the conduct of the folk devil is a threat to the beliefs, interests and probably the very life of civilisation as a consequence of the enemy being already in the inventory of folk devils and being easily identifiable to the people, which reinforces their status as a folk devil in society.⁶⁷ A divide or separation is created and there exists an 'us' and 'them' binary, which is centred on society's morality and values.⁶⁸ The next indication of a moral panic follows naturally from this split, which is that there must be agreement that there is a real and serious danger and that the nature of the threat derives from the deviant's failure to adhere to society's norms.⁶⁹

St. Cyr adds that unity does not necessarily have to be found in each person in the community because moral panics occur in different forms and sizes and will differ according to different community's rules and belief systems. Furthermore, the community's stance on the matter does not have to be coordinated, some responses might appear insignificant and lacking in organisation but this does not diminish the degree of concern about the folk devil in that specific segment of society.⁷⁰

One of the most important aspects when seeking to ascertain if a moral panic has occurred is establishing whether society's concern about the deviant behaviour is inconsistent with the threat, which the existence of the folk devil presents to society. St. Cyr claims that during periods of hysteria, statistics are often fabricated. Further, emphasis may be placed on a single deviant even when other factors may have contributed to the problem. It should be noted that the existence of such moral panics can sometimes divert attention away from other social problems.⁷¹ St. Cyr further notes that moral panics may disappear as swiftly as they arose, although they sometimes reappear during the course of time. Moral panic in this regard can be seen as another fad or phenomenon that surfaces and disappears. The public's response is to give the moral panics a significant amount of attention whenever they appear, but it

⁶⁶E Goode, N Ben Yehuda *Moral panics: the social construction of deviance* 1994 43.

⁶⁷E Goode, N Ben Yehuda *Moral panics: the social construction of deviance* 1994 43.

⁶⁸Ibid 30.

⁶⁹Ibid 34.

⁷⁰St Cyr, JL 'the Folk Devil Reacts: Gangs and Moral Panic' (2003) 28 (1) *Criminal Justice Review* 26.

⁷¹S Ibid 30.

quickly declines and the issue loses relevance.⁷² Nevertheless, Goode and Ben Yahuda note that, unlike the moral panics generated by the Mods and the Rockers, certain moral panics leave an entrenched legacy, which can be observed in legislation and other forms of social control that apply even if there no longer exists a threat and which may be used to address other unrelated problems.⁷³

2.3. Gangs and Moral Panics

Irrespective of their size, activities or structure, gangs are widely viewed as not only a menace but as a threat to societal norms and values, and the safety of the individuals in the communities in which they operate.⁷⁴ It is through this perception and the gang label's association with violence that gang members define themselves to their respective communities and take up space in the gallery of folk devils.⁷⁵ The threat posed by gangs, irrespective of the nature of its existence or if it is real or imagined, separate the individuals who are affiliated with gangs and exposes them to not only rejection by their communities but extreme measures of social control by law enforcement agencies from legitimate institutions and increase their marginal social status.⁷⁶ As pointed out by Decker and Van Winkle, it is the symbolic nature of what gang membership represents that determines behavioural expectations as well as who becomes the recipient of the gang label and the stereotypes of which the label is associated.⁷⁷ This corresponds with Cohen's symbolisation process, in which words come to symbolise a particular status.⁷⁸

Some researchers suggest that the attention, which gangs receive from the media and politicians are testament to the fact that there is a widespread fear of gangs. Further, it is also evidence of the fact that stereotypical images and the emotions they evoke, especially in the context of crime, have the power to develop moral panics.⁷⁹ It is on this premise that moral panics draw on stereotypes and prejudices to entrench moral boundaries which impress upon

⁷²St. Cyr (note 70 above; 31).

⁷³E Goode, N Ben Yehuda *Moral panics: the social construction of deviance* 1994 43.

⁷⁴RB Taylor and J Covington "Community Structural Change and Fear of Crime" *Social Problems* (1973) 40 (3) 374-397.

⁷⁵SH Decker, B Van Winkle *Life in the Gang: Family, Friends and Violence* 1996 24.

⁷⁶*Ibid* 24

⁷⁷St. Cyr (note 70 above; 31).

⁷⁸S Cohen *Folk Devils and Moral Panics: the creation of the Mods and Rockers* 2011 18.

⁷⁹E Goode, N Ben Yehuda *Moral panics: the social construction of deviance* 1994 33.

society the idea that conventional culture is morally superior.⁸⁰ Lane and Meeker argue that a distinction must be made between general anxiety about the existence of crime and fear of gangs, specifically.⁸¹

Zatz claims that the existence of a gang problem was alleged by law enforcement agencies in Phoenix, Arizona during the late 1970s with the intention of obtaining law financial aid from the government. The media then reported based on the information it had obtained from the police, which gave legitimacy to the claims made by the police. Katz argues that gang members posed more or less the same threat to their community as any other youth, however, the claims made by the police and the media's reporting on the issue gave the impression that urgent intervention was necessary. Therefore, both the police and the media conceptualise an imagery of chaos which has the power to bring about political change and structural outcomes.⁸²

2.4 The stereotypical nature of the dialogue on gangs and gang violence

Some researchers argue that responses to crime and in particular responses to gang violence are often based on fear rather than on the existence of an objective and reasonable threat.⁸³ This claim is supported by studies which have found that police gang units which were supposedly created to curb gang violence were actually created to monitor minorities and other marginalised groups residing in areas populated by these groups as they were perceived to be high risk and as such posed a danger to the good and law abiding individuals residing in close proximity to these places. Furthermore, it is suggested that statutory measures are often preemptively implemented as result of underlying prejudices about gangs rather than as a response to an imminent objective threat.

Researchers indicate that the public's fear of gangs can result in politicians overreacting.⁸⁴ Some academics argue that the public's anxiety about crime is not always based on reality but is the consequence of the media's biased and sensationalised coverage of the

⁸⁰J Moore 'Gangs, drugs and violence' in S Cummings & DJ Monti (eds), *Gangs: The Origins and Impact of Contemporary Youth Gangs in the United States* 1993 29.

⁸¹J Lane and JW Meeker "Fear of Gang Crime: A Look at Three Theoretical Models" 2003 37(2) *Law & Society Review* 425.

⁸²MS Zatz "Chicago youth gangs and crimes: the creation of a moral panic 1987 11 *Contemporary Crisis* 131.

⁸³CM Katz, VJ Webb and TA Armstrong "Fear of gangs: a test of alternative theoretical models" 2003 20(1) *Justice Quarterly* 97.

⁸⁴*Ibid* 97.

news.⁸⁵ One cannot deny that the illegal activities which gangs engage in are more visible and brazen when compared to those of other deviants in society. However, criminal behaviour, including the possession of firearms and the distribution and use of illegal drugs (whether in small or large quantities) is not an anomaly in contemporary society. Many members of society, who have no affiliation to organised criminal organisations, regularly engage in similar deviant behaviour.⁸⁶

Linneman describes “gang talk” as the problematic tone in which academics, politicians and the media discuss street collectives with the intention of regulating them, including the images and language they use to fulfil this objective. As Hallsworth notes, gang talkers in the media contribute to the social control and regulation of street collectives by keeping the spotlight on the law enforcement agencies and public records.⁸⁷ Linnemann argues that the most visible and pervasive form of gang-talking emanates from the news media and that the influence of gang-talking is not limited to gang-talkers holding authority or socio-political positions. He argues that this shows that gang talkers do not need to be educated, be in positions of power or even have access to the public through the media and the conversation can occur in informal settings until it eventually reaches politicians, the media and law enforcement agent.⁸⁸ Katz and Jacobs argue that the government and law enforcement agencies only begin to pay attention to the existence of gangs once they are seen to be causing a problem in society.⁸⁹

Moral panics can either be reactionary, such as a knee jerk reaction to a problem that arises quite suddenly and unexpectedly or they can be more conscious and deliberate reactions to a problem that has been allowed to fester and simmer and when attention is suddenly given to the problem, it has the potential to create chaos. Gang violence appears, to subtly, be seen as confirmation of the criminal nature of the “coloured” person. It is not treated as a socio-economic problem nor is it treated as a general crime problem, like hijacking, cash in transit robberies or theft; rather it has been given labels such as the “Cape Flats gang war”, which makes it easier for not only outside observers but the community itself to look at it as a

⁸⁵Ibid 100.

