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CHANGING PARADIGMS IN POLICING – The Significance of Community Policing for the Governance of Security

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INTRODUCTION

There is much talk within South Africa, as indeed across the world, about the importance of community policing as the appropriate way of policing in the new millenium. What are not always clearly spelt out, are the arguments surrounding the relationship between community policing and the more established style of policing, and the reasons why this should be replaced, or at least complemented by community policing. This paper will focus on these questions. To achieve this, some basic questions about policing will be raised:

- What is policing?
- How has it been done?
- What exactly does community policing seek to promote?

THE MEANS AND ENDS OF POLICING

What is policing? One way to answer this question, and this is the way it is normally put, is to say that policing is simply what the police do. That is, policing is the activities of members of the police. So, what is it the police do? If you consider how the police worldwide are organised, you will see that, by and large, they are organised to 'catch crooks'. Police are 'bandit catchers'. But, what does 'bandit catching' involve? Again the answer to this question is quite straightforward as police around the world, at least around the democratic world, do much the same kind of thing when catching bandits. They get reports of crime (typically from victims), which they then attempt to 'solve' by identifying, and bringing before a court of law, the person(s) who committed the crime. They do this by gathering information from victims and 'informers'. If the court finds the person guilty, some form of punishment is typically imposed. This work of the police typically requires the use of, or at least the threat of physical force.

The reason why policing involves the use of force as its essential feature, is obvious. Offenders do not like getting caught and they do not like being punished. Given an opportunity, they will resist the police. The police overcome this resistance by applying force. It is this interaction between resistance and the application of force that causes problems with respect to human rights. What human rights training seeks to encourage, is compliance with national and international rules about how such force should be applied. These include, for example, rules about how to use force in making an arrest, stopping a fleeing suspect, the actions the police may take to protect themselves from offenders, and so on.

Why are the police doing this? Why is this what policing entails? Why is security being governed in this way? To answer these questions, it is necessary to know something about the objectives of the police and the thinking that has developed about how this objective should be accomplished.

The objective of the police could be explained as follows. If people are going to be able to live together and do all the things normally taken for granted, like running businesses, having fun, educating their children, etc. they need security. Security is a 'good product', if you like, that we require to proceed with the business of collective living.

What is security? People think of themselves as being secure when they can go about their lives with 'reasonable and probable grounds' for believing that their bodies and material possessions will not be harmed. An arena of collective life is secure when people can walk about without being mugged, leave their homes without having them broken into, and do such things as send email messages to people and buy goods on the Internet without having their messages or credit card numbers 'stolen'.

In Western societies, for much of the last two centuries, the task of promoting security – keeping the peace – has been designated to state governments. In exercising this responsibility, these governments have established and paid for a body of full-time security people, namely the police. What this has meant, is that when citizens come to their government and say, *"We need security",* governments have responded by saying, *"Yes, this is an appropriate request, we have set up a police force to respond to such requests, so take your security concerns and problems to the police and they will solve them for you."*

As police around the world know, citizens with security problems do just that: they bring their problems to the police and ask them to solve them. When they do so, they often express themselves like this: *"Hey, the government has promised me that you will ensure that I am safe. Well, I'm not, I've just been robbed. Please do something about it."*

In responding to such requests, the police apply a theory that enables them to act. They are not always aware that their activities are theory-based, however, as they apply routines that they have learned from training and from their fellow police officers. Behind these routines, however, lies a theory, a way of thinking about their world and how to act upon it. The theory that underlies conventional police routines includes a series of premises that can be summarised as follows.

- People commit crimes because the rewards of crime outweigh the rewards of the good life.
- The way to change this is to punish people when they commit crimes.
- This will make it clear to criminals and would-be criminals that crime does not pay.
- When it is clear to everyone that crime does not pay, people and their possessions will be secure.

Because this theory requires a mechanism for delivering punishment through physical force, it is argued that this is something only state governments should do, because if people are allowed to apply the theory directly, an anarchic situation in which people begin feuding with each other will result. To avoid this, established Western political theory and practice insist that state governments should monopolise coercion. Indeed, this instance has resulted in the situation where governments were given the job of governing security in the first place.

