

The Proliferation of Firearms in South Africa, 1994-2004

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The Proliferation of Small Arms in South Africa, 1994 - 2004

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The Proliferation of Firearms in South Africa, 1994 -2004

Executive Summary

The proliferation of firearms has posed profound problems for the young South African democracy. The number of licenced guns in private hands increased from about 2.5 million in 1986 to 3.5 million in 1996 and to 3.7 million in 2004. The number of illegal guns in circulation is unknown. Estimates range from 500,000 to 4 million. However, all signs are that the pool of illegal guns has been constantly growing. Today, it is reportedly easy to get an illegal gun anywhere in the country very cheaply.

The demand for guns is complex. Guns played a critical role in colonial conquest and in the struggle for democratic transformation and became tightly interwoven with particular male identities. This connection was strengthened by fears of transition in the early 1990s and the growth of violent crime, particularly after 1996. However, while guns have become an essential “tool of the trade” for young criminals, the need for a gun is still contested amongst the South African public, overall.

Sources of guns have been diverse and changing. In terms of legal guns, the UN arms embargo led the apartheid government to co-ordinate and support the South African defence industry so that by 1989 it was largely self-sufficient. However, the fall of the Berlin Wall, the election of the new democratic government in South Africa, and the lifting of sanctions drastically changed government priorities, forcing the defence industry to transform itself to become commercially viable, competitive and profit making. South African arms producers, however, and particularly those manufacturing commercial firearms, struggled to compete in the global market. In fact, the flood of cheap imported guns into South Africa after 1994 displaced South African products, forcing many gun manufacturers to close down. The report argues that competition with cheap legal imports was aggravated by competition with even cheaper illegal guns.

In terms of illegal guns, it is likely that millions of guns came into southern Africa as a result of the wars of independence and the civil wars in Mozambique and Angola and the democratic struggle in South Africa. The lack of effective disarmament has meant that very large numbers of these are available to South Africa, feeding the pool of illegal guns. Their impact, however, may have been dwarfed by the easy access to lost and stolen legal guns inside South Africa, which provided criminals a ready source of weapons.

The impact of the proliferation of firearms has been profound. It has fed the growth of violent crime, in particular armed robberies and car and truck hijackings. It has also fed the growth of partner and acquaintance violence, which currently accounts for over half of all South African murders.

The impact on South African communities has been immense. While residents of wealthier communities have invested billions of rands in private security, residents of poor communities have adopted less positive strategies, like avoidance and isolation,

weakening the co-operative bonds that normally hold neighbourhoods together. In the worst hit communities, and particularly the gang lands of the Western Cape, this has led to a rupture between the police and the community, because people feel imperilled if they report crime.

Moreover, South Africans have been widely exposed to gun-violence and its traumatic effects. In the poorest communities - which see the greatest amount of violence - this is so frequent and so persistent that analysts speak of continuous traumatic stress.

The impact on development has also been immense, as huge sums of money have been re-deployed out of development and economic growth and into safety and security.

The South African government has responded by developing a comprehensive firearms strategy. Part of this involves regional efforts, like Operation Rachel in Mozambique, to destroy arms caches and slow the flow of illegal guns. Part of this is national, notably the Firearms Control Act, passed in 2000 and promulgated in July 2004. Although the Act is new, it has already had a profound impact in a dramatic fall in the number of firearm licence applications received and issued.

However, while the South African government has adopted effective measures to slow the proliferation of guns, it cannot succeed alone. Regional co-operation and global support is needed to stem the flow of guns within the region. Moreover, a global small arms trade treaty is necessary, to control the flow of trade and ensure that huge numbers of guns no longer flood into war zones or areas with very high rates of crime and violence.

Abbreviations

ANC	African National Congress
APLA	African People's Liberation Army
CFR	Central Firearms Register
DRC	Democratic Republic of Congo
FRELIMO	[Translation] Front for the Liberation of Mozambique
IFP	Inkatha Freedom Party
KZN	Kwazulu/Natal
KZP	Kwazulu Police
LIW	Lyttelton Ingenieurswerke
MPLA	[Translation] Popular Movement for the Liberation of Angola
MRC	Medical Research Council
NCACC	National Conventional Arms Control Committee
NIM	Network of Independent Monitors
NIMSS	National Injury Mortality Surveillance System
PAC	Pan African Congress
PMG	Parliamentary Monitoring Group
RENAMO	[Translation] Mozambican National Resistance
SADF	South African Defence Force
SAGA	South African Gunowner's Association
SANDF	South African National Defence Force
SAP	South African Police
SAPS	South African Police Service
SDU	Self defence unit
S&W	Smith and Wesson
SPU	Self protection unit
TBVC	Transkei, Bophuthatswana, Venda, Ciskei
UDF	United Democratic Front
UDM	United Democratic Movement
UNITA	[Translation] National Union for the Total Independence of Angola

Preface

Reflecting on 1995 commission hearings on the illicit sale of arms to Yemen, Judge Cameron wrote:

Throughout the proceedings we were struck by the detached way in which witnesses described their business of selling weapons. We wondered whether any of them had ever thought of who used the weapons, against whom, for what reason, and with what consequences.

Finally, we put these questions to Vermaak. He told us frankly that he had never thought about such issues. He was a salesman, after all, not a politician.

Most of the other [state-owned] Armscor witnesses and the foreign actors involved in the ... transaction appeared to share this approach. Our story has revolved around the exploits of these characters.

Hundreds, perhaps thousands, of people killed or hurt by South African weapons were also intimately involved in this story. They had no voice in our inquiry and no name in this report.

Yet at all times in our investigation and subsequent deliberations, we have felt their presence, like the burden of a shadow.

- Cameron Commission, 1995

The Proliferation of Firearms in South Africa, 1994-2004

Introduction

As the South African people have strived to transform their society over the past decade “to build a better life for all”, they have confronted a growing spectre of gun-related violence. Over 100 000 people have been killed in gun-related violence over the past ten years in South Africa, almost twice the number of Americans killed in the Vietnam War.¹ South Africa is not alone in this predicament. It is now recognized globally that more die in day to day violence during peace than on the battlefields during war. Firearms have played an instrumental role in this (*Small Arms Survey 2004*, 2004). While South Africa is not unique, various factors have been at work to intensify the damage there. It is critical then, that as we look back on the first decade of democracy, we reflect on the proliferation of guns in civilian hands.

This report looks at the nature and the impact of the proliferation of guns in civilian hands in South Africa between 1994 and 2004. Section 1 explores the historical context, to identify the major trends which have shaped the proliferation of civilian owned guns in South Africa since the 1980s. Section 2 explores the growing demand for firearms. Sections 3 and 4 investigate the sources of guns in South Africa: tracing the efforts of the South African defence-related industry to compete in the national and international market in the face of cheap imports and tracking the sources of illegal weapons. Section 5 explores the impact of gun violence on South African society. It is impossible at this point in time to calculate the concrete impact that gun violence has had on South African in terms of “rands and cents”, however it is clear that the impact has been enormous. This section attempts to outline, as well, the drain that gun violence has had on “social capital”: the nexus of social relationships so critical to driving economic growth and social change.

At the end of the research three points become clear. First, the international community and particularly the United Nations (UN) urgently need to re-evaluate disarmament practices. Failed disarmament in Mozambique, Angola and South Africa left a terrible and, in all senses of the word, costly legacy, for which countries across the region will pay a heavy price for decades to come. Second, the new South African government has built a good legal framework for strict gun control over the past ten years; it is critical that this be conscientiously implemented. In particular, it is critical that the government effectively step up its efforts to remove illegal guns from society. Third, South Africa cannot reduce the proliferation of firearms by itself but depends on the global community to develop and implement effective measures to control the flow of arms. It is not only the recipient countries but also the major weapons producers that must take responsibility for the legacy of violence those small arms create. As Sarah Meek noted (2000):

¹ SAPS Central Firearms Register. This is only homicide figures and does not reflect accidents or suicides.

“The irony of these decades of weapons sales is that weapons legally sold earlier have made their way onto the illicit market. Short-sighted sales policies – arming friendly regimes that later become hostile – and lack of control over weapons once they reach their destination, have led to the wholesale transfer of weapons from the legal to the illegal market”

This is much to the detriment of law-abiding citizens. This supports the campaign for a global arms trade treaty, with the call that it apply not only to military weaponry but also to civilian arms, which have also wreaked great havoc in the country.

A broad range of sources have been used to track the proliferation of guns in South Africa. Printed and electronic copies of government reports and briefings to Parliament provide critical information on the number of guns in circulation, changing crime rates and government strategies. These are augmented with a range excellent reports on crime trends, victim surveys and research findings available particularly as a result of the efforts of the Institute for Security Studies (ISS). These shed important light on the nature of firearm proliferation, the extent of gun violence in South Africa, and government efforts to address the problem. New, previously unused sources produced by the South African gun industry have also been used, notably the trade journal *Man Magnum* magazine to illuminate trends in the local manufacture and import of guns into the country. They also illuminate the views and concerns of South African gun owners. As such, they fill in earlier gaps in the literature. In addition, a variety of academic and non-governmental writings have been tapped, particularly relating to violence in South Africa and youth at risk.

In order to better understand the impact of gun violence on South African communities, ten focus groups were held, in urban, peri-urban and rural settings across the country. These shed light on people’s lived experiences and provide much new information on the question of “social capital,” Finally, over thirty interviews were held with various people who are noted experts in their field. Even so, this remains very much a preliminary study, attempting to chart out the major features in what is undoubtedly a remarkably complex map.

1 The South African Background

South Africa, it is said, experiences extraordinary levels of gun violence.

Unfortunately, it displays many of the risk factors associated with this problem. It is a low to middle income country and as such is part of a group of nations that display twice the rate of violence than high income countries. It is an African country and fits the continental patterns for Africa and South America, which experience a far greater homicide rates than their European or Asian counterparts. It is a post-conflict society and continues to wrestle with many of the challenges thrown up during the years of its political struggle for democracy. Finally, it is a country in transition, and change has led to disjuncture, uncertainty and conflict.

In order to understand why the level of gun violence is so high, it is important to review the major factors that have shaped attitudes to violence, gun ownership and gun use, beginning with the political struggle for democracy.

1.1 Political violence in the lead up to the 1994 elections

The decade leading up to South Africa's first universal, democratic elections in April 1994 was one of mounting political violence.² The formation of the United Democratic Front (UDF) – a broad, popular front of churches, civic associations, trade unions, student organizations and sports bodies - in 1982 to fight oppression, was met with increasing violence by the apartheid state, leading to the declaration of a State of Emergency, first over 36 magisterial districts in 1985 and then over the whole country between 1986 and 1990. Under the state of emergency, the state was able to declare areas “unrest areas”, allowing it to use extraordinary measures to crush protest.

The states of emergency saw a loosening of controls on the use of deadly force by security forces (Hansen, 1990). The police were able to detain suspected activists at will, and covert units in the police and military acted to intimidate or assassinate opposition leadership and to arm and train opponents of the democratic movement (Network of Independent Monitors (NIM), 1997; Truth and Reconciliation Commission (TRC), Vol. 2, 1998).

In response, activists – notably black youth - worked to make their townships “ungovernable”. Throughout the country, many townships set up autonomous structures, like street committees, to take over the tasks of government, ranging from garbage collection to “people’s courts”. These could use violence to impose their will.

Already by the early 1990s, Hansen noted that “A culture of violence has taken seed and flourished in the conditions of civil war which have plagued South Africa since late 1984” (Hansen, 1991).

² See www.sahistory.org.za

The lifting of the State of Emergency in 1990 and the unbanning of political organisations like the African National Congress (ANC) saw the focus of violence shift from direct confrontation between the democratic forces and the state to internecine conflicts between political rivals – notably the ANC and the Inkatha Freedom Party (IFP). The IFP often worked in collusion with or with the direct support of the police, whose covert operatives came to be seen as a “third force”.

The period between February 1990 and the democratic elections in April 1994 saw unprecedented levels of political violence (TRC, 1998). This included indiscriminate massacres - of ordinary people at home or attending vigils - political assassinations, violent conflicts between township residents and migrant workers, train attacks, taxi wars and the rise of ‘warlordism’ in informal settlements (Minnaar *et al.* 1998). During this period over 14 000 were killed and many more thousands injured (TRC, 1998). However, although the media tended to present this as a national phenomenon, it tended to be quite focused in areas where there was intense political contestation, particularly in the industrial heartland around Johannesburg (or the PWV)³ and Kwazulu/Natal.

In response, communities elaborated township structures, creating self-defence units (or SDUs, linked to the democratic movement) to protect themselves from state-instigated attacks, and in Kwazulu and Natal, self-protection units (SPUs, linked to the IFP) to secure areas and then protect them from the ANC. In Kwazulu and Natal in particular, this resulted in the creation of no-go areas and cycles of violent attack, retaliation and revenge (Scharf, 1997; Minnaar *et al.*, 1998).

The lethality of these incidents was increased by the growing presence of guns. Although the government prohibited black ownership of guns before 1983, a serious demand for guns took root in the townships in the 1980s in response to the states of emergency (NIM, 1997; Cock, 2000). The apartheid government openly armed tribal and “homeland” leaders, while covert government operatives smuggled guns to the IFP. At the same time, the ANC used Operation Vula between 1988 and 1990 to smuggle arms into the country.

Black access to and ownership of guns was stepped up after 1990, as many SDU and SPU members acquired firearms from political formations or by smuggling them into the country. However, while the proliferation of firearms was often initially a political response, it opened up opportunities for the exploitation of violence by criminal gangs (Minnaar *et al.*, 1998). “Sometimes [during these years],” one informant noted, “politics was like a forest” (Umlazi Focus Group, 25 February 2005).

1.2 The violent legacy

While the political struggle led to democratic transformation in 1994, it also left a legacy of violence with which South Africa still struggles⁴. This legacy very much

³ PWV stands for the industrial corridor between Pretoria, the Witwatersrand (or the Johannesburg metropolitan area) and Vereeniging.

⁴ Violence is not new, Andy Dawes (2003i) argues. From 1652, it characterized the expansion of European settlement and the imposition of a white, segregationist state over a majority African population. It characterized the urbanization that followed the mineral discoveries of the 1870s and 1880s so that in the early 20th century there was high urban unemployment and the emergence of male,

facilitates the extraordinary levels of gun violence that occur ten years later. To understand this, it is critical to look at four factors:

- The breakdown of family structures under apartheid
- The diminishing control over youth during the “struggle”
- The diminishing belief in the “rule of law” in the 1980s and 1990s
- The growth of militarism and the use of violence in problem solving.

Jacklyn Cock argues that many of the social resources available to a society that create stability and assist non-violent conflict resolution were seriously weakened under apartheid (J. Cock, Interview, 17 February 2005). While a majority of families were deeply challenged by endemic poverty and high levels of unemployment, the family as an institution was pulled asunder as a result of the pass laws and migrant labour. This forced men to leave their families behind in rural areas in search of work in urban areas, to return possibly once a year and sometimes not at all. At the same time, extended family and community structures were threatened and in many instances broken as a result of forced removals.

This was aggravated by the extreme exposure of youth to violence. Youth spearheaded the struggle for democracy and played an increasingly central role in the ANC military wing, uMkhonto we Sizwe (MK), in UDF youth formations and in the SDUs and SPUs. While youth were led by their strong idealism, they undoubtedly paid a price. Most activists forfeited their education and committed themselves full-time to the serve the struggle. However, in this work, they could be exposed to considerable violence in their confrontations with the police or other political factions and in some cases by being actively hunted down.

This extended far beyond youth activists to the children who witnessed the violence on their streets. Vusi Khoza, a Kwazulu/Natal social worker, said, “We are dealing with a generation that when they opened their eyes they saw a lot of violence” (V. Khoza, Interview, 21 February 2005).

Wilfred Scharf argues that this led to a breakdown in the control of youth. While many youth became political activists, responding to the calls of their community, others became involved in crime. This made reintegration of these youth a slow and problematic process later on (Scharf, 1997).

urban youth gangs. It characterized the formation of gang identities which “valorized” the strong and violent male. It characterized the political struggle in the 1980s and early 1990s, which threw up new opportunities and models for “hero identification” particularly for young men. This was so for the white child, who valued the SADF soldier for protecting the apartheid state, and the black child, who valued the young comrade and the MK or APLA soldier for opposing the apartheid state. Dawes argues that both young combatants and children growing up in circumstances of chronic violence faced the same risk of learning “violent styles of being”, however, and experienced “Type II trauma”, which is associated with a proclivity to violence and reduced empathy for victims.

One great difference, however, might be the growing prevalence of guns in violence. Research is needed on the specific forces that shaped the dramatic increase in the use of guns in crime and interpersonal violence particularly between 1990 and 1996 (after which gun violence really took off). Still one can propose that the prominence of firearms in the political violence of the 1980s and early 1990s not only exposed communities to guns and to a certain extent made them a normal part of daily life but also – in the SADF or MK soldier – created new role models (Cock, 2000; V Khoza, interview 22 February 2005) that legitimized the use of guns. As a result, once guns were easily available, many may have decided to take them up.

The apartheid government's activities to suppress political opposition also resulted in a breakdown in its authority – in its perceived legitimacy - and the loss of a common commitment to the rule of law. This had complex results. Within advantaged, white communities, there was a growing “privatisation of security”. As civilians lost confidence in the ability of the state to protect them, they turned to private methods - gun ownership and the employment of private security companies. At the same time, township residents withdrew their confidence in the police and created popular structures like street committees, makgotlas and self-defence units to fill the void (Bruce and Komane, 1994). Jackie Selebi, the National Commissioner of Police, later acknowledged, “South Africans do not respect the law,” noting that it would still take some time to change this attitude (Verbal response, Portfolio Committee on Safety and Security (National Assembly), 3 November 2004).

It seems that the situation deteriorated further even further in the 1990s, as neither the police nor street committees could stem the growing tide of violent crime (Bruce and Omani, 1994, p. 41). Increasingly, then, township residents would turn to the use of guns.

One final legacy, Jacklyn Cock argues, was the legacy of militarism. She argues that under the apartheid regime the military sat at the centre of society, and both sides of the struggle saw violence as legitimate and inevitable. Given the weakness of traditional family structures, the acceptance of violence at a political level trickled down to the social and cultural level. It was acted out in homes, Cock argues, as Pretoria became the family murder capital of the world between 1976 and 1990, with ex-policemen and ex-soldiers playing a disproportionate role. Militarism seeped down into the popular consciousness where it narrowed and shaped people's understanding of effective and appropriate responses to conflict. From there, it became an accepted way of expressing discontent and frustration (J. Cock, Interview, 17 February 2005).

One often sees in South Africa a high tolerance of violence in interactions, whether within communities, or within families. People have learned violent behaviour by exposure to it in their early lives and have not developed non-violent methods of resolving conflict. This is aggravated when people use drugs or alcohol, which tend to lower peoples' inhibitions and make them more aggressive (R. Jewkes, Interview, 15 February 2005; A. Dissel, Interview, 17 February 2005). This is particularly problematic, given the poverty in South Africa, the deep-rooted patriarchy, and the contradictions, disjuncture and tensions that have accompanied transformation.

1.3 Changing patterns of violence

1.3.1 Political violence in the post-independence period

The 1994 elections saw political violence rapidly resolved in most parts of South Africa. Deaths due to political violence dropped quickly and dramatically, from 487 in April 1994, to 195 in May 1994, to 100 in December 1994 (Cock, 1996).

The exception was Kwazulu/Natal, where communal conflict continued to disrupt communities until 1998/9, particularly in politically contested areas around Durban

and the Natal Midlands. Thus, Kwazulu/Natal saw 75 politically related deaths in January 1995, where the rest of the country saw 21.

Undoubtedly, violence in Kwazulu/Natal was shaped by local and regional factors, yet the overt cause was political conflict: between supporters of the ANC and supporters of the IFP, or between supporters of the ANC and the newly formed United Democratic Movement (UDM). It was particularly fierce up until 1999 because the IFP had only a narrow electoral majority in the province (Minnaar *et al*, 1998). As political factions vied to secure territory, they created “no-go” areas. The IFP established hit squads to destabilize contested areas. The resulting conflict exposed whole communities to arbitrary violence and dispossession (Minnaar *et al*, 1998; Umlazi Focus Group, 25 February 2005). In the end, violence in Kwazulu/Natal during this period claimed 15 000 lives; a further 25 000 were injured or disabled, and 500 000 were displaced from their homes and their communities (Higson-Smith, 2002).

Youth in Umlazi, south of Durban, told of the placement of a group of IFP hit men in their area who came out at night and terrorised the community. These were supported by local IFP members who were armed with .303 rifles or home-made guns. They were supported, too, by the local police. The focus group told of police officers who when conducting searches kicked a door down, entered a house with guns, and could shoot a person or sexually assault a woman or girl, and if they wanted, remove all the furniture. Youth could be accused of political activities and be beaten on the street, simply because they were young. Finally, from time to time, IFP supporters were bussed into the area to fight. This situation came to an end, however, in 1999 (Umlazi Focus Group, 25 February 2005). Very quickly thereafter, the political situation in the community began to stabilise.

While there was serious, ongoing intimidation in a number of communities like Umlazi, it was the Midlands town of Richmond that came to symbolise the anguish experienced in the conflict because of the extreme violence it saw. In Richmond, Vusi Khoza said, violence was not only extensive, pervasive and brutal, but also deep-rooted. Father fought son, and a person could be gunned down by a member of his own family. (V. Khoza, Interview, 22 February 2005). A survey of Richmond residents found that in the course of violence 70% lost all of their property including their homes, 60% lost members of their immediate families, 80% witnessed the murder of a family member, and later, when peace was restored, 96% suffered from the symptoms of post traumatic stress: uncontrollable crying, nightmares and flash backs (T. Emmet and C. Higson-Smith, 2000).

This broke down the social fabric of the community, for Richmond’s residents felt “We were not betrayed by outsiders; we were betrayed by our own flesh and blood” (V. Khoza, Interview, 22 February 2005). Many residents took flight and sought refuge in Durban, Pietermaritzburg and Ixopo and have still not returned home. Social workers active in the Richmond area in 2005 noted that although the fighting ended shortly after the assassination of the UDM leader, Sfiso Nkabinde, in 1998, even today the community remains fragile as many continue to struggle with traumatising, bereavement and anger (V. Smith and N. Chiliza, Interview, 23 February 2005).

Table 1: Number of Violent Crimes Reported, 1994/5 – 2002/3

1994/5:	630 110
1995/6:	654 907
1996/7:	656 195
1997/8:	668 223
1998/9:	702 981
1999/2000:	770 501
2000/1:	830 294
2001/2:	839 641

(Source: Masuku, 2003)

Guns – and up until 1998 particularly automatic weapons - played a critical role in this violence. Thus, the NIM reported in 1997 that “According to a police officer involved in firearms investigations in Kwazulu/Natal... the most popular weapons in killings in Kwazulu/Natal are still R4s, R5s and AK-47s” (NIM, 1997, p. 14).

Gail Wannenburg, formerly with NIM, said that up until 1998, people carried assault weapons openly, everywhere in Kwazulu/Natal: in the cities, in the rural areas, at political meetings and at funerals, amongst others. “When they came to the peace committee meetings, they put their assault weapons on the table ... [she slaps the table] ...like this.” People stopped carrying assault weapons after 1998 and shifted instead to handguns which are easier to conceal (Gail Wannenburg, Interview, 17 February 2005). In Richmond, at least, assault weapons still lay hidden in arms caches in the area in 2005 (Richmond Focus Group, 23 February 2005).

1.4 Growth of violent crime

In the rest of the country, political violence dissipated in 1994, but it was soon replaced with growing violent crime. The crime rate probably started to rise before 1994. Louw and Shaw (1997) argue that the lifting of the State of Emergency in 1990 saw a relative explosion in crime. Crime levels had always been high in the townships, they argue, but the relaxing of controls over peoples’ movement allowed crime to move out of the townships and into the suburbs. As a result, recorded levels of almost every category of crime increased significantly between 1990 and 1994. Assault rose 18%, rape 42%, robbery 40%, vehicle theft 34% and burglary, 28%.

Between 1994/5 and 2001/02, the number of violent crimes in South Africa increased by a further 33% (Masuku, 2003). Masuku noted that violent crimes were at their lowest in the mid-1990s, but rose gradually and moderately towards the end of the decade, increasing dramatically in 2000, and then levelling off or “stabilizing,” although at a “very high” level (Masuku, 2003, p. 17).

The SAPS make three caveats. First, while crime statistics rose dramatically after 1994, so did the population. The South Africa population grew by 20% to 30% over the past decade and was augmented by the influx of four to eight million undocumented immigrants. So, while the *number* of crimes rose, the *crime rate* (or the number of crimes per 100,000) fell. The murder rate, for example, has declined by 9.9% and attempted murder by 17.8%. A notable exception, however, has been aggravated (or armed) robbery (See Table 2).

Table 2: Crime Trends: Incidence per 100 000 of Violent Crime, 1994 - 2003

	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003
Murder	66.9	67.9	62.8	59.5	59.8	52.5	49.8	47.8	47.4	42.7
Aggravated robbery	218.5	195.0	163.0	177.5	220.6	229.5	260.3	260.5	279.2	288.1
Possessing illegal firearm	28.3	31.2	31.4	32.5	35.0	35.7	33.8	34.6	34.8	36.3
Car hi-jacking	--	--	31.8	31.7	37.6	35.2	34.2	35.4	32.3	29.7
Rape										
Source: SAPS (2004)										

Second, not all South African murders are linked to crime. The SAPS analysed thousands of 2002/3 murder dockets and discovered that in over half of the cases, the perpetrator was the partner, a family member or a friend of the victim. “56% of murders started as an argument, which degenerated into a fight and then an assault. The assault subsequently went wrong and ended up in murder” (National Commissioner of Police, 2003, Part 6, p. 7).

The police added that many of the “contact crimes”, like murder, rape and assault, are not linked to ordinary criminal activities but to acquaintance or domestic violence. They “are extremely complex social phenomena, as some of the causes and conditions of these crimes are ingrained in the fabric of society”, and they “mostly occur within the privacy of people’s homes” (SAPS, 2004, p. 21). So when considering crime statistics, one must remember they include “social fabric” crimes.

Third, unlike all other categories of crime, aggravated robberies climbed by 40% between 1994/5 and 2002/3. The number of robberies commonly involving syndicates, including cash heists, bank robberies and car and truck hijackings, rose dramatically in the 1990s and then begun to fall (See Table 15). However, the more common forms of robbery involving ordinary people in their homes or on the street remained very high (Leggett, 2003).

It is not surprising, then, that while the crime rate has fallen, repeated victim surveys have shown that the South African public has felt more and more unsafe (Schonteich and Louw, 1999; Mistry, 2004). Over half (53%) of people surveyed in 2003 felt that crime had increased in their area over the past three years. The crimes about which they expressed the greatest fear were murder (25%), house-breaking (23%), sexual assault or rape (19%), robbery (13%) and common assault (5%).

1.4.1 Ex-combatants and former members of SDUs and SPUs

In the years immediately after the 1994 election, there was great concern that former combatants, SDU and SPU members might take their military skills and apply them to crime. Soon after the elections, political parties called for the disarming and disbanding of the SDUs and for the integration of their members back into civilian life. The re-integration process, however, was ad hoc and inadequate, stranding many of the former activists in unemployment and poverty. Wilfred Scharf reported that,

One of the most notable features of the transition as it effects youth is that they have been...rather unceremoniously dumped and abandoned by the political movements to which they belonged. A small minority of their former leaders found places in the new bureaucracy and political structures, but since 1994,

youth structures have all but collapsed and several efforts to revive them have failed. Perhaps the reason is that different skills are required to fight a low-intensity street war than are needed for reconstructing a damaged social fabric and poor infrastructure (Scharf, 1997).

There are reports of former combatants becoming involved in bank heists and car hijacking rings (Engelbrecht, 1994i; Minnaar *et al*, 1998; Kinnes, 2000). Participants in the Diepkloof Focus Group reported that while most “comrades” were disciplined and returned home, some got involved in crime and started or joined hijacking rings. They were called “comrade tsotsis” – or comrade criminals.⁵ Informants argued, however, that where this happened, the individual youth had not entered the “struggle” for political ideals but “for their own reasons” (Diepkloof Focus Group, 18 February 2005).

Across the country community informants agreed that most of the former combatants and comrades returned home. Indeed, a survey of 410 ex-combatants – mainly former members of MK and the PAC’s APLA - found that most remained unemployed and dependent on their families, and only 1% became involved in criminal activities (Mashike and Mokalobe, 2003).