⁸⁶JL St Cyr, ‘The Folk Devil Reacts: Gangs and Moral Panic’, (2003) 28 (1) *Criminal Justice Review* 26.

⁸⁷Linnemann T From ‘filth’ and ‘insanity’ to ‘peaceful moral watchdogs’: Police, news media, and the gang label 2017 13(3) *Crime Media and Culture* 299.

⁸⁸Ibid 302

⁸⁹Katz, J. and C. Jackson-Jacobs ‘The Criminologists’ Gang’ in C. Summer (ed.) *the Blackwell Companion to Criminology* 2004 93.

“coloured” problem. Perhaps, when reporting, the name “Cape Flats” did not accompany every media report (the Cape Flats comprises a number of different areas, therefore referring to the area as Cape Flats, instead of using the specific names, is actually misleading) the spurious attribution would not come so easily. It would not be easily acceptable to associate gang violence with “Coloured” identity, nor would it be a norm to assume that “Coloured” men are gangsters. Finally, it would not be as easy to ignore that Nyanga, which is a township predominantly populated by Black people, has the highest crime rate in the Cape Flats.

2.5 Critiques of folk devils and moral panics theories

Garland states that the subjects of moral panics are not accidental nor are they chosen at random; rather they are social misfits whose mere existence already brings about concern in society. The ‘new’ offending behaviour or deviance concerns observers because it affirms existing beliefs about rule breakers and it also provides a justification for what could have, in the absence of this deviant behaviour be viewed as unjustifiable or an irrational fear of the “folk devil”.⁹⁰ Downes and Rock note that one of the weaknesses of moral panic analysis includes the failure to provide evidence that these background anxieties truly exist and that these anxieties, rather than the deviant phenomenon being reacted to actually contributed to the emergence of the ‘moral panic’ in question.⁹¹ It is unlikely that individuals who possess underlying fears about the folk devil will admit their prejudice and it is plausible that some individuals are not even consciously aware of how their underlying fears and biases influence what they perceive as deviance and how they react to the deviance. Therefore, it is impossible to provide the evidence that Downes and Rock speak about.

Cohen agrees that the idea of moral panics has been justifiably challenged, particularly as regards its own morality, as: “Why is the reaction to Phenomenon A dismissed or downgraded by being described as ‘another moral panic,’ while the putatively more significant Phenomenon B is ignored, and not even made a candidate for moral signification?”.⁹² Further, Cohen suggests that questions such as the above can only be addressed if a response to an event, situation or activity is considered appropriate and proportional to behaviour, and that pointing to the complexity of the relationship between social objects and their perception is not

⁹⁰D Garland ‘On the concept of moral panic’ (2008) 4(1) *Crime Media Culture* 15.

⁹¹DM Downes, PE Rock *Understanding Deviance: A Guide to the Sociology of Crime and Rule-breaking* 2011 274.

⁹²S Cohen ‘Folk Devils and Moral Panics- the Creation of Mods and Rockers’ -1980 xxvi

a criticism but the whole point of studying deviance and social control.⁹³ Cohen also concedes that “some trivial and harmless forms of rule-breaking can indeed be blown out of all proportion” whilst some very serious, significant and horrible events even genocide, political massacres, atrocities and massive suffering can be denied, ignored or played down”. Most putative problems lie between these two extremes, precisely where and why it calls for a comparative sociology of moral panic that allows distinctions between societies and within one society.⁹⁴

Then notion that some of the problems which society experiences are social constructs is not a denial of their existence, nor does it negate the fact that solutions must be sought to address the existence of the problem. Rather, it draws attention to a debate about the nature and extent of consideration that the issue require, and the amount of attention that such problems warrant and receive.⁹⁵ Although it is impossible to measure and calculate with absolute accuracy the cost of crime, deviance or violations of human rights and the extent of the impact of deliberate suffering, harm, violence, injury, loss and insecurity; discrepancies between the actual nature of the condition are sometimes apparent, particularly as certain statements and opinions about crime are inflated and motivated by bias and, as such, their credibility and validity need to be challenged.⁹⁶ The underlying argument about a moral panic is that society’s reaction to an incident is disproportionate to the threat which the incident realistically poses- It is the idea that moral lines are drawn based on what is regarded as right or wrong.⁹⁷

We cannot disregard the particular ideological impact of race on our understanding of crime and its consequences and how the crime discourse often distracts us from addressing issues of inequality and injustice in contemporary society. Race has historically been employed as a tool to manufacture non-existent crises in South Africa as demonstrated in the segregationist and apartheid debate on the movement of people of colour into towns and cities. Baderoon asserts that “[i]n the apartheid era the call for safe streets involved not only specific social control but readily mobilised images of disorder, mayhem and social mismanagement”.⁹⁸ The Western Cape is one of only two provinces in the country which have a “coloured”

⁹³S Cohen *Folk Devils and Moral Panics: the creation of the Mods and Rockers* 2011 xxvi.

⁹⁴Ibid

⁹⁵Cohen (note 93 above; xliii).

⁹⁶Cohen (note 93 above; xliii).

⁹⁷Ben-Yehuda ‘The sociology of moral panics: towards a new synthesis’ (1986) 27 *Sociology Quarterly* 495-513.

⁹⁸A Baderoon ‘The representation of the crime question in Cape Town’ 4 available at http://www.cci.uct.ac.za/usr/cci/publications/aria/download_issues/1999/Baderoon_A.pdf.

majority (the Northern Cape is the other province).⁹⁹ Longstanding stereotypical images about “coloured” men helped to legitimise racial categories and inspired government interventions that led to the development of segregated coloured areas in the Cape Flats.¹⁰⁰ The impact which stereotypes can have is observable in that many coloured residents of the township, including both men and women, internalised the “skollie” stereotype.¹⁰¹

The safety concerns of communities and their sensitivity to the prospect that they may be at risk of being victimised should not be trivialised. However, the media’s fixation with crime does not only lead to a mischaracterisation of the existing issues but sometimes contributes to the entrenchment of a culture of folk devils and moral panics, because the relevance of a subject relies not only on the presence of a notable offender but there must be evidence that the problem is being addressed by the relevant authorities.¹⁰²

⁹⁹<https://www.sahistory.org.za/article/race-and-ethnicity-south-africa>

¹⁰⁰Bill Dixon & Lisa-Marie Johns” Gangs, Pagad& the State: Vigilantism and Revenge Violence in the Western Cape” 2001 2 *Violence and Transition Series* 2.

¹⁰¹Ibid 3

¹⁰²A Baderoon ‘The representation of the crime question in Cape Town’ 3 available at http://www.cci.uct.ac.za/usr/ci/publications/aria/download_issues/1999/Baderoon_A.pdf.