There has been, and continues to be lots of debates and arguments about how the police should implement the theory outlined above. The strategy for implementation that has been the most influential, as the police know from experience, is the following:

- The police and victims should establish a partnership.
- In this partnership, victims should call the police when crimes occur and give them as much information about what happened as possible.
- The police should respond quickly to victim contacts so that they get onto offenders' trails as soon as possible after the crime has been committed.
- This will enable the police to catch the offenders and bring them before courts which will punish them.
- When this occurs, it will become clear to offenders (specific deterrence), and would-be offenders (general deterrence), that crime does not pay.
- The net result of this, as the theory suggests, will be that security will exist.

This way of thinking about how to implement the theory has been in place for a long time and has been the dominant thinking behind crime and justice over the past 150 to 200 years. During this period, governments and the police have attempted diligently to make this

strategy work and they are still working hard at it – they have been trying hard to become better 'bandit catchers'.

It is becoming increasingly clear to governments and police organisations, however, that things have not turned out as expected – criminals are not being caught and punished. That is, while the theory sounds good 'on paper', the implementation strategy has not delivered the required results in practice. South Africa is a good example. The police have not been catching as many criminals as the theory requires and the courts have not been punishing as many criminals as they should if the theory is to be properly applied. It is this failure of the police and the courts to adequately implement the theory, as much as the level of crime that disturb so many South Africans. For example, in a specific township near Cape Town, insecurity is a serious problem. When residents discuss this, while they are certainly concerned about the level of insecurity to which they are exposed, they are even more concerned about the fact that, in their view, the police are not able to catch offenders and the courts are not able to see to it that offenders are punished. This bothers them because they quite correctly realise that the theory and strategy that were supposed to provide them with security, are not working. There is a sense of despair because the foundation upon which security was supposed to be built, is in itself fragile, inadequate and insecure.

This failure of the theory and strategy to produce security has prompted a widespread debate about what the reasons for the failure are and what should be done about it.

Two dominant positions have emerged. For convenience sake, they are called Model 1 and Model 2.

Model 1

Model 1 argues that the deterrence theory is right and continues to be the appropriate basis for the provision of security. The difficulty is the implementation strategy. The argument that is put forward, is that while the strategy is correct, the institutional mechanisms that have been established for its realisation are flawed. In other words, the problem is that the police, prosecutors, courts and prisons have not been doing a good enough job. The answer to the crime problem is therefore to get them to do a better job. The way to do this, it is argued, is to upgrade the resources, management and training within each of these institutions. In short, the conclusion that is drawn, is: keep the theory, keep the strategy and improve the mechanisms. This position is particularly popular in South Africa, as can be seen in the many suggestions being made to improve the operation of the various players in the criminal justice process, especially the police. Within the South African Police Service (SAPS) there are all kinds of activities taking place at the moment that are designed to improve the way in which the police operate in order to effect the Model 1 approach.

Model 2

There is a second position that is sceptical of the approach in Model 1. This sceptical position makes the following kind of claims:

- You cannot get the police and the courts to do what the Model 1 theory and strategy require, because it would be too expensive. For example, in the case of the police, implementing Model 1 will require many more police officers, even assuming that their effectiveness can be improved. Furthermore, more police officers will require more ancillary resources: they will generate more cases which will mean more prosecutors, more judicial officers and more prisons. This will be exorbitantly expensive, too much so for most countries, certainly too expensive for a country like South Africa. Even if the theory is correct, it cannot be implemented. At best, one can only expect the police to be part of the solution and not the whole solution.
- Many people argue that they are not sure if the theory is all that sound. They argue that the assumption that crime is the result of a rational calculus, and that one can change this by applying punishment, is not very sensible and not the best way to create security. (This point will be elaborated on below when the premises of Model 2 are considered).
- People have argued that, even assuming the theory is correct, it cannot be applied properly so long as the police are restricted by all the due process requirements that

are essential to liberal democratic societies. That is, they argue that the theory cannot be effectively implemented in a society that respects human rights in the way that liberal democratic societies like South Africa should. The argument is that there is an inevitable and fatal conflict between the theory and human rights that requires the police either to implement the theory and violate rights, or to respect the rights and in so doing, fail to implement the theory. For those who want to tip the balance in this conflict in favour of human rights, this implies that one should move away from Model 1 as the basis for promoting security in liberal democratic societies.

