At the heart of discontent
Measuring public violence in South Africa

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Summary

Civil protests and strike action have become increasingly commonplace in South Africa. Although several institutions collect data on various forms of protest, the available information varies in quality, reliability, coverage and accessibility. It is for this reason that the Institute for Security Studies launched its interactive public and election violence-monitoring project in 2014. The objective of this project is to enhance understanding of the nature and extent of all forms of public violence taking place across South Africa to contribute to better initiatives that address their root causes. This paper sets out some of the preliminary findings from the project and provides initial considerations for ensuring appropriate responses to protest and strike action.

PROTEST ACTION HAS been part of South African political expression for decades. In 1994, as a result of ongoing political violence from the 1980s, South Africa's national homicide rate stood at 67 murders per 100 000 people. Twenty-two years on from the end of apartheid and the factors that drove the high murder rate at the birth of democracy have abated, resulting in fewer than half of that number of murders taking place. However, challenges such as rapid urbanisation and high levels of unemployment, poverty and inequality, along with uneven service delivery and unaccountable governance, continue to plague the country. Moreover, murders have again started to increase, from 30.2 murders per 100 000 in 2011/12 to 32.9 in 2014/15. This means that South Africa still has one of the highest homicide rates in the world. The murder rate is driven primarily by interpersonal conflict, with contributions from armed robberies and collective violence such as taxi and gang warfare, vigilantism and xenophobic attacks.

While a fair amount of research has been undertaken into much of the interpersonal and criminal violence that takes place in South Africa, far less work has been done on collective or public violence. Consequently, little is known about the true extent of the substantial variety of collective violence taking place across the country on a daily basis, or how best to address it. This paper aims to explain the importance of measuring the nature and extent of violence that takes place in public, in its various forms. However, this is a complex and difficult undertaking, as will be

explained. This paper therefore also proposes a way forward towards establishing a more comprehensive monitoring system for tracking protest and collective violence across South Africa.

Public protest as legitimate political activity

The right to publicly protest, demonstrate or strike is entrenched in Section 17 of the South African Constitution.[1] In terms of the Constitution, this right must not infringe on the rights of others. The Regulation of Gatherings Act 205 of 1993 (RGA) seeks to give effect to this right by providing the legal framework through which this right is regulated by the state.[2] The RGA in its preamble states 'every person has the right to assemble with other persons and to express his views on any matter freely in public and to enjoy the protection of the State while doing so'.[3]

The RGA defines a gathering as 'any assembly, concourse or procession of 15 or more persons on a public road … or any public space or premises wholly or partly open to the air'.[4] The right to assemble and associate freely is therefore a lawful means of political participation and civil action. In addition, an increase in political participation is widely regarded as a constructive and conventional form of participation in a democratic state.[5]

> Many acts that form part of the South African protest repertoire, such as tyre burning, are disruptive but not violent

The government has expressed its concern about what is considered to be increasing levels of violence associated with many incidents of public protest and industrial strike action.[6] International evidence suggests that exposure to violence leads to the normalisation of violence in communities, which in turn forms the basis for the acceptance of violent means as a conventional form of political expression.[7]

Defining public violence

The World Health Organization (WHO) provides a useful framework for the notion of violence associated with groups. It defines the term 'collective violence' as 'the instrumental use of violence by people who identify themselves as members of a group … against another group or set of individuals, in order to achieve a political, economic or social objective'.[8] The types of objectives are useful as they provide some context to the varying nature of the motives for violence. The definition also emphasises the presence of a group or members of a group.

In the South African context, groups that commit violent acts can be charged with a whole range of crimes if harm was done or there was an attempt at causing harm. Criminal charges could include murder, assault, arson, malicious damage to property, or attempts of such. However, during what the police term 'unrest-related incidents', arrests are often made for the crime of 'public violence'.

South Africa's common law defines public violence as 'the unlawful and intentional performance by a number of persons of an act or acts which assumes serious proportions and are intended to disturb public peace and order by violent means, or to infringe the rights of another'.[9] It is therefore a broad term that encompasses a range of actions in the public space that may or may not be deemed to be violent. The South African Police Service (SAPS) provides the following examples in its manual of crime statistics:[10]

- Faction fighting between groups
- Violent resistance to the police by a mob
- Rioting
- Forcible coercion of other workers by strikers
- Breaking up and taking over any meeting attended by a number of persons

John RL Milton, in *South African criminal law and procedure volume II,* adds as examples 'a gratuitous group attack on members of the public or their property' and 'stone-throwing and disruption of traffic'.[11] Milton notes that the instance of 'violent resistance to the police by a mob' is applicable only if the police are 'acting lawfully'.[12]

Therefore, in the South African legal context of public violence, acts of collective violence must be of 'sufficiently serious dimensions' to be regarded as an act of public violence.[13] Very often, the seriousness of the violence is quite visible given that acts associated with public violence are accompanied by clearly defined criminal acts such as malicious damage to property, arson, assault and, at the extreme end, murder. However, the question remains whether disruptions to traffic flow and blocking off of streets are serious enough to be regarded as being violent, despite the example offered by Milton of traffic disruption.

It is for this reason that research by the University of Johannesburg's Social Change Research Unit distinguishes between peaceful, disruptive and violent protests.[14] Its position is that many acts that form part of the South African protest repertoire, such as tyre burning, are disruptive but not violent. For example, in a recent analysis of police crowd incidents,

researchers concluded that 46% of incidents described as 'unrest related' by the SAPS were in fact disruptive rather than violent.[15]

South African research undertaken by Harvard Law School researchers Jain and Karamoko define violent protests 'as those protests where some of the participants have engaged in physical acts that either cause immediate harm to some person, or are substantially likely to result in such harm'.[16] They include examples such as causing injury, burning down buildings, looting, throwing rocks at passing motorists, and burning tyres to block roads. They acknowledge that this definition is limited, as it requires a subjective valuation as to what is deemed to be violent and what is not.[17]

> The question remains whether disruptions to traffic flow and blocking off of streets are serious enough to be regarded as being violent

For the purposes of this paper, any action that may fall foul of the provisions of the RGA and involve a criminal act of violence as defined by Milton will be recorded as such.

Challenges in determining the extent of public violence

In recent years, the SAPS has released data on public order incidents recorded on its Incident Registration Information System (IRIS). According to the SAPS's 2015 annual report, the police monitored 14 740 'crowd-related events' (including recreational, religious, cultural or sports events) between April 2014 and March 2015.[18] Therefore, the police are deployed to monitor more than 40 public gatherings per day on average (three more per day than in the previous year and six more than two years previously).

The events that required the SAPS to take action are described as 'unrest-related'. Overall, 15.5% of the crowd events were categorised on IRIS as 'unrest-related'.