Outside of the Western Cape, where gang-related crime was already high in 1994, every focus group stated firmly that the growth in violent crime that took place in the rest of the country after 1994 involved not former comrades or youth activists, but the generation of youth that came just behind: that is, youth who had been too young to have been involved in the “struggle”, but who in many instances grew up in its shadow. These were the children who “were carried in their mothers’ arms, as their mothers ran away” (Umlazi Focus Group, 25 February 2005).

1.4.2 Organised crime

While gangsterism is an old phenomenon in South Africa, the influx of organised crime in 1994 was definitely new. Some organised crime activities pre-dated the 1994 elections, notably those of the Chinese Triads in the early 1980s (Gastrow, 2003). However, the opening of the borders and the lifting of sanctions in 1994 saw a rush of organised crime syndicates into South Africa (Kinnes, 2000). By 1996, the World Economic Forum regarded South Africa’s organised crime problem as third greatest in the world, behind Columbia and Russia (Gastrow, p. 2003).

The opening of the borders in 1994 introduced new opportunities and a massive increase in the flow of goods from all over the world (Gastrow, 2003). International crime syndicates moved rapidly into South Africa after this, exploiting the relative inexperience of the South African government and of South African crime syndicates in dealing with international organized crime (Kinnes, 2000).

Within years, there were diverse, multinational syndicates operating in South Africa, including the Russian mafia, the Chinese Triads and drug networks stretching from Asia to the Americas. By 2004, the SAPS Organised Crime Threat Analysis (OCTA) found that there are 341 organised crime groups known to be operating in South

⁵ The term is also now used in other highveld townships like Mamelodi, but there it has taken on a broader definition and applies to any young criminal (Pretoria Focus Group, 18 February 2005).

Africa. They specialized in drug-related crime (98), motor vehicle theft (51), armed robbery and hijacking (20), fraud (37), corruption (16), and trafficking in nonferrous metals (11), precious metals (10) and stones (9). Of these, 167 have been detected, and 174 are still under investigation (SAPS, 2004).

Of these, the drug syndicates seem to have had the most significant impact on communities across the country. By 1998, if not earlier, international drug syndicates established southern Africa as a major transshipment point for moving heroine and cocaine from their points of manufacture into Europe and North America. This has posed major problems for South Africa, for a residue of these drugs remains behind: enough to stimulate a growing network of drug trafficking from bases in metropolitan centres like Johannesburg to other points across the country, especially over the past five years, and in its wake, violent crime (Scharf, 1997; Honwana and Lamb, 1998; Essop, 1999; Leggett, 2001).

So, South Africa very quickly became a transit point and a market for the international drug trade and for other syndicates involved in vehicle theft, money laundering and an various other illicit goods, including illegal guns. This has had a major impact on the escalation of crime.

1.4.3 Gangs

The influx of organised crime syndicates has had a major impact on the gangs that play a prominent role in the Western Cape.⁶ Illicit income-generating activities such as prostitution and dealing in drugs, arms and stolen property historically represented a major sector of the local economy of the impoverished Cape Flats Coloured townships (Standing, 2003). By 1994, a patchwork of local gangs spread across the Cape Peninsula, each allied to larger, major gangs.

Gastrow (1999) argues that the opening of the borders and the influx of organised crime syndicates created new opportunities and convinced gangs to organise themselves into a cartel, called Core. This allowed them to reduce turf wars, order bulk shipments, distribute drugs in prearranged proportions at agreed prices and allocate distribution areas.

This substantially altered the nature of organised crime in the Western Cape. By the mid-1990s, enormous profits were accruing to the top level of gang leadership, requiring participation in money laundering activities, like property speculation. Moreover, it financed the extension of branches (and thus the extension of the drug trade) into rural areas. Much of this was done in collusion with international crime syndicates (Gastrow, 1999).⁷

However, while this has generated wealth for the most senior leaders, it has not reduced violence, as small gang groups engaged in the actual sale of drugs on the streets continue to vie for control over turf. This leads intermittently to gang wars, with youth engaged in running battles in the streets and schools. The use of guns in

⁶ An excellent analysis of Western Cape Street gangs is given in Scharf, 1997.

⁷ The Western Cape drug market is highly idiosyncratic, focusing not on cocaine or heroine, but on mandrax and more recently on "tuk" (Leggett, 2001). It is possible then that these gangs were not in obvious direct competition with the international drug syndicates, allowing at least initially for collusion.

these conflicts repeatedly destabilises communities. So, violence in these areas is often explosive, unpredictable and arbitrary (e.g. resulting in the death of children) and disrupts access to services like schools, clinics and transport. This is significant given the number of gang members in Cape Town. The police in 2000 estimated there were 137 gangs in Cape Town with 80 000 to 100 000 members (Kinnes, 2000).

1.4.4 Common crime

Undoubtedly, South Africa had a very high rate of violent crime to begin with. However, gun-related crime escalated significantly after 1994. Early on, gun-related crime was associated particularly with new, organised structures like car hijacking syndicates. These have largely involved adult criminals, but they draw in youth into their activities (Dissel, 1999). Soon after, however, a far more widespread and commonplace pattern emerged of small, autonomous groups of local youth – often friends from the neighbourhood or school - who band together, get guns and take up predatory crime. They carry out “pavement” robberies, robberies in people’s homes, burglaries and drug sales. They give proof to Cock’s (2001) contention that widespread poverty and the high unemployment rate have contributed to the “commoditisation of violence,” as increasing numbers of youth have come to rely on criminal violence as a means of livelihood. “A hungry stomach,” one informant told her, “knows no law” (Cock, 2001, p. 44).

Bruce argues that gun-related crime is a largely urban phenomenon that takes predatory advantage of the variety of opportunities that exist in the urban environment, whether in a township, a leafy suburb, or a bustling urban centre (Bruce, 1977).⁸ However, focus groups in peri-urban centres reported that drug networks that were common in metropolitan centres like Johannesburg in the 1990s had spread even to the small rural towns of Mpumalanga and the Western Transvaal by about 2000. Nigerian drug networks have been particularly prominent, co-coordinating supplies and using local youth to sell drugs in their communities (Diepkloof Focus Group, 18 February 2005, Pretoria Focus Group, 18 February 2005; Klerksdorp Focus Group, 19 February 2005; Umlazi Focus Group, 25 February 2005). Focus groups across the country complained that this very suddenly stepped up the level of violence, particularly in the form of armed robberies.

The impact of violent crime, however, has been uneven. Louw and Shaw found (1997) that the rates of violent crime are much higher in poor, urban townships than in the wealthy suburbs. This is best illustrated by the Landsdowne Road study done by the Institute of Criminology at the University of Cape Town (UCT). It looked at the kinds and prevalence of crime that occurred between 1994 and 1998 along a single corridor in Cape Town: stretching from the prosperous suburb of Claremont, through the ganglands of Hanover Park and Manenberg to informal settlements in Phillipi. It found that there was a higher incidence of property and commercial crime in the wealthy suburbs. In the poorer, informal settlements, violent crime predominated: at the time of the research, these communities were the epicentre of taxi violence, although armed robbery was the fastest growing crime. Finally, a slightly higher than normal rate of violent and property crime occurred in the ganglands in the middle, but

⁸ The anonymity provided by cities is also a contributing factor, especially in regards to property crimes. (Louw and Shaw, 1997).

these areas were more significantly affected by the activities of street gangs and intermittent gang turf wars. The townships, it should be noted, experienced twelve times the amount of crime per person than the residents of the leafy suburb (Institute of Criminology (UCT), 1999).

1.4.5 Transformation and the criminal justice system

The escalation of violent crime happened at a time when the government was struggling to overhaul the criminal justice system. The scope of the transformation has been immense. It entailed unifying the 13 legal systems left over from apartheid into one, constructing and implementing a new national constitution and creating new structures to promote the effective administration of justice.

It has also entailed deep-rooted transformation of the police, to demilitarise policing, to reorient the police towards providing a community service, promoting a culture of human rights and enforcing the rule of law and to adopt entirely new operational strategies and practices to effectively combat crime. It has also entailed seeking practical measures to remove popular distrust in and alienation from the criminal justice system and to build community partnerships to help prevent crime.

The government, however, has had to build the new structure from the midst of the old, attempting to transform, so to speak, from within. The early years of transformation in particular saw considerable confusion, distrust and alienation as existing police and court staff - left over from the apartheid period - sought to overcome their own fears and biases and master their "brave, new world". As a result, the criminal justice system was slow in transforming and often ineffective in providing justice.

The NEDCOR project on crime, violence and investment in 1997 found that for every 1000 crimes committed, 450 were reported (45%), 230 were solved (23%), 100 perpetrators were prosecuted (10%), 77 convicted (7.7%), 36 resulting in the perpetrator being imprisoned (3.6%) and eight imprisoned for two years or more (NIM, 1997, 13).⁹ The situation, the Network of Independent Monitors (NIM) noted, was "extremely bad" in Kwazulu/Natal, where Durban's second busiest police station, Umbilo, managed to get only 13 criminals convicted in 1996 (NIM, 1997, p. 13).

This resulted in a loss of faith in the criminal justice system (Minnaar *et al*, 1998). Thus, people increasingly turned away from the criminal justice system and turned instead to whatever means were privately available to secure their safety. This stimulated amongst other things an increasing demand for gun ownership.

⁹ The South African Law Commission ran a similar survey focusing on cases that had been reported to the police. It found that three quarters of these cases never reached the courts. Of the cases that did reach the courts, about half were withdrawn. Of those that went to trial, about half of the accused were acquitted. As a result only 6% of the serious and violent crimes reported to the police resulted in a conviction during the period of the study (Leggett (2003a)

2 The Proliferation of Guns in South Africa

2.1 Increased ownership

There were 3 735 686 licenced firearms in private hands in South Africa in 2004, or one for every 8.4 people (Gould *et al*, 2004). About 3.5 million were licensed to private individuals; the rest were licensed to private security companies. The biggest leap in licensed gun ownership happened between 1986 and 1996 when gun ownership rose from 2 492 633 to 3 503 573 licenced firearms, or 40,5%. The growth rate then slowed to 6,6% between 1996 and 2004 (Vines, 1998).

The police gave the following break-down in the types of guns licensed in 1998:

Table 3: Breakdown of Firearms Licenced (1998)

Pistols	1 942 550
Rifles	1 286 628
Revolvers	841 870
Shotguns	453 486
Combinations	19 847
Light machine guns	179
Carbines	80
Humane killers	48
Homemade firearms	13
Pen flash	2
Machine guns	2

(Source: Gould *et al*, 2004, p. 196)

It is impossible to say how many illegal guns are circulation, although estimates range from 500 000 to 4 million. It is important to note, however, that formerly legal guns continue to enter the illegal pool each year, which means that the number is constantly increasing (See Table 14).

2.2 Increased handling

Over and above the growing *numbers* of guns in circulation, its seems that people who own guns have been carrying them more often. While in the past, many people may have sought to protect their homes with shotguns or pistols which they kept stored in their gun safes, more and more they have sought to protect their persons with handguns, which they carry with them on their person out into the street. The trade magazine, *Man Magnum*, reported that “The current tendency to go armed more often and for longer has resulted in increased interest in handguns – weapons suitable for carrying in a side or back pocket” (“Tactical holster,” *Man Magnum*, February 1993, p.34).

Gill Howard of GRC Arms said that this happened because the streets became more dangerous. C. Gow wrote to *Man Magnum*, “There is a strong chance of becoming a victim of armed violence away from home. If one breaks down or is involved in an accident, one is just as likely to be robbed and murdered as helped” (C. Gow, letter, *Man Magnum*, September 1997, p. 7). People hear of armed attacks in areas where they go and so decide carry their firearms to protect themselves as they travel (G. Howard, Interview, 17 February 2005). As a result, there were not only more firearms in civilian hands, but more are being carried on the streets.

2.3 The Nature of demand

2.3.1 The South African legacy

There is a long history of gun ownership in South Africa, dating back to the introduction of European settlers in 1652, which shaped the centuries of colonization that resulted in modern South Africa. There are still some vestiges of the role guns may have played on the frontier, particularly amongst hunting and sports-shooting enthusiasts (although hunting as been vastly transformed to become a popular tourist activity). B. Truter argued, for example, that “man’s” heritage was as a hunter, and there is a deep rooted need “to stay in touch as much as possible with the only way of life man is truly comfortable with.” Hunting offers a man freedom, in contrast to modern life, which confines him to “unnatural” urban existence (B. Truter, “Something to look back on,” *Man Magnum*, Jan. 2000, p. 51 and 54).¹⁰

2.3.2 Collection and aesthetic appreciation

A small group of gun enthusiasts own guns because they appreciate their technological construction, their beauty or their value as collectors’ items. Ron Anger spoke of his admiration for the technological practicality of guns as a weapon for hunting or for self-defence. “Their attributes have a fascination of their own” (Anger, 1998). Gill Howard, a firearms dealer specializing in collectors’ items, has a great love of the intricate pictorial engravings found particularly on historic guns – done often by craftsmen, even by common soldiers during the Boer War. She noted that guns could be collected for any number of reasons: for their particular identification stamp, for unique features like unusual sites or custom-made guns. In this sense, she

¹⁰ Gun ownership goes deep into Afrikaans culture, as testified by the practice of “blooding”. Prof F. G. Butler wrote that he had spent his life in the Eastern Cape and was aware from time to time of the custom among certain farmers of initiating their sons in the hunting fraternity by attending and supervising their first kill of a large buck – a kudu, springbok or smaller. Afterwards, the son was required give to each a portion of the buck’s liver raw, according to some accounts. Others reported other members of the hunt “blooding” the recruit’s cheeks and forehead, smearing blood from the slain animal on the youth and possibly each other, in a something akin to a blood brother ceremony.

Butler asked a hunter friend, who said the account was right, although he had never seen a boy “blooded”. The hunting friend reported that “when the kill is made, the proud father takes blood from the animal and marks the boy’s cheeks or forehead and then offers his son raw liver from the animal which he is expected to swallow.” The father’s friends see this as an intimate act between father and son and keep their distance until the ceremony is done. They then come forward and congratulate them. A close relative of the boy, a brother or cousin, may come forward and mark the boy with blood. The rest of the hunt do not “blood” themselves. “It is something the father prepares his son for and decides when the time is right, and treated quite seriously.” (Prof. F. G. Butler, “The Custom of First Kill and Blooding,” *Man Magnum*, May 1997, p. 120)

argues, collecting firearms can be much like collecting porcelain (G. Howard, Interview, 17 February 2005).

Although the number of registered collectors may be small (about 250), there may be a larger number of gun enthusiasts, who simply love guns. One reader of *Man Magnum* wrote of “AGD”, or “after gun shop depression,” when a person browses through a gun shop for nothing in particular, gets grabbed by a particular gun and develops a passion to own it. “His whole world starts to focus on this object” and after he holds it, “a small voice in his subconscious mind wakes up and says, ‘I want, I want, I...’” (J Strydom, “The disease,” *Man Magnum*, June 1993, p. 30).

2.3.3 Guns and the South African male identity

There seem, however, to be broader and deeper cultural perceptions at work, linking in some people’s minds gun ownership with the male identity, although it is important to state that many South African men choose consciously not to own a gun. Still, the proliferation of guns, the NIM noted, has interfaced with a “dominant, traditional, conservative South African notion of man as responsible for the protection of women and children, leading to extensive arming for the protection of the family and the home” (NIM, 1997, p. 11; see, too, Cock, 2000). Given South Africa’s cultural diversity, this link seems to vary from culture to culture, just as it differs from person to person.

White South African gun owners ascribe to men the responsibility of physically protecting one’s family and property. David Welch wrote that given the growth of crime and violence, “It is our right and even our obligation to protect ourselves and our families, friends and strangers” (Welch, 1993, p. 56-7). Another gun owner, Grant, argued that there was a responsibility of a man to always be armed. “Most of us,” he reported, “come from ‘root stock’ that rebelled at the thought of ‘meek surrender or flight’”.

No matter what bishops, bleeding heart liberals or bunny-huggers may believe, any man worthy of his name has always maintained his right (and has never ceased to acknowledge his obligation) to protect his family and himself, his home and his possessions. Lambs to the slaughter we are not, or certainly should not be, and whether farmer or flat-dweller, we have the responsibility to protect ourselves and our loved ones to the best of our ability. (Grant, 1998, p. 89)

The strong gender linkage was raised directly by Ron Anger, a regular writer for *Man Magnum* magazine. He said he was proud to include the word “Man” in the magazine title. “We like to believe that our readers are men, and women, who are man enough to stand up and fight the moral and social depravity which contaminates our lives...Despite the all pervading desperation in our society,” he continued,

It is still not too late for a small, but potent, one-man majorities to make themselves felt. Men and women with moral courage must step forward and take the lead. The fight to be free from fear, free of crime and violence, engendered by criminals. Small though each individual step may be, an accumulation of such steps must be effective – good citizens are still the majority in our society.

Let's prove...that we still have the backbone; let's show our children and grandchildren that we are men enough to secure a decent life for all."
(Anger, 1997, p. 4)

This was not always phrased so politely. A former SADF combatant told Sasha Gear (2002) from the Centre for the Study of Violence and Reconciliation (CSVR): "See [having a gun] is a basic human right. I am a male. I'm a big man...come and try and rape and pillage. I am going to blow your head off."

Opponents of gun ownership are described as "bleeding heart liberals", "bunny huggers", and "wimpish" (Grant, 1998, p. 89; F W Thorpe, letter, *Man Magnum*, November 1997, p. 7)

Gender roles are also at work in African demands for guns. This seems particularly true of Zulu culture. One Zulu song states: "A boy who doesn't have a gun must get one" (Diepkloof Focus Group, 18 February 2005). African men's concerns overlap with their white compatriots in terms of protecting the family from physical harm, but they also introduce new concepts, particularly of power and dignity. One participant in the Pretoria Focus Group said that men don't want to let fear rule them. "It's all about power. Men get guns to get power, and to make themselves feel powerful." A youth from the Klerksdorp area explained, "Men are afraid of men. If a man sees another man with a gun, he feels he has to have one to restore his dignity, to maintain his sense of self-esteem." Another in that group said, "Sometimes men feel they have to get a gun to walk down the street with dignity, to protect himself, and so that other people recognize him. The gun-owner thinks that other people will respect him" (Klerksdorp Focus Group, 19 February 2005).

This was reflected in what a former APLA soldier told Sasha Gear. He said he slept with his gun under his pillow. After being mugged several times since his return from exile, the gun created "The only way to die with something rather than to die like a chicken." A former MK and SDU member said he wanted a gun, because without one, "I can't walk freely...When you come across your enemies it's difficult. When they cock [the gun] you have to raise your hands, and die like a coward. At least if you died like a brave man, it would be better." Gear reported that these men saw war as noble, where crime created victims. By having a gun, they believed they could maintain a degree of their own agency, to reduce the victim aspect (Gear, 2002).

2.3.4 Political uncertainty

As seen above, the first great upsurge in the demand for guns began in the mid-1980s, with the declaration of the state of emergency (NIM, 1997). The number of firearm licence applications leapt from 135,382 in 1985 to 256,989 in 1993. It seems that a significant section of the white population, in particular, was afraid of the transition to democracy and feared they would become victims of uncontrolled violence.

Sometimes at work were deep-seated racial and ethnic fears. As violence escalated in the lead up to the 1994 election, David Charles wrote to *Man Magnum*,

When is the government going to charge the archaic laws governing self defence and protection of life and limb to realistically reflect the completely changed circumstances found today? We can no longer allow a nocturnal trespasser the benefit of doubt. Our media reports daily on brutal and senseless

murders. There is a total disregard for law and order and the bestial creatures who commit these crimes have no appreciation of human values...

There is no doubt to whom he was referring:

When awakened in the early hours by barking dogs, I may find MK cadres approaching my homestead across the fields. ... It must be acknowledged that we are considered by some to be 'fair game' and the law must now be changed to enable us to protect ourselves effectively in a society which has forgotten the meaning of the phrase human rights.

Those in isolated areas, he argued, must be given combat weapons by the police, as once was promised (David Clarke, letter, *Man Magnum*, June 1993).

Another gun owner spoke of the "fears that underlie both the violence and the elections," with a sense that indeed they were living in a revolution, and that given the grand promises of the ANC, popular frustration with the new government might just "tear society into shreds like a punctured balloon" (Anger, 1994).

These were extreme views. Others spoke more sensibly. "Due to the unstable situation that our country finds itself in," one wrote "I feel the need to carry a firearm to protect myself" (MA Goldstein, letter, *Man Magnum*, April 1994, p. 77).

While these fears ebbed very soon after the 1994 elections, there remains to this day a group of white male gun owners who believe that the revolution has not ended. As they understand it, just as apartheid was a war of white against black, the racial struggle continues today, in reverse. They argue that this is why the ANC-led government seeks to control arms, with the ultimate aim of disarming all whites. For these people, private ownership of firearms is the last line of defence. "If the white people are disarmed," a former SADF combatant told Sasha Gear, "it is the end" (Gear, 2002).

However, not only white gun ownership increased during the struggle years, but black as well. Engelbrecht reported in 1994 that "Everyone is arming themselves, be they between radical left or the reactionary right of the spectrum" (Engelbrecht, 1994i, p. 22). The TRC Report (Vol. 2) illustrated how black gun ownership first began to expand as part of the political struggle: with the open and covert arming of the IFP, with the return of freedom fighters to South Africa with arms, with the provision by these movements of arms to their followers in the SDUs and SPUs and as these local groups began to smuggle in illegal arms. However, as seen above, by the early 1990s opportunists were already hiding behind the cover of political structures to engage in crime.¹¹

2.3.5 The growth in crime

The forces driving the growing demand for guns since 1994 has been equally contradictory, for while many want guns to undertake crime, others want guns to protect themselves from crime.

Every focus group convened agreed that youth turn to crime because they are "hungry" (Diepkloof Focus Group, 18 February 2005). "Most people are not working.

¹¹ One fascinating allegation is that gangsters first sought members of ANC MK cells in Cape Town how to use automatic weapons (Heideld Focus Group, 18 March 2005).

There is no employment” (Pretoria Focus Group, 18 February 2005). “They need money to buy food and clothes” (Pretoria Focus Group, 18 February 2005). One very generous youth said, “We are not all creative. Some can’t think how to find work” (Klerksdorp Focus Group, 19 February 2005).

The Umlazi Focus Group stressed that youth became involved in crime because they are addicted to drugs (Umlazi Focus Group, 25 February 2005). In fact, it seemed clear that in most instances young, armed criminals are enmeshed in drug networks.

Focus groups also reported that youth wanted guns primarily to engage in crime to get money. “When you see a gun, you see money” (Klerksdorp Focus Group, 19 February 2005), or, “If you’ve got a gun, you’ve got a credit card” (Pretoria Focus Group, 20 February 2005). Youth interviewed at the Ekupholeni Mental Health Centre reported:
Tsotsis [criminals] like us started talking about having old shoes and no money and they just said agh! Forget it, let’s take a gun and do crime (Clacherty and Kistner, 2001, p. 7).

The youth who were interviewed by Clacherty and Kistner (2001), however, made it clear that it was not only poverty. The stigma attached to poverty often marginalises youth, leaving them feeling isolated and ashamed, and convinces them to take up crime. For a full discussion of this, see section 5.2.4.

Criminals demand guns for offensive purposes, defensive purposes, and for general status. Offensively, guns are extremely effective in reducing the likelihood of resistance by a victim, meaning they will readily comply with demands. This is extremely useful in certain types of crime, like bank heists, car hijackings and robberies. Thus, Segal *et al* (1999, p. 25) reported one youth saying, “Guns are not an ‘optional extra’ on the job. They are seen as a vital part of the requirement for a mission.” Another said, “When I go on duty (performing a crime), I should always have my gun with me. If I don’t have it, it simply means that I am not serious about business.”

Guns serve also defensive purposes. This is particularly important where control over territory has to be established and maintained or where goods have to be protected. Moreover, gangs use violence to exhibit their power in a community and to exert control over turf and the people who live in their territory. “They operate by fear,” Fourie notes, and impose “their own ‘laws of the street’.” Fourie calls this “narco-terrorism”, but notes that the results are highly lucrative, with drug mark-ups being as high as 300% (Fourie, 1999).

Guns also serve in self defence, particularly against the predatory activities of other criminals (P Gastrow, Interview, 21 January 2005). Gaynor Wasser of the Western Cape Anti-Crime Forum noted that small-time drug dealers operating more or less on their own are not protected. So, other gangs can come in and demand protection money, which can be paid in drugs, or rob him. The criminal-as-victim cannot complain to the police, so he must get a gun to protect himself (G. Wasser, Interview, 24 January 2005).

Gun ownership can also convey status, directly, in terms of the power they convey, but also indirectly, in terms of the goods they allow the criminal to acquire and access to status and women.

Finally, in gang culture, violence is not only instrumental, but can be an end in itself. “Young gangsters generate their identity in opposition to the law and assert their masculinity through violence” (Leggett, 2001). Initiation into a gang may require the shooting of another person (Cape Town Focus Group, 1 April 2005), while the ruthless use of a gun or the survival of a gun battle can enhance a young criminal’s reputation and standing within the criminal community (Segal *et al*, 1997).

Perhaps as a result, the pattern of gun ownership in Coloured gangs in Cape Town is very distinctive. First, there is a sense of entitlement, where the senior-most gang members get the best guns, first. If there are additional guns, these will be circulated down through the ranks. But, it may not be that all gang members have guns, especially if the gang is new (Gastrow, 21 January 2005).

Second, guns that belong to the gang are collectively owned. If a person uses a gang-owned gun in any other way than how he has been instructed to use it, the gun may be confiscated and the transgressor punished, “for example, being shot in the knee caps”. That gun cannot be sold on the street. Also, a junior member of a gang may steal a gun through armed robbery, but still the gun is seen as belonging to the gang: other gang members can demand to use it. Finally, there can be a free flow of guns between different branches of the same gang: members of a gang in one area, for example, will send their guns to members of the gang in a second area, if a turf war breaks out (Anonymous, Interview).

It is fair to say that guns have had a major impact on these criminal groups. After hearing a number of stories of very violent incidents involving guns, Segal *et al* (1997, p. 25) concluded:

Guns have not only altered the sense of power felt by the *amagents* [young criminals] in comparison with the gangs in the townships in previous decades, but they have also made the consequences of their criminal behaviour far more serious than before.

2.3.6 Common man’s response

In the face of growing crime and the poor performance of the criminal justice system, many South Africans sought guns out of a desire for safety. One gun enthusiast said this was “common sense” and asserted the person’s “a refusal to be a victim.” He noted that the “hard cold facts of South Africa” were that there was murder rate of 60 per 100,000 (“frightening by any standards”), armed robbery, house-breaking, car hijackings and other violent crimes that were so rife that the understaffed police were not able to cope with reported crimes, much less crime prevention. Moreover, the justice and prison systems were so over-loaded that they could not cope properly with the prosecution and sentencing of criminals.

It is little wonder, then, that so many responsible, intelligent people have come to the conclusion that the possibility of confrontation with a violent and dangerous criminal is a real one indeed, that non-resistance is not a guarantee that a victim will not be

Table 4: Number of Licence Applications, 1994 – 2003

Year	Number
1994	242 911
1995	154 727
1996	199 365
1997	200 059
1998	179 523
1999	197 294
2000	131 489
2001	161 518
Source: Gould <i>et al</i> , 2004, p. 197	

assaulted, raped or murdered; that some means of personal protection and defence against criminals is essential; and that for most people, a handgun is the only effective means of personal defence (Lehr, 1995, p.14).¹²

It seems that until 1999, only a small fraction of Africans or Coloured owned firearms or believed that a firearm made you safe. A groundbreaking study by the ISS, however, showed that the pattern began to change. The ISS surveyed residents in three communities - KwaMashu in Kwazulu/Natal, Tsolo-Qumbo in the Eastern Cape and Lekoa-Vaal in Gauteng - and found that there was an increasing prevalence of firearms in each. The community attributed this to the youth, who were the group most often seen carrying firearms, particularly those youth who were involved in crime. Most of the people interviewed wanted to live in a community without firearms: 88% in the Lekoa-Vaal region, for example, argued that guns cause more violence than they prevent (Meek, 1998). Still, 40% said that they were willing to own a gun, because they were worried about rising crime and violence, even though 80% said that they would encourage gun-owning friends to get rid of their firearms if the security situation improved (Jefferson, 2001). Indeed, gun dealers noted that after 1994, up to 90% of their clientele was black (Gould *et al*, 2004).

2.3.7 General trends

These considerations help explain the growth trends in firearm licence applications (See Table 4). Political fears led to a surging demand for guns up until 1994. These fears were allayed after the April 1994 elections and during the first year of democratic rule. The growth of crime, particularly from 1996, however, fuelled new demands for legal guns, although at a slower rate than before. Unfortunately, the table cannot speak about the demand and growing number of illegal guns in circulation.