It is in response to these kinds of criticism of Model 1 that the police have begun to develop practices that rest upon an alternative model. This new direction has, and is being perused in police departments around the world under the designation of 'community policing'. These ideas form part of Model 2, of which the central premises are very different from those of Model 1. These premises are as follows:

- The best way of creating security is not to focus the attention and resources on catching bandits, but to identify and reduce opportunities for crime. The argument of this premise is that, even if the rewards of crime are high, people still need opportunities and if those are removed, people will not commit crimes.
- The second premise is that the people who are in the best position to reduce and eliminate opportunities for crime are not the police, but ordinary people (victims, offenders and people who simply know the area in which they live well).
- Related to the premise above, is the fact that physical force is not particularly useful in identifying and eliminating opportunities for crime. As a result, the police, who have the legal right to use force in maintaining the peace, are quite limited in their ability to reduce crime. This means that they need to form partnerships with people and institutions with other complementary resources.

The concept of 'community policing' has different meanings and has developed differently in a variety of police organisations. The above premises, however, constitute a unifying thread that cuts across this diversity. The implication is that, if these premises are acceptable, the tendency will be to support the idea of community policing. If the premises of Model 1 are regarded as more viable, the tendency will be to be critical of the idea of community policing.

Within the SAPS, people are divided about whether they support Model 1 or 2. This division exists across the various provinces and at all levels within the police. It is expressed in the different visions of where the police should be going and the kind of organisational change which should be taking place.

This division, indeed conflict, is significant because the implications of these two models are very different. As noted earlier, Model 1 requires that the fundamental structures of the police are left as they are and interventions should be aimed at improving them. This requires hard work, but the process is not particularly disruptive. This is not true of Model 2 which requires much more radical change. The changes required, include the following:

- a fundamental re-thinking of what policing is;
- strategies and institutions within communities that will ensure that communities, and not the police, do the bulk of policing; and
- a shift in the police from being bandit catchers to problem-solvers who both assist in the co-ordination and mobilisation of community resources and who provide communities with access to coercive strategies when these are appropriate.

The SAPS has officially committed itself to community policing as a national policing strategy. This has major implications for police officers at all levels. This is particularly true for officers at station level, as community policing requires significantly different strategies and practices.

Community policing as a national strategy presents local station commissioners and their staff with the difficulty that, unlike with Model 1, the requirements of Model 2, at the level of daily practices, have not yet been adequately established. It is precisely known what a police officer operating within a bandit catching paradigm should be doing, but it is still not clear what is required under community policing. However, it is exactly the kind of difficulty that is encountered when one leaves a well-trodden path to embark on a new one. Much of the work that needs to be done is path-breaking. Community policing is therefore very much in a discovery phase. People at the local level within the police have to discover just how to turn the premises of community policing into day-to-day habits and practices that have meaning

for them. This is not easy, but if there is room to operate and to make mistakes (because discovery always involves mistakes), discovering how to implement the principles of community policing can be both important and rewarding. It is well-known what bandit catching requires, but the question remains what community policing requires. Complaints from police within South Africa and elsewhere abound. A common thread in these complaints is that the concept of community policing is too fuzzy and theoretical.

However, the fact that it is fuzzy and theoretical does not have to be a problem – it can be an asset because this provides the space to experiment, to explore and to be creative. To provide the right environment for this to happen, superiors who are committed to Model 2, who realise that its implementation requires experimentation and are prepared to provide room to make mistakes and to learn from them, are of the utmost importance.