The Social Change Research Unit, in its research report into this data, quotes a senior SAPS member describing what is meant by 'crowd unrest' as events that require 'interventions' such as 'pushing back' or making arrests.[19] Examples sited of such interventions include the use of the police's non-lethal crowd management equipment such as water cannons, tear gas, stun grenades and rubber bullets.[20]

Researchers have raised numerous detailed concerns over the reliability of this data.[21] For one, the data is not subjected to any external or independent auditing processes. The IRIS trends over time seem to reflect the frequency of police activity rather than the number of crowd events.[22] Capturing of the data seems to be fairly arbitrary rather than as the result of adhering to systematic recording protocols, definitions and categorisations.[23]

The SAPS also releases the number of recorded cases of public violence as part of the annual crime statistics. The police data for the past decade is contained in Figure 1.

Given that the SAPS's IRIS data is highly unreliable in clearly establishing the extent of public violence incidents in South Africa, it may be more useful to look at its statistics on arrests made for public violence. According to the 2015 annual report, the Public Order Policing Units made 3 389 arrests during the 2 289 'unrest-related incidents' captured on the IRIS system.[24] The number of arrests provides a useful trend over time,
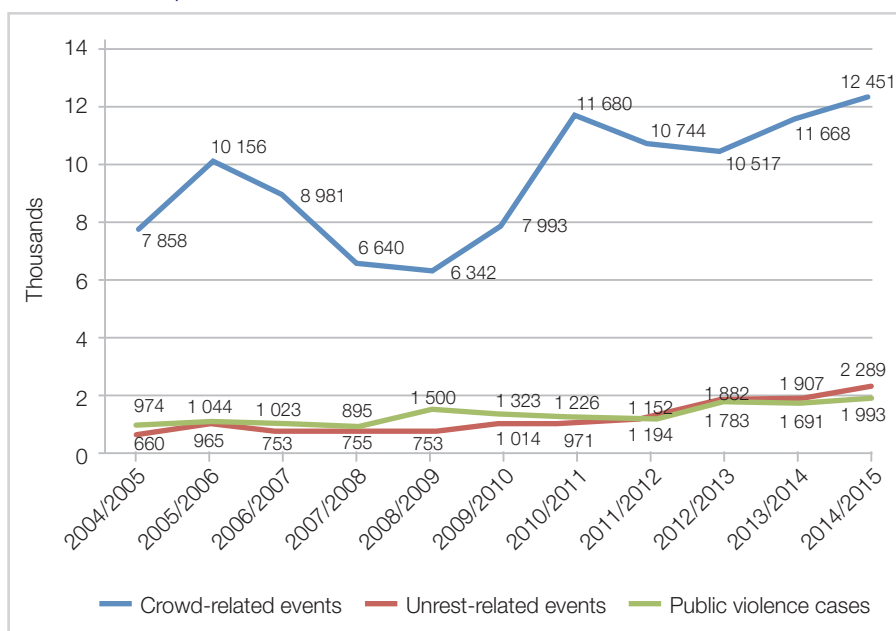
46%

THE PERCENTAGE OF INCIDENTS DESCRIBED AS 'UNREST RELATED' BY THE SAPS THAT WERE DISRUPTIVE RATHER THAN VIOLENT

Figure 1: Number of peaceful crowd-related events, unrest-related incidents and public violence cases, 2004/05 to 2014/15

Source: SAPS (Compiled from various South African Police Service Annual Reports, http://www.saps.gov.za/about/stratframework/annualreports.php; IRIS data sent to ISS by SAPS in 2013, Crime Statistics releases available on saps website, http://www.saps.gov.za/resource_centre/publications/statistics/crimestats/2015/crime_stats.php).

but several arrests are often made during events and the arrests are dependent on not only the behaviour of the crowd but also the discretion of the police on the day.

Figure 1 shows that the number of 'unrest-related' incidents recorded by the SAPS on the IRIS system (2 289) since 2011/2012 surpass the number of public violence cases opened (1 993).[25] This could be the result of more comprehensive capturing of incidents in recent years or other factors, such as an indication that the police are increasingly unable to deal with the increase in the number of events that they deem violent or simply that they arrest proportionately fewer people. Nonetheless, this is an interesting anomaly that requires further investigation.
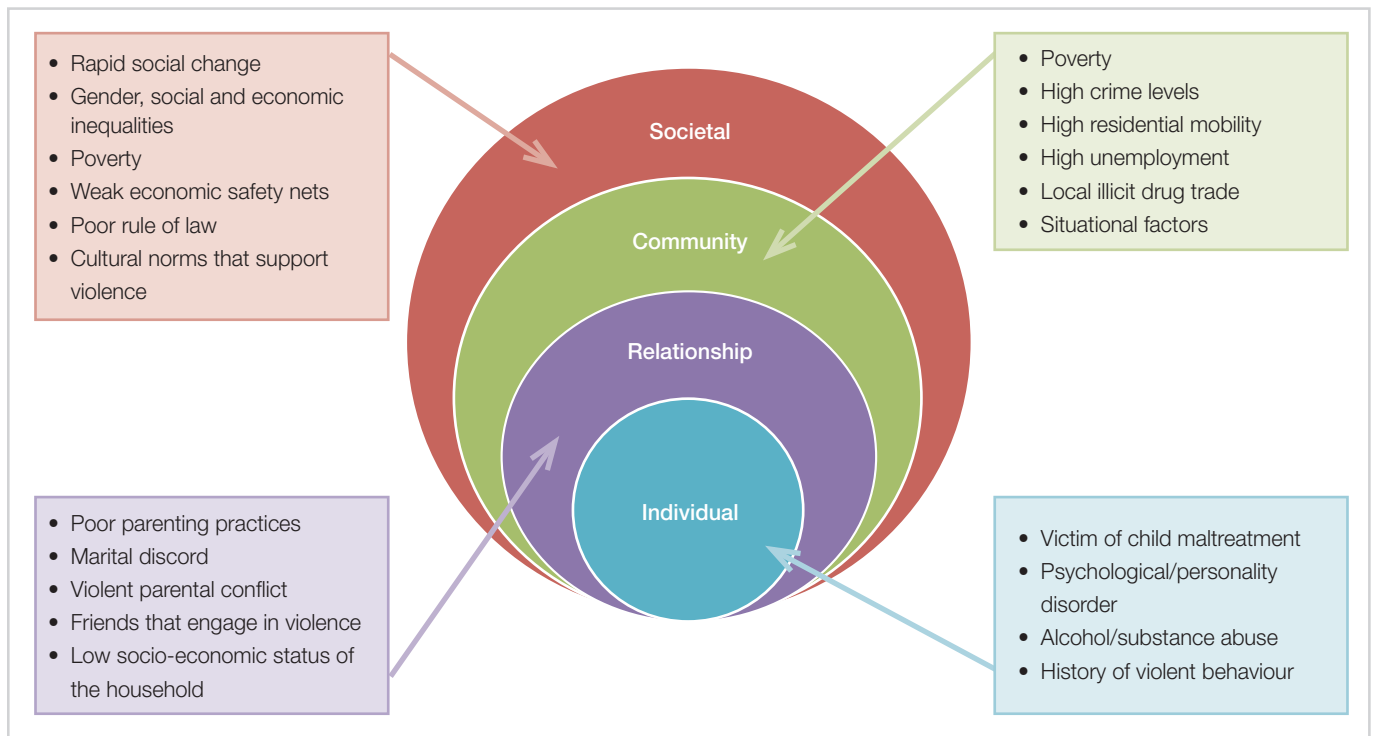
Who is involved in public violence?