3. THE CAPE FLATS, MISCEGENATION AND THE 'SKOLLIE'

3.1 Introduction

In South Africa, Black people and other “people of colour” have historically been the victims of a number of brutal land invasions- these land invasions led to the displacement of many people as they were forced to leave their homes and move to places which were sometimes not even conducive to human habitation. However, none of these invasions were as widespread and systematically enforced by successive governments as those under the policy of “forced removals”: forcefully moving and relocating “Black, “Coloured” and “Indian” people away from areas which were inhabited by “white” people. From 1950 onwards, forced removals took place under the Group Areas Act (41 of 1950).¹⁰³ Under this policy, “Coloured” people in Cape Town were ‘deliberately kept separate from people who were classified as “Bantu”, through physical divisions such as railway lines, wide open fields or highways.’¹⁰⁴ In the late 1970s and 1980s, the government created separate living areas for the “Coloured” middle class and lower class in Cape Town. However, due to housing shortages and the movement of more people from the other areas, it soon led to congestion and the same social problems that were experienced in the areas meant for the lower income earners and poor people. This area is what is currently referred to as the Cape Flats.¹⁰⁵ The legacy of the forced removals can be seen in the fact that the Cape Flats is still predominantly populated by “Coloured” families.¹⁰⁶

Although concern about the existence of gangs in Cape Town dates to the beginning of the 20th century, there is consensus that the problems caused by gangs escalated after the forced removals occurred.¹⁰⁷ In the 1980s, a superficial survey conducted in the Cape Flats showed that 280 groups identified as gangs. Pinnock states that from these figures, it can be deduced that at least 80 000 individuals identified as gang members which accounted for at least five percent of the residents of the city.¹⁰⁸ During the late 1970s and early 1980s, stories of social problems, which not only related to but could be attributed to the presence of gangs began to emerge with increasing consistency in the media. Local newspapers regularly reported on

¹⁰³A Standing *Organised Crime: A Study from the Cape Flats* (2006) 4.

¹⁰⁴A Standing *Organised Crime: A Study from the Cape Flats* (2006) 4.

¹⁰⁵Ibid 4.

¹⁰⁶MA Pillay “The making of people: the story of gangs on the Cape Flats: reconnaissance” (2014) 53(425) *Word and Action* 26.

¹⁰⁷LM MacMaster ‘Social and economic emasculation as contributing factors to gangsterism on the Cape Flats’ (2007) 95(1) *Journal for Contextual Hermeneutics in Southern Africa* 279.

¹⁰⁸D Pinnock *The brotherhoods: Street gangs and state control in Cape Town* 1984 3.

stories of 'gang wars' and as such, popular gangs such as the Fancy Boys were usually featured in the news. Consequently, the Fancy Boys became well known to the readers of local newspapers.¹⁰⁹

3.2 A brief discussion on the concept of "Coloured" identity in South Africa

In the South African context, the word "Coloured" does not refer to Black people as it has historically been used around the globe. Instead, it is used to refer to a distinct racial group which does not necessarily identify as "Black".¹¹⁰ The acceptance of Coloured people being a separate race group emerged in Cape Town during the 1890s.¹¹¹ The perception of "Coloured" people as being racially ambiguous, which can be seen in the prevailing White supremacist discourse, played an important role in establishing and reproducing the "Coloured" identity and the place it occupies in the hierarchy of racial groups, which exist in South Africa.¹¹² Through the emphasis on racial hybridity, traits of racial inferiority and illegitimacy are considered to be a defining aspect of "Coloured" identity.¹¹³ Negative attitudes toward "hybridisation" as opposed to "breed purity" are well rooted in modern popular culture, whether related to animals, household pets or human beings.¹¹⁴ The criticism derives from the commonly held belief that miscegenation frequently contaminates the resulting offspring and renders them inferior to their equivalents of pure bred.¹¹⁵ Therefore, it was generally accepted in the racist White culture that "Coloured" people were intellectually and morally inferior because of their genetic impurity.¹¹⁶

According to Van De Berghe, miscegenation in the Cape was "initially not only common but sanctioned, as long as it took the form of concubinage between higher-status men and lower-status women".¹¹⁷ Despite the generally tolerant attitude, the preservation of its

¹⁰⁹Ibid 4.

¹¹⁰M Adhikari 'Hope, Fear, Shame, Frustration: Continuity and Change in the Expression of Coloured Identity in White Supremacist South Africa, 1910–1994' (2006) 32(3) *Journal of Southern African Studies* 467–487.

¹¹¹S Jensen *Gangs, Politics & Dignity in Cape Town* 2008 7.

¹¹²M Adhikari *Not white enough, not black enough: Racial Identity in the South African Coloured community* 2005 12.

¹¹³M Adhikari *Not white enough, not black enough: Racial Identity in the South African Coloured community* 2005 21.

¹¹⁴S Dubow, *Illicit Union: Scientific Racism in Modern South Africa* 1995 180–181.

¹¹⁵M Adhikari *Not white enough, not black enough: Racial Identity in the South African Coloured community* 2005 23.

¹¹⁶M Adhikari *Not white enough, not black enough: Racial Identity in the South African Coloured community* 2005 17.

¹¹⁷P.L Van Den Berghe *Miscegenation in South Africa* (1960)1(4) *Cahiers d'études africaines* 70.

superior status and not “diluting” Whites’ superior genes with those of the inferior Bantusan and Koisan remained a concern for the dominant White group, which is why intermarriage was, regardless of the acceptance of miscegenation, strongly opposed.¹¹⁸ In contrast, Van De Berghe argues, the majority of the Voortrekkers who settled in the Orange Free State and Transvaal in early 19th century did not possess the same tolerance for miscegenation, which had been found at the Cape in the 18th century, as their rigid Calvinist morality and deep-seated prejudices were irreconcilable with an attitude of tolerance for interracial sexual encounters.¹¹⁹ The Boers’ association of “both sex and dark skin colour with sin and damnation”, coupled with their fear of being “swamped” by the neighbouring Bantu tribes were undoubtedly a source of revulsion against miscegenation.¹²⁰

Charles Sebe, who was director of state security in the Ciskei, the Eastern Cape Bantustan, in a speech which was reported by Joseph Lelyveld, a *New York Times* journalist, openly expressed these widely held attitudes about miscegenation. The essence of the speech being “What will you get from (Black/White) *intermarriage*? You don't get a White person; you don't get a Black person, but a confused child that does not belong anywhere. You get a Coloured.”¹²¹ The word Coloured was pronounced with disdain and his speech seems to have implied that coloured people were not just culturally frustrated but had diminished mental capabilities.¹²² Adhikari claims that Coloured people were not only a source of shame and guilt amongst White people but presented the threat of an infiltration into White society by light-skinned Coloureds which would increase the prospect of racial degeneration, prompting fears that this penetration would eventually jeopardise White Supremacy and the very survival of “Western civilization” in South Africa.¹²³

The entrenched fear of “bastardisation” became even more extreme in the 20th century. As such, “miscegenation came to be viewed by a substantial number of white South Africans as a vile and debasing practice which they considered a form of bestiality”.¹²⁴ During this period, a number of commissions of inquiry which sought to study “Colouredness” and the

¹¹⁸P.L Van Den Berghe *Miscegenation in South Africa* (1960)1(4) *Cahiers d'études africaines* 70.

¹¹⁹P.L Van Den Berghe *Miscegenation in South Africa* (1960)1(4) *Cahiers d'études africaines* 70.

¹²⁰P.L Van Den Berghe *Miscegenation in South Africa* (1960)1(4) *Cahiers d'études africaines* 70.

¹²¹J Lelyveld *Move Your Shadow: South Africa Black and White* 1986.

¹²²M Adhikari *Not white enough, not black enough: Racial Identity in the South African Coloured community* 2005 14.