It is important to look at the sources of legal and illegal guns, to begin to track the impact that the proliferation of guns has had on South Africa's economy and society.

¹² GFSA's own research, incidentally, indicates that guns are not particularly effective tools for self defence. In a study of 500 police dockets, where the victim was actually carrying a gun, David Altbeker found that in about 75% of the cases, the criminal disarmed the victim; while in a large number of the remaining cases, where the victim drew the gun, the criminal fired his weapon. (Altbeker, 1999).

3 The Supply: South African Commercial Firearm Production

It is quite telling: of the list of the five most important small arms producers that Chris Naidoo of Armscor gave to Jacklyn Cock (1966) in 1996¹³ - Republic Arms, Tressitu, Aserma, and the DENEL group's Musgrave and LIW – only one remained in the business of commercial firearms by 2000. To understand this, we need to look at the strange economy of weapons production.

R. Naylor (1997) argues that, historically, weapons production was linked to the strategic needs of a country:

- To ensure an independent supply of weapons
- To ensure technological proficiency
- To ensure jobs and economic growth.

The end of the Cold War, however, saw a dramatic drop in military demands for arms, and the growing arms surplus re-worked these considerations, making arms now subject to the pressures of the global market. “The arms business,” Naylor argues (p. 50), “has been almost completely commercialized, just at the point in history when it is capable of doing the greatest damage” Thus, more and more, “military production and foreign sales, take place... to meet the profit needs of producers” (Naylor, 1997, p. 51).

However, arms are a distinct commodity. They are durable and capable of being re-traded. Thus, the stockpile is constantly being added to. “The recycling of weapons from war to war is an old story, what is novel today is the sheer mass of second-hand equipment,” Naylor argues (p. 51), the downward prices, and the cutting of moral corners to unload it:

An AK-47 that used to cost about \$125 factory fresh in the Soviet Union now can be picked up for \$30-\$40 on the Russian flea market. In Uganda, its price is about the same as that of a chicken, while in Angola and Mozambique, it will exchange for the equivalent of a bag of maize. On the Cambodian black market it may go for as little as \$8.00, about the same price as that of a pair of designer jeans.

Naylor (p.51) concludes that “for the first time in history, it is the accumulated stock rather than the annual new flow that determines behaviour and sets the prices in the world market.”

This rings true, to a certain extent, of what happened to commercial arms production in South Africa between 1994 and 2004. Emerging from the State of Emergency in 1990 and the international arms embargo in 1994, South Africa had a relatively strong arms industry, which was confident that it could flourish in the world market. Like arms manufacturers elsewhere in the world, they “started to yield to the same rules of

¹³ He also placed on the list Pretoria Metal Pressings (PMP), but that produces ammunition.

industrial efficiency and tailored production.” Like other manufacturers world-wide, they were forced to become more flexible: to re-structure, down-size, and develop new product lines which might respond to niche markets (*Small Arms Survey, 2003, 2003, quote: p. 9*).

The lifting of the arms embargo, however, placed local manufacturers in an extremely competitive environment. While South African commercial arms producers found it difficult to break into (an already mature) global market, they were also confronted with the influx of cheap firearm imports at home – especially from Asia and the United States. Added to this were even cheaper illegal firearms from nearby. Thus, while the early 1990s saw a fluorescence of innovation and expansion, both by government and private firearms producers, by the end of the decade, many manufacturers had closed, collapsed, or withdrawn from firearm production, leaving fewer South African gun manufactures afloat at the dawn of the new millennium.

To understand this, it is important to consider three factors:

- The ‘de-commissioning’ of arms production, as the industry moved from a highly sheltered industry to the free market economy
- Entry into a highly competitive global market
- Competition with cheap international alternatives and with illegal firearms.

3.1 ‘De-commissioning’

3.1.1 The restructuring ARMSCOR

The South African defence-related industry of the 1980s was dominated by the bloated and heavily subsidized ARMSCOR, a parastatal institution responsible for the state’s manufacture of firearms, for co-ordinating arms production by state and private enterprises and for procuring arms and ammunitions for what was between 1976 and 1989 an expanding state military machine.

During the 1980s, South Africa’s “Total Strategy” led the apartheid regime to produce increasing numbers of arms, not only to suppress democratic forces within the country, but to subvert democratic forces in neighbouring countries, as South Africa directly or indirectly intervened in the civil wars taking place in Angola, Namibia and Mozambique and occasionally engaged in sabotage activities in Botswana, Lesotho, and Swaziland.

South African Defence Force (SADF) spending peaked in 1989/90, when Armscor spent R3.6 billion on arms. In its heyday, Armscor employed 160,000 people, or 10% of the total number of people employed in South Africa’s manufacturing sector as a whole. In 1989, it contributed 4.5% of South Africa’s GDP and 19.2% of South Africa’s total manufacturing sector, providing not only for the needs of the South African apartheid state, but providing R454 million of exports (Skosana, 2002).

The fall of the Berlin Wall and the end of civil war in Namibia and Mozambique re-worked the apartheid government’s military priorities, leading it to discontinue military interventions outside its borders, to drastically reduce its defence budget and in 1992, to restructure Armscor, dividing the parastatal in two. The first, Armscor, was an acquisition arm responsible for

- Acquiring arms for the SADF and government security forces
- Maintaining the infrastructure for weapons maintenance
- Issuing export permits for the export of armaments
- Marketing surplus SADF equipment. (ARMSCOR, 1992/3 Annual Report).

The second was a production arm (DENEL), which took over the functions of arms manufacturing and all other sales.

Both operated under the authority of a government minister (ARMSCOR, under the Department of Defence, and DENEL, under the Department of Public Enterprises), but both had separate directors and boards and otherwise operated as incorporated, registered companies (Cameron Commission, 1995).

3.1.2 Defence cuts

These changes were amplified following the April 1994 democratic elections, as the new government sought even more stringent budget cuts and controls, to find funds for its far-reaching development priorities. This required military down-sizing and restructuring. As a result, between 1989 and 1999¹⁴, South Africa's defence budget fell in real terms by 50% and its weapons procurement budget fell nearly 70% - on average 15% a year (Batchelor and Dunne, 2000. See also Cilliers *et al*, 1997).¹⁵

This resulted in "a massive reduction in the value and volume of domestic arms production." Purchases from local industries declined from R3,6 billion in 1989/90 to R1,7 billion in 1996/7 (NCACC, 1999).

3.1.3 The removal of state supports

The decline in defence spending was compounded by the gradual removal of state supports. During the early days, there remained significant government supports for the local arms industry. Tariff protection was given to local goods. This inflated local prices. Economic protection, one letter writer argued, was understandable during sanctions, which precluded the import and export of arms and ammunition. But times had changed, and there was no longer a need. "It is pay back time for South African gun owners," he wrote, "They should boycott [the South African gun producer] Musgrave until the company calls for an end to tariffs" (JC Rance, letter to editor, *Man Magnum*, January 1996, p. 10).

¹⁴ The decline of the defence budget was only one facet of this. From 1993, the old South African Defence Force (SADF) and after 1994 the new South African National Defence Force (SANDF) began a process of rationalizing and restructuring the military. This included the ending of compulsory conscription of white males, the disbanding of particular units and the closure and scaling down of bases and installation, and the cancellation or postponement of major weapons projects. (Batchelor and Dunne) The new South African National Defence Force then engaged in the integration of diverse combatants and the eventually distilling of an effective military force, suited to the needs of the new democracy. Between April 1994 and 1997, the SANDF determined to integrate roughly 140,000 combatants from statutory (or previous state) and non-statutory (or liberation) forces. 24 076 former combatants out of a possible 42 266 former MK and APLA members were identified for integration, but after discharges, resignations, deaths and desertions, this fell to 18 190 former guerillas entering the SANDF, while the IFP provided 2,000 members of the new force. (Cilliers, *etal*, p. 1997) By 1997, it had become clear that budget cuts would require a further 20% cut in the number of personnel allowed.

¹⁵ This could be translated as 4.3% of the GDP in 1989 to 1.6% (or R7.8 billion) in 1997 (Cilliers *et al*, 1997).

Government also maintained counter-trade agreements, where for every government purchase over R5 million, there had to be at least a 50% counter-trade agreement, so that R500,000 would be spent in South Africa in the form of enhanced exports, to ensure technological transfers and job creation (ARMSCOR 1993/4 Annual Report; Armscor 1994/95 Annual Report).

The defence-related industry also benefited from the government's General Export Incentive Scheme, introduced in 1990, which provided subsidies of up to 19.5% of the value of each export contract (Batchelor and Dunne, 1998).

From 1996, however, government determined that its public enterprises should no longer be cushioned by heavy state supports and that they be transformed into efficient, profit making entities, meeting the needs of the new government's development agenda. Supports like the General Export Incentive Scheme were phased out, soon after.

This applied to DENEL. The National Conventional Arms Control Committee (NCACC) policy document reported in 1999 that while previously the South African government had been concerned to ensure the self-sufficiency of its defence capacity, it was now concerned to that that it have a sustainable, internationally competitive manufacturing base. So, it was shifting its incentives away from demand-side measures (like tariffs and export incentives) and to supply-side measures: to lower unit costs and to encourage firms to invest in products and processes that were internationally competitive. No longer would the government cushion South Africa's defence-related industry through high levels of direct and indirect government support (NCACC, 1999).

In response, South Africa's defence-related industry became increasingly concentrated. Larger contractors, like Reutech, Grintek and Altech, increased their vertical integration, reducing the number of items they out-sourced. This reduced the demand for the output of hundreds of smaller defence firms, particularly suppliers and sub-contractors (Batchelor and Dunne, 1998). Many small and medium-sized concerns went out of business, left the sector, or merged with or were acquired by larger private sector companies (NCACC, 1999). Concentration was such that by 1996, DENEL and the three largest private sector companies (Reutech, Grintek and Altech) accounted for 90% of ARMSCOR's acquisition spending (Batchelor and Dunne, 1998).

The value of domestic arms production as part of the total manufacturing output declined from almost 7% in 1989 to 3% in 1996. It declined from providing 1.5% of the GDP in 1989 to 1% in 1996. Employment in the defence-related industry fell more quickly than in other sectors during this period's recession, from 160 000 in 1989 to about 50 000 in 1996 (Cock, 1996), with skilled workers taking the real brunt: notably engineers and scientists.

3.1.4 The opening of the global economy

3.1.4.1 Sanctions and sanctions busting

While the South African defence industry was down-sizing and transforming in response to the needs of the democratic state, with the lifting of sanctions, it was also competing for the first time full force in the international market.

The UN first imposed a voluntary arms embargo on South Africa in 1963 in response to increasing state repression. This was followed in 1977 with a mandatory arms embargo prohibiting the sale of arms by UN members to South Africa (Batchelor and Dunne 2000; Knight, 2001).

The embargo had unexpected results. On one hand, it led the South African government to seek self-sufficiency in arms production, leading to ever greater state control over arms production, so that by the end of the 1980s, South Africa could meet most of its own defence needs. In the course of this drive, South African arms producers developed a remarkable capacity to upgrade, modify and modernize existing equipment. On the other hand, the government and private entrepreneurs found numerous ways of contravening the arms embargo (Batchelor and Dunne, 1998). As one long time gun dealer noted, South African gun dealers “made a plan” (G. Howard, Interview, 17 February 2005).

The activities of gun dealers to break the UN embargo came to light after Siphwe Mvuyane, a member of the Kwazulu Police (KZP), was arrested with members of the South African Police (SAP) with an arms cache, including a shotgun made by the American firm, Mossberg and Sons of Connecticut. The African Fund intervened to show that weapons, ostensibly ordered for use in Namibia and Zimbabwe, were being diverted to South Africa. In fact, the Africa Fund unveiled arms smuggling from the US to South Africa involving hundreds of semi-automatic pistols, revolvers, rifles and magazine and hundred of thousands of rounds of ammunition (Stober, 1992). It called for and obtained an investigation by the US Department of Commerce for the period 1972 to 1992 (Knight, 1998). The investigation found that export permits were issued for weapons on the basis of fraudulent documents stating that they were to be transhipped through South Africa for neighbouring countries (Davis, 1992).

The Department of Commerce ultimately fined three firms for sanctions busting: Suburban Guns (which was linked to importing fifty tons of weapons into South Africa over four years), AM Rosenthal of Namibia and South Africa and an employee of the American company, Weissen’s Sporting Goods. In addition, a US District Court in North Carolina found the Cape Town firm, City Guns, guilty of exporting 620 firearms to Cape Town. The accused in the latter case was also indicted for exporting about 360 rifles, revolvers, semi-automatic shotguns and .45 calibre firearms to South Africa (Knight, 1992).

It was widely suspected that in the United States under President Ronald Reagan, there was lax enforcement of the embargo, probably with the knowledge of the US intelligence services. However, as a result of these activities, the US Congress decided to extend its arms embargo against South Africa and only lifted it in 1998.

The arms embargo, then, impeded, but by no means stopped the flow of firearms to South Africa. Thus, at the tail end of the arms embargo in 1993, many South African gun dealers advertised the sale of overseas guns. Satara American Arms in Northcliff (Johannesburg), for example, advertised itself as “Suppliers of American pistols, rifles, revolvers and shotguns, including Browning, Colt, Beretta, Charter Arms, Detonics, Freedom Arms, Martin Ruger A Squire, Remington, Weatherby and Winchester” (Ad, *Man Magnum*, Jan. 1993, p. 16).

The embargo, *Man Magnum* noted, meant guns from overseas had to “follow a more circuitous route to reach South Africa” (Levin, 1993, p. 53). Still, “an encouraging number” of imported pistols were available in South Africa, “although they represent only a small proportion of the total number of products available” (Dyer, 1993i).

Significantly, the arms embargo was not recognized in Eastern Europe and some other countries (Levin, 1994, p. 53), and pistols from behind the Iron Curtain countries were always popular in South Africa, with the CZ83 in 1993 reaching “a cult status”. “We’re talking about battlefield pistols here, and yes, some say ‘battlefield’ is the right word for the new South Africa” (Dyer, 1993i).

Sanctions *had* resulted in the lifting of the price of imported firearms, which from 1983 had risen dramatically. Industry insiders blamed this, first, on the falling value of the rand and second, on government charges, including duty, surcharge, freight costs, clearing charges and VAT, which almost doubled the FOB value. This made landed costs “extremely high”. As a result, the retail price of a CZ 70 7,65 mm in May 1984 was R159, but by July 1993 cost R795; or a Colt .45 ACP which sold for R895 in 1984, sold for R5500 in July 1993. So, while overseas firearms were available, their cost created room for the introduction of local products once the State of Emergency was over.

Batchelor and Dunne have argued that the lifting of the arms embargo did not greatly affect patterns. Arms imports remained at about 20% of the whole of arms procured by the government between 1989 and 1996 (Batchelor and Dunne, 1998). However, while this may have been true of military arms, the lifting of import barriers had a major effect on companies that produced for the civilian market.

3.1.4.2 The ‘Industry and Technology Survival Plan’

The decline in the armaments requests of the SADF after 1989 stimulated concern about the impact that this would have on the development and production capacities of the South African arms industry. A special, “Industry and Technology Survival Plan” (ITSP) was initiated in 1991, whose purposes were to retain essential capacities and to enable the industry to survive in the new market.

ARMSCOR reported that its answer to defence cuts would be adapting the arms industry to include civilian products in its portfolio and thereby ensuring that that the market would be big enough to keep it viable (*ARMSCOR 1992/3 Annual Report*; *ARMSCOR 1993/4 Annual Report*). This could be done by entering the civilian market “with products developed from armaments technology” (*ARMSCOR 1993/4 Annual Report*, p. 13). This was allowed for through the creation of DENEL.

3.1.4.3 The lifting of sanctions

The April 1994 elections introduced a new democratic order to South Africa and soon gave South African manufacturers access to the global economy. Most countries lifted their arms embargo in 1994, although as has been seen, the US extended it until 1998 as a result of the serious contraventions of the embargo under the apartheid regime.

As South African gun manufacturers re-entered the global market, they entered a highly contested terrain, where existing arms producers already experienced production over-capacity and were producing for a market which – since the end of the Cold War – had shrunk. From 1990 there was an unprecedented decline in global defence expenditure and the value of the world arms trade fell from a high of \$83 billion in 1984 to \$22 billion in 1994 (a massive drop of 74%)(Cilliers *et al*, 1997). This led to high levels of global competition.

These factors had stimulated a re-structuring of defence industries in South Africa as well as worldwide, as companies engaged in consolidation, take-overs and mergers and piloted new options like out-sourcing, off-sets, counter-trade agreements and technology transfers to keep afloat. At the same time, budgetary constraints were leading buyers to consider second-hand materials, upgrades, service life extensions, and offsets (PMG, 2000).

3.1.4.3.1 ARMSCOR and the establishment of the National Conventional Arms Co-ordinating Committee (NCACC)

ARMSCOR's re-entry into the global market illustrated the pitfalls that the South African government would face in attempting to transform its defence industry. ARMSCOR had been given the quite lucrative task of selling SADF surplus weapons on the global market as one method of offsetting cuts in the defence budget. Sales of surplus weapons came to R42 million in 1992/93, R55 million in 93/94 and by October in 1994/95 financial year, R58 million. Armscor received 5% commission for these sales (Cameron Commission, 1995).

However, in September 1994, the public learned that a consignment of SADF weapons ostensibly destined for Lebanon were in fact delivered to Yemen, a prohibited destination for South African arms. The judicial commission set up to investigate the incident found that this was not an unfortunate accident by ARMSCOR. A number of senior officials knew of, if not colluded with, the shipment, and this reflected a systematic disregard for where its exports ended up. The Cameron Commission concluded that this was not a good system gone wrong, but a bad system taking its natural course (Cameron Commission, 1995). The Commission called on the new government to end the lax controls over arms exports, which were a hold-over of a corrupt and self-interested regime, and to review the entire arms trade policy to develop a far more effective and transparent system of arms control.

The result was the establishment of the National Conventional Arms Control Committee (NCACC) in September 1995, tasked with studying possible reforms of the defence-related industry and taking charge of the mechanisms that controlled the trade in conventional weapons, to ensure proper political oversight.

“We inherited an arms industry that was a Frankenstein,” said the first NCACC chairperson, Kader Asmal. “It was all powerful and protected by the government in every way.” The task of the NCACC was to bring South Africa’s arms export policy in line with international human rights standards (Skosana, 2002).¹⁶ The NCACC, itself, was constituted as a structure in which members of Cabinet oversaw the approval of import and export applications, using diverse criteria to assess these applications, including human rights principles and considerations of regional peace and economic needs. This structure was later enshrined in law with the passage of the National Conventional Arms Control Committee Act in 2002.¹⁷

3.1.4.3.2 Expansion or conversion¹⁸?

DENEL’s companies were undoubtedly at a severe disadvantage upon entering the global market. The dramatic decline in orders from the South African military meant that DENEL’s business composition had to change if it was to survive. There was, however, an important public debate about how this should be done. Batchelor and Dunne (1998) noted that South African arms producers like DENEL could respond to the declining demand for products in either of two ways:

- First, through offensive adjustment strategies to maintain or increase their business. This would be through exports, mergers, acquisitions and joint ventures (partnering local and international firms).
- Second, through adopting defensive strategies. This would involve reducing dependence of products for the defence industry through conversion or diversification.

Conversion, on one hand, involved the reorientation of production from producing military products to producing civilian products – a “swords to ploughshares” option.¹⁹ Diversification, on the other hand, involved investing new capital or acquiring new civilian companies through outright purchases, mergers or joint ventures, using, for example, co-production agreements – whether as a permanent shift in strategy or as a short-term strategy to weather particular downturns (Batchelor and Dunne, 1998).

Early on, there was great hope placed in the potential of conversion. Its supporters held that South Africa no longer faced an external threat and so did not need a strong military. Moreover, the defence sector sapped urgently needed resources that would best be used in addressing South Africa’s development needs (Cock, 1996; Shelton, 1998). Analysts like Cock, Batchelor and Dunne argued that conversion of the defence industrial base was critical for two reasons:

¹⁶ The National Conventional Arms Control Committee came to be an inter-departmental group of Cabinet committee members. Although the structure is the (fiscal) responsibility of the Department of Defence, it is chaired by a minister who was not the Minister of Defence (the first chair was the Minister of Environment and Water, Prof. Kader Asmal).

¹⁷ The NCACC in 1995 initiated a system of controlling military weapons traded between governments, however, it left the control over commercial firearms ambivalent. The police maintained the first right to assess and approve applications but could refer applications to the NCACC as well. This ambiguity was to some extent cleared up in the 2002 legislation, but there is still dual control by the SAPS and the NCACC. This needs to be rectified to put in place a single, integrated body that controls the manufacture, trade and shipment of all arms in South Africa.

¹⁸ Defence conversion entails the purposeful conversion of existing, surplus or redundant defence capabilities towards the meeting of human security and social development needs.

¹⁹ An excellent, detailed analysis of this is given in Batchelor and Dunne (1998).

- First, it was an important strategy for demilitarising those components of the South African industrial base that formed part of the apartheid military-industrial complex and which survived into the democratic period.
- Second, it was an appropriate mechanism for developing and regenerating the country's industrial base (See for example Cock, 1996 and Batchelor and Dunne, 1998).

DENEL made important progress in converting production activities: for example, designing products for the mining industry (Minister Sigcau, speech in the National Assembly, 21 June 1996). In 1996, however, the ANC-led government replaced its very progressive Reconstruction and Development Programme (RDP) with the far more liberal Growth, Employment and Redistribution (GEAR) Strategy, signalling a far more conservative fiscal regime. In light of this, the government began to give out messages from 1996 that DENEL, like all other public enterprises, would have first and foremost to be profitable.

In 1996, Jacklyn Cock related the government's intent that arms exports increase by 300% over the next five years (Cock, 1996). After 1996, the arms industry embarked on a global marketing drive, focusing especially on South Asia, the Middle East and East Asia. Thus in 1997, the NCACC reported R1.3 billion worth of arms sales to 61 countries, with the lion's share (R572.2 million) going to India (Shelton, 1999).²⁰

The Defence Review, published in 1997, settled the question, arguing that the defence-related industry was a strategic and economic asset that must be retained and developed. Local industry, the Review reported, could best design or adapt equipment for local conditions. Moreover, the industry could contribute significantly to the technological sophistication of the country. The 2000 White Paper on Defence-Related Industries²¹ moved further, committing numerous government departments, notably the Department of Trade and Industry, to supporting the export drive (Botha, 2003).

The hope that there would be industrial conversion was finally put paid in 1998 when the Minister of Defence announced at the DEXSA '98 arms show:

Defence is part of our new national vision. We are committed to defending our hard-won freedom in an unpredictable world and, particularly, in a region in the throes of conflict. We see the arms industry as integral to our right of self-defence. ("No announcement at DEXSA's opening," *DEXSA '98 News*, www.defence-data.com)

No longer would the defence industry venture into the new terrain required by conversion. Rather, it would build on "existing strengths", focus on "core products" and search out robust markets. The government's strategy was becoming clear. As

²⁰ At that time, the NCACC only black listed eight countries including Nigeria, Afghanistan, the Democratic Republic of Congo, Burundi, Myamwa, Sudan and Sri Lanka (Shelton, 1999).

²¹ When developing government policy on weapons production in South Africa, the government chose to use the term "defence-related industry," because of the growing tendency for companies producing defense equipment to use civilian technologies or to manufacture dual use products, for sale to both the defense and non-defense markets. Also, government saw an increasing overlap between defence and civilian production within companies (NCACC, 1999).

put by Ron Hayward, then chairman of Armscor: “Living in the local market...you export or die” (Shelton, 1999).

3.1.4.3.3 *The transformation of DENEL*

Between 1992 and 1996, DENEL’s domestic defence business declined from 63% of the conglomerate’s sales to 50% (Batchelor and Dunne, 1998), showing that even at an early stage, the company was seeking to offset the decline in the domestic orders with arms exports.

At the Africa Defence Summit 2000, DENEL reported that because of the slashing of the South African defence budget, it had turned to the international market. It had devoted substantial investment to diversification and commercialization and to an export drive to increase sales of its military products and services (“DENEL turns to foreign markets,” 15 August 2001, www.finance24.com). However, early on, it also became obvious that the conglomerate showed a “poor level of profitability” which related “to the commercially unviable nature of many of the company’s assets and facilities” which it inherited from Armscor. With its eye always on the bottom line (given its repeated, dramatic losses), DENEL initiated the process of restructuring, beginning with its “Master Plan for Restructuring and Privatisation” in 1998.

In the process of re-structuring, DENEL sought to better define its activities and co-ordinate the use of its resources (Minister Sigcau, Media Release, 7 August 1998). When DENEL presented the Master Plan to Parliament, it argued that to survive it needed to focus on those areas where the demand was robust. It needed structural change, and it (together with the South African government) needed to seriously consider new possibilities: search out new international partners and new alliances, at a corporate level and government to government. The latter, undoubtedly, related to the very controversial South African “Arms Deal” which has been discussed in detail elsewhere. Although DENEL also tried to put together other deals, for example a share purchase by BAE to help bail out DENEL’s struggling small arms industry.

As DENEL attempted to re-position itself, it opened four overseas offices (DENEL, *1998/9 Annual Report*). It re-structured its component companies into four divisions: Aerospace, Heavy Ordnance, Light Ordnance, and the Commercial and IT Businesses. It then restructured its component companies. However, its drive for profitability gravely impacted on its capacity to produce small arms. This can be done by tracking three companies in its Light Ordnance section: Musgrave, Lyttleton Ingenieurswerke (LIW) and Vektor, which produced small arms for the civilian market.

Table 5: DENEL: Financial Results, 1997/8 – 2003/4

Year	Net gain	Net loss
1997/8		R772.9 million
1998/9		745.2 million
1999/2000		206.1 million
2000/1	R24.1 million	
2001/2		363.2 million
2002/3		72.6 million
2003/4		377.5 million

Source: DENEL, *Annual report[s]*, 1999 - 2004

3.1.4.3.3.1 Musgrave

When DENEL was formed, it inherited two companies that engaged in producing firearms for the civilian market: Musgrave, with a factory in Bloemfontein that was best known for producing high-quality hunting rifles, and LIW, with a plant outside Pretoria that came to produce a variety of arms ranging from handguns to artillery.

Musgrave was best known for its .30-06 hunting rifle, which was African-made, but sold all over the world. In the early 1990s it began to explore new products including a new bolt action rifle and a 9 mm pistol. It also upgraded its production facilities to use computer aided equipment. However, while Musgrave rifles claimed 42% of the local market share in 1995 (Woods, 1995i, p. 95), DENEL restructured its light ordnance section and merged Musgrave with LIW. The plant in Bloemfontein was closed, and in 1997 the manufacture of its products was moved to the LIW plant which boasted modern CNC machinery and technology.

LIW promised to provide full back-up for all Musgrave owners. (“Big SHOT Show,” *Man Magnum*, March 1997), even though the merger was the final “demise” of Musgrave (G. Wood, “Vector Lyttleton 100% South African,” *Man Magnum*, November 1998).

3.1.4.3.3.2 LIW

LIW began operations in 1953 and became the largest weapons producer in South Africa, producing everything from a range of handguns (the Vektor SP1 and Z88) to G5 and G6 artillery systems (Ad, *Servamus*, March 1994).

LIW’s first initiatives involved converting available military weaponry into models for civilian use. LIW had been responsible for the production of the R4 and R5 rifles – which were the basic service weapons used by the South African military and that copied the Israeli Galil (itself, a version of the Russian AK-47). *Man Magnum* explained that most (white) South African men were familiar with the R4 assault rifle and the shorter R5 version. Civilians had not been allowed to possess these, however, and by 1993 LIW was responding to the “commercial imperative” by adapting the R4 and R5 into the LM4 and shorter LM5 semi-automatic rifles for civilian use. LIW also developed a pump action version of LM4 called the H5. These, the magazine noted, were expensive but popular, until the government banned civilian use of semi-automatic rifles in 1993 (Woods, 1994, p. 71).

Lyttleton also brought out a short version, in both a military and civilian form, called the R6 and LM6. One gun enthusiast wrote that where the R4 was heavy, the ‘5’ version was lighter, and the ‘6’ “a really handy piece.” The R6 “gives you a weapon that is as handy as a sub-machine gun, but with a more effective cartridge, longer range capacity and superior accuracy.” The LM6 “would make an ideal home defence system, particularly for use by women and juveniles” – except that very few people would be able to get licences for them, with the exception of security companies and farmers in high risk areas. The LM6 cost R3800 (Woods, 1994).