The nature and drivers of the violence are complex. To understand what drives public violence is to firstly understand what is behind most of the country's high interpersonal violence levels. A useful departure point for some of the contributing risk factors is contained in the ecological framework. This framework attempts to explain many of the multilevel risk factors that contribute to interpersonal violence.[26] These risk factors are related to the individual, his/her lifetime relationships, the community dynamics and societal realities and norms.[27] Societal factors, for instance, include social and economic inequality, poverty, rapid social change, weak social nets and cultural norms that support violence.[28]

Many of these are also the risk factors for collective violence. Among the specific risk factors for collective violence mentioned by the WHO are political factors such as a lack of democratic processes, unequal access to power and government corruption. Also included are demographic, societal and economic factors such as socio-economic inequality, uneven development and access to resources, high

3 389

THE NUMBER OF ARRESTS MADE BY PUBLIC ORDER POLICING UNITS DURING 2 289 'UNREST-RELATED INCIDENTS'

Figure 2: The World Health Organization's ecological framework – examples of multi-level risk factors

- Rapid social change
- Gender, social and economic inequalities
- Poverty
- Weak economic safety nets
- Poor rule of law
- Cultural norms that support violence

- Poverty
- High crime levels
- High residential mobility
- High unemployment
- Local illicit drug trade
- Situational factors

Societal

Community

Relationship

Individual

- Poor parenting practices
- Marital discord
- Violent parental conflict
- Friends that engage in violence
- Low socio-economic status of the household

- Victim of child maltreatment
- Psychological/personality disorder
- Alcohol/substance abuse
- History of violent behaviour

Source: Adapted from WHO, The ecological model, 2015, http://www.who.int/violenceprevention/approach/ecology/en/.

levels of unemployment, high population density and rapid social change.[29]

These risk factors often ignite when certain triggers are introduced. Through cohort analysis, Bedasso concluded that besides the lasting political consciousness of groups established under apartheid, the 'gap between actual income and expected returns to education explains protest'.[30] He states, '[U]nfulfilled expectations with respect to one's human capital accumulation has been the strongest and most significant of all relative welfare indicators to predict a positive probability of political action across the years.'[31]

> Government tends to follow a top-down approach when implementing policy or delivering services

ISS analysis of incidents of public violence over the 2014 national election period indicated that participants often employ disruptive or violent actions during gatherings to ensure that the authorities, decision-makers and media pay greater attention to demands. However, it is short-sighted to blame protestors exclusively for the violence. Such an approach provides limited insight into workable solutions that can address public violence.

These general risk factors are often exacerbated by the motives of different actors who are directly and sometimes indirectly involved in the protest and strike action. The RGA identifies three main actors in the orderly exercise of gatherings: the police, municipalities and convenors (gathering organisers). The triggers for escalation into violence should be studied by exploring the actions (or inactions) of these role players.

Role of local government

Many incidents of protest-related violence are often preceded by the use of protracted conventional methods to air grievances. For example, communities may discuss their grievances with their ward councillors and the relevant government department, and may ultimately mobilise, sign a petition or protest at the relevant departmental offices to hand over the petition. Twala notes that the government is often regarded as unresponsive to the needs and grievances of its constituents. He adds that the government tends to follow a top-down approach when implementing policy or delivering services, without meaningful consultation with communities.[32]

The Department of Cooperative Governance and Traditional Affairs (COGTA) in its 2014 Strategic Plan acknowledges the role played by local government when discussing the risk of violent community protests. It lists several contributing factors, such as 'inadequate communication, feedback and response

on community issues'; 'poor attitude of public servants'; 'disengaged public servants'; and negative perceptions about the government by the communities, relating to maladministration, fraud and corruption.[33]

In terms of the RGA, convenors of public gatherings must give notice to the authorities. Yet it seems an increasing number are not doing so. An unpublished 2006 report by Hlatshwayo noted:

> there is a growing perception that authorities have used the RGA, particularly section 3(2) to deny activists their basic civil rights. The RGA, according to activists, is used by the ruling elite to criminalise genuine grassroots political actions, delegitimize and discredit civil society organisations and social movements. Activists further caution that the RGA's provisions might seem harmless – but in essence pose a serious challenge to the poor – who might not be able to comply for a variety of reasons. At the same time, basic freedoms of association, expression and assembly are seriously and adversely affected by the onerous regulations, which some activists argue might be unconstitutional.[34]

Subsequent studies support this view that municipalities and police increasingly deny groups the right to protest. The reasons for denial are often arbitrary and sometimes politically motivated. In other instances, authorities place unreasonable conditions on groups or demand exorbitant fees.[35] According to Royeppen and Duncan, these 'injustices' lead to a growing trend of organisers 'not bothering with the official process of notifying municipalities anymore'.[36]

Researchers caution that attempts by the state to stem public protests as a form of political expression or participation will lead to increased anger and frustration, which may boil over into displays of public violence.[37] This will exacerbate pre-existing tensions associated with experiences and perceptions of political, social and economic marginalisation and exclusion.[38]

Role of communities and community leadership

Qualitative studies provide a glimpse into the troubled nature of protests and community leadership and mobilisation generally. Past research have also called into question the motives of certain protest organisers.

The 2011 Centre for the Study of Violence and Reconciliation (CSVR) publication *The smoke that calls,* reviewing eight community-level case studies, suggests that organisers are often political leaders who use community frustrations to mobilise supporters to take up popular causes. Their true

motivation is often political or economic gain such as access to positions of power or 'lucrative council business'.[39] However, this is not always the case, as the same research found that 'others appeared to be genuinely concerned to struggle against corruption and incompetence'.[40]

Langa, in the same CSVR research, adds that community members strategically often in turn use the ambitions of these political opportunists to take their grievances 'to relevant offices because of their understanding of local politics'.[41]

Among the multiple dimensional and nuanced triggers of violent protest are the presence of criminal sub-groups, the use of violence in an attempt to ensure causes are taken seriously, and xenophobia.[42]

> ## Municipalities and police increasingly deny groups the right to protest, and the reasons for denial are often arbitrary

Generally, though, protestors are not aware of the complexity of service delivery. For example, many regard municipalities as the sole contact point for government grievances even though complaints may be related to provincial or national competencies. Often, the local ward councillor is regarded as the main contact with the government, regardless of the grievance.

A comprehensive analysis of the drivers of protest and strike actions will form part of a future paper. For now, in the absence of comprehensive and nuanced data, responses are largely ad hoc, uncoordinated and heavily reliant on the police.