¹²³*Ibid* 15

¹²⁴*Ibid* 70.

problems affecting “Coloured” people were created by the government. At least three of these commissions can be identified, namely, the Wilcocks Commission of Inquiry into the Cape Coloureds in 1937, the Cape Coloured Liquor Commission in 1945 and the Commission of Inquiry into Deviate Children (Non-European) in 1950.¹²⁵ Comparing “Coloured” people to a mixed *bredie*¹²⁶ became a common colloquialism used to emphasize their racial and cultural hybridity.¹²⁷

The notion that “Coloured” people lacked cultural distinctiveness as they are not a real race group strengthened not only their marginality but also the idea that Coloured people were misfits and somehow fundamentally inferior to the other races.¹²⁸ An additional way in which the Coloured community’s intermediate status led to these negative perceptions is that it automatically acted as a residual category in which ambiguous ethnic groups that did not fit into either the White or African categories were classified. This practice would occur in instances such as the compilation of statistics for census and other government projects.¹²⁹ Erasmus states that some of the negative character traits which are associated with “Coloured” identity include “immorality, sexual promiscuity, illegitimacy, impurity and untrustworthiness”.¹³⁰

Surprisingly, Black Africans are also seen to broadly share similar sentiments when it comes to negative perceptions about racial hybridity and by default about “Coloured” people¹³¹ and it could be said that, the “Xhosa-derived Afrikaans colloquialism *malau*, a pejorative which is a reference to “Coloured” people which alludes to lack of cultural or racial integrity, suggesting that coloured people are rootless and uncouth”, which provides some insight into how Black South Africans view “Coloured” people.¹³² *Malau* is a derivative of the Xhosa terms

¹²⁵S Jensen *Gangs, Politics & Dignity in Cape Town* 2008 7.

¹²⁶*Bredie* is the Afrikaans term for stew and in this context is used to indicate that “Coloured” people are made up of different people, they are a mixture and there is not one distinct race.

¹²⁷M Adhikari *Not white enough, not black enough: Racial Identity in the South African Coloured community* 2005 13.

¹²⁸M Adhikari *Not white enough, not black enough: Racial Identity in the South African Coloured community* 2005 13.

¹²⁹M Adhikari *Not white enough, not black enough: Racial Identity in the South African Coloured community* 2005 14.

¹³⁰M Adhikari *Not white enough, not black enough: Racial Identity in the South African Coloured community* 2005 17.

¹³¹AM Adhikari *Not white enough, not black enough: Racial Identity in the South African Coloured community* 2005 23.

¹³²M Wilson and A Mafeje *Langa: A study of Social Groups in African Township* 1963 13.

amalawu or *ilawu*, and generally refers to a person who is seen as a “rouge, someone without customs or tradition who drinks excessively.”¹³³ This view was not only influenced but explained by employing social Darwinist principles, the implication being that “Coloured” people were perceived to be lacking the positive attributes which are linked to racial purity and considered handicapped by the undesirable qualities which emanate from racial hybridity.¹³⁴

Adhikari states that the marginalised status of the Coloured person,

contributed in two ways to a third key characteristic of Coloured identity, namely, that it was largely the bearer of a range of negative and derogatory connotations; firstly, because of their lack of political and economic influence and secondly because they were a smaller group when compared to the other racial groups, coloured people were not looked at based on their own distinctive identities or characteristics but were looked at in comparison to the other racial groups.

The above was most apparent in the official definitions of the term “Coloured” through which the group was usually described as comprising those who were neither White nor African.¹³⁵ The “Coloured” community as a collective culture was never defined in a positive way, as social groups are usually or in terms of a collection of distinctive features, but was conceived in a negative way in terms of what it was not and what it lacked.¹³⁶ This is one of the more understated ways in which negative associations came to be linked to the idea of ‘colouredness’, thus strengthening the notion that “Coloured” people were not of the same stature as other races and that any claim to independent community status would be invalid or lack a degree of legitimacy.¹³⁷ Due to the negativity associated with being “Coloured”, coloured identity has not been eagerly embraced as an affirmation of self and group identity except on rare occasions such as when “Coloured” people celebrate the Cape Festival.¹³⁸

¹³³M Adhikari *Not white enough, not black enough: Racial Identity in the South African Coloured community* 2005 196.

¹³⁴M Adhikari *Not white enough, not black enough: Racial Identity in the South African Coloured community* 2005 14.

¹³⁵A Venter *Coloured: a profile of two million South Africans* 1974 1-2.

¹³⁶Z Erasmus “Coloured by History, Shaped by place: New perspectives on Coloured Identity in Cape Town” 2001 17.

¹³⁷M Adhikari *Not white enough, not black enough: Racial Identity in the South African Coloured community* 2005 13.

¹³⁸M Adhikari *Not white enough, not black enough: Racial Identity in the South African Coloured community* 2005 14.

3.3 The creation of a *skollie*: Emergence of the “Coloured” man as a folk devil

Cohen argues that “the affinity toward spurious attribution on which the putative deviation is built, stems directly from society’s inventory and as such it is not only present in popular statements but in more informed attitudes.” As such, the role played by spurious attribution therefore remains the same: in all circumstances spurious attribution exists to support a specific theory of policies. According to Cohen, “the successful creation of folk devils rest on their stereotypical portrayal as atypical actors against a background that is over typical”.¹³⁹ It is important to point out that “the skollie menace” appeared at a time of intense global societal changes including wars, urbanisation, industrialisation and proletarianisation.¹⁴⁰ Although not everything that was of importance in Cape politics was informed by the existence of the menace, its presence remained a consistent theme which was echoed through public discourses and practices, both in state and in popular culture.¹⁴¹ The skollie is and has always been a social construct that was created to give a label to something which society could not accept.¹⁴² As Stuart Hall points out, stereotypes reduce people’s identity to a few basic essential features and they achieve this through “drawing on vivid, memorable, easily grasped and widely recognized characteristics of a person”.¹⁴³ It is undeniable that the stereotypes have been for the most part quite effective in conceptualising society’s understanding of who the “Coloured” man is.¹⁴⁴

According to the findings of the Wilcocks Commission, “Coloured” people were divided along class lines with the commission distinguishing between three classes. The first category of “Coloured” people was that of the unwanted class, which comprised the “skollie”.¹⁴⁵ The second category comprised “the farm and unskilled labourers, the factory workers and the household servants in rural and urban areas.” The third category was comprised the educated middle class. The commission concluded that “Coloured” people were

¹³⁹S Cohen, *Folk Devils and Moral Panics* (1972)61.

¹⁴⁰S Jensen *Gangs, Politics & Dignity in Cape Town 2008* 7.

¹⁴¹S Jensen *Gangs, Politics & Dignity in Cape Town 2008* 7.

¹⁴²S Jensen *Gangs, Politics & Dignity in Cape Town 2008* 4.

¹⁴³S Hall “The spectacle of the ‘other’, in Stuart Hall (ed), *Representations: Cultural Representations and Signifying Practices*” 1997 257-258.

¹⁴⁴S Jensen *Gangs, Politics & Dignity in Cape Town 2008* 4.

¹⁴⁵S Jensen *Gangs, Politics & Dignity in Cape Town 2008* 23.

often incorrectly pooled into one category, with the class differences being ignored and every “Coloured” person being assumed to fall into the first group, that of the undesirables.¹⁴⁶

Chapter 3 of the Wilcocks Commission was dedicated to the analysis of “special problems”. These special problems included “toxic home influences, illegitimacy, juvenile delinquency, intemperance, dagga smoking, theft, minor offences, recidivism, need for legal assistance, social discontent and miscegenation”.¹⁴⁷ The commission found that all these problems related to a particular class of people among the “Coloureds” that could be regarded as the “submerged class”. Although the commission was quick to point out what it considered as the positive exceptions, the general belief underpinning the account of the special problems which were present in the “Coloured” community was that “Coloured” men were lazy and morally bankrupt.