LIW was more successful at developing handgun lines. The first successful line was the Z88, a 9 mm “Beretta look-alike” pistol which carved a niche with South African shooters as a “reliable, accurate and very well-made” handgun. This was built on old but modernized Beretta machinery under licence (“Handguns – SA developments,”

Man Magnum, January 1993, p. 41; Dyer, 1996 iii; <http://securityarms.com/20010315/galleryfiles/0800/885.htm>). It became a standard weapon for the SAPS.

Once the model was in production, LIW began to adapt it to better exploit the South African market. In January 1993, LIW introduced a modified version called the SP1, which borrowed features from the Colt Browning and the Beretta. A SP2.40 Smith and Wesson (S&W) version, it was noted, was due out later in 1993 (“Handguns,” *Man Magnum*, January 1993, p. 41). The SP1, one reviewer wrote, was a “much improved revision of the well-known, Beretta based Z88 manufactured ... for the South African Police Service and the local commercial market.” The SP1 was not ideal as a concealed weapon, but it was well-made, functional and suitable for self-defence sports (Ehlers, 1999, p. 33 – 34).

LIW’s Jan du Plessis told *Man Magnum* at the 1995 Big SHOT [gun] Show that the SP1 and 2 pistols were receiving a lot of attention, and the sales of the new 40 S&W version were catching up with the 9 mm version. In 1995, *Man Magnum* reported that the Z88 and SP1 “continue to thrive”. However, they were too large to be easily concealed and so were suitable only for security personnel.

So, in 1995 LIW released a more compact model called the CP1, described as “a compact automatic in a serious calibre that would be practical for ordinary citizens to carry” (Dyer, 1995 ii). It was first released for sale in European markets and later that year in South Africa (Courtney and Engelbrecht, 1995, p. 20). The CP1 was far more innovative. It was advertised as a 9 mm parabellum compact pistol, with a cutting edge design. It set new international standards, the ad read: it was easily concealable, with a light weight frame and the “superior design fires the imagination” (Ad, *Servamus*, January 1995, opposite p. 74).

A reviewer noted that the CP1 had a revolutionary appearance and a hi-tech construction, but he was “not totally happy about the trigger.” “Most shooters who learned their pistol techniques back in the seventies,” he noted, “will adopt a finger-forward support hold...And if they do that, they will automatically engage the safety” (Dyer 1995ii, p. 16.). The gun cost R2200 and in 1995, a reviewer noted, LIW was struggling to fill back orders.

In 1993, LIW developed a new semi-automatic pistol, the Vektor SP1. The Vektor was modelled on the Z88, but had a few design changes, including an innovative slide and safety catch and a smaller grip. It was available in two models: a short “paramilitary model” in steel and a wooden stocked version. The later, it was reported, was too heavy (Woods, 1993). The new firearm, a reviewer noted, should find a South African market, particularly with people who had wore their guns openly, like those in the protection services, security organisations and possibly farmers in high risk areas. A draw back, however, was its price: about R3600.

From early on, however, it seems the Vektor was intended for the overseas market. “With the possibility of overseas marketing opening up to South African arms manufacturers,” the Vektor “can be presented, not just as another Beretta G2 [Model 92SB] clone, but as an excellent and original pistol in its own right” (Dyer, 1993ii).

By 1996, LIW was marketing a new pistol model, the Vektor SP2 in a .40 S&W calibre. This was bigger than the 1993 version. Lyttleton was also planning a model with a 6 inch barrel, to be released during the last quarter of 1996 - undoubtedly for the American market (Dyer, 1996iii).

3.1.4.3.3.3 Vektor and Vektor/LIW

Again, as part of its re-structuring campaign, DENEL separated Vektor from LIW in 1997. Vektor would manufacture commercial and military small arms; LIW would design and assemble light weapons, like the G5 and G6 155 mm howitzers, the Rooikat armoured turret and other combat turrets.

Vektor continued to introduce new models:

- a 5.56 mm CR21 bull pup version of the R4 military rifle (“Big, Bit ’97 Shot Show” *Man Magnum*, February 1998, p. 32 – 36) and
- a “general’s model” of the SP range which had a shorter slide and grip.

In 1998, however, Vektor was reunited with LIW to form Vektor Lyttleton (G. Woods, “Vektor Lyttleton. 100% South African,” *Man Magnum*, November 1998). In that year, it initiated a number of projects: the development of a “bull pup” assault rifle for the South African military (Carrie, 1998, p. 24-25) and the piloting a variety of top of the range hunting rifles, bringing back, for example, the “well-loved” Mauser (G. Woods, “Vektor Victorious,” *Man Magnum*, January 1999, p. 53). So, by 1999, the firm was reportedly producing a wide range of firearms for use by civilians and government: pistols for law enforcement agencies, pistols for civilian self-protection and sport, hunting rifles and assault rifles amongst others.

3.1.4.3.3.4 The abandonment of small arms production

In 1998 DENEL gave upbeat reports on the prospects of its small arms production. It reported considerable achievements in local sales and interest showed by international associations, “which should lead to increased business in the future” (DENEL, 1998/9). Yet, under the surface, deep trouble was brewing.

It seems that by 1999 it was becoming clear to DENEL where the “robust” markets were. Ninety per cent of the Heavy Ordinance produced was by 1998/9 being exported, and promising new export markets were opening up in Australia, Venezuela, Belgium and the Netherlands (DENEL *1998/99 Annual Report*). These products included heavy artillery, howitzers, wheeled unmanned vehicles and tactical radios (Shelton, 1999).

Light Ordinance – including commercial firearms - was another matter. Although its commercial firearms were high quality and “world class”, DENEL spoke only of “expected sales”, or hopes of “increased business in the future,” particularly in the sphere of commercial small arms. Although this was its public account, in truth the feasibility of continued small arms production “remain in question” (Shelton, 1999).

The first public sign of a problem was the announcement in August 2000 that an unknown but small number of Vektor CP1s might be liable to unintentional discharge, especially if they were dropped or handled unduly roughly. Vektor was forced to recall all CP1 pistols, whether they had been sold in South Africa or internationally, because it was difficult to identify the problem guns by serial number alone.

Just as the reviewer suspected in 1995, the fault was in the trigger pull, which was heavier than usual and which meant that the pistols could go off unintentionally. All Vektor owners were told to contact the company, so that it could “upgrade” their weapons. *Man Magnum* warned: “DO NOT fire your CP1 – unload it and put it away in your safe.” This, the journal noted, was the first recall issued by a South African company (“Vektor recall,” *Man Magnum*, August 2000).

As if this were not enough, in 2001 the labour union, NUMSA, announced that it would seek a meeting with the Deputy CEO of DENEL to discuss the lack of employment equity at LIW/Vektor. Workers, the union noted, were dissatisfied with the slow rate transformation and the inadequate affirmative action. NUMSA said talks with management had been fruitless, and LIW/Vektor was ignoring the employment equity plan that had been negotiated in 2000. Five hundred workers staged a protest in mid-May with allegations of racism and complaints about the company’s failure to train and develop the skills of black workers (“Racism protest hits DENEL,” 18 May 2001. www.finance24.com).

But there was an even bigger problem. The company’s commercial arms could not break into international markets, and they faced steep competition from cheap imports at home. Continued production was not profitable.

DENEL tried to shore up its Light Ordnance division, first by seeking an international buyer. There were extended negotiations with BAE, but these fell through. It also sought to shore up the division by purchasing a disused arms factory in Nigeria. This also fell through (Onuorah, 2001). Failing these, Louis Dirker, the Acting Director of the DENEL’s ordnance group, said, “The future of small arms is not encouraging. The implication is that the Vektor division will need re-focusing.”

In 2001, Max Sisulu, the CEO of DENEL, reported that Vektor was in deep financial trouble, and if it was not turned around, it would be closed. He reported that several international arms makers had inquired into investing in or purchasing part of all of the company, but so far, inquiries were “in vain” (“NUMSA to take Vektor dispute to DENEL,” 4 June 2001. www.finance24.com).

Finally, in still another turn-around strategy beginning in 2001, Vektor underwent a “right-sizing” exercise, employed a new management team and adopted a new approach to the arms industry. It had undergone right-sizing, Sandile Zungu, the new CEO of DENEL said in 2002, to “align it with changes in its market environment.” It had been listed as a “loss-making or cash consuming entity.” This was because its sales were very slow (DENEL, 2002).

It is not clear when LIW stopped producing handguns and long-guns. By 2000, they were dropped from DENEL’s list of priority products (PMG, 2000), and by 2003, they were left out of its product list altogether (with the exception of a single hunting rifle) (DENEL, 2003 *Annual Report*).

According to Sam Basch of DENEL, DENEL has changed substantially since 1992. The parastatal thought that it could readily transform from a military to a commercial enterprise. However, it has not succeeded, and today is going back to its core military

business. The defence industry, he noted, is highly competitive. Many countries like the US, the UK and Russia, pay companies for researching weapon systems, even when they don't take up the prototypes. Similarly, on big projects, countries like Great Britain demand counter-trade agreements. Similar supports are not always possible in South Africa. So, when South Africa entered the world market, "It was not a level playing field" (S. Basch, Interview, 11 February 2005).

Over the last decade, Basch argues, DENEL has learned that its core business is not small arms but artillery and artillery ammunition. It simply cannot compete with cheap, imported hand guns which are already readily available in the world market.

3.2 Private companies

Private small arms producers similarly underwent a tumultuous period of transformation in the 1990s. Indeed, South Africa saw almost continuous innovation by large and small commercial gun producers during the decade. Amongst many others:

- By 1996, Smith and Beecham developed a "bantam weight" pistol made of glass re-enforced nylon (Hamann, 1996, p. 82).
- In 1998, the Springfield Armoury won a contract to supply the FBI with customized pistols for armed, swat-trained agents.
- The local gunsmith, like Fanie Coetzee, developed a "miniature rifle", which could be used for hunting smaller game like kudu (G. Woods, "6 x 45," *Man Magnum*, December 1999, p. 20).

However, while some firms flourished and grew, others merged with other companies, left the sector, or closed.

As with the DENEL companies, private companies often took adventurous decisions in the early 1990s to develop new products, engage in the South African market and expand overseas. However, like the DENEL companies, few could gain ready access to international markets or compete with the cheap imports coming into South Africa. What follows looks at five case studies, three involving companies that attempted to produce more ordinary firearms and were ultimately forced to abandon production, and two that produced for niche markets and managed to survive.

3.2.1 Withdrawals

3.2.1.1 Tressitu

Tressitu was a significant South African commercial arms manufacturer in the early 1990s. It entered a licensing contract with the Yugoslavian firm, Crvena Zastava, to produce the semi-automatic pistol, the CZ99.²² The model had proved very popular when introduced into the US market in 1991, but shortly after it was launched, Yugoslavia became embroiled in a civil war and the subject of a UN arms embargo. Tressitu, then, picked up the design and manufactured the CZ99 as the TZ99.²³

²² Manufacturers in numerous countries sought to produce the CZ99 locally. It was produced in Israel, for example, as the Golan

²³ Superintendent Dewey and Captain Odendaal of the SAPS Illegal Firearm Unit report that this is actually a copy of the Sig-Sauer P226.

The gun had an alloy frame and a steel slide. The barrel was made for Tressitu by the Bulgarian company, IMCD, but most of components were manufactured in South Africa. The gun, however, was costly and marketed for between R3050 and R3700 (depending on the finish) (Dyer 1996 iv, p. 12).

The Yugoslavian parent company, however, introduced its own CZ 100, a “basic” model of the CZ 75, onto the South African market in 1995, and from 1996 it retailed at the far cheaper price of R2500 (Dyer, 1996ii, p. 99. “CZ100 DAO...,” *Man Magnum*, December 1996, p. 12).

Tressitu was developing a somewhat forbidding range of semi-automatic and automatic firearms:

- a semi-automatic hand gun with a 32 round magazine (Tressitu ad, *Man Magnum*, March 1995, p. 74)
- the BXP semi-automatic and fully automatic carbine and sub-machine gun, one for use by civilians, the other by the security sector (Dyer 1996 iv, p. 12; Sup. Dewey and Capt. Odendaal (SAPS) personal communication).

However, before it could put these ranges into production, it went out of business in the mid-1990s. However, a number of the TZ99s remained in storage in South Africa until they were exported to the United States by the Southern Ammunition company in mid-2000, on behalf of PW Arms (“Tressitu TZ99 9 x 19 mm pistol”, *Firearm Review*, December 2001” www/cruffler.com).

3.2.1.2 Aserma/Reutech

Reutech began as a small engineering company (Reunert and Lenz) and initially supplied companies producing traction engines and later locomotives and planes. It expanded into the provision of electric lighting and power transmission and grew significantly so that by 1955 it had branches in 20 industrial centres, and it was listed on the Johannesburg Stock Exchange in 1948.

Barlow Rand acquired the company in the early 1980s, however, and stripped it of its assets to use it as a shell to group together its high technology operations. The resulting company was called Reunert. Barlow divided these operations into four divisions: electrical, telecommunications, consumer and commercial and defence and allied. The latter was named Reutech. Taking advantage of the particular conditions of the late 1980s, Reutech was turned into one of the most important military suppliers in South Africa by the end of the decade. Aserma was included in its portfolio. The Reunert group was then “unbundled” from Barlow Rand in 1993.

In March 1994, Aserma advertised two products:

- The ADP 9 mm parabellum pistol and
- The 12 shot Protecta (Ad, *Man Magnum*, March 1994, p. 59).

Both were developed in South Africa during the arms embargo. The ADP proto-type was developed in 1991 by Alex du Plessis (after whom it was named), then a South African gun dealer²⁴ (Dyer, 1994i. “Handguns – SA developments,” *Man Magnum*, January 1993, p. 41). Serious production was delayed, however, until Aserma took up its production in 1994. Early on there were problems in ‘seating’ the magazine and

²⁴ The weapon, itself, was a pistol, the size of a Walther PPK, which had design features of the popular Glock and a H&K pistols.

the placement of the trigger. However, it was described in 1994 as an accurate and reliable firearm and was available for R1900 (Dyer, 1994i). It became one of the most successful firearms produced by a private manufacturer (Ad, *Man Magnum*, March 1994, p. 59).

The 'Protecta' shotgun was designed in the early 1980s by a Rhodesian, Hilton Walther, who had moved to South Africa after "the fall of Rhodesia". In South Africa, he continued to develop his "counter-insurgency, high capacity" combat shotgun. The first version, the "Striker", was developed in the mid-1980s. This had a wind up type magazine and was classified in the same category as a semi-automatic firearm, so licences for the Striker were difficult to obtain. It was redesigned as a pump action shotgun, then, and was named the Protecta (Sup. Dewy and Captain Odendaal (SAPS), private communication). Its advantage was that it had a large magazine capacity, twice that of the normal shotgun (<http://guns.run/shotgun/SHO9-E.htm>).

By the end of 1994, export opportunities had been secured. Tanfoglio arranged to produce the ADP 9,19 mm pistol at its Gardone VT plant in Italy for the European and North American market. This model would be known as the Tanfoglio Model 25 ("Handguns," *Man Magnum*, November 1994, p. 36). Aserma also secured Heritage Arms of Opa Locka, Florida, to act as its agent to sell the firearm in the United States ("Handguns," *Man Magnum*, November 1994, p. 36)

Aserma continued to improve the ADP. By November 1995, it marketed the ADP Mark II ("Shotguns," *Man Magnum*, November 1995, p. 86). The Mark II was a refined version of the Mark I with an improved magazine release. It had a 10 round magazine using a LIW (or South African made) Z88 magazine. It included a steel plate where a serial number could be inserted, a requirement of the American market. "Aserma," it was reported, "are looking ahead" (Dyer, 1999). The sale price had risen to R2160.

Similarly, Aserma continued to adapt the Protecta. It developed a snub version called the "Bull-dog" with a 6,7 inch barrel ("Shotguns", *Man Magnum*, November 1995, p. 86) and was preparing this for "serious production" in 1995, to be priced the same as the standard length Protecta at about R2464.

Neither the ADP nor the Protecta lines, however, proved profitable. Peter Bradshaw of Reutech reported that there simply wasn't the market. An ADP pistol sold for about R1500 and could not compete with cheap imports, some of which cost as little as R300 (P. Bradshaw, Interview, 1 April 2005). When Reutech restructured, it merged Aserma with Barcom to form Reutech Defence Industries (RDI). It stopped production of these product lines and withdrew from small arms production, altogether. Reunert (like DENEL) argued that it had diversified too quickly into non-core operations which affected profits, so it returned largely to its core businesses of electronics and communications ("History", www.reunert.co.za).

The company continued to have stocks of both lines, which it continued to market as it sought possible buyers to take over the stock, spares and tooling. Eventually, the ADP line was taken over by the Truvelo Armoury.

3.2.1.3 Continental Weapons

Continental Weapons was a “new kid on the block” in 1994. According to its website (www.cwl.co.za), its founder, Chu Chang Kan, was born in China and moved to Taiwan in 1949. He became an economic advisor to the Republic of China embassy in South Africa in 1990 and appointed Director of the Bank of Taiwan in South Africa in 1990, a position he held until 1991. After retiring from the ROC government, he took up citizenship in South Africa and became chairman and major shareholder in Mustek Electronics. He formed Continental Weapons in mid-1994 and began trading in October the same year.

Continental Weapons was initially an import and distribution company, serving the firearm dealer trade in South Africa and surrounding countries. “Since its inception,” its website notes, “the company has grown into one of the largest importers and wholesalers of arms and ammunition in South Africa.” The firm specialized in inexpensive Chinese and Eastern European weapons. It was the sole importer and distributor of the HS2000 (a “polymer wonder pistol”) made in Croatia. It held import rights for a large range of Norinco products (which are often inexpensive copies of popular models) and distributed Zastav pistols, Baikal pistols and shotguns, as well as airguns from Russia.

Continental Weapons quickly expanded, establishing a branch in Durban 1995 to serve the Natal market, and branches in Cape Town and Port Elizabeth in 1996. The company reports that by the end of 1996, it was the largest importer and distributor of arms and ammunition in South Africa (cwl.co.za).

In 1996, Continental Weapons registered as a manufacturer of firearms. It developed its own line of pistols, called the Griffon, which was a copy of a Colt 19-11 .45 pistol, and embarked on an export drive, with the United States as its primary target market (R. Sim, Interview, 28 April 2005). Similarly, from at least 1997, Continental Weapons took over the manufacture of the BXP 9mm carbine rifle from Tressitu, renaming it the Phoenix (Sup. Dewey and Capt. Odendaal (SAPS), private communication; and www.cwl.co.za).

Continental stopped weapons production, however, in 2000. The strengthening of the South African rand, problems finding a US distributor and the legal technicalities of the US market convinced Continental that the venture was not viable (R. Sim, Interview, 28 April 2008).

At the beginning, Continental Weapons seems to have ‘read’ the new market right, focusing on the import of inexpensive civilian firearms for which there was a large demand. It seems to have enhanced these opportunities by becoming one of the key distributors of Norinco products. Far from being threatening by inexpensive imports, then, Continental Weapons seems to have benefited from them and from this base expanded into weapons production. However, it found breaking into the US market too difficult and decided to halt production.

3.2.2 Survival

Although much more research needs to be done, available evidence suggests that other South African commercial arms producers survived by capturing niche markets.

3.2.2.1 Republic Arms

Republic Arms began as an off-shoot of Hausler Scientific Instruments, founded by the German engineer and machinist, Anton Hausler, who emigrated in South Africa in the late 1930s. The company became a precision engineering manufacturer and a major sub-contractor to the South African state-owned aviation, nuclear, power generation and armaments industries.

Republic Arms was founded shortly after World War II. It first produced firearm components and then revolvers (Engelbrecht 1994ii). It entered the small arms field in the late 1970s with a small, five shot .38 special, called “the Chief’s Special” (cruffler.com; “Handguns – SA developments,” *Man Magnum*, January 1993, p. 41). However, it was made in small numbers for law enforcement officers and “failed to reach volume production for the civilian market” (“Handguns,” *Man Magnum*, June 1993, p. 49).

In the early 1980s, Republic Arms further responded to the demand for security force weapons by developing a pump action shotgun, which was used by the police for riot control and guard situations. It then expanded its share of this niche market from 1993, when the police selected the RAP 401 design as the official handgun for use by plain-clothes officers (LIW’s Z88, the standard police gun, being too large for effective concealment). It was due for delivery in February 1995 (Engelbrecht, 1994ii) and became one of the official weapons used by the police. It drew its inspiration from the Astral (Dyer, 1997i).

In the new economic environment of the 1990s, Republic Arms sought to diversify its ranges to enter the civilian market. It began to sell its pump-action shotgun to civilians in the early 1990s. The gun could be used with either commercial or military ammunition (Engelbrecht 1994ii). Moreover, in 1993 it re-launched variants of its old “Chief’s Special”: the Model 10 was a close copy of the original, while the Model 11 had a stronger hammer and closely followed the line of the Smith and Wesson Bodyguard Model 149. It cost R1675. Not cheap, a reviewer noted, but of excellent quality (Dyer, 1993). Next, in 1997, it developed a variant of the RAP 401 using a lighter alloy frame for the civilian market. It intended to retail this firearm for about R2000 (Dyer 1997i).

Finally, it attempted to market the RAP 401 to US law enforcement agencies. These efforts do not seem to have been wildly successful. Although Republic Arms had identified the Vermont firm of Century International Arms as a US distributor in 1999, the US export drive had not succeeded by 2001 (cruffler.com).

At first the .38 special “sold well enough to the public and the government departments and parastatals that adopted this well-made little arm...but then an influx of imported revolvers of similar design became available – many at significantly lower prices.” However, while production slowed, it never stopped, and the company retained a niche in the South African market (K. Dyer, “A Republican Winner”, *Man Magnum*, January 2001, p. 27).

It seems that the competition of cheap imports and lack of access to international markets stunted the growth of Republic Arms. Still, using its core products, notably the pump action shotgun and the RAP 401 police side arm, Republic Arms managed

not only to survive but to grow during this somewhat chaotic period, maintaining a plant with 100 employees (“Republic Arms. RAP 440 firearm review: December 2001: cruffler.com/features/dec-01/review-December-01.html).

3.2.2.2 The Truvelo Armoury

Franz Josef Gebert founded Truvelo in 1966 to produce equipment for traffic law enforcement (K. Barnard, “Truvelo Barrels,” *Man Magnum*, June 2000, p. 62)²⁵. He remains active as the company’s owner and managing director (F. Gebert, Interview, 11 April 2004). Truvelo entered the firearm market in 1970 and made a name for itself by manufacturing precision rifles for long-range shooting. The business grew rapidly in the 1980s, and in 1994 it began to produce other rifles and cannons (www.truvelo.co.za/armoury).

Truvelo’s niche is precision rifles, whether for hunting, target shooting or for military purposes. It uses has a unique manufacturing process that uses custom built machines that make “buttoned barrels” of up to calibres of 20 mm. “The success of the manufacturing of highly accurate barrels led to the development of a combination of our own barrel range with sophisticated precision, sniper technology” (www.truvelo.co.za/armoury). This includes a line of long-range rifles with calibres up to 20 x 83 mm for tactical target shooting. The product range was expanded to include military weapons, including the Neostead range of combat shotguns and the Truvelo Hoenic Tactical 9 mm pistol for the police and the military.

From 1994, Truvelo also began to manufacture gun barrels. By 2000, it was able to make barrels in almost every calibre, including military ones. It also began to produce various types of custom hunting actions (K. Barnard, “Truvelo barrels,” *Man Magnum*, June 2000, p. 62).

Truvelo took over production of the popular ADP pistol from Aserma/Reutech (Ad, *Man Magnum*, March 1998) and was developing new adaptations of the handgun, including a 9 mm shot version, a .40 S&W and .45 ADP. However, it had to freeze production of the range in 2004, because the market for the firearm was too small (F. Gebert, Interview, 11 April 2005).

Truvelo’s core strength seems to have been its distinct technology, which allowed it to develop product ranges for highly specialized market niches. It did not run into direct competition, then, with cheap imports.

3.2.3 Reflections on South African commercial gun production

Like the DENEL companies, private firms producing small arms underwent a tumultuous period of transformation in the 1990s. While some survived as independent, others merged with other companies, left the sector, or closed. As with the DENEL companies, private companies took adventurous decisions in the early 1990s to develop new products, engage in the South African market and expand overseas. However, like the DENEL companies, few could gain ready access to international markets or compete with the cheap imports coming into South Africa.

²⁵ Truvelo’s UK division has produced traffic related products, like speed cameras, for over 35 years (www.truvelo.uk).

3.3 The growing competition of imported firearms

Gun dealers argue that the commercial market for firearms in South Africa is “customer oriented”: it has a narrow turnover, and the bulk of demand is for hand guns. There are important niche markets, however, for rifles for hunting, sports shooting and clay pigeon shooting and for antique guns and collectors items (Gould *et al.*, 2004).

Research is urgently needed on how the lifting of the arms embargoes in 1994 and 1998 affected the South African commercial firearm market and what its impact was on South African gun manufacturers. A glimpse, however, is given in the pages of *Man Magazine* which indicates that from 1994 there was a slow but rapidly increasing number of overseas firearms for sale in the country. While we have only a partial picture, it suggests two things.

First, while the influx of overseas firearms was initially somewhat ad hoc, gun dealers very quickly began to corner particular markets, signing contracts with international manufacturers as official stockists and later sole distributors of popular brands. This may have differentiated the sector between large dealers whose businesses might have many branches and who combined gun sales with import and distribution activities and smaller single-store gun dealers that were far more vulnerable to market depression.

Second, imported guns began to compete quite successfully with South African produced firearms and, as we have seen, ultimately forced at least some South African firms to drop production for the civilian market altogether.

3.3.1 The influx of international small arms

As if in preparation, South Africa held its first gun show, the Land Rover Big SHOT Show, in November 1993. It was a first of its kind, given the government’s banning of such activities before. Beginning with 40 exhibitors and about 2 000 visitors, it showcased the firearm industry, giving glimpses of what was to come (Dyer, 1994i; www.aimshooters.com).

The first real sign of the lifting of sanctions was the exhibition by the Finnish firm, SAKO, at the second Big SHOT Show in November 1994. This, “must surely be the first instance of a foreign gun-maker exhibiting officially at a South African show since I don’t know when,” Keith Dyer wrote, and “SAKO kicked off with an impressive display” (Dyer, 1995i, p. 47).

Similarly, Peter Brock of Glock spent a week in South Africa in late 1994 speaking to dealers and assessing the potential South African market for Glock pistols. He was “strongly optimistic about possibilities for future sales,” even though South Africa’s current legislation imposed a 65% import duty. In fact, Brock had been surprised at the high prices being asked for Glock pistols already being sold in South Africa, but was hopeful that “improved availability will lead to more competitive prices” (“Interviews,” *Man Magnum*, January 1995, p. 66).

Lorcin pistols arrived in December 1994 from the US (despite the ongoing arms embargo) (Ad, *Man Magnum*, December 1994).

By 1995 *Man Magnum* reviewed a high powered pistol produced by Fabrica Militar de Armas Portatiles, Domingo Mathieu (FM), an Argentinian firm that produced a low cost copy of a popular Belgian firearm. The gun was available in South Africa at the cost of R2400.

Continental Weapons advertised its sale of the Chinese make, Norinco, in June 1995 (Ad, *Man Magnum*, June 1995, p. 45).

Soon after, Remington and the Yugoslavian company, CZ, held displays in the 1995 Big SHOT Show. CZ displayed its latest pistol, the CZ100, a “basic” model of the ‘old’ CZ 75, “so popular in this country” (Dyer, 1996ii, p. 99). The CZ100 became physically available for sale in South Africa in late 1996 and sold for R2500 (“CZ100 DAO...,” *Man Magnum*, December 1996, p. 12).

Even by 1995, the new imports were beginning to edge South Africa products out. Woods reported that in 1995 the South African firm, Musgrave, claimed 42% of the local rifle market. The remainder was filled by “old regulars” and “the recent flood of newcomers to our market.” He noted that South Africans were very critical of South African manufacturers, because in the past they had had a “captive market”. “This gave rise to accusations of profiteering.” This didn’t always sway purchasing patterns, because in the end, South Africans tended to want “simple value for money.” “That being the case, it often comes down to what the retailer has in stock and the price he asks you to pay.”

Some dealers, Woods noted, wouldn’t stock Musgrave, because they believed they were sold to other dealers at lower prices. Musgrave denied this, arguing that some dealers used their rifles as “loss leaders”. What was unusual was that “This sort of ‘price war’ is more common with high volume pistol imports than rifles” (Wood 1995i, p. 98).

In late 1995, *Man Magnum* announced the presence of Brazilian guns made by Taurus and American guns made by Heckler and Koch USP (“Handguns,” *Man Magnum*, October 1995, p. 87).