Role of the police

There are various triggers that can lead to this form of violence. The most noticeable is when the police (SAPS or metro police) respond with excessive force or respond too quickly, with the use of rubber bullets and teargas, to quell the rowdiness of the crowd. This can increase tensions and lead to repeated confrontations between the police and community groups, further eroding trust in the police and the government.

Recommendations have been made about the role of policing during violent protests in several recent inquests and complaints, such as in the 2012 Human Rights Commission's report on police brutality.[43] The inquiry came after the Council for the Advancement of the South African Constitution lodged a complaint in which it alleged that members of the SAPS assaulted and caused the death of an unarmed civilian during a

service delivery protest. Andries Tatane was brutally assaulted and shot dead by police during a protest in Ficksburg in April 2011.

Among others, the report condemned the use of 'excessive' and 'disproportionate' force by the SAPS in this instance, the police officers' ignorance of the provisions of the RGA and their infringement of the basic human rights of the deceased. The report noted that the SAPS, in this instance, was 'not suitably equipped to quell public disorder and failed … to devise a plan to regulate and monitor the gathering'.[44]

Although this case cannot be regarded as an indictment of all public order policing, it is a stark reminder of what public order policing should not be. Tait and Marks note that 'public order policing must adhere to the "rules" of democratic policing, which include embodying values respectful of human dignity, adhering to due process, intervening in the life of citizens only under limited and carefully controlled circumstances, operating in equitable ways, and being publicly accountable'.[45]

Often, communities regard the police as a reactive force that responds with force on behalf of an unaccountable and usually unresponsive state to quell citizens' right to demonstrate. The CSVR found that the ineffective policing of protests could escalate peaceful protests into violent ones.[46] It recommended that clear guidelines be drafted for the democratic policing of protests and that specific training be provided.[47]

The 28 Public Order Policing (POP) units (one national mobile and 27 provincial units) consisted of 4 314 operational members in March 2015.[48] Since 2012, refresher training courses have been offered to POP members and training curricula have been reviewed and updated.[49] However, police interventions during protests and strike actions need to be monitored by civil society, and the policing oversight role of the Civilian Secretariat for Police should be strengthened in this regard.[50]

Existing data collection efforts

In addition to the SAPS, several public and civil institutions gather data on various forms of protest. A summary of key institutions and their findings is contained in Table 1.

Table 1: Protest numbers supplied by various organisations, 2013 to 2015

Organisation	Focus area	2012	2013	2014	2015
Municipal IQ	Protests against local government	173	155	191	164
Social Change Research Unit, University of Johannesburg	'Community' protests	470	287	Not available	Not available
Civic Protest Barometer, University of the Western Cape	'Civil' protests against local government	150	140	218	Not available

Source: Municipal IQ press briefing, 2016, http://www.municipaliq.co.za/index.php?site_page=press.php, Social Change Research Unit media briefing: Community Protests, 2014, https://www.youtube.com/watch?feature=player_embedded&v=XqwBSNBMPCU, Multi-Level Government Initiative, Civic protests barometer 2007–2014, http://mlgi.org.za/talking-good-governance/20150219%20Civic%20Protest%20Barometer%20Published%20%20DP.pdf

4 314

THE NUMBER OF OPERATIONAL MEMBERS IN 28 PUBLIC ORDER POLICING UNITS IN MARCH 2015

The private research organisation Municipal IQ publishes the Municipal Hotspots Monitor, which covers 'major' community protests against local government service delivery. It has been collecting data from media reports since 2004.[51] Between January and December 2015 it recorded 164 protests, down from 191 in 2014, which was the highest recorded number since 2004. It recorded 155 incidents in 2013 and 173 in 2012.[52]

Researchers from the Social Change Research Unit started conducting detailed research on community protests in 2009. By the end of 2013, the unit's database consisted of 2 020 protests collected from media reports since 2004. In addition, its researchers have conducted 250 interviews nationally.[53] The database shows 287 incidents for 2013, down 39% from the 470 recorded in 2012.

> A freely available, complete and updated public violence database will help build knowledge about the nature and extent of this phenomenon

The Multi-Level Government Initiative is described as 'a multi-disciplinary project of the Community Law Centre at the University of the Western Cape'.[54] Its Civic Protest Barometer measures protest action trends in South Africa's municipalities since 2007.[55] The analysis shows an increase to 218 protests in 2014 from around 140 in 2013 and about 150 in 2012.[56]

The organisation defines the protest action covered in its barometer as 'civil protest', to which it applies 'a narrow definition, referring to organized protest action within a local area which directly targets municipal government or targets municipal government as a proxy to express grievances against the state more widely'.[57]

The Social Protest Observatory is based at the Centre for Civil Society at the University of KwaZulu-Natal. The observatory utilises media reports and a network of activists and scholars to monitor national protest action.[58]

Currently, the available data does not provide a comprehensive picture of public violence regardless of its form, because of the varying nature of the data. Jane Duncan points out that the narrow view of protest applied by many of the private and civil organisations, and the inherent assumption that community protests are largely aimed at local government failure, ignores the service delivery complexities and varying service delivery mandates of different spheres of government.[59]

There is a need for a broader defined comprehensive database that goes beyond the scope of protests targeting municipalities. The reasons are as follows:

• DATA collection on and research into protests have been ad hoc and infrequent.

• The data varies in scope and uses different definitions.

• The data is often not publicly available or easily accessible. For example, the Municipal IQ database is accessible via paid subscription and the SAPS IRIS database is not released publicly.

• The data varies in terms of quality, credibility and reliability.

• The data lacks the scope and nuanced detail necessary to better analyse patterns, trends and possible correlations between various forms of public violence and other variables.

2 880

THE NUMBER OF INCIDENTS CAPTURED BY THE ISS' PUBLIC VIOLENCE MONITORING PROJECT DATABASE DURING ITS FIRST THREE YEARS

Consequently, a freely available, complete and frequently updated database of various forms of public violence will help build a body of knowledge about the nature and extent of this phenomenon in South Africa. Such a comprehensive data set could help inform a better understanding of the drivers that result in public violence in different contexts. This would enable all parties, including state institutions, to develop multi-faceted and suitable proactive responses to better manage and, where possible, prevent such events, hopefully without the unintended consequence of causing further violence.

ISS Public Violence Monitoring project

The aim of the ISS' Public Violence Monitoring project is to improve our understanding of the extent and nature of public violence in South Africa, in an attempt to help develop better approaches in addressing this phenomenon. Towards this end the ISS has developed a comprehensive database to systematically track the extent and nature of all forms of violence that occur in public spaces. This includes, for example, violence resulting from community-based protests, labour strikes, vigilantism, xenophobic attacks, political conflict and other crowd or inter-group activity.