In relation to the above, the stereotypical image of the “Coloured” father as being absent, irresponsible and an alcoholic, who when present was a source of further immoral behaviour within the family, was reaffirmed. Poverty and overindulgence in alcohol were thus regarded by the Commission as the root of the family problem, the cycle of juvenile delinquency and the skollie phenomenon and also seen to be preventing “Coloured” men from competing with Whites and Black men. To give support to its assertions, the Commission stated that over 40% of all convictions of “Coloureds” were related to alcohol. The Liquor Commission appeared to have reached similar conclusions when it concluded in its report that “Coloured” people had an imprisonment rate that was nineteen times higher than Indians, and seven times higher than Black men. The suggested correlation between alcohol and criminality was overtly made by both the Liquor Commission and Wilcocks Commission whilst the fact that the police may have or often went looking for particular coloured disorder that occurred due to alcohol was not considered before reaching these conclusions.¹⁴⁸ The Wilcocks Commission found that the main causes of the alcohol problem included the sense of hopelessness experienced by the submerged “Coloured” classes and the so called ‘tot system’ whereby “Coloured” farm labourers, employed in wine producing farms in the Western Cape were compensated using alcohol instead money.¹⁴⁹

¹⁴⁶S Jensen *Gangs, Politics & Dignity in Cape Town* 2008 24.

¹⁴⁷ S Jensen *Gangs, Politics & Dignity in Cape Town* 2008 24.

¹⁴⁸S Jensen *Gangs, Politics & Dignity in Cape Town* 2008 25.

¹⁴⁹S Jensen *Gangs, Politics & Dignity in Cape Town* 2008 26.

Jensen argues that the skollie is a governmental construct in that it does not only undermine but somewhat informs what is considered “Coloured” identity not only by outsiders but “Coloured” people themselves and even though colonial and apartheid governments may have labelled and depicted the skollie in particular ways, they did not invent him nor was he the sole factor behind colonisation, racial segregation and forced removals. Successive governments and bureaucracies did however take the skollie and made him real by objectifying him in ways that allowed for particular forms of intervention. In the eyes of governments, the skollie has always destabilised families and committed crimes rendering him unemployable.

“While colonial and apartheid regimes patently used considerable force and violence against the city’s non-white population, this perspective tends to obscure a more productive and subtler form of power that aimed to produce certain identities: when the regime forcibly removed thousands of “Coloureds” from the inner city, it also produced “Coloured” spaces; when it put generations of men behind bars, it produced a particular form of delinquency; when it removed children from their homes it and put them into foster care or reformatories it promoted certain forms of morality. Hence the dominance of colonial and apartheid regimes was based not only on an ability to suppress a specific population, but also on the ability to police what was considered wrong and immoral and enforcing what was regarded as right and moral. As the “skollie” represented all that was wrong, government intervened to safeguard the “Coloured” population that was threatened by the same evil.”¹⁵⁰ In post-apartheid South Africa, the state does not oppress people because of their skin colour or remove them from their homes because they live in areas set aside for other race groups. However, the skollie continues to animate official government reports and policies, and continues to function as one of the generally accepted benchmarks for understanding “Coloureds”.¹⁵¹

3.4 The ‘moral panic’ of miscegenation and the skollie ‘folk devil’

The upsurge of miscegenophobia was followed by stringent regulations against sexual relations between races, including the Cape Colony law of 1902, which made it illegal for Africans to solicit the services of White prostitutes. In 1903, the other three provinces which formed part of the union adopted similar regulations. The next significant legislation enacted in an attempt to regulate miscegenation was the Immorality Act of 1927, which criminalised

¹⁵⁰S Jensen *Gangs, Politics & Dignity in Cape Town* 2008 5.

¹⁵¹S Jensen *Gangs, Politics & Dignity in Cape Town* 2008 6.

sex between persons of European descent and Africans.¹⁵² Shortly after the National Party's administration began, the Prohibition of Mixed Marriages Act of 1949 came into operation, criminalising the marriage of Europeans to non-Europeans. In 1950 and 1957 respectively, the Immorality Act of 1927 was adjusted to include the prohibition of not just sexual intercourse but what it referred to as "immoral or indecent acts between whites and all non-white groups". The maximum punishment for contravening this regulation was seven years of physical labour as well as physical punishment for male offenders. These regulations, therefore led to the criminalisation of sexual intercourse between Whites and non-Whites, with the allowable exceptions being in instances whereby the couple had been legally married prior to the existence of the legislation.¹⁵³ The promulgation of these numerous statutes is confirmation of the seriousness that the concerns about miscegenation was afforded.¹⁵⁴

In January 1944, two articles were published in the Cape Times titled "The Skolly Threat" and "American Comics serve as an excuse for Crime" which were centred on the emerging skollie and how his emergence was responsible for the observable increase in crime trends. An investigation spearheaded by Justice Minister, Colin Fraser Steyn discovered that an increase of 63.9% in serious crime in the period 1939-1942 correlated with the emergence of the skollie menace. During this period, the term "skollie" was used to refer to the unemployed lower class young men who resided in the predominantly coloured neighbourhoods and were perceived to be lazy and uninterested in being productive and obtaining gainful employment.¹⁵⁵

The creation of a connection between the poor "Coloured" subclass and crime subsequently diverted the growing "Coloured" middle class from their attempts to fight for radical social change in the 1940s. Instead, they concentrated their attention on the skollie threat and initiatives, which could destroy the existence of skollie menace such as providing state-funded welfare for the "Coloured" poor. Through its acceptance of the existence of the skollie menace and the position it took in relation to the law and order discourse, the emerging "Coloured" middle class endorsed the government's campaign for forceful measures to be

¹⁵²A Baderoon 'The representation of the crime question in Cape Town' available at http://www.cci.uct.ac.za/usr/cci/publications/aria/download_issues/1999/Baderoon_A.pdf

¹⁵³J Lewin Sex Colour and the Law 1960 4(3) *Africa South* 63-66.

¹⁵⁴M Adhikari *Not white enough, not black enough: Racial Identity in the South African Coloured community* 2005 15.

¹⁵⁵A Baderoon 'The representation of the crime question in Cape Town' 2 available at http://www.cci.uct.ac.za/usr/cci/publications/aria/download_issues/1999/Baderoon_A.pdf.

utilised to combat crime and from that point onwards, public awareness of crime in Cape Town has been focused on controlling the skollie menace rather than on investigating why violent crime is so prevalent.¹⁵⁶ Badroodien claims that the very concept of 'anti-crime' as a method of division between the different classes of "Coloured" people as it generated stereotypical representations of a lazy, intoxicated and thieving group perceived to be detrimental to the region's economic progress and the development of "Coloured" people.¹⁵⁷

During the 1940s, a group of District Six businessmen formed a vigilante organisation which was known as the Globe Gang with the intention to fight against the skollie menace. The Globe Gang did not only co-operate with the authorities but was informally endorsed by the police. However, the state sanctioned vigilante organisation eventually turned to illegal activities. After the Globe Gang's transition from a crime fighting vigilante group to an illegal gang, other more ruthless gangs appeared, such as the Mongrels, which led to the creation of a subculture of violence and gangsterism in the Cape.¹⁵⁸ In an attempt to exercise some control over the escalating gang problem, the government increasingly turned to the use of paramilitary methods which led to the establishment of the Riot Squads who recruited people who had extensive military experience as they had previously fought against guerrillas in Namibia and other operational areas.¹⁵⁹

When analysing 'work-shyness', the Theron Commission found that it was usually unskilled, sporadic and casual workers, who lacked the inclination and the will to work full-time, who presented the problem of work-shyness. The Commission also found that because they were semi-fit, they sometimes made a living by thieving and liquor smuggling and were usually dagga smokers and excessive drinkers who were frequently guilty of fighting, assault and other crimes. The assumption was that in the absence of government intervention, children would inevitably begin to stray from the rules by partaking in alcohol consumption and drug use, which could lead to them forming or joining gangs.¹⁶⁰

In Nationalist view, the solution to what was deemed "Coloured" people's problems was to implement policies which encouraged separate development, which included the

¹⁵⁶Ibid 2.