The journal carried an ad in February 1996 for several of the Ruger lines promising that “Most Ruger items to become available soon” and would be distributed by VLT Arms in Pretoria (Ad, *Man Magnum*, February 1996, p. 37).

At the end of 1996, Formalito provided *Man Magnum* a firearm to test fire and review (“CZ100 DAO...,” *Man Magnum*, December 1996, p. 12), as had the Italian firm BUL (“Bul M-5 frame kit,” *Man Magnum*, July 1996, p. 74 – 75).

In 1997, the Philippines Arms Corporation (also named ARMSCOR) placed two pistols on the South African market which were available through African Hunting Suppliers at the cost of R3850 (Dyer, 1997). Finnish rifles produced by Tikkakoski Ltd also became available in 1997 and were distributed by Sentraalwes Koorperasie Senwes (Barnard, 1977).

By 1997, even the old ‘enemies’, the Makarov, were becoming commonplace on the dealers shelves. The *Man Magnum* reviewer noted that following the collapse of the Russian regime in 1994, Russia launched a concerted effort to sell the Makarov in foreign markets. Baikal (the distributor) had had a hard time selling it in the US market because of its ten-round magazine, so it looked to make up for this elsewhere, for example in South Africa.

Originally the Makarov was not available to civilians in South Africa, possibly because the Makarov was commonly used by ‘freedom fighters’ and at one stage, “visible possession was a risky business and you stood a good chance of getting shot.” However, by 1997, a number were legally owned. Suburban Guns carried two models of the Makarov – a Soviet police and military model – at the relatively cheap price of about R1500 (Dyer, 1997). Suburban Guns said there was “No better value in South Africa” (Ad, *Man Magnum*, 1997, p. 20).

Woods would later to complain, incidentally, that the Baikal shotguns seen at a German gun show were much better quality than those that were imported into South Africa (Woods, 1997).

By July 1997, the trade journal noted that “Now that the trade links are open” Russian guns produced by Izhmash and Sargia were available in South Africa, the latter being the commercial name of Izhmash/Kalashnikov sporting rifles and shotguns (“Trade winds”, *Man Magnum*, July 1997, p. 93). Perhaps one of the highlights of the year was the visit by Dr. Kalashnikov, the inventor of the AK-47, at the 1997 Big SHOT Show (“Big, Big ’97 SHOT Show”, *Man Magnum*, February 1998, p. 32).

It was not only guns that were being imported but also accessories. Midway, the biggest supplier of firearm accessories and re-loading equipment in America, made its first appearance at the Big SHOT Show in 1997 (“Big,” 1998).

Finally, Kings (Durban) “proudly” announced their appointment as the official distributors of fine Italian-made Tanfoglio pistols in November 1997 (Ad, *Man Magnum*, November 1997).

3.3.2 The concentration of import and distribution rights

This marked a new pattern emerging amongst South African gun dealers, who seem to have been increasingly cornering commercial firearm markets as official stockists, wholesalers and sole distributors of popular overseas makes.

- Parow Arms became the South African agent for Colt in 1995 (Dyer, 1996ii, p. 100).
- Photo Agencies became the official agent for Walther (Dyer, 1996ii, p. 100).
- Truvelo announced it was the Glock’s “official agent” for South Africa, Swaziland and Lesotho (Ad, *Man Magnum*, October 1995, p. 73).
- Baikal “set up offices” in Suburban Guns in Plumstead (“Trade Winds,” *Man Magnum*, July 1997, p. 93).
- Kolskoot-Potshot (Randburg) became the “Factory appointed distribution and service centre” for the Austrian firm, Steyn Mannlicher (Ad, *Man Magnum*, November 1997, p. 91).
- Kalahari Arms announced in late 1998 that it was the sole agent for Remington firearms (Ad, *Man Magnum*, November 1998, p. 11).

- Harold J. Drinn of Durban - appointed an importer and distributor for North American Arms in 1994 - became the sole authorised importer and distributor in 1998.²⁶
- Fabrique National identified two South African distributors in 1998, Parow Arms (Cape Town) and H J Drinn (Durban) (Dyer, 1998, p. 18).
- The Truvelo Armoury became the sole agent for Hirtenberger Ammunition by early 1999 (Ad, *Man Magnum*, March 1999, p. 13).
- Beretta appointed four dealers to market and service its firearms: Roy Swaydin in Johannesburg, King's Sports and the Armoury in Durban, and Suburban Guns in Cape Town ("Trade Winds," *Man Magnum*, March 1999, p. 79).²⁷

This must have been a boon to dealers who operated, it will be recalled, in a "customer oriented market" – where there was a small turnover and a relatively high mark up. Undoubtedly, large retailers used import opportunities to shore up and expand their business, but far more research is needed to identify how this might have impacted on the small arms industry. By 2004, however, the wholesale purchase of small weapons for retailing in South Africa had become dominated by a few wholesalers with well-established business links (Gould *et al*, 2004).

3.3.3 Surplus military stock

South Africa also became a market place for surplus military weapons. In 1996, *Man Magnum* received a "retired" Browning pistol for evaluation. "Fairly significant numbers of these ex-Danish military pistols recently became available and have been checked and re-furbished at the Hammerlit works in Switzerland before being released for re-sale." The reviewer noted that the FN GP35, a high power, former Danish army pistol, was now available in two forms: "voetstoets" ("as is") for R2762 or re-blued for R3,552. Another pistol, the SIG-Sauer P210 was also available. These could be purchased through Nicholas Yale CC in Johannesburg (Dyer, 1996i, pp. 12 and 16).

In 2000 old eastern bloc military surplus was also advertised. Century International had been importing military surplus weapons from the former East Germany, Czechoslovakia, Hungary and Bulgaria, including the East German Pistole M, the Czech vz.50 and the Hungarian pistols, P61 and P9R2. The Pistole M, it was noted, was an exact copy of a Soviet Makarov. These, the reviewer found, were "practical, manageable, reliable – and affordable" (P. Scarlata, "Ex-commie quartet," *Man Magnum*, May 2000, p. 36).

3.3.4 Reflections on the lifting of the arms embargo

The opening of the global market to South African gun dealers had two major effects. First, an incredible range of firearms from across the globe were imported into South

²⁶ Although other 'grey' samples of such products were currently on South African shelves, the trade journal warned, these 'back door' products would not have a warranty. ("Gallery," *Man Magnum*, September 1998, p. 80; Ad, *Man Magnum*, September 1998, p. 109)

²⁷ While Browning appointed its own agent, Browning Sports SA Pty Ltd, to be the sole South African distributor for Browning products, with a list of dealers who were "appointed Browning stockists." (Ad, *Man Magnum*, November, xxx)

Africa. Already by 1995, a dealer complained that a new handgun or rifle cartridge came out, it seemed, every week, and customers expected dealers to stock them all (“Cartridges,” *Man Magnum*, Jan 1995, p. 64). While in 1999, a gun enthusiast wrote, “A few years ago, it was a simple process to choose the handgun to buy – there was not much of a choice in South Africa. Today, however, it is a very different matter. There is now a bewildering selection available, whether you are looking for a semi-automatic pistol or a revolver” (Ehlers, 1999, p. 32).

Second was the competitiveness of cheap imports. As early as 1995, dealers were predicting the outcome. Joe de Silva of Parow Arms had doubts about “the current ability of most dealers to move highly priced arms” (Dyer, 1995i). Although all kinds of firearms flowed into South Africa at all kinds of prices, undoubtedly the greatest impact was made by cheap 9 mm pistols like the R750 Norinco or the R850 Makarov (Ad, *Man Magnum*, November 1997, p. 67). Indeed, Steve Tshwete, the Minister of Safety and Security, reported in 1999 that there had been a shift in the local market for legal handguns towards cheaper Chinese and American makes, so that from virtually nothing in 1994, they had taken over nearly half of the market by 1997 and 1998 (Gould *et al*, 2004). By 1999, the most commonly licenced firearm was a 9 mm parabellum pistol, and the most popular brands were the Norinco, Lorcin and CZ – the first two costing about R800-R900 (Lamb, 1999).

These effectively competed with South African makes, driving many local manufacturers to limit or abandon firearm production by the late 1990s. Sam Basch of DENEL reported that LIW eventually had to stop production of commercial firearms because it could not compete with the inexpensive imports. Even in the private sector, companies that had been major arms producers in the early 1990s had either closed shop (e.g. Tressitu) or abandoned firearm production as unprofitable (e.g. Reutech and Continental), leaving relatively few South African firearm manufacturers left.

But competition did not end here. A woman from the Cape Town township, Manenberg, reported that “Few people [in the poorer areas] can afford to buy a legal gun, which costs up to R1000, especially when they can pick an illegal gun up off the street for R50 or R100” (Cape Town Focus Group, 1 April 2005). Even cheap legal guns, then, had very stiff competition from even cheaper illegal ones.²⁸

²⁸ There is also the question of second hand guns, but very little information is available on this.

4 The Supply: Illegal Guns

4.1 *The global trade in illegal arms*

Sarah Meek (2000) reported that the global trade in illicit arms was estimated to be second only to that in drugs. In 1995, world wide drug trafficking was estimated to be worth \$400 billion or 8% of the total global exports. She noted that there are no comparable figures for the illegal trade in arms, but some estimates put it at between \$2 and \$10 billion a year. A substantial part but not all of this trade is made up of small sales.

4.2 *Illegal guns in South Africa*

The number of illegal guns in circulation in South Africa is uncertain and estimates vary widely from half a million (a number forwarded by the SAPS) to four million (a number forwarded by the Ceasefire Campaign)²⁹ (Hennop, 2000; NIMS, 1997).

Already by 1994, police sources reported that the illicit trade in arms had become a flourishing business (Engelbrecht, 1994, p. 22). The NIM argued that the demand was particularly high because many had come to see guns as “cash cards”, ensuring easy success in criminal activities. Even so, the NIM argues that already by 1996 illegal guns were so easily accessible that the market was more or less saturated. As a result, guns were soon supplanted by drugs as the most lucrative commodity in the illegal market (NIM, 1997).

There is limited knowledge about the origins of illegal guns in circulation. The question has been the source of a fierce debate. It is possible, however, that changes in the debate, itself, reflect real changes in the sources over time.

Prior to 1994, Hennop (2000) argued, the main sources of illegal weapons were outside South Africa, as guns were brought into the country to arm political and liberation movements. After the first democratic elections in April 1994, smuggling routes were taken up “increasingly by criminals, who were familiar with the contacts for firearms outside the country, as well as the old routes used during the liberation struggle.”

In 1994, the Deputy Minister of Law and Order, Advocate Myburgh, told the South African Gunowners Association (SAGA) that stolen guns had been used in 18 000

²⁹ Hennop noted that the figure of 500,000 was forwarded by the Joint Investigation Team that began to audit state-owned firearms in 1997. It based this estimate on the following figures: that an estimated 200,000 state-owned firearms were missing. Of these, 18,000 had been left behind by the SADF in Namibia, 63,000 had been issued by the South African government to commandoes and reservists and never retrieved; 91 000 had been sent to other countries for ‘special projects’; 22,000 had been lost or stolen, and 6,000 provided to local black allies, tribal leaders and professionals. Over and above state-owned firearms that had gone missing, there were, the JIT said, 150 000 privately owned firearms that had been stolen, 20 to 30,000 illegal homemade guns, and an unknown number of guns that had been illegally imported or lost but not reported. (Hennop, 2000; Gould, *et al.*, 2004, p. 195)

crimes in South Africa in 1993. He blamed most killings on AK-47s in the hands of township criminals (*Man Magnum*, April 1994, p. 30).

This viewpoint, however, is not universally accepted. The NIM argued that even during this early period smuggled weapons coming in over the border were primarily intended for organised crime syndicates, which used them for specific purposes, like cash-in-transit robberies or assassinations. Common or petty criminals could more easily obtain the guns they needed from local sources (NIM, 1997).

Jacklyn Cock criticised the government's early focus on AK-47s, arguing it was an "ideological hang-over" from the apartheid era. AK-47s she noted were used in only a small percentage of crimes: less than 3% of all murders in 1992 and 7.63% in 1994. Quoting Cochrane, she said that about two-thirds of the firearms seized by the police came from areas other than the eastern bloc origin, suggesting that most gun-related crimes involved firearms of domestic origin. These were either legal firearms used for illicit purposes or weapons that had been stolen from their domestic owners. "Clearly," she noted, "legally owned firearms are a large part of the problem" (Cock, "A hole in our heads," *Weekend Star*, 6 August 1994).

The police agreed, and in 1995 the SAPS Firearms Investigation Unit reported that illegally imported and smuggled firearms *as well as* firearms lost by or stolen from licenced gun owners both constituted major sources of illegal guns in South Africa (Gould *et al*, 2004).

By the late 1990s, Hennop (2000) argues, the availability of guns from foreign sources was drying up. This may have been the result of the positive recovery of guns under programmes like Operation Rachel, or possibly, the revival of war in Angola and the Democratic Republic of Congo (DRC) which may have redirected the gun trade there. As guns became more difficult to get outside of South Africa, criminals began to look for them inside the country, instead.

There are indeed signs that the number of illegal guns being accessed *within* the country was on the increase. The NIM (1997) noted that between 1995 and 1996 the number of guns stolen inside South Africa - from the police, the SANDF, security companies and individuals - more than doubled, increasing from 16 002 to 35 778.

Slightly later, in 1999, Minister Steve Tshwete reported that the number of guns coming into South Africa from over the border was slowing down. By this time, police intelligence reported that "The theft and loss of privately owned guns is almost certainly the most important source of illegal guns for crime." Tshwete noted, "There is a continuous leakage from the licensed , privately owned pool and state-owned guns into the pool of illegal guns" (Tshwete, 1999; see Hennop, Jefferson and MacLean, 2001).

By 2001, ISS researchers agreed. Most weapons entering the illegal pool originated in South Africa (Hennop, Jefferson and MacLean, 2001). The key debate then shifted to whether illegal guns were stolen primarily from private gun-owners or from the state (Gould *et al*, 2004).

In 2003, southern African police commissioners identified the following as the most prominent guns used in the region's crime:

Table 6: Guns Most Prominent in Southern African Crime

Pistols:		
	Tokarev TT-33	Walther P38
	Beretta 92	Norinco
	CZ (range)	Walther (range)
	Baby Browning	Browning HP
	Z88	Colt
	Lugar	Astra
	Vektor (range)	Taurus
	Star	Jennings
Revolver:		
	Rossi	Taurus
	Smith and Wesson	Arminius
	Colt	Webley and Scott
	Ruger	Olympic 6
Rifles, submachine guns and machine pistols:		
	AK-47	R4
	FN FAL 7.62	R5
	UZI	Galil 7.62
	LM 4	LM 5
	Simonov	Skorpion
	Heckler and Koch G3	
Shotguns		
	12 gauge Baikal	
	12 gauge Stevens	
	12 gauge Pietro Beretta	
Homemade guns		
	Zip guns	
	(Source, Coetzee, 2004)	

The commissioners made clear that two very common handgun calibres – the 9 x 19 mm and the .38 special – are the preferred weapon for crime. Both are easy to conceal and so can be used inconspicuously, making them ideal for criminals (Coetzee, 2004).

4.3 External sources

4.3.1 Arms caches: Regional warfare

One important source of illegal guns in South Africa was “leakage” from the various armed formations that took part in the wars of liberation and the civil wars that gripped in the region between 1964 and 1990 (Cock, 1996).

Between about 1964 and 1990, southern Africa was caught in protracted political violence as a result of the struggles for independence in Angola, Mozambique, Namibia and Zimbabwe, calamitous civil wars in Angola and Mozambique and the struggle for democratic government in South African. These conflicts became part of the broader global struggle between East and West that dominated global politics at

the time, and southern Africa became an arena for the Cold War. Moreover, the apartheid regime in South Africa covertly intervened in the civil wars in Mozambique and Angola, believing that it would ensure its own security by destabilizing its newly independent neighbours (Chanaiwa, D. 2003).

During these conflicts arms flowed into the region from three sources:

- From former Warsaw Pact countries, China and Cuba that supplied arms to the left wing movements, including the MPLA in Angola, PLAN in Namibia, MK in South Africa, ZIPRA in Zimbabwe, and FRELIMO in Mozambique;
- From the West, with the US, West Germany, France, Great Britain and Israel arms manufacturers sending clandestine arms shipments to South Africa in defiance of the UN arms embargo;
- From the apartheid regime, which gave arms to “surrogate” forces - UNITA in Angola and RENAMO in Mozambique - as part of its “total onslaught” strategy (Cock, 1996).

We will probably never know how many arms came into the region during these years. South African arms, for example, flowed through the SADF Special Task Force (part of Military Intelligence). They were surreptitiously coded to appear to be weapons sent for disposal. They left mere traces in the record books and became only faintly visible when the police developed a new data collection system in 2000 which showed that a large number of weapons could not be accounted for (Gould *et al*, 2004).

Cock (1996) reported that almost 40 000 AK-47s were purchased by South Africa from Poland, Romania, Bulgaria, Yugoslavia and China between 1976 and 1986 and supplied to UNITA. Similarly, Armscor gave AK-47s from Bulgaria and Hungary to RENAMO. These, she argued, had a “boomerang effect”, because light arms were smuggled back into the South Africa by the mid-1990s, fuelling criminal activity.

A major problem was that once peace was negotiated, the UN and individual national governments failed to disarm former combatants (Cock, 1996; Hennop, Jefferson and MacLean, 2001). Although the UN transitional regimes in Mozambique and Angola *intended* to disarm former combatants, systems put in place did not adequately provide for the collection and destruction of surplus weapons (Gamba, n.d.). Armouries and caches that were not claimed during the transitional period lay dormant and were incrementally reclaimed by various users. Weapons in these stockpiles became tradable commodities that could circulate freely and enter South Africa through the black market. In this way, they were “leaked” into civil society for use in criminal and political activities (Gamba, n.d; Cock, 1996).

4.3.2 Arms caches: Mozambique

Huge numbers of weapons entered Mozambique during its war of liberation and the civil war that followed. Estimates vary. Interpol estimated in 1995 that 1,5 million AK-47s, alone, had been distributed to the civilian population in Mozambique during the course of its civil war. While eastern bloc countries armed FRELIMO, Rhodesia and South Africa were key suppliers to RENAMO. Kenya supplied ammunition, and other weapons were supplied by Portugal, Germany, the US and Gulf sources (Vines, 1998, p. 92).

To give some sense of the scale, the NIM (1997) estimates that 2,6 million arms were brought into Mozambique during this period. ISS researchers put the figure at between half a million and six million weapons (Hennop, Jefferson and MacLean, 2001). Most of these were re-circulated Russian and Chinese light weapons (Vines, 1998).

The lack of a proper disarmament process after the civil war meant that weapons were available that could be leaked into the black market (Cock, 1996). At the end of the civil war in 1992, combatants demobilized under the auspices of the UN structure, ONUMOZ, which operated in Mozambique between 1993 and 1995. Disarmament was implicit in the ONUMOZ mandate as part of demobilization. Combatants were meant to come into assembly areas and hand in their weapons (Vines, 1998). However, only about 190 000 weapons were so collected between 1993 and 1995 (Hennop, Jefferson and MacLean, 2001). Leao noted, “The huge gap between the number of weapons collected by ONUMOZ and the estimates of those distributed ...provide a good picture of the problem left behind” (Leao, 2004).

It is likely that many former combatants held back their weapons in hopes of economic gain. Given the poverty that returning combatants and refugees confronted, guns became an economic resource used even to buy food (NIM, 1997). One FRELIMO soldier said:

We knew that guns make good business. So we kept the best for ourselves. I have sold some to dealers from Josi (Johannesburg), and I kept others for the future. The secret is to keep them in good condition. FRELIMO was never going to pay us for the years we were made to fight. We have to look out for ourselves (Vines, 1998, p. 192).

A former RENAMO combatant gave a similar account:

Guns can mean food. We do not want to be hungry. Before the elections we saw that we were being betrayed by politicians. Why give up the guns to weaken us further? We handed in the bad ones. Business is good with a gun (Vines, 1998, p. 193).

The situation was further complicated, Vines reported, because both FRELIMO and RENAMO ordered members to hide their guns.

Cock noted that the weapons that were brought in were stored in the assembly areas but not secured. The UN collected them and registered them but destroyed very few. Those that could be used were given to the Mozambique government for use by its military. Cock noted that in this way, the UN handed over about 190,000 to the Mozambique government. This far exceeded the needs of the military which had only 12,000 members (Cock, 1996; see also Potgieter, 1997).

In addition, many of the weapons given to the government were stored in unguarded buildings, and there was no independent verification of their storage. The soldiers were paid low salaries, there was inadequate discipline and low levels of morale, and there was a ready market for guns in South Africa. One source told Cock that the Mozambique forces “leaked like sieves” (Cock, 1996).

4.3.3 Border challenges and major contraband routes

South Africa faces major challenges controlling the flow of goods over its borders. The border is 3 500 kms long and divides South Africa from six neighbouring

countries: Mozambique, Zimbabwe, Swaziland, Lesotho, Botswana and Namibia. There are only 52 land border posts, and only 19 of these have been designated for the movement of commercial goods (Hennop, Jefferson and MacLean, 2001). The rest of the border is difficult to patrol: long stretches “do not even have fences, but painted rocks” and so are easy to get across (B. Coetzee, Interview, 1 February 2005).

The UN Office for Drug Control and Crime Prevention (UNODCCP) commissioned Bill Scholes, a law enforcement expert, to undertake a five-week mission to examine control on the South Africa-Mozambique-Swaziland border. Scholes confirmed this as a principal route for the flow of illegal goods over the border. He found that proper policing of this strip of border was hampered by its terrain, “which is inhospitable and remote. They cross bush, veldt, sand dunes and mountain areas with often no fencing at all or fences more suitable for preventing livestock from straying and delineating the boundary than preventing incursion” (Quoted in Hennop, Jefferson, MacLean, 2001, p. 52).

In a follow-up study, Hennop, Jefferson and MacLean (2001) looked at strategic areas along South Africa’s border with Mozambique and Namibia. They found that the area covered by the Onderwacht Border Post between South Africa and Mozambique was very open. Uncontrolled border crossings happened daily, not only because of the rough terrain and poor fencing, but also because families themselves were cut by the border and crossed it frequently in the course of their daily affairs. The researchers concluded that it would be easy for smugglers to cross the border carrying contraband, undetected.

In 2000, Hennop (2000) identified three main smuggling routes across these borders:

1. From Mozambique
 - a. To Kwazulu/Natal (supplying local warlords)
 - b. To Mpumalanga and the Northern Province, (supplying Gauteng, the Eastern Cape and the Northern Province)
2. From Namibia to Cape Town and ultimately to Gauteng.
3. From Angola or Zambia, via the Trans-Kalahari Highway, through Botswana into South Africa, ultimately to Gauteng and the towns and small cities of the North West Province and the Free State. (Hennop, 2000)

The routes may have changed somewhat by 2005 as a result of a decline in the Angolan route:

1. From Mozambique
 - a. To Shoshanguve, through Pretoria to Johannesburg
 - b. To SOWETO
 - c. To Northern Natal
2. From Mozambique and Swaziland to Phola Park, and from there to the former TBVC states

In 2005, people in the Western Cape went to Gauteng to get guns that had been smuggled in over the border (Sup. E. Dewey, Interview, 21 February 2005).

4.3.4 Arms smuggling from Mozambique

Smuggling guns from Mozambique into South Africa could be highly profitable. The NIM (1997) reported that an AK-4 bought in Mozambique for \$6 (or for the

Table 7: Types of Smuggled Firearms Recovered, 1994-8

Type	1994	1995	1996	1997	1998
Automatic					
AK-47s	1589	1392	1169	803	527
Rifles:					
Nagent	27	33	45	0	14
Pistols					
Makarov	164	172	221	176	133
Tokarev	56	58	263	206	184
Machine guns					
Stechkin	10	4	2	2	4
Scorpion	16	33	3	4	7
Source: Hennop (2001) and Hennop, Jefferson and MacLean (2001)					

equivalent in maize or a chicken) could be sold in South Africa for as much as R1200. This meant that a consignment of 15 weapons (an amount commonly recovered in the fuel tanks of vehicles used for smuggling) could turn a profit of over R14 000.

In 1994, Engelbrecht reported that a variety of weapons were being smuggled into South Africa: AK-47s, Makarov and Tokarev pistols, Stechkin machine pistols and hand grenades, limpet mines and RPG 7 rocket launchers. Smugglers, Engelbrecht said, hid weapons in suitcases, inside door panels of cars and trucks, in false bottoms and panels on trailers, in fuel tanks and behind the back seats of cars, in built-in tools boxes, in air conditioners, in bags under the bonnet or on their persons if they entered the country at border posts on foot (Engelbrecht, 1994).

Virginia Gamba (n.d.) argued that, “If at first the trade in weapons involved individuals selling one weapon for food or commodities, soon weapons smuggling became an organized business.”

The NIM (1997) concurred: by 1997 the majority of weapons from Mozambique were smuggled in by organized syndicates. They came via the N4 through Nelspruit to the townships around Johannesburg from where they were distributed to other parts of the country. Often, migrant workers came into contact with illegal firearm sellers and then carried their guns home (See also Engelbrecht, 1994).

If nothing else, smugglers are innovative. In June 1998, the police uncovered a cross-border contraband trafficking trade between Mozambique, Swaziland and South Africa. This involved a long-haul trucking business, where trucks hauled sugar and flour for export. Contraband, including drugs and guns, was packed in between goods, to make detection difficult (“Swaziland Police,” 1998). Illegal guns could also be hidden in loads of fruit (Sup. E. Dewey, Interview, 21 February 2005). Inspector Dlamini of the Royal Swazi Police said that contraband traffickers and car thieves used the border posts between South Africa, Swaziland and Mozambique that were usually congested, making thorough searches very difficult³⁰ (“Swaziland Police,” Swazi Royal Observer, 25 June 1998: www.nisat.org).

³⁰ Especially Oshoek, Mahamba and Ntsalitje between South Africa and Swaziland and Lomahasha between Swaziland and Mozambique

A customs official complained that the trucks were huge and carried heavy goods which could only be searched by off-loading using a fork lift. He said, "We are doing what we can, but I tell you. They (the truckers) still beat us because we do not have the necessary facilities for searching and detecting drugs" ("Swaziland Police," Swazi Royal Observer, 25 June 1998: www.nisat.org). One goal of the SAPS, at least, has been to upgrade and properly equip strategic border posts.

4.3.5 Operation Rachel³¹

In response to this challenge, the South African government joined in partnership with the Mozambique government in 1995 to mount Operation Rachel, a series of joint operations in Mozambique intended to identify and clear arms caches. According to Noel Stott of the ISS, Operation Rachel has become a "leading example of a weapons collection and destruction programme, that has sought to stem the movement of illegal firearms and other small arms and light weapons across national boundaries, in particular across the borders of Mozambique and South Africa." It has two main objectives:

- To prevent weapons in uncontrolled caches from falling into the hands of smugglers and traffickers who could trade them in lucrative illicit markets, particularly in South Africa, where they could be used to perpetrate crime or violence
- To prevent injury to innocent civilians in Mozambique who might live in the vicinity of the caches.

Stott reports that from a South African government perspective, "The destruction of arms caches in Mozambique is viewed as a natural extension of fighting crime in the cities and towns of South Africa". Thus, according to the Jackie Selebi, the National Commissioner of Police, "The destruction of these arms caches in Mozambique with the assistance of the South African Police is part of our mandate in maintaining law and order within South Africa." (Quoted in Noel Stott, personal communication, 14 April 2005). For Mozambique, Operation Rachel is an important means of de-militarising its society, by removing easily available firearms and thus reducing the potential for violence.

Table 8: Weapons Collection Results, 1995 - 2003

Weapons Type	1995	1996	1997	1998	1999	2000	2001	2002	2003	TOTAL
Handguns	8	13	79	353	453	18	372	101	45	1 442
Sub Machine Guns	91	68	980	735	1874	126	467	346	235	4 922
Rifles	981	355	4345	3183	8864	2205	2943	2072	1302	26 250
Light/Heavy MG	47	52	279	467	845	66	148	47	1	1 952
Mortars	15	44	35	21	115	70	32	5	0	337
Ammunition	23 153	136 639	3 000 000	155 314	3 315 106	83 276	486 000	2 004 018	2 200 000	11 403 506

Source: N. Stott (Institute for Security Studies) (Personal communication)

³¹ Excellent accounts are available on Operation Rachel, for example E. Hennop (2003). For a parallel operation with Lesotho, see S. Meek and N. Stott (2003).