In the first three years of its existence 2 880 incidents were captured in the database. The incidents were sourced from more than 100 local, national and international news sources available online. In addition to media outlets, the research team examines newsletters and notices by trade unions, political parties and universities. The team also verifies its data and, where relevant, incorporates the data captured by the Armed Conflict Location & Event Data Project.[60]

The captured data contains information on the following:[61]

- Dates and locations of events

- Descriptions of events

- Categories and main motivation of these protest incidents

- Whether the events were peaceful or violent

- Range of actors involved

- Estimates of the size of the crowd

- Reported fatalities and arrests

What is regarded as violent is far from precise. Incidents are classified as violent as soon as there is evidence in the report that the definition of public violence (set out above) has been met. In many instances the harm is evident in the form of injury or damage to property. In other instances the media reports are not clear and the media's interpretation and characterisation of the event as 'peaceful' or 'violent' needs to be accepted.

The use of media reports as the basis for identifying incidents of public violence poses a range of challenges. The exact nature of the relevant event is often not clear due to insufficient details in the report. For instance, the community grievances behind a protest are reported on in broad terms such as being 'service delivery' related. The fundamental reasons for the protests are not always apparent. Furthermore, some reports focus on secondary events such as an attack on shops owned by foreign nationals during a protest, without specifying why the protest was occurring in the first place.

Moreover, the media covers some localities better than others. For example, metropolitan areas will have more media coverage than rural areas. Jane Duncan points out that 'it stands to reason that it [the media] would record more protests in the Western Cape and Gauteng, as these are the most media-rich provinces'.[62] Non-English sources require additional consultation and may well interpret events differently.[63]

> Relying on media sources makes it difficult to assess when a protest became violent and which group escalated the event into violence

It has been noted in the previous sections that the classification of what is regarded as 'violent' is controversial. The media tends to report on predominantly violent protests rather than peaceful ones. Moreover, what is considered violent may vary, with some media articles labelling a protest as violent even if only tyres are set alight. Reports are mostly silent about the proportion of protestors who engage in violent actions during a gathering and their motivation for committing this violence.[64]

Consequently, relying on media sources makes it difficult to assess at what point a protest became violent and which group or subgroup escalated the event into violence. The motives and interests of different groupings are largely unreported.

It is for this reason that the longer-term intention of the ISS' monitoring project is to become less dependent on secondary sources of information such as media reports. Towards this end, the ISS is actively seeking out collaboration with various civil society organisations and government agencies to capture information on crowd events first-hand. It is envisaged that incident capturing will take place using an integrated information system comprising an interactive website,[65] mobile applications, Facebook, and Twitter, among others. The system will also contain stringent verification processes to ensure that data integrity is maintained.

Since collection started in 2013, the data has proved useful in highlighting that most protest actions and gatherings are aimed not at local government but at various government departments. The information collected highlights fundamental grievances relating to, for instance, crime and housing that have previously not been included in many of the narratives on protest action. It is also clear that the proportion of gatherings related to strike action is significant and places a burden not only on the economy but also on the municipalities in which strike actions take place, the police that manage these and citizens in general, especially when they affect the rendering of government services.

The following section highlights some of the key findings from data for the three-year period between January 2013 and December 2015.

Key preliminary findings

By the end of 2015 the public violence database showed 2 880 incidents of public gatherings related to protests or public violence. The classification of any event is based on the main motivation of the crowd as identified in the source. A summary of these categories is contained in Table 2. Future analysis will incorporate additional motives behind events.

Table 2: Types of peaceful and violent events, 2013 to 2015

Main motivation	Number	Percent-age	% peaceful	% violent
Labour-related strikes and marches	641	22%	70%	30%
Anti-crime/policing-related protests	342	12%	71%	29%
Education-related protests	265	9%	47%	53%
Unspecified 'service delivery' protests	262	9%	22%	78%
Vigilantism	196	7%	3%	97%
Housing-related protests	181	6%	30%	70%
Election-related protests	146	5%	29%	71%
Transport-related protests	129	4%	54%	46%
Foreigner/xenophobic incidents	120	4%	16%	84%
Party-political protests/attacks	118	4%	35%	65%
Electricity-related protests	65	2%	29%	71%
International causes	57	2%	93%	7%
Water-related protests	46	2%	28%	72%
Business practice (private sector)	44	2%	68%	32%
National causes (e.g. rights issues)	41	1%	90%	10%
Land issues	37	1%	35%	65%
Corruption-related protests	32	1%	47%	53%
Sanitation/refuse-related protests	31	1%	32%	68%
Environmental-related protests	29	1%	90%	10%
Healthcare	26	1%	73%	27%
Demarcation	23	1%	13%	87%
Other	49	2%	31%	69%
	2 880	**100%**	**47%**	**53%**

Source: Data from ISS' Public Violence Monitoring project.

181 HOUSING-RELATED PROTESTS TOOK PLACE BETWEEN 2013 AND 2015

Of these, more than half (53%) were termed 'violent' in media reports. This is in stark contrast to the SAPS IRIS database's 15.5% in 2015. The reasons for the discrepancy are largely twofold. Firstly, the IRIS database includes a significant percentage of non-protest or strike action-related incidents such as sporting events. Secondly, as indicated in the previous section, the media is more likely to report on violent than non-violent incidents.

The analysis also indicated that the percentage of events that turned violent increased significantly from 44% in 2013 to 63% in 2015. The percentage was 58% for 2014. One in five incidents took the form of labour-related strikes and marches (22%), followed by anti-crime events (12%). Anti-crime events often involve protests over crime in general, focus on specific cases or policing-related matters. The crime-related category should not be confused with clear acts of vigilantism (7%), which sporadically erupt in communities where the intention of groups is to take the law into their own hands.

> Many of the protests on primary and secondary school issues were about admissions, the quality of education or access to educational facilities

Almost one in 10 events (9%) were education related, and of these 53% were marked by some level of violence, if not from the protestors then from the police. The 2015 incidents include the #RhodesMustFall and #FeesMustFall protests at different university campuses. Many of the protests focusing on primary and secondary school issues were about admissions, the quality of education or access to educational facilities. Incidents were recorded as violent when physical clashes between the police and parents were recorded.

The data highlights that several government agencies other than those at a local level are also the target of protests. For example, Table 2 shows the extent of grievances directed at the police, the departments of Basic and Higher Education and the Department of Human Settlements.

Election-related violence

The 2014 national elections took place during the analysis period. As a result, the database was able to provide a baseline of public violence incidents that were electorally related. As many as 146 incidents could be linked directly to the elections in the six months leading up to the elections and directly after the event or during party-political campaigning. Of these, 71% were violent. For example, the days directly preceding the election day saw the burning down of Independent Electoral Commission (IEC) tents and buildings demarcated as poling stations in areas such as Richards Bay, Sterkspruit and Bekkersdal. Protest action was recorded on several separate occasions in these localities in the months preceding the elections. Clashes between political parties were recorded in provinces such as KwaZulu-Natal, Western Cape and Gauteng.