¹⁵⁷Ibid 2.

¹⁵⁸D Pinnock *The brotherhoods: Street gangs and state control in Cape Town* 1984 29.

¹⁵⁹D Pinnock *The brotherhoods: Street gangs and state control in Cape Town* 1984 81.

¹⁶⁰A Badroodien, *A history of the Ottery School of Industries in Cape Town: Issues of Race, Welfare and Social Order in the period of 1937 to 1968* (unpublished PhD thesis, University of the Western Cape, 2000) 34.

development of separate residential areas, employment opportunities, welfare programmes and a separate education system for “Coloured” people. In 1958, the Department of Coloured Affairs (DCA) was created to fulfil this objective.¹⁶¹ The data gathered by Commissions of Inquiry such as the Theron Commission was institutionalised by government through state agencies such as the Department of Coloured Affairs through the formation of schools of industry and Ottery institutions through welfare and educational programmes, which helped to reaffirm the perception of “Coloured” men as potential gangsters or skollies.¹⁶² Institutions such as the Ottery school of industries and Faure Reformatories were created to control the skollie menace but instead of solving the problem, the institutions contributed to its growth, which inevitably lead to an increase in gangsterism.¹⁶³

Although the DCA was initially established with the intention to develop the “Coloured” community, it became an ideological smoke screen that legitimised government’s discrimination of “Coloured” people. The interventions of the DCA were mostly gendered, and whereas women fought against the breakdown of social structures, which was brought on by urbanisation, “Coloured” men were viewed as being an obstacle to “Coloured” woman’s attempts to become effective homemakers.¹⁶⁴ Although interventions on the “Coloured” underclass were influenced by the approaches which had been used in dealing with poor rural Whites during the immigration influx, they were distinctive in that, they displayed a racially, gendered and class-based conceptualisation of the perceived problem by the government. The government intervened in the lives of “Coloured” women not only through the extensive access to the welfare system but affording them the opportunity to get practical skills training in aspects such as housekeeping and sewing amongst others.¹⁶⁵ In contrast, “Coloured” men were not afforded the same opportunities to acquire working skills and develop themselves but were instead sent to places such as industrial schools, reformatories and even prisons from an early age.¹⁶⁶

¹⁶¹ A Badroodien, *A history of the Ottery School of Industries in Cape Town: Issues of Race, Welfare and Social Order in the period of 1937 to 1968* (unpublished PhD thesis, University of the Western Cape, 2000) 32.

¹⁶² A Baderoon ‘The representation of the crime question in Cape Town’ available at http://www.cci.uct.ac.za/usr/cci/publications/aria/download_issues/1999/Baderoon_A.pdf

¹⁶³ A Baderoon ‘The representation of the crime question in Cape Town’ available at http://www.cci.uct.ac.za/usr/cci/publications/aria/download_issues/1999/Baderoon_A.pdf

¹⁶⁴ Jensen (note 1 above; 555).

¹⁶⁵ Jensen S “Claiming Community, Negotiating Crime: state formulation, neighbourhood and gangs in a Capetonian township” PhD Dissertation, Roskilde University” 2001 79-81.

¹⁶⁶ Badroodien, *A history of the Ottery School of Industries in Cape Town: Issues of Race, Welfare and Social Order in the period of 1937 to 1968* (unpublished PhD thesis, University of the Western Cape, 2000) 32.

One of the key points in both official discourse and bureaucratic practice was that the children had to be protected from the cycle of poverty, which would eventually lead them to crime. Thus, welfare organisations submitting evidence to the Theron Commission suggested that it was necessary to remove children from their dangerous home environment. These removals occurred throughout the DCA's existence. As such, the DCA became instrumental in the removal of large numbers of children. The removal of children from their homes was not only normalised but became integral to the way in which the DCA dealt with the "Coloured" community.¹⁶⁷ In 1992, for example more than 26 000 children were removed to foster care, places of safety, industrial schools and reformatories.

A correlation existed between the stereotypes of the "Coloureds" and where the reformatories and schools of industry for "Coloureds" existed, since the reasoning behind their establishment was largely informed and influenced by the belief that "Coloured" children needed to be saved from delinquency.¹⁶⁸ These institutions demonstrate the prejudice with which "Coloured" issues were approached, as the establishment of these institutions was quite gendered, with the implication that most industrial schools and reformatories housed very few young women.¹⁶⁹ For example, according to the DCA's Annual Report of 1958, the purpose of the Ottery School of Industry in Cape Town was to correct behaviour deviations on a scientific-psychological basis in psychological clinics.¹⁷⁰

Mental hygiene was eventually removed from the language of the DCA. However the reasoning remained the same, the government sent "Coloured" boys to these institutions because they were seen to be inherently deviant or bordering on juvenile delinquency.¹⁷¹ The role played by poverty and the fact that these boys were sent to these institutions and remained there for years due to their parents' inability to financially maintain them was largely ignored. "Coloured" boys were only thought of in specific racial, social and gendered terms, and this was then acted on by state agencies like the DCA, which was tasked with removing at risk children and placing them in institutions whose foundation was largely informed by the same analysis. The construction was further perpetuated in adult life where its' most extreme form can be identified through studying prison statistics.¹⁷²

¹⁶⁷S Jensen *Gangs, Politics & Dignity in Cape Town 2008* 35.

¹⁶⁸S Jensen *Gangs, Politics & Dignity in Cape Town 2008* 35.

¹⁶⁹S Jensen *Gangs, Politics & Dignity in Cape Town 2008* 35.

¹⁷⁰S Jensen *Gangs, Politics & Dignity in Cape Town 2008* 35.

¹⁷¹S Jensen *Gangs, Politics & Dignity in Cape Town 2008* 35.

¹⁷²S Jensen *Gangs, Politics & Dignity in Cape Town 2008* 35.

From the Wilcocks Commission up to date, “Coloured” men have consistently produced high figures of incarceration. The Theron Commission reported that in 1970, 791 “Coloured” people out of 100 000 went to jail which is a huge contrast to the reported figures, for the other racial groups, which were 425 Africans, 86 White people and 80 Indian people.¹⁷³ During the periods when South Africa was experiencing the highest levels of imprisonment, globally, when compared to Black men, “Coloured” men were four times likely to be imprisoned, despite the fact that the pass laws which contributed to the large scale imprisonment of black men, did not affect “Coloured” men as much as they affected Black men.¹⁷⁴ Another notable aspect of “Coloured” imprisonment is that “Coloured” people were incarcerated for longer periods and were also incarcerated mainly for alcohol related offences, which actually contradicted the “inherent criminality theory”.¹⁷⁵

3.5 Gang violence revisited: the legacy of the initial panic over miscegenation

Like most moral panics, the intensity of the outrage brought by the contempt of miscegenation eventually subsided. However, the stereotypes and policies that arose as a result of this moral panic remained and currently inform the manner in which problems in “Coloured” populated areas are approached by state agencies, politicians, the media and community members in general. Cohen¹⁷⁶ asserts that moral panics may disappear, submerge, deteriorate or become even more visible, and in this specific instance, the moral panic has been reinvented and has resurfaced as a gang violence problem. Thus similarities between fears over miscegenation and gang violence are easily identifiable, such as the young, problematic, Cape “Coloured” who due to his alleged innately criminal, depraved and violent nature has once again been assigned the role of the folk devil.