Table 9: AK-47s Seized by the SAPS, 1994-8

Year	1994	1995	1996	1997	1998
Number seized	1589	1392	1169	803	527
Hennop (2001)					

Between 1995 and 2002, the South African and Mozambican police jointly engaged in 19 missions which formed part of eight operations. They located and destroyed 611 weapon caches. Most areas or provinces of Mozambique have been covered by one or more of the various operations, including Cabo Delgado, Gaza, Inhambane, Massingir, Maputo, Manica, Nampula, Niassa, Sofala, Ponto d'Ouro and Zambezia.

The types of weapons and weapon parts and accessories collected and destroyed varied enormously, covering the full range of small arms and light weapons. Commonly found items included AK-47 series assault rifles, Uzi submachine guns, Browning, Makarov and Tokarev pistols, PG-7 rockets and RPG-7 launchers, 82 mm mortars, 75 mm recoilless cannon ammunition and 122 mm rockets (N Stott, personal communication, 14 April 2005).

There is a debate about the effect of Operation Rachel. Many argue that as a result of the effort, the sources of illegal guns are being emptied, so that fewer weapons can be smuggled into South Africa. This is seen in the drop in the number of assault rifles recovered by the police (See Table 9) and the rise in the street price of these weapons. "By all accounts, the quantities appear to have dropped since the peak at the height of political violence and in the run up to the 1994 election" (Hennop, Jefferson and MacLean, 2001, p. 74; confirmed by Sup. E. Dewey, Interview, 21 September 2001).

Vines argues, however, that it may not be the destruction of the caches, but rather market saturation and declining demand that reduced the number of guns being smuggled. He spoke to an illegal arms merchant in Johannesburg who complained, "When I started this business, I bought up a whole lot of AKs from suppliers in Mozambique. But there is little demand for them. I have good stocks and can offer you a good price, R200 each. I need to move stock, otherwise I'll be out of business. I need cash to buy pistols. That's what people want. I'm always short of stocks (Vines, 1998, p. 204).

Moreover, while the numbers may be declining (even dramatically), smuggled weapons from Mozambique are still available. As late as 2003, a self-styled "tsotsi" living in an informal slum outside of Nelspruit bragged: "I can still get any weapon I want from gun runners. Pistols, rifles, even a grenade. I can even get a gun on loan, and pay it off with the profit I made from hold-ups" (Hall, 2003). Similarly, a SABC news investigative team went into Mozambique in 2004 and found that an AK-47 plus a full magazine were easily obtainable for R500. It was twelve years after the war ended, they reported, but guns were still freely smuggled across the border (SABC News, 2004).³² Clearly, Operation Rachel will need to continue the critical work of clearing weapons caches for some time to come (Leao, 2004).

³² Efforts are being made to address the problem. Between August 1999 and October 2000, a Joint Strategising took place between the Swaziland and South African Police, including joint training and the provision of new equipment to the SAPS. In addition, Business Against Crime initiated a major border project, aimed at reducing vehicle crime. Also, in line with the new Firearms Control Act and the National Firearms Programme (launched in 2002), additional measures were introduced to inspect

4.3.6 Arms caches: Angola

Angola has the potential of being a major source of illegal arms, not only for South Africa, but also for Namibia, Zimbabwe, Zambia and the Democratic Republic of Congo (Batchelor, 1997). During a protracted civil war between 1975 and 1990, both the MPLA government and rebel UNITA forces were armed by various global powers. As noted before, this included 40 000 weapons that South Africa acquired from eastern bloc nations to equip UNITA.

Similar to Mozambique, UN forces intervening in Angola during ceasefires have failed to effectively disarm combatants. The first phase of the Angolan civil war between 1975 and 1990 ended with the Bicesse Accords (1990-1), which had an implicit disarmament component, including a ceasefire, the end of weapons supplies, demobilization, collection and disposal of weapons and the unification of combat forces into a single Angolan army (Potgieter, 1997). However, UNAFEM II (or the UN Verification Mission) which operated in Angola between 1991 and 1995. played a passive role, monitoring Angolan efforts to demobilize combatants. Only 60% of the MPLA's estimated 150 000 troops and 23% of UNITA's estimated 50 000 combatants entered the cantons to be demobilized. UNITA in particular obstructed the effort and delayed demobilization. Moreover, the bulk of the weapons handed in were old or very poor quality. People suspected that they were not the weapons currently in use, but there were no means to verify this (Potgieter, 1997).

Angola held elections in September 1992, but the outcome was disputed, and UNITA returned to war. Jakkie Potgieter (1977) argues that the availability of weapons was one of the main factors in the resumption of armed conflict.

Following a second period of civil war, a new UN force (UNAFEM III) implemented a new agreement (the Lusaka Protocol) in 1995. However, two years into the process, while 70 872 police and soldiers had been quartered, only 29 381 weapons had come in. Many in the cantons were children, disabled persons, or people rumoured to be farmers, not soldiers (Potgieter, 1997). Clearly, UNAVEM II and III failed to disarm the warring parties (Hennop, Jefferson and MacLean, 2001).

Two major routes have been identified where arms are smuggled into South Africa. The first is from Angola via Namibia (Anamsvlei, Nakop) to Gauteng and the Western Cape. The second is through the Caprivi Strip through Botswana to Gauteng (See also Batchelor, 1997). However, there is only scattered, anecdotal evidence of arms being smuggled from Angola.

In 1994, Engelbrecht reported a story in the police journal *Servamus* of "a sub-culture of black women" from Thokoza who took vases and ornaments to Cape Town to barter for used clothing, and who then travelled to Namibia and Angola to barter the clothing for firearms. Some travelled as far north as Rudu and bought AK-47s for as cheap as R50 (Engelbrecht, 1994). Variants of this story have been repeated in other studies on the arms trade with Namibia and Angola (See e.g. Hennop, 2000).

imported and exported goods, including more advanced technology and equipment at ports and more effective inspection procedures and land border posts" (SAPS, 2004. p. 34)

However, there is no evidence that this developed into a regular route for arms smuggling.

In 1999 an internet report by the *Mail and Guardian* dated 13 October 1999 alleged that UNITA procured cocaine in Brazil and bartered it for weapons and vehicles stolen in South Africa. Namibian sources, however, cast doubt on the report, stating that while it was possible that the vehicles were smuggled into Angola, it was unlikely that bulk consignments of weapons similarly went through (C. Iambo, "Shalli rejects UNITA claim," (electronic version) *Namibian*, 15 October 1999).

Conversely, the *Mail and Guardian* alleged that people from Gauteng and the Western Cape were transporting cannabis and scarce goods like car batteries to trade for weapons in southern Angola. Major-General Shallis of Namibia, however, said "But this is not big time smuggling. They bring back an AK-47 or two from Angola" (C. Iambo, "Shalli rejects UNITA claim," (Electronic version) *Namibian*, 15 October 1999).

In 2001, ISS researchers heard that Angolan soldiers tried to sell automatic weapons to buyers in northern Namibia and Kavango. Namibian police, they said, reported a "significant surge" in arms smuggling (Hennop, Jefferson and MacLean, 2001). Similarly, in 2003, SADC officials reported that rival factions in Angola sold weapons to criminal syndicates for badly needed cash or to trade for food or other materials (Hall, 2003).

Superintendent Dewey of the SAPS reports that although there was evidence of an illegal firearm route from Angola in the mid-1990s, the route now seems to be quiet. Gail Wannenburg, who studies organised crime in the area, agreed. She had heard stories of individual guns being traded, but not large consignments and not large numbers of guns (Sup. E. Dewey, Interview, 21 February 2005; G Wannenburg, Interview, 17 February 2005).

What is of great concern, however, is the possible flow of guns out of Angola once the peace is finally secured. If the UN does not ensure effective disarmament, the South African police may be forced to duplicate the work they are doing in Mozambique to clear out arms caches in Angola (Sup. E. Dewey, Interview, 21 February 2005).

4.3.7 Zimbabwe

A very new concern is the smuggling of guns into South Africa from Zimbabwe. Thousands of refugees have entered South Africa from Zimbabwe. There are rumours that some are bringing in guns for sale (Mapela Focus Group, 8 April 2005). This could involve former soldiers who were now unemployed and seek resources to support their families. This was confirmed in July 2004 when a SABC team was offered 15 guns for sale by gun runners and syndicates from Mozambique and Zimbabwe. Prices ranged from R500 to R1500 (SABC News, 2004).

4.3.8 The problem of borders

While the easy transport of illicit goods over southern African borders is already identified as a problem, it is likely to become even more important in light of moves to increase trade within the southern Africa region through the re-modelling of

economic and trade relations in the Southern African Development Community (SADC). Since 1995, negotiations and protocols have moved to create “open borders” within the region. Work to create a free trade area was formally launched in September 2000 that will allow total liberalization of the SADC borders by 2012.

While positive spin-offs promise increased regional investment and development, given the very poor border control that exists in the region, negative spin-offs may include the growth of organised crime activities and cross-border smuggling, leading to the proliferation of illegal guns and the use of illegal drugs (Minnaar, 2001).

4.4 Locally sourced weapons

4.4.1 Arms caches and arms for resistance

In many ways, disarmament in South Africa was also ineffective and incomplete, leaving many firearms in caches or in private hands, unaccounted for and available to enter the illegal market.

The apartheid government provided arms not only to its own police and military, but also to the “independent” black TBVC states (Transkei, Bophuthatswana, Venda and Ciskei), to the leadership of its black “homelands”, to the IFP and to white commandoes that during the 1980s and early 1990s provided a bulwark of opposition against the ANC. Efforts to recover these weapons have been very uneven.

4.4.1.1 Former TBVC and “homeland” security forces

Under the apartheid regime, the SADF provided arms to the “independent” black states – often called the “TBVC states,” of Transkei, Venda, Bophuthatswana and Ciskei. It also gave to black “homelands” enough arms and ammunition to arm loyal traditional leaders, their paramilitary forces and their other supporters. The exact number of arms distributed is unknown, because the SADF destroyed most of its records as soon as these transfers were affected.

The TBVC defence forces were disbanded in 1994, and members invited to apply for reintegration into the new government’s South African National Defence Force (SANDF). Their armouries were meant to be integrated into SANDF holdings. This involved the physical transfer of the armouries to the new SANDF stock holding depots and registration of all weapons in the SANDF register. However, because the apartheid government left no records, and because the record systems of the TBVC states were so poor, it is impossible to determine with any accuracy how many arms went missing before or during the reintegration process (Gould *et al*, 2004). The NIM

Table 10: Small Arms Returned by Former “Independent Homeland” Defence Forces

	Transkei	Bophuthatswana	Venda	Ciskei
Number returned	3 300	3 852	1 382	5 044
Force size	6 799	1 261	3 713	818
Average firearm per person	0.49	3.05	0.37	6.17
Source: Gould <i>et al</i> 2004, p. 163				

(1997) argued that as a consequence of this lack of control, large numbers of weapons were stolen from their respective armouries.

By 2003, 13 578 arms had been returned by the former homeland defence forces to the SANDF. The combined number of their forces had been 12 591 (Gould *et al*, 2004).

Researchers found definite places where guns may have gone missing. The Transkei, for example, handed over 3 300 weapons during reintegration. General Holomisa from the Transkei claimed that everything had been returned, however a SAPS source estimated that 14 000 to 15 000 firearms had gone missing. These may have been given to ANC, PAC and APLA supporters in the run up to the 1994 elections (Gould *et al*, 2004). Transkei weapons seem to have been used as well by Dr. Malizo Mpahlwe to equip former MK and SDU members to form a private militia in 1994. It was later found that these guns had been used in 36 murders in Tsolo (Gould *et al*, 2004).

Records showed that Bophuthatswana Defence Force lost 87 firearms. Researchers noted, however, that thousands of guns may have been given to the white, right-wing movement, the AWB, in 1994. It is not known how many of these were recovered (Gould *et al*, 2004). Local people believe that many of these remain stored in local caches (Klerksdorp Focus Group, 19 February 2005).

A SAPS source from the Illegal Firearm Unit reported that weapons lost or stolen from former homeland armouries “frequently” have been used in crime in the areas of the former homelands and elsewhere in South Africa (Gould *et al*, 2004, p. 178).

While the armouries of former TBVC defence forces had to be closed and their weapons physically transferred to SANDF armouries, police stations remained functional after reintegration. Stocks and property remained in place, and the SAPS set up a task force to physically take stock of all stores (including firearms) and to transfer the information to the SAPS accounting system. Unfortunately, the SAPS database did not record *where* firearms were recovered, and this made it impossible to determine the number of firearms received from the homeland police forces.

The SAPS argue that because stock was not moved and because police stations were simply re-designated, each with its own armoury records, there was little opportunity for firearms to go missing. However, one police informant claimed that 27 000 firearms went missing from the former Kwazulu Police alone (Gould *et al*, 2004).

In September 1995, Minister Sydney Mufamadi told the National Assembly that a recent stock take of firearms belonging to the Transkei police found that 2 120 of 5 634 weapons had gone missing – or a loss of about one-third of the stock. Eighteen months later, the SAPS said another stock taking had reduced the number of unaccounted for Transkei weapons to about 800: inspections at Transkei police stations had located quite a few of the outstanding weapons.

However, the lack of logistical control over these weapons was illustrated in a series of police strikes and mutinies, when police officers stole weapons from police stores to confront the new democratic state. This happened during a mutiny by members of the Ciskei police in March 1994, a strike by Transkei police in Umtata and a mutiny by police in Umtata in February 1995.

So, despite government claims, researchers argued that the weapons held by former homeland administrations and their armed forces were important sources of illegal firearms in South Africa. This was especially true during the reintegration process when there were extensive losses from homeland defence force armouries (Gould *et al.*, 2004).

4.4.1.2 Weapons provided to the IFP

4.4.1.2.1 Overt supplies:

Operation Marion was a state authorized operation launched by the apartheid government in the mid-1980s to counter growing support for the ANC and the UDF in Kwazulu and Natal. It involved supplying military and political mobilization support to the IFP, including officially channelling weapons to the IFP through structures in the Kwazulu government and later, when this became awkward for the national government, unofficially channelling weapons through a state-created “third force” (NIM, 1997).

The TRC reported (Vol. 2) that the Natal Zulu code of law was amended in 1990 to legalise the carrying of dangerous weapons by the *amakhosi* (or “chiefs”), allowing for them to be armed. The Chief Minister, Mangosuthu Buthelezi, made automatic weapons available to Kwazulu state functionaries, ostensibly to protect government property. G3 semi-automatic rifles were thus issued to Zulu chiefs and headman, who could issue these them in turn to “tribal police” and “community guards”.³³ These, the TRC noted, were used systematically in political violence against the ANC and by hit squads, who up until 1998 dominated the Kwazulu/Natal political landscape (See “Covert supplies” below).

This was commented on by “Miller”, who wrote to *Man Magnum* (Letter, *Man Magnum*, April 1994, p. 94) that

During the past years, certain high-profile Zulus, mainly ‘indunas’ supporting the IFP, who were seen as targets for political attacks, were issued with ex-SADF, Heckler & Koch G8, 7,62mm rifles (known locally as the R2). The issuing was done by the Kwazulu government, as they were the body to which the rifles were issued.

The Kwazulu government then issued permits to the Indunas to possess the rifles legally. The rifles, however, remain the property of the Kwazulu government. The permits are valid in all areas of South Africa as Kwazulu has never been declared independent...

³³ The TRC (Vol 2) found that between the early 1980s and 1994, the IFP provided paramilitary and weapons training to supporters. Graduates were termed “community guards”, “tribal police officers” or *amabutho*.

A senior police officer who investigated Operation Marion reported that large quantities of weapons were made available to the IFP, who used its system of political patronage to distribute them to “soldiers” in the Kwazulu Police, to the less formal structures of the SPUs, and to chiefs that supported the IFP. Between 1987/88 and 1990/91, R6 million of a “Special Defence Account” was spent on Operation Marion (NIM, 1997).

4.4.1.2.2 Covert supplies

The TRC (Vol. 2) heard that the SAPS covert unit C10 (based at Vlakplaas) also transferred a large number of firearms to the IFP, including AK-47s, assault rifles and ammunition, grenades, limpet mines, homemade shotguns, RPG rocket launchers and pipe bombs (See also Gould *et al* 2004). Many were weapons that came from the Namibian war that had been transferred to Vlakplaas for use in covert activities within South Africa.

The weapons were distributed to criminal gangs, like the Black Cats, to homeland governments, to the police security branch and to the Kwazulu Police. From 1990, transfers were made directly to IFP leaders like Themba Khoza and Viktor Ndlovu for use in the growing political conflict in Gauteng and Kwazulu/Natal. The arms were distributed through indunas (or “headmen”) in the hostels in urban areas, who oversaw their distribution to hostel residents for use in conflicts with township residents. The arms were also distributed to SPUs in Kwazulu-Natal (Gould *et al*, 2004).

Eugene De Kock, the former head of the Vlakplaas Unit, reported that he illegally acquired six truckloads of arms, ammunitions and explosives (between 27 and 60 tons of weapons) and smuggled these to IFP officials in Ulundi in October 1993, six months after he had left the police. These arms were never recovered. They included 700 anti-tank mines, 182 RP67 rockets, 1 288 hand grenades, 308 mortar bombs, 1 428 rifle grenades, 510 kgs of explosives, 200 shrapnel mines and 3 000 rounds of R1 and AK-47 ammunition. They were stockpiled in Kwazulu/Natal (NIM, 1997; Gould *et al*, 2004).

Such covert supplies were used in the paramilitary training of IFP supporters, as happened at the infamous Mhlaba training camp, which in 1993 trained between 5 000 and 8 000 IFP supporters in weapons-use and paramilitary skills. One graduate reported that following the training, they were simply instructed to “endeavour by all means possible to eliminate ANC members” (TRC, Vol. 2, p. 640). This fuelled the political and communal violence which gripped Kwazulu/Natal up until 1998.

While de Kock’s weapon supply is high profile, many other former operatives came forward and admitted that they too had supplied large amounts of weapons stolen from their units to various warlords in Kwazulu Natal (NIM, 1997). It is estimated that the South African military and police force gave the IFP 116 tons of firearms prior to 1994. Only 6 tons of these weapons were recovered (Gould *et al*, 2004).

4.4.1.3 Commandoes

The SADF also distributed R1 rifles to civilian commando units, which have not been returned. Commandoes were local units of men and women who received training from the SADF and specialized in local area protection, intelligence and counter-

insurgency activities. Today, they serve as rural protection units. It is estimated that at one point there were 130 000 civilians in commandoes.

It would seem that many commando members assumed that the weapons issued to them could remain in their possession indefinitely, and in 2004, large numbers still held them. Gould *et al* (2004) reported that it was a very difficult task to track these individuals down: records were very poor, and many had moved, taking the weapons with them, and did not inform the military of their new addresses.

At least some of these weapons entered the illegal pool. In 1999 alone, 43 firearms were stolen from commando homes (Gould *et al* 2004). Moreover, stolen commando rifles have periodically been linked to farm murders (Carlisle, 2003).

Thus, tens if not hundreds of thousands of weapons left over from the apartheid government's "Total Strategy" remain unaccounted for, possibly stockpiled, possibly stored, but possibly circulating in criminal hands, as well. There can be no doubt, the failure of disarmament has had a high cost, indeed.

4.4.1.4 Former liberation forces

4.4.1.4.1 MK

It is not known how many weapons were brought in by the liberation forces, and the number brought in by MK under Operation Vula between 1988 and 1991 is hotly contested. The NIM (1997) estimated that it amounted to about 20 tons of weapons, while a police estimate put it at 10 000 weapons (Cock, 1996). Some of the weapons smuggled in were delivered to operatives in Cape Town and Johannesburg, while others were placed in caches, particularly near border areas (Meek, 2000; TRC, Vol. 2; NIM, 1997). Caches were from time to time uncovered by the apartheid authorities. In addition, individual MK fighters brought their own weapons into the country from exile (Klerksdorp Focus Group, 19 February 2005; Umlazi Focus Group, 25 February 2005; Lincoln Ngculu, "The honour to serve": www.sahistory.org.za).

The Nationalist government had anticipated that there would be a full disclosure of the arms caches once negotiations with the ANC got underway in 1990. The ANC, under MK's advice, however, held back as an insurance policy in case negotiations failed³⁴ and only cleared its caches in early 1994. Cock (1996) argues that the period in between saw a mass repatriation of the liberation forces, and there was an inadequate accounting of MK inventories in the country after 1990. This allowed for a gradual and uncontrolled decimation of the caches (Cock 1996). Indeed, Ronnie Kasrils of the ANC later admitted to the TRC (Vol. 2) that while the Operation Vula weapons formed part of the consignment that the ANC handed over to the SADF, he didn't know if all of the weapons were accounted for, and some may have gone missing.

Many of the weapons removed may have been used by besieged ANC-aligned communities during the political violence of 1991 – 1994.

³⁴ A wonderful interview with Sipiwe Nyanda regarding this was included in "Operation Vula: the facts behind the fiction," *Mayibuye*, December 1990.

4.4.1.4.2 SDUs

As seen above, SDUs were first formed in the 1980s to protect UDF- and ANC-aligned communities from the brutality of state actions. Scharf argues they developed in three phases:

- In the 1980s, township youth joined SDUs
- From 1990, in light of the growth of crime and the “third force”, SDUs came to be led often by trained guerrillas and operated as protection and an early warning system for the community
- In 1994, the ANC asked the SDUs to disband (Scharf, 1997).

Initially, SDUs were armed with knobkerries, spears and home-made weapons. However, they later obtained access to a variety of firearms. Scharf argues that this was part of a deliberate policy on the part of the ANC, that the ANC military headquarters saw the SDUs as necessary and attended to “the organisation, training and provision of weapons to SDUs”. The TRC *Report* (Vol. 2 and Vol. 6), however, portrayed a different picture: that the ANC intended the SDUs to be independent, non-partisan and accountable to their communities; however, practically, in many instances they were trained and led by members of MK, who had the necessary military skills. Moreover, the ANC resisted calls to “arm the masses” and only selectively armed members of the SDUs, leaving arms in “dead letter boxes” across the country. Thabo Mbeki, who was then the Deputy President of South Africa, reported that this involved less than 1 000 weapons. In other instances, the TRC heard (Vol. 2 and Vol. 6), SDUs made their own arrangements, removing arms from the caches, smuggling arms in from Mozambique, or stealing them from the police or the IFP.

The NIM (1997) heard that ANC supporters in Kwazulu/Natal also asked General Holomisa, then ruler of the Transkei, for weapons, drawn from his legal stocks of R1s and R4s. As seen above, there are reports that he complied. These have not reclaimed “in any significant numbers” since 1994. In fact, an ex-MK leader told the NIM (1997, p. 10):

One of the key problems is that lots of weapons were supplied to the SDUs in Natal and when the situation was partially resolved, people would not be disarmed. We had a theory about how to arm the people, but not how to disarm them, and many of these people are now involved in crime using those “struggle” weapons.

Scattered evidence suggests the threat was real. The NIM (1997) heard allegations that MK dissidents hired out their weapons in townships and informal settlements around Durban, charging between R500 and R600 a month. In Gauteng, the young criminal, Bra Stickers, said his brother had been a former combatant with MK, and “he supplied us with all the things we needed” (Segal *et al*, 1999, p. 25). These are rumours, however, and it is difficult to judge how extensive the problem has been.

4.4.2 South African government sources

4.4.2.1 Police

Using available sources, Gould *et al* (2004) concluded that an estimated 16 893 firearms were lost or stolen from the SAPS between 1990 and 2003 (1 300 a year or

108 a month).³⁵ The SAPS provided the circumstances under which police firearms have been lost or stolen for the years 2002/3 and 2003/4³⁶ (See Table 11) that indicate that majority of cases involve robbery, particularly in townships, housebreaking and other forms of theft.

The theft of firearms from police officers became so common, it should be noted, that one company, Recoup, designed a holster with a unique locking system especially for the police. The company's ad in the police magazine *Servamus* (opposite an article on tactical survival) said: "Prevent your pistol from being snatched" (Ad, *Servamus*, July 1998, p. 25).

Several of the Auditor General reports on the SAPS scolded the police for the loss of firearms and reported on problems with record keeping, which at various levels included cases of poor control and improper safekeeping of weapons. For example,

Table 11: Circumstances Where Firearms Lost or Stolen from SAPS, 2003-2004

Circumstances of theft/robbery	Number		Rand value for 2003/4 losses
	2002/3 report	2003/4 report	
Robbed in township	474	401	R551 266
Housebreaking			
Property locked	108	88	122 067
Property not locked	12	6	7 235
Theft at dwelling	45	35	55 981
Theft out of state vehicle	13	10	17 141
Theft out of private vehicle	6	22	23 589
Theft out of office/stores	55	58	547 976
Robbery			
Liquor involved	4	6	8 257
Liquor not involved	--	5	10 529
Collision	9	--	--
Sub-total	726	631	
Circumstances where lost			
During hand over	23	99	280 520
During inspection	104	135	315 565
Lost in bathrooms	7	8	23 602
Lost from person	32	32	46 080
Lost under influence	7	1	3 200
Lost during execution of duties	24	29	32 099
Sub-total	195	304	
TOTAL	921	935	

Source: Gould *et al*, 2004, p. 151; SAPS (2004), p. 54

³⁵ A Democratic Party report found a somewhat different figure of 1 452 firearms reported lost or stolen per year, based on information that 7 261 SAPS firearms had been reported lost or stolen between 1990 and 1999. It found that 950 of these had been lost after residences or police quarters were burgled, 1 438 had been lost out of charge offices during shift changes, 101 had been left behind in toilets and 1 046 lost during visits to discos and shebeens. The report is summarized in Gould *et al*, 2004, p. 151.

³⁶ Figures are also provided in the 2001/2 SAPS Annual Report, but these use slightly different categories, making comparison difficult.

the weapon register was not completed on a regular basis for the issue and the return of weapons. In 2004 the Auditor General reported that even the National Logistics inventory store had not complied with basic policies, procedures and standing instructions. Movements of stock were not captured, and there were material differences between the quantity recorded and the actual physical count at the ammunition store. Stock issued by the ammunition store to police stations remained uncollected for extensive periods, and stock was re-ordered before a needs-analysis had been done, resulting in excess stock (SAPS, 2001/2, 2002/3 and 2003/4).

Police control not only the supplies of weapons that they use, but also weapons that they store in their SAP 13 evidence rooms (also called “stores”). These include:

- weapons that have been confiscated from members of the public and are waiting to be returned to their owners or destroyed, and
- weapons that have been recovered in criminal cases and are being kept as evidence awaiting the completion of investigations or court hearings.

Idasa researchers found that in most of the 14 stations they visited, these firearms were not properly processed. At least 67,6% of them had no instructions on them and so were left abandoned in the evidence rooms. As a result, “Police stations are overflowing with firearms in the SAP 13 stores ... some stations are fast running out of space” (Ndlela *et al*, 2003, pp. 8 – 9). The police, it should be noted, began a far-reaching audit of SAP 13 stores in 2002 to address just this problem. However, for most of the period studied, these guns were available to any corrupt police officer who wanted to place them on the illegal market.

There is a widespread perception in communities across the country that corrupt police officials supply weapons to criminals. Police officers may “lose” their firearms, “with acquiescence” (Gastrow, Interview, 21 January 2005). They may pilfer and sell guns from the SAPS stores. A far more widespread perception is that they may confiscate a weapon from a person on the street and never deliver it to the SAP 13 store, but rather sell it (Disproof Focus Group, 18 February 2005; Cape Town Focus Group, 1 April 2005).

Segal *et al* (1999) were told by a convicted young criminal: “Two policemen gave us the duty we were arrested for. They even gave us the guns to hijack the car. This was

Table 12:
Lost and Stolen SANDF Firearms, 1994 - 2003

1994:	191
1995:	246
1996:	268
1997:	176
1998:	311
1999:	212
2000:	102
2001:	105
2002:	87
2003:	61

(Gould *et al*, 2004)

not the first time. They used to be our main supply channel for guns, and we used to supply them with cars, television sets and hi-fis” (Segal *et al*, 1999, p. 25).

Moreover, periodic reports appear in the press regarding police corruption in this regard. The most famous case may be the conviction of infamous gang leader, Rashied Staggie, of robbing a police armoury outside of Cape Town with the assistance of corrupt police officers (Gastrow, 1999).

The government, however, has shown a serious commitment to rooting out corruption in the police force and stepping up its control over state-owned weapons. This is seen not only in its vigilance in prosecuting corrupt police officers, but also in its inclusion in the in the Firearms Control Act (No. 60 of 2000) and the Firearms Control Regulations strict new provisions on how government departments must record and audit their weapons holdings.