In addition, several protests took place on the election day and some voting stations were targeted and attacked. The link between elections and protests, especially violent protests, needs to be properly understood if the government is to respond appropriately to ensure free and fair elections. Similar trends were recorded during the voter registration weekends ahead of the 2016 local government elections.
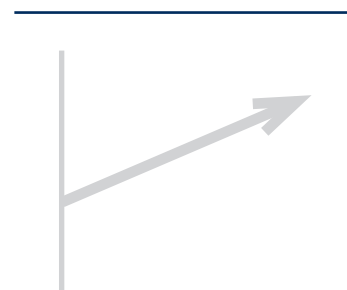
THE PERCENTAGE OF EVENTS THAT TURNED VIOLENT INCREASED FROM 44% IN 2013 TO 63% IN 2015

Figure 3 describes the location of the events in terms of their metro, urban or rural (non-urban) character.

**Figure 3:** Location of events by area type, 2013 to 2015
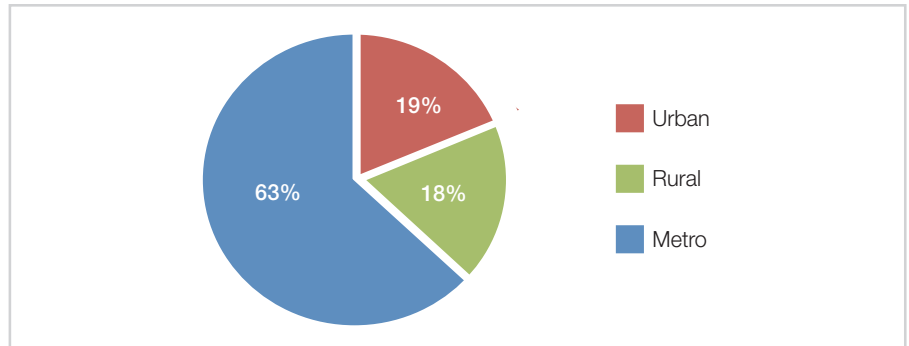
Source: Data from ISS' Public Violence Monitoring project.

Figure 3 shows that metro areas are well represented in the data, which could be the result of rapid urbanisation and population density, in addition to higher media coverage. It is thus unsurprising that two-thirds of recorded events (1 823) took place in the metros.[66] The remainder occurred equally in urban (19%) and rural areas (18%).

Certain incident types are more likely to take place in non-metro than metro areas. Figure 4 provides a breakdown of the percentage of each incident type that occurred in either a metro or a non-metro area.

**Figure 4:** Types of incidents by metro or non-metro, 2013 to 2015
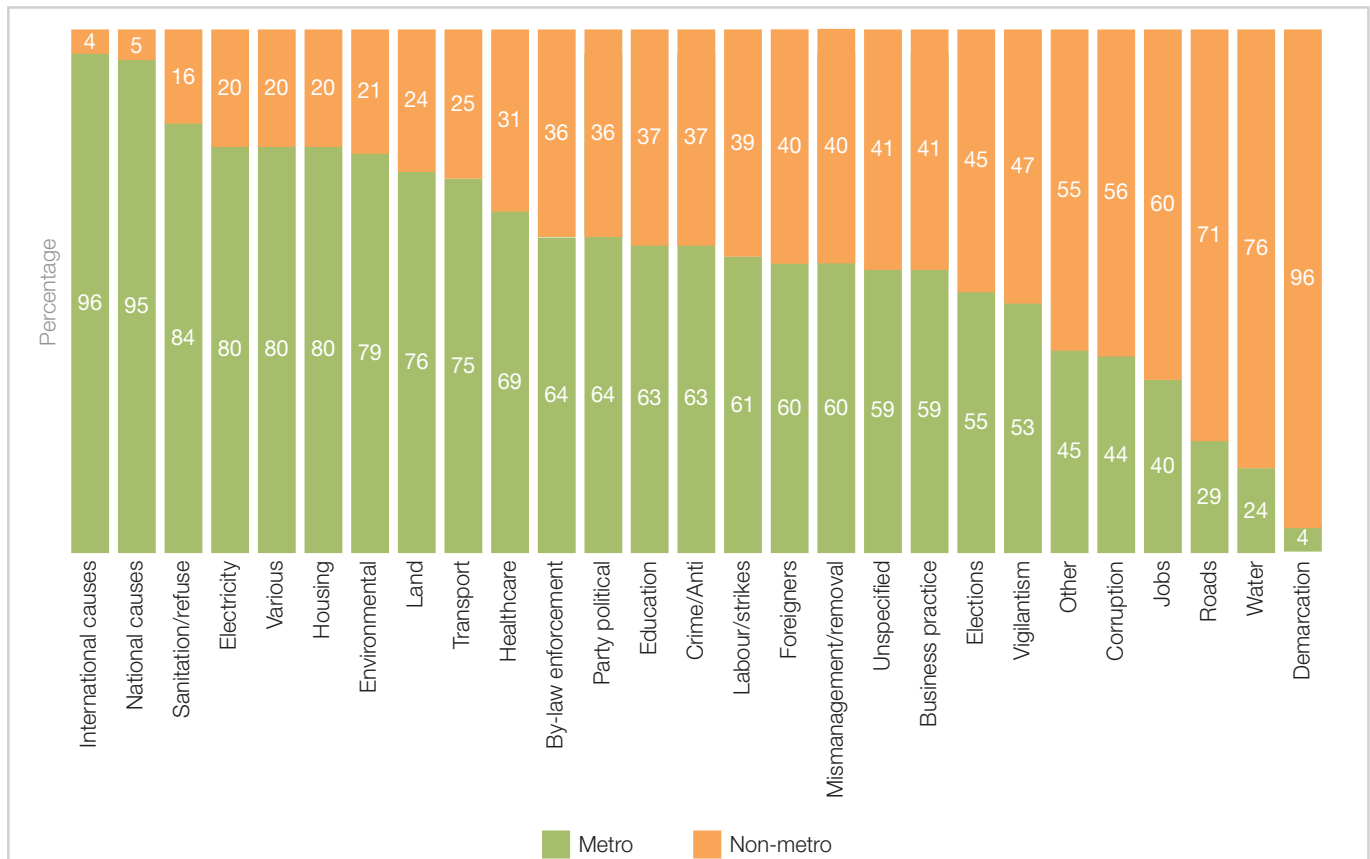
Source: Data from ISS' Public Violence Monitoring project.

Non-metro areas were more likely to experience protests over issues relating to water, roads, jobs and municipal demarcation (such as the ongoing disputes in Sterkspruit in the Eastern Cape and Malamulele in Limpopo Province). The data shows that almost all demarcation-related protest action and three out of four water- or roads-related protests took place in non-metro areas. Close to half of the protests over jobs or corruption, as well as incidents of vigilantism and elections-related incidents, took place in non-metro areas.

The predominantly urbanised provinces account for most of the events. Figure 5 illustrates that Gauteng experienced almost one-third of all incidents, followed by the Western Cape (21%), KwaZulu-Natal (15%) and the Eastern Cape (14%). These provinces are the most urbanised and highest populated and contain the largest metros.