Despite acknowledging and accepting as factual, that a significant number of “Coloured” men actively partake in gang activity it must be noted that, because moral panics tend to draw inspiration from already underlying prejudices and beliefs, the actor by committing a certain crime is seemingly confirming what the audience already knows. Therefore, it was inevitable that when a gang problem surfaced, the “Coloured” man, who

¹⁷³S Jensen *Gangs, Politics & Dignity in Cape Town* 2008 36.

¹⁷⁴D Pinnock *Gang Town* 2016 74.

¹⁷⁵. S Jensen *Gangs, Politics & Dignity in Cape Town* 2008 36.

¹⁷⁶S Cohen, *Folk Devils and Moral Panics* (1972) 1.

makes up the larger portion of the Cape Flats community would be seen as the perfect culprit. That is not to say that gangsters are innocent victims who have merely been targeted purely on the basis of being "Coloured" but rather the manner in which the gang problem has been reacted to and the obsession with portrayal of the "Coloured" man as a gangster is indicative of the underlying prejudices which are held by some in South African society. These views reinforced in the media and public discourse - when it comes to crime in general and gang violence in the Cape Flats specifically. As McCorkle and Miethe argue, the true nature and extent of a social problem is sometimes distorted so as to give justification to the government's policies and to give credibility to the organisations which implement and enforce these policies.¹⁷⁷

Goode and Ben-Yehuda claim that the existence of a folk devil is vital to generating a moral panic and that folk devils are in their nature deemed to be the personification of evil and burdened with a multitude of negative attributes.¹⁷⁸ Gang members can typically be identified through their style of clothing, gang signs, tattoos and secret languages amongst other things.¹⁷⁹ However in South Africa, to be considered a gang member, one must simply have brown skin, speak Afrikaans and stay in the Cape Flats and as a result of this stereotypical image of gangs, all young, "Coloured" men from the Cape Flats are presumed to be gang members until they can prove otherwise.

In three phases, Cohen discussed this symbolisation process. First, through a word and in this case, "skollie" becomes symbolic of delinquent status in the Cape. The word "skollie" came to symbolise a young, poor and criminal "Coloured" man. In recent years, although all the previous characterisations still apply, the word has come to symbolise a gangster. With this symbolisation, certain behaviours are deemed to form part of the deviant's character and identity. The "skollie" was initially linked to petty crimes such as theft, drug and alcohol related crimes. As illustrated by the high figures of incarceration amongst "Coloured" men throughout the 20th century, and as the concept of the skollie progresses, violence has come to be the most specific crime which can unquestionably be linked to the "skollie". There is an unqualified acceptance of gang violence being the sole reason for the classification of Cape Town as one of the most violent cities in the world.

¹⁷⁷R C McCorkle, T D Miethe "The political and organizational response to gangs: an examination of a moral panic" 1998 15(1) *Justice Quarterly* 42.

¹⁷⁸E Goode, N Ben Yehuda *Moral panics: the social construction of deviance* 1994 26.

¹⁷⁹St Cyr, JL, 'The Folk Devil Reacts: Gangs and Moral Panic' (2003) 28 (1) *Criminal Justice Review* 30.

Secondly, some visual objects come to be associated with a specific word and with time, become to be regarded as a symbol of that word. These objects can range from the type of clothes they wear or even the colour of the clothes if they wear a uniform colour. Unfortunately, it does not take much for a person to be regarded as a gangster in the Cape Flats. Therefore, music, clothing and tattoos are not as significant as one might assume because being “Coloured” and staying in the Cape Flats are seen as sufficient grounds to believe that a person is a gangster. The third phase of symbolisation occurs when specific object itself becomes symbolic of specific behaviour, without the mention of the actor or the word. Cohen states that when all three of the processes mentioned above occur, they have the ability to create a stereotype and sustain it.¹⁸⁰

Presenting the facts in the easiest and most simplistic way possible leaves little room for interpretation, nor does it allow for the development of different views on the same occurrence or details, which would enable the viewer to understand the context in which the incident occurred.¹⁸¹ An image provides justification for the existence a specific concept or course of action and is quickly invoked when an opposing image is considered to be more relevant to that end. These images are even versatile enough to hold at the same time.¹⁸² These stereotypical images and society’s understanding of what they represent, affect the manner in which the deviant’s existence and their behaviour is conceptualised. An integral part of the conceptual machinery is the body of justifications and rationalisations, which are provided as reasons for why society reacts the way it reacts to the deviant’s behaviour.¹⁸³ The cumulative effects of the inventory can be summarised as follows: (i) the putative deviation is assigned from which further stereotyping, myth making and labelling can proceed; (ii) the expectation is created that this form of deviation will undoubtedly recur; (iii) a wholly negative symbolization and objects associated with them is created been created and (iv) all the elements in the incident are ‘made clear enough to allow for full-scale demonology and hagiology to develop such as in the case of the Mods and Rockers, whereby the information had been made available for placing the Mods and Rockers in the gallery of contemporary folk devils.¹⁸⁴

¹⁸⁰S Cohen *Folk Devils and Moral Panics: the creation of the Mods and Rockers* 2011 40.

¹⁸¹R C McCorkle & T D Miethe, ‘The political and organizational response to gangs: an examination of a moral panic’, (1998) 15(1) *Justice Quarterly* 56.

¹⁸²Ibid 78.

¹⁸³Ibid 79.

¹⁸⁴S Cohen, *Folk Devils and Moral Panics* (1972) 41.

According to Cohen, young working-class men have historically held a place as folk devils in the existing inventory of deviant symbols that society has created in an attempt to caution its members as to which type of behaviour should not be avoided and have continue to stand out as easily detectable symbols of what we should strive to avoid.¹⁸⁵ Stereotypes about groups exist in the public domain and as such these groups continue to symbolise folk devils in terms of their identity and in the manner in which society reacts to their existence.¹⁸⁶ Individuals who deviate from the set societal norms are labelled by society as deviant. They are grouped into their respective deviant clusters and once an individual has been labelled, their behaviour, regardless of the circumstances is conceptualised in terms of the class of deviant label of which he was assigned.¹⁸⁷ The empirical nature of behavioural types which are classified as deviant, and the fact that individuals may actively and deliberately intend to deviate from the set societal rules and norms, should not cause us to conclude that deviance is the innate characteristic of the deviant.¹⁸⁸

Cohen notes that the first stage in the labelling cycle which was observed during the moral panic induced by the Mods and Rockers was observed not only through the use of language, which did not reflect on the actual nature and extent of the threat posed by the Mods and Rockers but in that the language was chosen because it elicited emotions of fear and panic.¹⁸⁹ Some of the labels used to refer to the “folk devils” include words such as; ‘hooligans’, and ‘thugs’.¹⁹⁰ These words subsequently formed part of the folk devils inventory and thereafter received acceptance as labels, which could be used to describe or refer to people who fit the similar profile as the previous deviants. These similarities could be observed through behaviour, language and or style of clothing.¹⁹¹ Spurious attribution can take different forms, with guilt by association being the other form. The consequences of attributing guilt to a person based on their association with another person is that the now presumed guilty party does not have to participate in act of deviance in order to be guilty, the mere association with rule breakers is sufficient for society and the moral entrepreneurs to label the person a deviant.¹⁹² Folk devils are society’s scapegoats, they come to challenge everything that is deemed normal

¹⁸⁵S Cohen, *Folk Devils and Moral Panics* (1972) 40.

¹⁸⁶S Cohen, *Folk Devils and Moral Panics* (1972) 2.

¹⁸⁷S Cohen, *Folk Devils and Moral Panics* (1972) 4.

¹⁸⁸S Cohen, *Folk Devils and Moral Panics* (1972) 5.