4.4.2.2 SANDF

Far less guns seem to go missing from the military. The SANDF reports that 1 759 firearms were lost or stolen between 1994 and August 2003 (See Table 12). Researchers noted, however, that this might be under-reporting. The SANDF do not provide the detailed reports that the police do on how weapons go missing. The types of military firearms lost or stolen between 1990 and 2003 are recorded on Table 13.

Researchers noted that the highest figure was for 1998. In this year, 220 weapons (including R4 and R5 rifles) were stolen from the Parachute Brigade in Bloemfontein. 123 of these weapons were recovered. Also, Group 8 in East London was closed, and it was found that 258 handguns were missing. Half of these (143) were eventually found, and most were handed to the police by former members of the unit. The year also saw:

- The closure of the Ciskei Defence Force
- The theft from the Group 16 Armoury in Heidelberg
- The theft from Group 36 in Ladybrand
- The theft from the 10 Anti-Aircraft regiment in Kimberley
- Robberies from homes of commando members
- Stock taking difficulties. (Gould *et al*, 2004, p. 159)

The following year, the SANDF lost small arms as a result of stock-taking deficiencies (101), losses during training sessions (17), weapons being stolen from commando homes (43) and commandoes failing to return weapons (49) (Gould *et al*, 2004).

Table 13: Types of Military Small Arms Lost or Stolen, 1994 - 2003

Type	Quantity lost	Quantity found	Total
Handguns (pistols and revolvers)	597	121	476
Rifles	1 747	632	1 115
Other	76	35	41
Unknown	127		127
Source: Gould <i>et al</i> , 2004, p. 161			

There remains a public perception of possible corruption amongst SANDF members (Klerksdorp Focus Group, 19 February 2005), so it is critical that the SANDF report fully and regularly on any weapons lost from its stores or by its members.

4.5 Civilian firearms

The theft and loss of state-owned arms, however, fades in comparison with the number of civilian guns reported lost or stolen between 1994 and 2003, which came to 208 090 (Gould *et al*, 2004). This supports the proposition set out in the *Small Arms Survey 2004* (p. 44) that “the gradual loss of weapons from negligence and theft may be an even more serious problem” than the mismanagement of government stockpiles.

Statistics show that between 1995 and July 2003 on average 66 firearms were reported lost or stolen in South Africa each day (See Table 14).³⁷ This is the *reported* figure, not the *actual* figure, and so is likely to be an under-estimate. Moreover, only a proportion of these weapons (on average 63%) are recovered. The remainder, very likely, flow into the illegal pool. Sup. Brandt of the SAPS Illegal Firearms Unit estimated that 70% of all illegal guns in South Africa began as licenced firearms (Hennop, 2000).

Antony Altbeker (2000) perused over 1 100 police docketts in 2000 to identify the circumstances under which civilian firearms are lost or stolen. He found that this happened in a wide range of situations, but there were certain predominant patterns:

- More guns were stolen than lost.
- More guns were stolen in face to face robberies than through thefts.
- Most of these robberies occurred in townships or inner city areas.

Table 14: Stolen, Lost and Recovered Firearms, 1995 - 2003

Year	Firearms Stolen	Firearms Lost	Total – Lost & Stolen	Recovered Firearms & %
1995	14 011	1 034	15 045 (41 per day)	9 834 65%
1996	17 079	1 541	18 620 (51 per day)	11 185 60%
1997	24 792	4 217	29 009 (79 per day)	10 750 37%
1998	22 859	6 373	29 232 (80 per day)	11 971 41%
1999	23 400	91	23 491 (64 per day)	12 231 52%
2000	22 862	68	22 930 (63 per day)	14 773 64%
2001	22 871	57	22 928 (63 per day)	18 311 80%
2002	25 047	85	25 132 (69 per day)	22 509 90%
2003 31/07/03	11 968	83	12 051 (57 per day)	13 468 60%
Total	184 889	13 549	198 438 (66 per day)	125 032 63%

Source: Gun Free South Africa, 2003

³⁷ There are slight discrepancies between the figures given in Gould, *et al*, 2004, and Gun Free South Africa, 2003, which need to be accounted for, but both give overall the same picture.

- The most common method of robbery was street muggings.
- Muggings often involved a gun owner on his or her own being attacked by a group of criminals – this would make it difficult for victims to defend themselves.
- Very often, the attackers are not armed

Most of the weapons were handguns and in most cases, nothing else was stolen.

Focus groups commonly spoke about people who carry weapons being disarmed, particularly through “pavement robberies.” Although individuals carry handguns because they can be concealed, it seems that people can be trained to identify when a person is carrying a gun – based on their deportment, their body language and their actions (Cape Town Focus Group, 1 April 2005). It becomes very easy, then, for the motivated criminal to pick easy targets. Informants in Cape Town spoke of burglary rings where young children are tasked with breaking into houses in affluent suburbs to look particularly for guns. They will steal anything: money, jewellery or equipment; but they prioritise guns (I. Kinnes, Interview, 28 January 2005. G. Wasser, Interview, 25 January 2005, P Gastrow, Interview, 21 January 2005). This may be peculiar to Cape Town, however. Ben Coetzee reported that communities in the north don’t really see this kind of activity (B. Coetzee, Interview, 15 February 2005), although guns may be frequently lost or stolen from homes, particularly when they have been improperly stored (Klerksdorp Focus Group, 19 February 2005).

Still, the loss of licenced firearms is far more common than many gun owning bodies publicly admit. One letter to *Man Magnum* reported a notice in a supermarket offering a R1000 reward for the return of a lost revolver. “One hears about stolen firearms,” the letter writer said, “on an almost daily basis, but this is the first time I have come across someone who readily admits to losing a firearm.” The impact of this kind of action of omission, he noted, was incalculable for the shooting community. He heard a passer-by say, “They can’t have them stolen fast enough, so now they have taken to throwing them away” (D. Farwell, letter, *Man Magnum*, June 1993, p. 10).

4.6 Access to illegal arms

Dizzy, a young criminal, told researchers that “It is easy to find guns in the township. You can find them from disarming a policeman, buy it or find it during a robbery or hijacking” (Segal *et al* 1999, p. 25).

Focus groups across the country said that, over and above stealing a gun, illegal guns can be purchased from local sources, and this is easy to do. From whom, however, seems to depend very much on local circumstances. It is notable, however, that in Kwazulu/Natal, one local source alleged that young criminals do not have to go anywhere. Guns are available from local arms caches (Anonymous, Interview). Elsewhere, there are various outlets. In at least some townships in and around Cape Town and Johannesburg, there are illegal gun dealers (Vines, 1998, p. 204). In Cape Town, at least, this is a very risky business, given the predatory nature of local criminals, so an illegal gun dealer needs to have a particularly ruthless reputation (Irwin Kinnes, Interview, 28 February 2005).

In other areas, illegal weapons can be accessed through neighbourhood gangsters, local drug dealers, or in many areas, it seems, through the hostels. In a famous case in

Cape Town, a youth purchased an illegal firearm on a taxi. Moreover, Cape Town informants spoke of accessing illegal guns through shebeens (informal taverns), which seem to serve as pawn shops for thirsty criminals (Cape Town Focus Group, 1 April 2005). This is over and above weapons which might be procured from corrupt officials. So, it seems, it is relatively easy to access an illegal gun, if a person has the determination to do so and some knowledge of local illicit networks.

It is possible that illegal firearms are popular with otherwise law abiding citizens for a number of reasons. The most important could be the cost factor. Illegal guns are reportedly cheaper than even the cheapest legal imports. An informant in Cape Town noted that ordinary people who wanted guns for self defence in her area could not afford a legal gun and so purchased illegal guns instead (Cape Town Focus Group, 1 April 2005). This was confirmed by a youth in the rural village of Mapela, who once bought an illegal gun for R70 (he subsequently got rid of it). He noted that the price was a definite factor in his decision (Mapela Focus Group, 8 April 2005).

It is possible to propose, then, that very low cost, illegal guns might be competing successfully with even the cheapest international imports. In an odd sort of way, this would support Naylor's argument that it is now accumulated stock rather than annual new flow which is shaping the market.

5 The Impact

5.1 The prevalence of gun violence

5.1.1 Guns in crime – the police statistics

Although the overall crime rate seems to have dropped in 1994, as early as 1995, SAPS sources reported that “The availability and alarming rise in the theft of firearms and firearms reported lost, exacerbate the incidence of violent crime” (quoted in Gould *et al*, 2004, p. 134). From 1995 onwards, the number of violent crimes linked to guns began to climb.

The trend was first seen in the activities of organised criminal groups involved in car and truck hijackings and in bank and security van cash heists. The efficacy of firearms in these activities was plain. Buys, who studied numerous cases of truck hijacking compiled this profile of the crime:

The perpetrators ... are usually ... men operating in groups of two to four members. These groups will usually threaten the driver with a firearm or pretend to be a traffic or police official and threaten the driver with a firearm or will use firearms and vehicles to force the truck with freight to stop.

He noted that in contrast to some car hijackings, this rarely resulted in death or injury.

Table 15: Firearm Related Crime Trends: Aggravated Robbery, Car and Truck Hijacking, 1994 – 2004

	Aggravated robbery			Car hijacking			Truck hijackings ³⁸		
	Number	Rate *	Change	Number	Rate*	Change	Number	Rate*	Change
1994/5	84 785	218.5		--	--	--	--	--	--
1995/6	77 167	195.0	-9.0%	--	--	--	--	--	--
1996/7	66 163	163.0	-14.3%	12 912	31.8	--	3 732	9.2	--
1997/8	73 053	177.5	+10.4%	13 052	31.7	+1.1%	4 657	11.3	+24.8%
1998/9	92 630	220.6	+26.8%	15 773	37.6	+20.8%	6 134	14.6	-31.7%
1999/2000	98 813	229.5	+6.7%	15 172	35.2	-3.8%	5 088	11.8	-17.1%
2000/1	113 716	260.3	+15.1%	14 930	34.2	-1.6%	4 548	10.4	-10.6%
2001/2	116 736	260.5	+2.7%	15 846	35.4	+6.1%	3 333	7.4	-26.7%
2002/3	126 905	279.2	+8.7%	14 691	32.3	-7.3%	986	2.2	-70.4%
2003/4	133 658	288.1	5.3%	13 793	29.7	-6.1%	901	1.9	-8.6%

*Rate per 100 000 people
Source: “Crime Statistics, per category” www.saps.gov.za

³⁸ These figures differ markedly from those given earlier in Schonteich and Louw, 1999, which may relate to how a truck was defined.

“The mere threatening of the driver/assistant with a firearm is [sic] sufficient to get control of the truck” (Buys, 2003).

The violence involved in car hijackings impacted deeply on the public consciousness, leading by 1998 to the growth of a generalized fear of crime and a widely held belief that South Africa was gripped in a crime wave (Schonteich and Louw, 1999).

Yet, by 1997, other types of aggravated robbery – notably armed robbery – were also beginning to increase dramatically. As seen earlier, unlike the earlier organised criminal groupings, this seems to have done primarily by small bands of local youth who got guns and become involved in crime. From 1996 onwards, there were not only more armed robberies, but also an increased prevalence of guns in this crime, climbing from 76% in 1994 to 79% in 1998 (Hennop, Potgieter and Jefferson, 2001). Schonteich (2000) commented on a national victims survey by noting how striking it was that so many “South African victims of violent crime are ...likely to be attacked or threatened with a weapon.”

Aggravated robberies had a distinct pattern in South Africa because they continued to grow in number long after other types of crime stabilised or even declined, particularly after 2000. The SAPS reported in 1995 that the easy and growing availability of guns played a significant part in facilitating this trend.

The efficacy of guns in crimes like armed robbery poses one of the great anomalies. Because firearms are so lethal, victims almost universally comply. As a result, few if any perpetrators are physically injured.³⁹ Thus, fewer victims seem to be injured in armed robberies than in “common” robberies that do not involve guns. Hennop, Potgieter and Jefferson (2001) found that while 32% of victims of common robberies were injured during the crime, only 17% of the victims of armed robberies were - and most of these were minor injuries. Still, it would seem that the sheer number of gun-related crimes means that there are a large number of gunshot injuries. Moreover, even when a victim is not physically injured, the psychological trauma suffered by survivors of gun violence is very often profound.

Guns also came to play an increasing role in murder. Although the overall number of murders decreased between 1994 and 2000,⁴⁰ the use of guns in murder rose, from use

Table 16: Gun-related Murders, 1994 - 2000

	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	
Total murders	26 832	26 637	25 782	24 588	24 875	23 868	21 683	21 180	21 738	20 456	237 639
Firearm related murders	11 189	10 735	10 571	11 163	12 263	11 816	9 064	9 192	9 695	8 632	104 320
% of Total	41,7%	40,3%	41%	45,4%	49,3%	49,7%	41,8%	43,4%	44,6%	42,2%	43,9%

Source: SAPS Central Firearm Register

³⁹ Even when the victim is carrying a gun, for the holder is often disarmed. See Altbeker, 1999.

⁴⁰ South Africa saw a huge increase in the level of violence between 1970 and 2000. The 1970 UN Demographic Yearbook reported that in 1970, the homicide rate amongst white South Africans was 3.4/100,000 and amongst the African population was 27.9/100,000. This was the third highest rate reported by the United Nations, following Equatorial Guinea (which was then at war) and Nicaragua. (Clinart and Abbot, 1973). In 1997, the UN Commission on Crime Prevention and Criminal Justice did a survey of 46 nations and found that South Africa had the second highest rate of gun-related homicide in the world, at 26.63/100,000 (Gould and Lamb, et al 2004, p. 19).

in 41.7% of all murders in 1994 to 49.7% in 1999. From 2000, however, it dropped again, approaching its 1994 level (See Table 16).

5.1.2 Guns in murder – the public health evidence

The Medical Research Council (MRC) has built a solid picture of the role of guns in murder over the five years that it has conducted the National Injury Mortality Surveillance System (NIMSS). This uses mortuary records to record, tabulate and analyse “non-natural deaths”, or deaths due to accident or injury. The MRC estimates that there are 65 000 to 80 000 non-natural deaths annually in South Africa, making up between 12% and 15% of the half a million deaths that take place in the country each year (Matzopoulos, 2002; Matzopoulos, 2003, MRC Press release).⁴¹

The surveys have found that year in and year out firearm-related homicide makes up about 28% of all deaths due to accident or injury. Gunshot wounds are the most common cause of non-natural death in South Africa, out-numbering for example all forms of motor vehicle and pedestrian accidents combined.

The MRC found that gun-related homicide is highly gendered. In fact, homicide, itself, is highly gendered, with between 80% and 87% of all victims being men, and 13% to 20% women. This means there are between 6,5 to 7 men killed for every woman. Moreover, guns are used in

- About 53% of the murders with male victims (so that 30% of the all men who die as a result of accidents or injury are killed in gun-related murders)
- About 40% of murders with female victims (so that about 15% of all the women who die as a result of accidents or injury are killed in gun-related murders).

Age is also a risk factor. Year in and year out, the number of gun-related deaths becomes significant in the 10 to 14 year old age category and rises sharply in the 15 to 35 year old age categories. Gun violence remains the most common cause of death due to accident or injury until the age of 54 (Butchart and Emmet, 2000). The 2000 NIMSS report noted that the 25-29 year old age category, alone, accounted for one-fifth of all gun-related deaths that year (Matzopoulos, 2001).

The highest gun-related homicide rate occurs with Africans and Coloureds. So when we speak of homicide victims, we are most commonly referring to young, black men. The place of death also shows gender differences. For men, the most common site for homicides is in private homes or yards (27,6% to 34,9%) and the second most common is in the road (23% to 29%). A far larger proportion of women are killed in private homes or yards (42,2% to 54,6%) and a far lower proportion in the road (12,6% to 14,8%).

Other studies shed light on these statistics. As seen above, the SAPS reported in 2003 and 2004 that gun-related murders result not only from criminal activities but also from “social fabric” crimes. Over half of all murders begin with arguments between

⁴¹ This is much higher than the global average. In 1990, violence accounted for an estimated 4.1% of the total disease burden globally, although projections were that it would rise to 7.1% by 2020 (Butchart and Emmet, 2000).

people who know each other, that escalate into assault and then into murder (See pages 15 - 16 above). Many of these murders take place in the home.

Looking at women, another MRC study found that South Africa also has the highest recorded rate of intimate partner femicide in the world, leading to the murder of a woman every six hours. Legal guns are used in over 20% of these cases, and illegal guns in an additional 7%, meaning that firearms account for over a quarter of these deaths. In fact, the proportion may be greater. In many cases where an illegal gun might have been involved, the weapon disappeared, forcing the police to declare the case “undetected”, with the perpetrator “unknown” (S. Matthews, Interview, 25 January 2005). Lisa Vetton reported that the use of guns in intimate partner murders rose in real terms by 78% between 1990 and 1998 (Vetton, Ngwane and Isserow, 2003).

5.1.3 Gun-related injuries

Pilot studies have only begun to map out the incidence of gun-related injuries in South Africa. Scattered reports from hospital authorities, however, suggest that the number of gun-related injuries coming into South African trauma wards is very high (Keegan, 2004).

5.2 “Stockpile lethality”

The *Small Arms Survey 2004* (2004) found that different countries with the same rate of gun ownership can experience very different rates of gun-related homicide. They call this ratio stockpile lethality. Comparing the stockpile lethality of different countries, the *Survey* (p. 53) found that “some guns are more dangerous than others”. Although the *Survey* was silent as to why, its conclusions raise critical questions about the interface between gun ownership, underlying patterns of violence and gun violence.

The *Survey* (p. 53) cites South Africa as one of the “extremes” – with 302 gun-related homicides carried out for every 100 000 guns held (as opposed to, for example, the United States, where there are between 3,76 and 4,2 homicides per 100 000 guns). It is important to ask:

- Why is South Africa’s gun-related murder rate so high?
- How does gun use interface with underlying patterns of violence in South Africa?

5.2.1 Poverty and economic inequality

Two of the great motivating factors for crime in South Africa are poverty and the extremely high rate of economic inequality. According to Dawes (2003ii), South Africa experiences a 30% unemployment rate, and 45% of the population lives in poverty. Dawes argues (2003ii, n.p.) that this means that “there are significant numbers of desperately poor young people with nothing to do, who could take up violent crime or join gangs in order to survive.” At the same time, there is radical inequality, with a Gini co-efficient of 0.635. Dawes argues that this produces marked feelings of deprivation and hostility in the poorest youth, who do not have ordinary methods of providing for their own and their family’s needs.

Poverty, the World Health Organisation has reported, is *de facto* a risk factor in violence, world-wide.

Although it is widely accepted today that there is no single direct relationship between poverty and violence, a close association does indeed exist between inequity and violence. It is not that poor people are intrinsically more violent than other members of society, but rather, that the inequities they suffer, combined with the disempowerment, fear, insecurity, frustration, and depression these cause, are contributing factors to violent behaviour (Quoted in Emmett, Butchart, Saayman and Lekoba, 2000, p. 230).

It shapes South African crime patterns. Crime statistics and victim surveys show that residents of advantaged “leafy suburbs” tend to suffer far lower rates of crime, and then commonly economic crimes such as housebreaking or car theft, than residents of poor townships or informal settlements, who suffer not only far higher crime rates, but also higher rates of violent crime, like rape, assault, and murder (Louw and Shaw, 1997). As one member of the Pretoria Focus Group (18 February 2005) put it, “Poverty has broken down the rules.”

5.2.2 Violence, patriarchy and concepts of discipline and abuse

The cultural and social factors that cause and maintain interpersonal violence are complex, and their influence varies from person to person and as each person progresses from childhood, through adolescence, to adulthood. In order to understand how these forces play out, however, Andy Dawes (2003ii) argues that we can see them in terms of four systems:

- The behavioural systems of the individual.
- The individual’s close interpersonal systems, like the family, which supply codes of practice for discipline and problem-solving and attitudes towards violent behaviour
- The person’s primary settings outside of the family – e.g. the neighbourhood, the school and the peer group – in which styles of conflict management are learned and practiced
- Macro-societal systems, that provide “cultural scripts” for the use of violence

Detailed studies on the nature, operation and interaction of these systems is provided elsewhere (See for example, Dawes, 2003i, Dawes, 2003ii; Butchart and Emmet, 2000; van der Merwe, 2001; Masuku, 2004). This discussion simply seeks to highlight how these factors affect patterns of gun violence and what the impact has been on people living in South African communities.

According to Rachel Jewkes, the most important ‘cultural script’ bearing on the patterns of violence that we see in South Africa is patriarchy. This cultural value identifies men as authority figures and the father as the legitimate authority within a family, with rights to inflict physical punishment as discipline: for example if a wife has not cooked a meal or if she has not obeyed him.⁴² This differs according to culture, Jewkes argues, and seems to be particularly entrenched in South Africa’s rural areas. However, patriarchal values are held in urban and rural settings, in wealthy and poor families, and across cultural boundaries.

⁴² This is explored in Rassool, *et al* (2001)

Patriarchy, Jewkes argues, is “tremendously normative”. Women grow up believing that their fathers have the right to control their actions. “When a woman gets partnered, the boyfriend takes on the role of the parent, as a person who has the right to control her” (Jewkes, Interview, 15 February 2005).

Next, although

The acceptability of violence is highly contested in South Africa and many of the country’s laws have criminalized the use of violence including intimate partner violence and corporal punishment in schools. Nonetheless, the widespread use of violence in many different circumstances suggests that it is normative and generally accepted, if not condoned (Abrahams, 2005, n.p.).

Thus, although South Africa has a remarkably diverse community and family landscape, analysts agree that there is a widespread (but not universal) acceptance of violence as intrinsic to human relationships. This also crosses racial, ethnic, gender and age boundaries (Cock, 2000). It involves the acceptance of violence as a legitimate and in certain contexts necessary means of social control and of resolving conflict and disputes, especially among men.

The tolerance of violence shapes relationships between many men and women. “Physical violence is a prominent feature of sexual relationships from the start of dating during the teenage years.” This sees a tragic continuum, from “slapping, ‘persuading’ a woman to have sex, threatening to beat, hitting with sticks or other objects, pushing, assaulting with fists, violent rape, stabbing with a knife or shooting” (Jewkes, Levin and Penn-Kekana, 2002, p. 1604). Moreover, “within certain boundaries of severity”, society is tolerant of physical violence and sees it as a natural part of a relationship (Jewkes, Levin and Penn-Kekana, 2002, p. 1605).

This impacts on domestic violence. A 1999 study of women in three provinces, for example, found that one in ten women surveyed had experienced physical violence or had been threatened with a weapon in the twelve months leading up to the survey. Of relevance to this study, researchers found that guns figured regularly in the domestic violence that the surveyed women experienced, at a rate of 74/100 000 – or ten times the reported incidence in the United States (Jewkes and Abrahams, 2000).

Attitudes towards violence shape relationships within families. Dawes *et al* (2004) surveyed 2497 men and women from all the provinces and found that 57% of parents with children under 18 used corporal punishment, and 33% used severe corporal punishment (beating with a belt or stick). Twenty per cent of the sample with partners had experienced violent assault, either as a perpetrator, a victim, or both in the lifetime of their relationship with that particular person; 12.5% in the past year. This, researchers felt, reflected very high rates of partner violence, especially in poor communities. Moreover, participants who experienced high levels of partner violence were also more likely to agree with the physical disciplining of children (Dawes *et al* 2004).⁴³

⁴³ It is interesting to note of those who reported smacking their children in the past year, 70% were women and 30% were men. Fewer younger parents used corporal punishment than older. Also, there were cultural differences. They found that Indian and Asian parents, for example, were the least likely

This also seems to be highly normative. A survey of over 1300 male municipal workers in Cape Town, for example, found a strong correlation between witnessing violence against a mother in childhood and perpetration of domestic violence, fighting in the community and gun abuse in adulthood (Abrahams, 2005). People who grow up in a household that regularly engages in violence can perceive it as natural in relationships and repeat it when they mature and start their own family. The issue for many South Africans, then, may not be whether physical violence should be used, but at what point physical violence (or emotional, or economic, for that matter) becomes abuse.⁴⁴

The acceptance of violence also shapes relationships outside of families. Jewkes, Levin and Penn-Kekana report that many people also accept physical violence as a “first line strategy for resolving conflict and gaining ascendancy.” “In poorer communities,” Irwin Kinnes comments, “you don’t need physical strength. It’s all about attitude.” (I Kinnes, Interview, 28 January 2005). This is particularly linked to certain male identities, where “men want to prove to other men, ‘I’m the big boy here’” (D. Khoza, Interview, 17 February 2005).

“All forms of interpersonal violence” Jewkes *et al* report, “are very common”. Violence is used in disputes between neighbours, between male and female peers, between nurses and their patients or their patients’ relatives and between fellow workers (Jewkes, Levin and Penn-Kekana, 2002, p. 1604).

A corollary is the perception on the part of at least some that a gun is necessary and acceptable to use in conflict situations (A. Dawes, Interview, 28 April 2005). Youth at Zimeseleni told Clacherty and Kistner (2001, p. 13):

- “Sometimes it ends up that we are angry with a person. We end up buying a gun to solve the problem.”
- “Sometimes you find that you don’t have the power to beat the person who is always after you, you end up buying a gun so that you can have the power. People will listen to you and be scared of you.”

According to Val Smith “Some people feel it is the only way to stop a conflict. It’s an eye for an eye situation.” (V. Smith and N. Chilize, Interview, 23 February 2005).

to use either form of corporal punishment (smacking or beating), while greater proportions of African and white families beat their children with a belt than other groups (Dawes *et al*, 2004).

⁴⁴ Harris (1999) for example attempted to initiate a study on domestic violence in the Eastern Cape, but found that very few women in fact interpreted the violence they experienced as abuse, and the local police and community structures suggested that “intimate violence was too ‘normal’ to even warrant discussion”. A key task for her, then, was to determine when physical violence became abuse: when “beating” for example, became “battering” (Harris, 1999; quote from p. 11).

It must be stated, however, that the Heideveld and Cape Town focus groups consisting primarily of Coloured women contested this view. Shanaaz Matthews reported that these women suffer twice the national rate of domestic violence and twice as many of them are likely to be killed than the national average for women. (S. Matthews, interview) However, both focus groups disputed that men have the right to discipline women, unless women have the right to discipline men in return. Rather, they said, people accepted violence because that is how they were raised. If a woman was beaten, they said, she said, “This is my cross to bear.” “If they go to their mother, their mother will say, ‘I bore that cross, now it is your turn.’ In this way, it is seen as part of married life.”

“Guns serve to intensify the aggression and the seriousness of the situation. It is the easiest of solutions. If there’s a gun, they tend to rely on that” (D. Khoza, Interview, 17 February 2005).

Combined, these factors account for why injury is a major cause of death amongst youth and why the majority of injury deaths are due to homicide (Jewkes, Levin and Penn-Kekana, 2002).

It is important to note, however, that public health experts point out that that in general South Africans have a high tolerance of violence, there may be distinct differences between the patterns of male violence against men and male violence against women. There are significant differences between the rate of male-on-male violence in different parts of the country: the largely rural Limpopo province, for example, sees a far lower rate of male homicide than does the largely urban province of Gauteng.. This is very different from the patterns of male-on-female violence. The rate of male-on-female violence is the same whether one is looking at rural or urban settings across the country (S. Matthews, Interview, 25 January 2005; R. Jewkes, Interview, 15 February 2005). This suggests that different factors are at work.

GfSA spoke with ten focus groups in metropolitan, peri-urban and rural settings across the country to find out how this plays out, particularly in high risk communities.

5.2.3 Guns, domestic violence and domestic accidents

One Klerksdorp (19 February 2005) Focus Group member said that “Before, if a husband wanted to discipline a wife, he would slap her. Now he can use a gun.”

This has enormous ramifications for families that experience guns in domestic violence. Family disputes can be highly stressful and lack emotional control, particularly when alcohol is involved. Rachel Jewkes has found that the presence of a gun in this situation is extraordinarily lethal: “Guns enable you to kill people without having thought it through,” as a “blind lashing out,” rather than something that has been fully thought through. In a fit of anger, in a single shot, a person can be killed (R. Jewkes, Interview, 15 February 2005). This confirms Alfred Blumstein’s (2002, p.8) analysis, that “With guns even transitory violent impulses can have lethal consequences.”

Because guns are extremely lethal, they can be extremely intimidating, so that even apparently innocuous activities can be deeply threatening. A participant in the Rietspruit Focus Group (17 February 2004), for example, spoke of a man who took out his gun and cleaned it whenever he was angry.

As a result, the presence of a gun can make the experience of domestic violence particularly disempowering. It skews power relationships between partners even further, because of the threat it poses not only to the partner’s life but also to the lives of children or other family members. “When there is a gun in the house, its simple presence can make a person feel frightened: her life is at risk. This silences any opposition and completely silences the woman” (G. Wasser, Interview, 25 January 2005).