To illustrate the above, the following story serves as an example of the use of and contrast between the two models. Imagine a situation in which a bank manager discovers that there is R10 000 missing from one of the tellers' drawers, indicating a theft. The typical Model 1 response would start with a call to the police by the bank manager who would ask them to come in and solve the problem. In making this request, the problem will be handed over to the police as a group of experts who would be able to resolve the bank's problem. In calling the police, the bank would effectively hand over ownership of the problem to them. The manager and others in the bank would be asked to provide information, but they would not be asked to make decisions about what should be done. The police might report back to them and inform them of their decisions and actions and, if the case went to court, they might be required to appear in court as witnesses, but would not be involved in the process directly. Once the police get involved, the conflict ceases to be one between the victim and the offender and becomes a dispute between the state, as the guarantor of order, and the offender. If all went well, a guilty verdict would be forthcoming and the person would be punished in some way, perhaps with a term of imprisonment. If the person was convicted, the bank would almost certainly feel that it would have to dismiss the employee who stole the money. Once a sentence was passed, the police would be content that the case was solved.

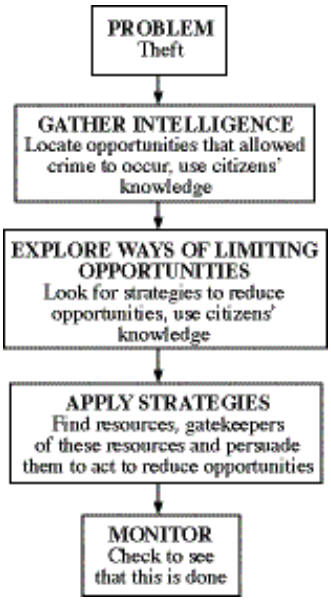
Victims like the bank would traditionally also have been content with this outcome. Recently, however, especially corporate victims have questioned the efficacy of the Model 1 process. In particular, they have questioned the idea that this process provides a solution to their problem. The story above serves again as the example. Bank executives, and others in similar situations, have increasingly come to the conclusion that from their perspective as victims, the outcome of the Model 1 process does not provide a solution, but generally makes the problem worse. If the person who took the money was an employee, the bank has already invested substantially in them. This means that, if the person is dismissed or goes to prison, they are incurring a loss – the cost of their investment, as well as the cost of re-hiring and training another person. The bank is also likely to argue that there is a good chance that the person who is hired, is just as likely to be tempted to take R10 000 the next time a similar opportunity arises. In addition to these costs, there is the cost incurred in the process – the down time while the police do their investigations, the time witnesses will have to spend in court, and so on. From the bank's perspective, the police investigation and the solution they arrived at are likely to make matters worse rather than better. If the initial loss was R10 000, by the time the process is completed, the loss is likely to be at least double if not much higher. This might not be so bad if there was some assurance that similar losses from tellers' drawers were less likely to occur, but this is not the case. In response to these and similar arguments, banks and other corporate victims have tended to develop alternative solutions. These include the use of private security experts whose approach to problem-solving can be controlled by the client, and who will pay more attention to their clients' needs as victims than the police do. So, what does a bank that has hired private security experts do about the kind of instance outlined above? They are increasingly unlikely to call the police to investigate. They will likely call in their own investigators who, unlike the police, will tend to operate under the guidance of a Model 2 approach. What is increasingly likely to happen, is that instead of asking who did it, the bank's investigators will ask how it happened, that is, how it was possible to take the R10 000. This is regarded as a much more fundamental question and one that responds to their concerns as victims. They do not want to know how to catch and punish the person who took the money – which just increases their loss – but how to reduce

the risk of this occurring again.