¹⁸⁹S Cohen, *Folk Devils and Moral Panics* (1972) 53.

¹⁹⁰S Cohen, *Folk Devils and Moral Panics* (1972) 55.

¹⁹¹S Cohen, *Folk Devils and Moral Panics* (1972) 53.

¹⁹²S Cohen, *Folk Devils and Moral Panics* (1972) 55.

by society, in particular the moral entrepreneurs who are the elite and therefore in all the positions of power that will afford them the opportunity to 'save' society from immorality, do not accept deviation from the norms and their objective becomes to demonise, punish and make an example of the deviants, so that whoever desires to replicate the behaviour can be deterred.¹⁹³ "Coloured" boys have historically been thought of in particular racial, social and gendered terms, as seemingly always on the verge of becoming violent criminals, living up to the stereotypical image of the skollie.¹⁹⁴

¹⁹³D Garland 'On the concept of moral panic' (2008) 4(1) *Crime Media Culture* 15.

¹⁹⁴A Badroodien, *A history of the Ottery School of Industries in Cape Town: Issues of Race, Welfare and Social Order in the period of 1937 to 1968* (University of Western Cape PhD thesis: 2000) 36.

4. CONCLUDING REMARKS

This dissertation used the theory of folk devils and moral panics devils in an attempt to examine the impact that stereotypes may have on the individual, ethnic groups or communities to whom they are directed, especially when these stereotypes are not only repeated in informal settings but form a significant part of the political, legal and economic discourse. The perception of the “Coloured” man as a “skollie” has haunted the “Coloured” community for more than a century and has resulted in policy decisions, which although supposedly aimed at the improvement of “Coloured” lives, formally endorsed and propagated the negative stereotypes, which the term accompanies and consequently contributed to the persistent presence of criminal elements and exacerbated the gang violence which currently plagues the Cape Flats.

The use of moral panic and folk devil research is not a denial of the gang violence problem nor is it an attempt to absolve gangsters from any liability for their criminal behaviour. Rather, these theories are relevant because they provide fresh insights into the problem and offer a more comprehensive explanation of what might be causing the gang violence to persist. Therefore, considering the insights provided by moral panic and folk devil research in relation to the influence of underlying prejudices on policy decisions which are often taken as a solution to crime, two questions for future research, are raised, namely: (i) Is the violence in the Cape Flats inaccurately reported and as result disproportionately reacted to, when compared with other areas in the country? (ii) How have the policies developed as a reaction to said moral panics affected the communities and residents of the Cape Flats?

Cohen claims that moral panics will continuously be generated and new folk devils will be created as the way society is structured “will continue to generate problems for some of its members such as working class adolescents”.¹⁹⁵ It appears as if the focus on gang violence serves as a distraction from the larger issues affecting the Cape Flats, thus providing the government with a legitimate excuse to ignore the immediate and necessary needs of the people residing in the Cape Flats, whilst also further isolating and dehumanising the “Coloured” community. Baderoon argues that the state uses gang violence as an excuse to withdraw the provision of certain services to the community. Focusing primarily on the crime discourse indirectly legitimates the stereotypic images of the *skollie*.¹⁹⁶

¹⁹⁵S Cohen *Folk Devils and Moral Panics: the creation of the Mods and Rockers* 2011 i.

¹⁹⁶A Baderoon ‘The representation of the crime question in Cape Town’ 4 available at http://www.cci.uct.ac.za/user/cci/publications/aria/download_issues/1999/Baderoon_A.pdf

Baderoon attributes the failure of government and other social interventions in response to the gang violence in the Cape Flats to what he refers to as the transformation of the problem into an “essentialist and simplistic moral debate about crime and its perpetrators”.¹⁹⁷ He further argues that a moral and political approach to crime, evokes passionate and polarising responses from the society. Baderoon observes that in theory, the community’s stance on crime and violence is depicted in the media as unified. Yet in reality, responses to the issue of gang violence are informed by differences in politics, class, race and religion amongst other factors.¹⁹⁸

Van Wyk and Theron claim that there are currently no studies that have been conducted in South Africa that focus primarily on exploring the gang phenomenon from a social psychological perspective. Further, ethnographic studies are necessary to explore the successes and failures of various community level gang programmes and to bridge the gap between national policy and implementation at the community level. Van Wyk and Theron assert that gang intervention programmes could benefit from research that will provide quantitative information about gang types, characteristics, number of members, age span and gender constitution.¹⁹⁹ Baderoon asserts that, it will continue to be difficult to solve the problems in the Cape Flats if the persons who are tasked with providing solutions continue to discount the role that, class, politics and religion play within the community and how they inform the inequality itself. Further, Baderoon asserts that acknowledging that there are different types of people that hold different beliefs and are affected by the gang violence in different ways, is a good starting point in seeking to address not only the issue of gang violence but the gross severe structural inequality which affects the community in question. He suggests that an awareness of the existence of the differences is integral to having a successful and effective discourse on the problems whilst cautioning that such awareness should be used in an exploitative manner, as it leads to a division in the community and to the reinforcement of stereotypes.

There exists an abundance of literature that relates to moral panics and folk devils, with some criticising moral panic research and asserting that it used to deny the existence of problems in our society and to trivialise the concerns of communities. However, little research

¹⁹⁷ Ibid

¹⁹⁸ Ibid.

¹⁹⁹ S Cohen “Folk Devils and Moral Panics- the Creation of Mods and Rockers’ -1980 58.

exists on the consequences of moral panics and on the often ignored, yet harmful and long-lasting, repercussions of moral panics. After the media has stopped reporting on the issue, and police have stopped patrolling the streets, politicians have left the podium, the communities have to stay behind and the legislative policies, stereotypes and stories told through folk lore remain with those communities and that is how the gang violence in the Cape Flats has managed to remain persistent.

South African society's view of "Coloured" people is that of a "skollie", a criminal, a gangster and that is testament to the enduring nature of moral panics. It all began with miscegenophobia, and racists had a fear that their pure gene pool would be contaminated by Black people. Therefore, they spewed hatred, criminalised interracial relationships and not only delegitimised but degraded children born from these relationships by labelling them as lazy, criminal and immoral. It cannot be said for certain that if the panic around miscegenophobia and the construction of the "skollie" had not occurred, gang violence would never have existed. However, it is highly probable that there is a direct correlation between the policies, regulations and stereotypes, which resulted from miscegenophobia and the gang violence that is currently plaguing the Cape Flats.

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22 November 2018

Ms Nosihle Melinda Dlongolo (217081155)
School of Law
Pietermaritzburg Campus

Dear Ms Dlongolo,

Protocol reference number: HSS/2021/018M

Project title: Gang violence in the Cape Flats – An evaluation of the negative impact that policies developed as a reaction to a moral panic may have on the individuals and communities affected by the moral panic

Full Approval – No Risk / Exempt Application

In response to your application received on 17 October 2018, the Humanities & Social Sciences Research Ethics Committee has considered the abovementioned application and the protocol has been granted **FULL APPROVAL**.

Any alteration/s to the approved research protocol i.e. Questionnaire/Interview Schedule, Informed Consent Form, Title of the Project, Location of the Study, Research Approach and Methods must be reviewed and approved through the amendment/modification prior to its implementation. In case you have further queries, please quote the above reference number. **PLEASE NOTE:** Research data should be securely stored in the discipline/department for a period of 5 years.

The ethical clearance certificate is only valid for a period of 3 years from the date of issue. Thereafter Recertification must be applied for on an annual basis.

I take this opportunity of wishing you everything of the best with your study.

Yours faithfully



Dr Shamila Naidoo (Deputy Chair)

/ms

Cc Supervisor: Mr Christopher Carl Gevers
Cc Academic Leader Research: Dr Freddy Mnyongani
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