Figure 5: Provincial spread of events, 2013 to 2015
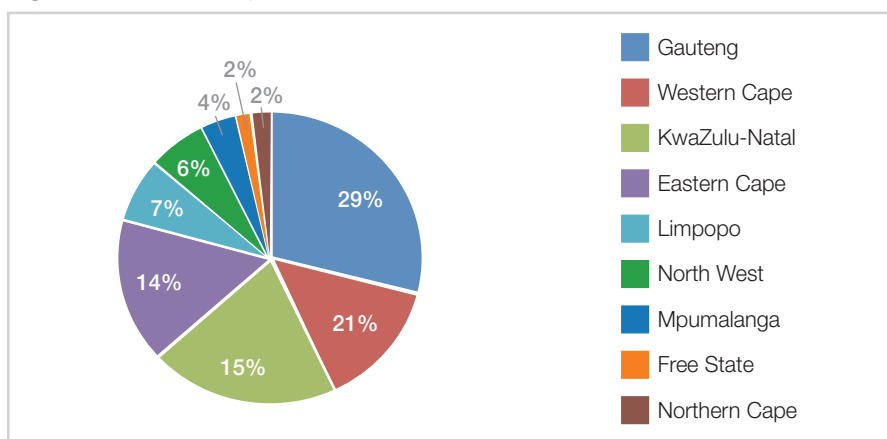
Source: Data from ISS' Public Violence Monitoring project.

The data shows that protest actions are more likely to occur in some localities than others. Therefore, protest 'hotspots' can be identified in each province by assessing the data over time. Figure 6 shows the spread of incidents within Gauteng. It highlights which incidents were violent and which were described as peaceful. The notion of 'hotspots' has been well defined in relation to crime analysis and refers to 'an area that has a greater than average number of criminal or disorder events, or an area where people have a higher than average risk of victimization'.[67]

The map in Figure 6 shows the hotspots in terms of both the number of events and violence, using kernel density estimates.[68] Kernel density estimates is a statistical method used to estimate the location of data – in this case protest hotspots. Eck et al. explain that this method 'creates a smooth surface of the variation in the density of point events across an area'.[69] By clustering protests within a 5km bandwidth or radius, it is possible to identify what could be termed 'protest and public violence' hotspots. The blue, purple and red areas show the locations that have a proportionally higher number of violent incidents. The blue areas have the highest proportion of such incidents.

Hotspot analysis of protest and crowd violence is helpful when looking at protest locations over time. This trend analysis approach may be useful to determine likely

CLOSE TO HALF OF THE PROTESTS OVER JOBS OR CORRUPTION TOOK PLACE IN NON-METRO AREAS

Figure 6: Gauteng spread of events by peaceful and violent classification, 2013 to 2015
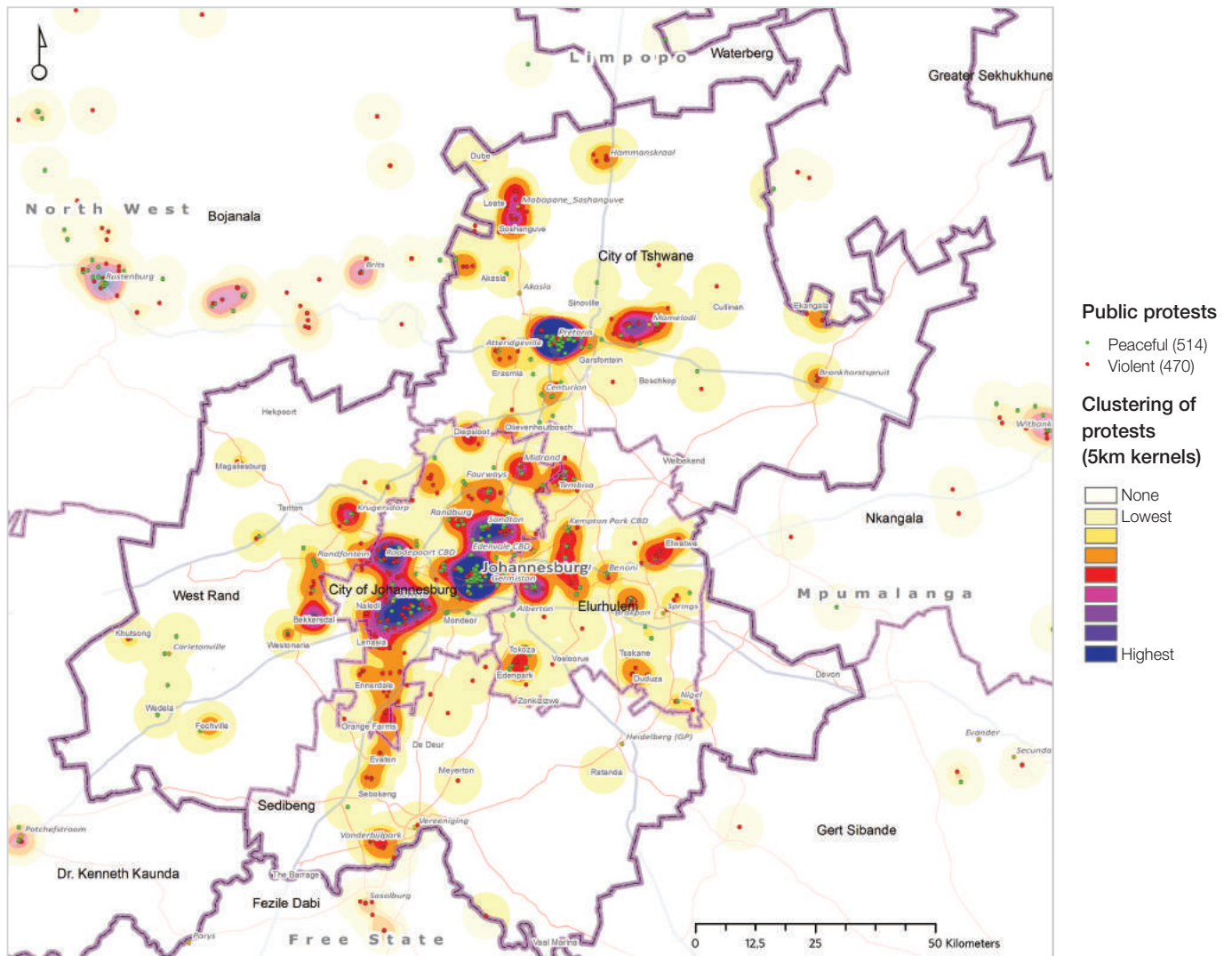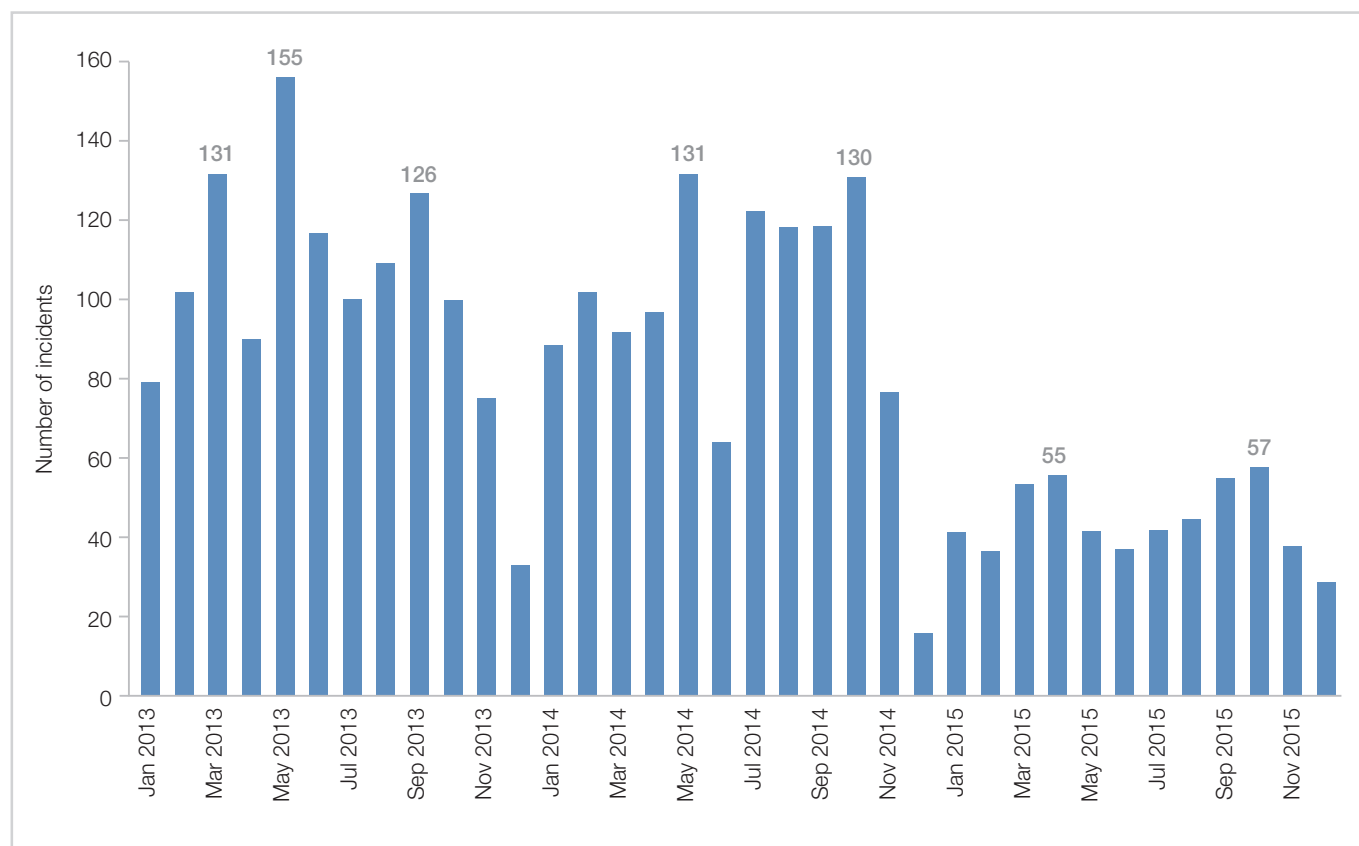