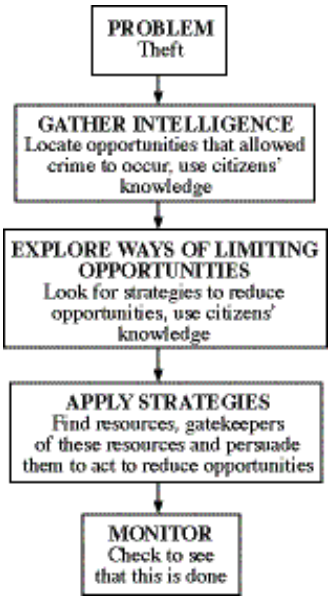
At first sight, it might look as if this approach is simply an instrumental attitude that is unconcerned with morality. Model 1 does not have a monopoly on moral virtue. Rather, Model 2's morality is different and more subtle. The perspective taken by the mentality that pervades Model 2 is that the world is not simply divided into good and bad people, but is rather made up of people who can be tempted and who thus sometimes do bad things. Because someone has done something bad, and has submitted to temptation, it does not mean that s/he is intrinsically bad and should be excluded from the community, in this case the community of bank employees. The feeling is rather that the fact that people are able to do both good and bad things, they should be encouraged to do good, in this case, encouraged not to steal by making it difficult to do so. This will enable them to be good employees who can use their skills to benefit the bank rather than to incur a loss. The above is not an endorsement of one or the other of these moralities, but rather meant to note that both Models 1 and 2 embrace a particular morality. It is also worth noting that the morality of Model 2 is not that different from that of Model 1 which uses the threat of punishment to encourage people to be good.

The processes associated with each of these models are set out below.

Model 1



Model 2



THE CHALLENGE OF COMMUNITY POLICING

What community policing requires of officers and managers in the SAPS is not that they abandon Model 1 entirely, but that it should be complemented by the approach advocated by Model 2. How can this be, as these two models seem at first glance to be diametrically opposed?

What community policing proposes, is that the Model 2 philosophy which focuses attention on reducing the risk of security problems repeating themselves in the future, becomes the dominant mentality. Having said this, it argues that the practices of Model 1, that of bandit catching and punishment, are to be included as possible ways to reduce the risk of insecurity.

The important thing is not that Model 2 excludes bandit catching, but rather that it insists that it is not taken for granted as the 'obvious' thing to do. It argues, instead, that bandit catching should be one possible strategy among others to be adopted to the extent that it is useful in reducing the risk of future disorder. What the Model 2 chart summarises, is a four-step method that requires a particular process of problem-solving. This four-step method, with its aim of shifting the focus on policing from the past to the future, and from one set of strategies and resources to multiple ones, lies at the heart of community policing.

To practice community policing means to think and solve problems from the perspective of Model 2. Thought of in this way, it is evident that community policing is not a specialisation within the police – something, for example, to be done by community police officers – but a style of thinking and acting that every police officer can use and, from the perspective of Model 2, should be using.

THE WAY FORWARD

If community policing is to become more than just a 'commitment on paper' by the SAPS, it will require that every police officer thinks in Model 2 terms and makes choices that arise out of and support its mentality. This way of thinking requires significantly different organisational emphases within the SAPS that will support a different set of practices. At present, there is not much evidence of this and what evidence there is, tends to be fragmented rather than general. The problem is not one of a lack of interest or commitment: even those who accept the Model 2 philosophy have a difficult time to implement it. The reason for this, as suggested earlier in this paper, is that the nature of the practices and the kinds of institutional supports that are required, are not obvious. They need to be discovered.

Those people within the SAPS who wish to pursue Model 2 do not have a clear set of

directions on what they should be doing. Neither do they have the support they need in terms of institutional space and resources. However, with a little bit of effort and the sharing of experience, it will be possible to work out what is required in a way that fits the conditions of policing in South Africa. There is nothing that stops any station commissioner from creating a pilot project in her/his station to work out just what the four-step model will mean for the station and to use this to rethink and reorganise what officers at such a station do. There is also nothing to prevent the people engaged in such pilot projects from getting together to share their experiences. This can be done over the phone, via email or simply over a beer with the people from a neighbouring station. This is a simple process. It does not need Head Office's authority or involvement and it has the wonderful advantage of allowing working police officers to establish just what community policing can and should mean within the SAPS.