Source: Data from ISS' Public Violence Monitoring project.

hotspots in the future. It may also be useful for either the random or the purposive identification of locations for further qualitative research processes.

Events seem to follow a seasonal pattern, with the lowest number of incidents recorded in December and January, with peaks around May each year. This seasonality of such event types needs to be explored in further research.

Significant decreases in protest events were recorded for 2015. This was mainly due to the notable decreases in Gauteng during 2015. One possibility is that specific interventions to address community grievances were introduced at this time. Gauteng Premier David Makhura ascribed this reduction to the launch of the Ntirhisano community outreach programme using a 'proactive and participatory approach to problem-solving'. He claimed this was 'restoring levels of trust and public confidence on the ground … and improving the pace of service delivery … and making government officials and service providers more accountable'.[70] However, it is also possible that, due to reporting fatigue, media coverage of public protests decreased during this time. More in-depth research and analysis will need to be undertaken to better explain this notable trend change.

Figure 7: Seasonality of incidents, 2013 to 2015

Source: Data from ISS' Public Violence Monitoring project.

Conclusion

Measuring public violence is complicated by the difficulty of developing a suitable definition that adequately describes the phenomenon in all its various forms. Moreover, the nature of public violence can shift or expand, with, for example, a protest starting over inadequate housing but resulting in attacks on foreign-owned shopkeepers. Research also shows that inappropriate actions by state and non-state actors can escalate tensions and result in violence.[71] Without an improvement in the understanding of the extent, nature and dynamics of different forms of public violence, it will be difficult to develop and implement effective strategies or responses that result in sustainable reductions.

Certain steps can be taken to improve responses to the challenge of addressing public violence in South Africa:

• Efforts should focus on collaboration and analysis by all role players to establish a common understanding of the meaning of 'violence' during crowd events. This process should include the development of a shared and objective definition of 'violence' during crowd events.

• A national information-gathering system should be established. It could be similar to the peace monitor system that existed during the first years of democracy. This emanated from the signing of the National Peace Accord[72] and the Election Monitoring Services[73] once managed by the now defunct Institute for Democracy in Africa.

- Further research is required to examine the inter-relatedness of various forms of public violence and the triggers that can lead to these forms of violence. For example, the triggers for xenophobic attacks need to be interrogated, as well as whether these can be identified and addressed before their resulting in physical violence.

- Mechanisms for the notification of public marches or protests should be user friendly and permission should be encouraged, unless rational and clear reasons for denial are given and discussed. The research shows that the notification processes provide an opportunity for organisers, municipalities and the police to open dialogue that could minimise the occurrence of violence during public events.

> The nature of public violence can shift or expand, with a protest starting over inadequate housing but resulting in attacks on foreign-owned shopkeepers

- The role of the SAPS, as well as of the metro or traffic police and private security, in relation to managing incidents of public disorder needs to be the topic of further research. This should include not only analysis of law enforcement's capacity, methods, actions and inactions but also an examination of the potential need for improved command and control, as well as gaps in training and policy.

- Better monitoring of the period leading up to the 2016 local government elections will allow the IEC to better identify hotspots and strengthen its dispute and conflict resolution capacity in these areas. It will also capacitate other role players such as the police and officials from the Department of Local Governance and Traditional Affairs and local government to respond quickly and effectively to threats of intimidation and violence. This may help to ensure that this phenomenon does not threaten South Africa's proud track record of free and fair elections.

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