A participant in the Cape Town Focus Group (1 April 2005) was herself a victim of domestic violence, where her husband repeatedly threatened her with a gun. Although her husband had assaulted her before, "After he got the gun, he had more power, because he knew I was scared." If they were arguing, "I would stop, because I knew what he was doing to do next." She tolerated the violence, she said, because she felt she was loud and opinionated and so thought it was her fault. However, she also feared that if she fled to her relations, he would follow and turn his gun not only on her but also on her family.

The children witnessed the violence, she reported, but she was so deeply traumatised that she could not help them. At one point she even considered committing suicide and killing her children as well. Her children carry the psychological scars, she says, and today her son is a drug user. When she finally left her husband and served him the divorce papers, he spit in her face, pulled her head back by the hair and shoved a gun in her mouth, saying, "I'm going to kill you". Only the intervention of his parents stopped him.

Vusi Khoza, a social worker with Sinani in Durban and who works with victims of domestic violence, argues that it is often the case that people surrounding the woman support her violent partner, telling her to stay, to avoid the stigma of separation and divorce. At the same time, over a period of time, the perpetrator can lower the woman's self esteem and convince others that the violence is her fault. One of Khoza's clients stayed in a violent relationship for eight years, until her husband threatened to shoot her (V. Khoza, Interview, 22 February 2005).

It is not only parents who use guns in domestic violence. The Diepkloof Focus Group (18 February 2005) spoke of incidents where youth got firearms and assaulted or actually killed their parents. They reported that in Kagiso in early 2004, a young woman who was deeply in debt shot her mother for refusing to give her money. The daughter then took the family car and sold it.

Mohammed Seedat noted that half of all murders happen in the home, although the figure is far higher with women (M. Seedat and B. Bowman, Interview, 14 February 2005). Such deaths, however, involve not only violence, but also tragic accidents.

One of the participants in the Cape Town Focus Group (1 April 2005) was a pastor's wife who once lived with her husband in Johannesburg. She recalls being called out to the home of a congregant where there had been a shooting accident: a young woman, a member of the police, had accidentally shot and killed her sister with her service weapon. The informant was the first to arrive and was deeply traumatized by what she saw at the scene. She continues to have flashbacks of the day. The surviving sister "almost went off her head." She was booked off work and struggled for months before she could cope and rejoin normal society (Cape Town Focus Group, 1 April 2005). This kind of incident results in profound trauma and bereavement.

Unfortunately, this kind of shooting not only involves adults, but also children. About 800 children a year were shot and killed each year between 1997 and 2001. Dr. van As (2003), who heads the Trauma Unit at the Red Cross Children's Hospital in Cape Town, tracked the cases of gun injuries that were seen in his ward over ten years. He found that children were most frequently shot in their homes or in their yards. Second

in frequency were children who were shot in the road or a public place. A smaller number were shot in another person's house or yard, and even a smaller number were shot at a school or a sports field. Upon reflection, he said it seemed that children are most at risk at home, in their yard or on the street where they play. Thus, places that should be safe for children to grow and learn are often places of great danger.

5.2.4 Gun violence 'on the streets'

5.2.4.1 Youth at risk

Other factors are at work, translating this potential for violence within families into the perpetration of violence on the streets.

One interesting discovery in the focus group discussions was a widespread view that the growth in the number of young criminals relates not only to poverty and unemployment, but also to the introduction of a human rights culture. The Diepkloof Focus Group (18 February 2005) said that once human rights were introduced, a parent could no longer punish his child, for fear the child would report him to the police. The Pretoria Focus Group (18 February 2005) added that in the past, a young person would not even smoke in front of an adult, because this would have been disrespectful. Today, if a child is scolded, they say to the adult, "You are not my brother. You are not my mother. Leave me alone". Because young people refuse to acknowledge what is right and wrong, one participant said, youth get involved in crime as young as thirteen or fourteen years old.

Indeed, there seems to be an ideological disjuncture occurring, that may be breaking down historic social controls that previously operated to contain violence. Dorothy Khoza from the Centre for the Study of Violence and Reconciliation (CSVR) noted that a young girl may regularly witness her father using violence against her mother and is told that this is acceptable, because a woman must respect her husband. However, she hears different messages in the schools and in the media: girls have the same rights as boys, and domestic violence is unacceptable. "Young girls tend to be confused: what's happening in their families and the messages they hear from society are two different things." As a result, "They find themselves at a crossroads, not knowing what to do" (D. Khoza, Interview, 17 February 2005).

Similarly, in the peri-urban areas of Kwazulu/Natal, youth are caught between traditional Zulu customs and the global media culture. Vusi Khoza says they get lost in-between. "They feel, 'I don't belong in a rural culture or an urban culture.'" "Youth," he noted, "are busy trying to find themselves in a society that is changing rapidly" (V. Khoza, Interview, 22 February 2005).

However, studies on youth at risk propose that a variety of other factors are also at work. In a 1992 study on youth in Atlantis, Richardson noted that adolescence, in particular, is a difficult period of life, in the transition from childhood to adulthood and is universally accompanied by doubts, depression, inner conflicts and fears. As a result, adolescent behaviour is often characterized by hostility, compulsiveness, and maladjustment. Although social processes and cultural symbols and processes differ from one community to the next, overall, youth need familial and social structures and institutions in tact and cohesive to contain anti-social behaviour and to facilitate their passage to adulthood. In many developing countries, however, and particularly in the

early years of the South African democracy – in the wake of the structured racial segregation, labour migrancy, forced removals, extreme inequality, and for the majority, great poverty – these support structures are often not available (Richardson, 1994).

Mampele Ramphele argued that apartheid resulted in wide-ranging social disintegration, evidenced in high levels of family break-down, substance abuse, crime, corruption and violence. This was particularly prominent in the poorest, urban communities, where families adopted any number of strategies simply to survive. Patti Henderson worked with Ramphele in the very poor, informal settlement of New Crossroads in Cape Town in the early 1990s and found that, “Adults as well as children are involved in endless patterns of dispersion, realignment, disappearance, survival strategies, and the intermittent taking on and abandonment of responsibilities for others” (Henderson, 1996).

From its very earliest days, the new government has intervened to stabilize and uplift South African families – by working to provide permanent housing, to meet people’s basic needs for water, sanitation, and electricity and to provide access to basic services like health care and education and by attempting to shore up single headed households which face particular poverty. It has made remarkable progress in this work over the past decade; however, deep poverty and concomitant family instability remain.

Amanda Dissel of the CSVR works with youth in prison in Gauteng and finds that fragile family structures are a critical factor pushing children out of the family home to engage in crime. The most common scenario for youth at risk, she notes, is where a young person grows up in very compromising circumstances and lacks a positive adult role model. Numerous factors are at work, pushing a child towards a life of crime. At a social level, there may be poverty, unemployment, deprivation and exposure to violence. At a community level, there may be a lack of sports or recreational facilities and poor educational opportunities.

Most critically, however, at a family level, there is a lack of support (and even intense conflict), and this leads a youth to develop a very poor self-concept. The family structure may be weak – a broken home, absent parents, or the presence of an unsympathetic step parent (the latter, Dissel notes, is very prevalent) - or parents may be unable to support the child because of drug use, alcoholism or depression. A child who turns to crime also often suffers from abuse, and often there’s “lots of poverty”: a lack of food, money for clothing or money for food. In these cases, a child without an alternative, positive role-model may develop a particular kind of identity that leads him or her to take up risk behaviours and ultimately turn to violent crime (A. Dissel, Interview, 17 February 2005; See also, Segal *et al*, 1999).

Easy access to a gun, she argues, does not in itself incite a youth to do crime. However, guns “do escalate the extent of crime and the types of crime that youth get involved in. They also play a role in social relationships, notably revenge killings” (A.Dissel, Interview, 17 February 2005).

Vusi Khoza reported that similar factors were at work in the emergence of a group of young criminals in Umlazi, south of Durban, who call themselves *izintandane*, or

“orphans”. These youth see themselves as a lost generation which has been abandoned by their parents. Indeed, many of the parents are involved in the migrant labour system and so leave the home, and are otherwise taken up with their own struggle to cope with unemployment, poverty and HIV/AIDS (V Khoza, 22 February 2005).

5.2.5 Exposure to gun violence

Criminals re-define community spaces, using their own considerations like crime opportunities or, during times of conflict with other criminal groups, military logistics. They commandeer space for their own purposes. In so doing, they often focus on public spaces – taxi ranks, public streets, shopping centres, public parks or schools - which other members of the community use during their common, day-to-day activities. This puts community members at risk. Where the criminals are armed, this puts members of the community at even greater risk.

5.2.5.1 The suspension of normality

Participants in focus groups spoke of a wide range of incidents where they encountered gun violence: each unique, each reflecting the particular conditions in which they live. However, their experiences shared underlying commonalities.

There was more or less consensus that in most cases when a person owns a gun, they change. This can be seen in the way the gun owner deports himself. He also can become more aggressive (D. Khoza, Interview, 17 February 2005), less ready to cooperate or compromise and far more ready to take risks: “Having a gun, you feel like no one can do anything to you.”

The presence of the gun alters the basic power relationship between the gun holder and a person he encounters. Young people outside Klerksdorp complained that after a youth buys a gun, others think: “if you say anything, they will shoot you” (Klerksdorp Focus Group, 19 February 2005). When a person threatens another person with a gun, it suspends norms and accepted boundaries. An armed criminal’s attitude can become: “I did that. There’s nothing you can do about it.” This may involve a matter of great consequence, like a sexual assault or a hijacking, but it can also involve trivial intimidation – with the same traumatic effect. One participant in the Cape Town Focus Group (1 April 2005), for example, told how a local gangster forced her family at gun point to let him into their house to watch a soccer match on television. It was a small incident, but it traumatized her family.

Gun usage also allows criminals to suspend normal property relations. A participant in the Pretoria Focus Group (20 February 2005) said: “They say, “I don’t want to talk twice. Just bring that handbag to me.’ It’s like saying, it doesn’t belong to you. It belongs to me.”

5.2.5.2 Direct traumatisation and projected fear

Any attack or assault can lead to feelings of trauma, but an attack at gunpoint may be particularly disempowering. “The attacker can threaten your life without coming close to you” (Cape Town Focus Group, 1 April 2004). The sheer lethality of the gun leaves the victim few options, other than to comply.

This was raised by various members of the focus groups. One youth described how after drinking at a tavern, a friend pulled a gun on him and demanded that he grovel before him and apologize for something that he did not do. Even as he related the story, he expressed great shame and anger about the event (Klerksdorp Focus Group, 19 February 2005).

Although this kind of direct threat can be deeply traumatizing, guns also have the ability to “project fear”. Firearms can kill at a distance and stray bullets may find accidental victims. As a result, a gun-related incident may traumatize large numbers of passers by who witness a shooting, even at a distance (Cook and Ludwig, 2002). The Heideveld and Cape Town focus groups (18 March 2005; 1 April 2005) spoke of this in-depth. During conflicts between gang members in their communities, armed youth run up and down the streets shooting. Adults stand the gates, call the children into the houses and close the door, while still children outside are trained to “stop and drop”, to get out of the way of possible bullets. This deeply traumatizes parents and children alike (I. Kinnes, Interview, 28 February 2005).

One young mother even spoke of bullets going through her kitchen window as she stood at the kitchen sink. For a long period she feared venturing back into the room (Cape Town, 1 April 2004).

5.2.5.3 Bereavement, loss, and the threat to life

Bereavement may be the deepest form of suffering of all, especially when the victim is the individual’s child.

There was wide agreement that once a youth becomes involved in crime, his or her life span is likely to be short. Dorothy Khoza said that in her experience in Soweto, young criminals tended to live “two years, three years, maybe five” and usually never long enough to graduate into organized crime (Interview, D. Khoza, 17 February 2005). Such youth, according to the Rietspruit Focus Group, come to be seen as “just visiting” (Rietspruit Focus Group 17 February 2005).

This seems to get absorbed in the identity of young criminals. Researchers found that the *amagent* identity in Gauteng, for example, centred on guns, violence and death. One slogan heard was “Together we live, together we die. Blood in; blood out” (Segal *et al*, 1999, p. 25).

The impact can be devastating. Gaynor Wasser, for example, told of a group of about twenty youth between the ages of 14 and 23 who started a gang called the Cat Pounds in Heideveld (Cape Town) in 1999. Within two years, almost all of them had been shot dead in gang violence, and the rest were disabled as a result of gunshot wounds (G. Wasser, Interview, 25, January, 2005).

This, coupled with high rates of crime and acquaintance and domestic violence, takes a terrible toll on communities. Bereavement is far more commonplace than one would anticipate. This was seen in focus group discussions, for numerous participants had personally lost family members. Each of them had experienced prolonged and profound grief.

Perhaps the deepest traumatisation, however, occurred in communities in the Natal Midlands, like Richmond, where until 1998 sustained communal violence resembled a “low intensity civil war”. Vusi Zuma, a long time peace worker in the Natal Midlands and a fieldworker for GFSA gave a picture of deep rooted conflict that turned fathers against sons, and, with the influx of political hit men, a seemingly endless series of massacres and revenge killings. At one point, he noted, there were no youth in Richmond, as all had fled. He related an incident where two young girls had witnessed the killing of their father and mother and a friend in their family home; they in fact survived because they were under the bodies of those that had died. Although they have grown to adulthood, neither has recovered from their trauma. Vusi himself knew thirty people who were lost to gun violence; some he knew very well. For him, this past is “very depressing,” “very heavy”. Many people, he noted, could not live with the past and simply left the area (V Zuma, Interview, 24 February 2005).

Young people in all of the focus groups had lost friends or acquaintances to gun-related violence. This seemed to be less traumatizing than the loss of a family member, but it could translate into a generalized fear: “because if someone so close to me dies, it can happen to me. You don’t know who is carrying a gun. You don’t know who could be angry at you on the street corner” (Diepkloof Focus Group, 18 February 2005).

Finally, gun ownership or access to a gun by a family member can, in itself, be a source of deep anxiety. A young girl expressed deep distress about her brother’s access to a gun. In a letter for publication in this report, she wrote:

Guns really destroy the nation, families and schools, and if you have someone in the family who owns a gun it makes you scared, and you fear the person. My younger brother who is only 17 years old was arrested for possession of a gun, and I know he still has access to a gun and together with my cousin are still very angry about his mother’s death. I’m scared I won’t always [be] here to guide them and show them the way.

- T Mohlakoana (Rietspruit, 17 February 2005)

5.2.5.4 Withdrawal

Many of the focus group participants said that they no longer go out, especially at night, as a result of gun violence. This is particularly true of women, who fear sexual as well as criminal violence. Men, however, had varying attitudes, depending on the recent history of the area in which they live: in Rietspruit which had seen a recent upsurge in violence, young men hesitated to venture out; in Diepkloof, young men felt more positive, given the relenting in violent crime since 2000; in Umlazi (Kwazulu/Natal), young men felt very positive, given the lifting of political violence which for so long gripped the community, even though the crime rate there is high (Rietspruit, Focus Group, 17 February 2005; Diepkloof Focus Group, 18 February 2005; Umlazi Focus Group, 25 February 2005).

Emmett *et al* (2000) surveyed the strategies that different communities in Gauteng use to protect themselves from crime and violence. They found that in the informal settlements “avoidance” or “social isolation”, especially at night, was a commonplace tactic. This stood in marked contrast to wealthy suburbs in Midrand, where people were much more co-operative and kept watch over each other, to safeguard their

properties and lives. An important difference, the researchers found, was that in the wealthy suburbs, people saw crime as emanating from outside the neighbourhood, while in the informal settlements, they saw crime as coming from within. They argued (p. 240) that “The relatively heavy emphasis placed on social isolation, the avoidance of risky places and being careful, are indicative of low levels of trust”. Thus, this kind of withdrawal may be one of the first indicators of the drain that violence has on “social capital”.

5.2.5.5 The drain on social capital

The impact of violence on social life is clearly seen in the recent history of the small coal-mining town of Rietspruit outside of Witbank in Empulalanga, following the closure of the coal mine in 2001. While people in the community felt very safe up until 2001, within a year after the closure of the mine, the situation was radically transformed. Suddenly there was high unemployment and poverty. Many local youth gave up their hopes and became de-motivated and frustrated. As one youth put it, “I wanted to be something. I wanted to be somebody, and now all of that is gone.” Other youth took up crime to earn a living. Very soon afterwards, relations in the community began to break apart. Buildings were vandalized and burglaries began. Some youth left school, got guns and took up armed robbery in the area. People lost trust in each other and now live in fear. One young woman summed up the situation by saying that there used to be social rules, and they were binding. Now, respect has broken down, and it has become “survival of the fittest” (Rietspruit Focus Group, 17 February 2005).

Butchart and Emmett (2000, p. 21) define social capital as the “features of social organisation such as trust, norms and networks, that can improve the efficacy of society by facilitating coordinated activities.” It is the “glue” that holds society together, the “lubricant” that eases social integration so that people may work together towards common goals. In terms of crime prevention, it is the “existing stocks of trust, social norms and networks” that help facilitate co-operative behaviour, as opposed to self-seeking or opportunistic behaviour. This is critical for South African communities, gripped as they are with transformation and development, for “If people can’t trust each other or work together, then improving the material conditions of life is an uphill battle” (Butchart and Emmett, 2000, p. 23).

There are numerous ways in which gun violence breaks down social capital. The introduction of guns, in the first place, can change relationships, not only in homes, but between neighbours. Every focus group reported that commonly when people got guns their approach to the neighbourhood changed from a willingness to co-operate to inflexibility and belligerence – seen in the brandishing of the gun the moment a dispute arose.

Victimisation introduces post traumatic stress, breaking down social relations person by person.

However, the perpetration of crime by local people breaks down trust even further, particularly when the family of the victim knows the family of the perpetrator. Youth in each focus group know of others from their school or neighbourhood who have

taken up crime.⁴⁵ Where the families know each other, this creates great tension. “The victim is angry, and the family of the perpetrator doesn’t want to admit his guilt”. One youth reported that this creates two sets of laws: one for the family and the other for all others (Diepkloof Focus Group, 18 February 2005).

The arming of youth also has meant that old people now fear the young, overturning the previous practice of respect for one’s elders (Diepkloof Focus Group, 18 February 2005). As one woman in the Pretoria Focus Group said, “There is no more *ubuntu*”⁴⁶ (Pretoria Focus Group, 18 February 2005).

Perhaps as a result of recurrent exposure to crime and the continued threat of gun violence, focus groups expressed distrust of the youth who stand on the street corners, monitoring, they suspect, the movements of the neighbourhood to identify opportunities for crime (Rietspruit Focus Group, 17 February 2005; Diepkloof Focus Group 18 February 2005; Klerksdorp Focus Group 19 February 2005). Moreover, in the small peri-urban towns, there were suspicions that unidentified people within the community work with outside criminals who operate car theft and car hijacking rings (Rietspruit Focus Group, 17 February 2005; Klerksdorp Focus Group, 19 February 2005).

The inefficacy the criminal justice system in these circumstances leads to the emergence of a “mob psychology” (Diepkloof Focus Group, 18 February 2005). Many focus groups expressed a suspicion that police officers form close links with local criminals and as a result are slow to arrest them, slower to charge them, but quick to release them from custody. Moreover, participants from Diepkloof and the Pretoria townships, Rietspruit and the Klerksdorp townships complained that the police were very slow to respond to call outs and in some cases didn’t come at all. A common theme was that it is difficult for people to “follow the law” if the criminal justice system does not protect them.

Given the slow response from the police and the low conviction rate, communities adopt their own strategies to deal with local criminals. In some instances, people use armed taxi drivers to go and beat up crime suspects, or they buy guns to revenge a crime. However, people also become vigilantes (Rietspruit, Focus Group 17 February 2005).

In Diepkloof, one participant complained that the police won’t come out until “the mob” does, and as a result, law and order gets reduced to “mob justice”. She explained, a person reports a housebreaking and nothing is done, or a docket goes missing, or a suspect is released. One person, alone, may not take action. “But if it happens to me, to you, to our neighbour, and to the house behind you,” things explode, and the community takes action. Often, the breaking point occurs when a criminal is caught red-handed, and then “all hell breaks out.” (Diepkloof Focus Group, 18 February 2005). However, many felt that until the “mob” acts, the police

⁴⁵ These patterns are echoed in other studies. Over half of youth surveyed in the Nelson Mandela Metropole in the Eastern Cape, for example, said that they knew someone who was involved in crime - a friend or a relative - while 13 of the 48 youth surveyed admitted that they had participated in a crime, mostly robbery, but also theft and burglary ((Masuku, 2004).

⁴⁶ This is a fundamental value in South Africa and reflects human respect, human dignity, caring, responsibility for the other, amongst other things (T. Dyule, interview, 29 April 2005).

won't come (Diepkloof Focus Group, 18 February 2005; Pretoria Focus Group, 20 February 2005).

Although this suggests a serious break-down in state functions, the situation is even worse in gang areas, where residents are terrified to take any kind of action against gang violence. Excellent studies have been done on gangs, particularly those in the Western Cape (notably Kinnes, 2000, Leggett, 2001 and Standing, 2003), so only a few points will be made here.

Ganglands are distinctive because of the extent to which gangs are able to impose a kind of hegemony over the areas in which they operate. This often requires a mixture of strategies ranging from economic enticement - using the promise of access to money, drugs and women to recruit new members - to the threat of extreme violence to silence any possible opposition to their activities.

Gangs, the Cape Town Focus Group said (1 April 2005), have tremendous economic power. They have access to money and guns, and they control a very lucrative drug trade, so they can offer money-making opportunities to youth who live in very poor areas that have very few employment opportunities.

At the same time, their command of violence enables gangs to impose a reign of fear in areas in order to establish and maintain control over "turf". Gangs are responsible for a very high proportion of crime in Cape Town Metropole: for 40% of the murders, 41% of the robberies, 28% of the assaults, and 20% of sexual assaults. This, it should be noted, is highly gendered: 42,6% of assaults with male victims were believed to be gang linked, but only 7% of the assaults with female victims (Kinnes, 2000).

This capacity of gangs stems in part from their culture, for "young gangsters generate their identity in opposition to the law and assert their masculinity through violence" (Leggett, 2001). This often overturns mainstream conventions about morality and the law. The son of one participant in the Cape Town Focus Group (1 April 2001), for example, was bullied and intimidated until he joined a local gang. In order to prove his loyalty, he had to shoot another person (who survived, but is now disabled). Although society would normally see this as illegal, "Their [gang] bosses make it legal".

The first target of gang bosses, obviously, is the police, and gangs seek to undermine the rule of law to impose their own dictates on the community. This can be done by corrupting local police officers and by using violence to silence the witnesses of crimes. They have become so effective that mothers will not report what they know, even when it is their own children that have been shot or killed. One participant in the Cape Town Focus Group, for example, knew who shot her son but refused to make a statement because this would threaten the lives of all of her other children. Effectively, she was silenced. "I'm still fearful today," she said. "If one of my children is too long away, I have this fear. I can't get this fear out of my heart" (Cape Town Focus Group, 1 April 2005). Another participant added that lots of parents in the gang stronghold of Lavender Hill have lost their children to gang violence, but all are afraid to speak out, fearing that the police will tell the gangsters who informed on them.

Moreover, people living within a gang area become associated with that particular gang and fear moving into other gang territories where they can be killed. As a result, they become restricted in terms of where they can go and begin to “live in a box”. This makes them especially vulnerable to the predatory activities, bullying or recruitment activities of the local gang that controls the “box” (I Kinnes, Interview, 28 January 2005).

To avoid bullying and sometimes simply to survive, young men come to imitate gang practises: their dress, their walk and their language. Kinnes argues that this begins to compete with if not overturn knowledge about and absorption of mainstream values. In this way, gangs begin to pull apart the “social glue” in a community, and gang culture and morays begin to compete with and overtake mainstream culture and morays. This has an “immensely destructive impact on building healthy communities” (I. Kinnes, Interview, 28 January 2005).

Finally, youth in gang areas are exposed to multiple forms violence ranging from domestic violence to crime to low level conflicts between individual gangsters to major turf wars. A survey of youth in Lavender Hill in Cape Town, for example, found that youth there are regularly exposed to violence, crime and arrests. 89% had been exposed to gunshots, 47% had been slapped or punched, and 39% had been chased (van der Merwe, 2001). The study found that these youth commonly displayed symptoms of Type II Trauma, or continuous post-traumatic stress, leading to a whole range of behaviours – withdrawal, defiance, risk – that are linked to the syndrome. This suggests a cycle of violence, where the violence exerted by one “generation” generates violence in the next. Although van der Merwe (echoing Dissel’s work in Gauteng) found that the presence of positive adult role models can prevent a youth from taking up a life of crime.

5.2.5.6 Continuous stress syndrome

Garbarino, Bradshaw and Vorrasi (2002) describe how exposure to gun violence can lead to a wide range of psychological effects. These include intrusive thoughts about violence, sleep disturbances, hyper-vigilance, withdrawal from significant relationships and survivor guilt. If left untreated, these can develop into pathological adaptations, including hopelessness, fatalistic thoughts, de-sensitization to violence, truncated moral development and the adoption of high-risk behaviours, such as alcoholism, drug use, or association with dangerous people like gangsters.

They argue that simply living in communities where gun violence is common can have a negative effect, particularly on children, even if they do not directly witness gun violence. However, where young people are exposed to gun violence in shared spaces such as in the streets where they play or their schools, they are reminded of the trauma every time they pass the spot or enter the building where the shooting occurred. Thus, children may be repeatedly re-traumatized. Children exposed to gun violence in their own homes are at special risk. The greater the intensity and frequency of exposure, they argue, the deeper the trauma.

South Africa social scientists now argue that the model of post-traumatic stress disorder used by “first world” analysts does not adequately describe the psychological position of survivors of violence in the most violent of South African communities (Cock, 2000). Post Traumatic Stress Disorder (PTSD), they argue, reflects the

Western experience, where a victim experiences a single incident of trauma and lives otherwise in a safe and supportive environment, to which they eventually can return. This is unlike what happens in South African communities, where people may experience “several related traumatic incidents against a background of long-term threat and isolation” (Emmet and Higson-Smith (2000) . South African analysts now speak of continuous traumatic stress syndrome (M Seedat, Interview, 14 February, 2005; V. Khosa, 21 February 2005). One effect associated with this is the normalisation of violence.

5.2.5.7 The normalization of violence

The Heideveld and Cape Town focus groups (18 March 2005; 1 April 2005) said that gun violence on their townships has become normal. The community, they say, is a “war zone”, “but you get used to it.”

Nowadays, when there is a shooting on the street, everyone runs out. Shootings have become a way of life.

When children hear a shot, “They say, ‘Hey, did you see how they shot so-and-so.’ Or, ‘Did you see the gun he was carrying?’”

When there is a shooting, people get on the phones and spread the news. People then rush to the scene. They want to see the body. But in fact this means that a single incident traumatizes hundreds of people (Cape Town Focus Group, 1 April 2003).

The *Cape Argus*, an English language evening newspaper in Cape Town, reported on two studies of children in the Cape Flats which showed that 97% of the children surveyed had heard gunshots, half had seen the dead body of a stranger, about as many had seen the dead body of a relative or someone they knew who had died from unnatural causes, and one third had seen someone shot or stabbed in their own home (Standing, 2003). Few could argue. This amount kind of exposure to violence is extraordinary in a peace time setting and more closely resembles war.

Focus group participants said, “People talk about it. They don’t withdraw, because they have to get on with their own lives.” People even joke about it. When they get on a taxi, they ask to go to “Murderberg” [Manenberg].

The community has come to be able to predict, they explained, when there will be violence. “There is a sense of ‘blood for blood’: when one person gets killed (especially a gangster), another will soon die in revenge.” Then, although people want to know who has died, they often believe that the person deserved to die, “because he was seen as a problem for the community.” “So basically we have double standards.”

After a youth is killed, however, the community focuses on the bereaved family, especially the mother, to support her and to shore the family up so that it does not break apart. Often women who have lost children, themselves, serve as the councillors for the newly bereaved. “We just care for each other. When push comes to shove, we remember we are mothers and sisters” (Cape Town Focus Group, 1 April 2005).

In fact, it must be said that generally South African women, in particular, have shown a remarkable resilience in the midst of these very difficult circumstances. In communities across the country, one can find groups of women who - despite their lack of training, their poverty and their own family commitments - begin to intervene to stop violence in homes, to resolve conflicts between neighbours, to end the abuse of children, to assist widowed mothers – in the end, to resolve the problems that they witness. They fill a critical gap in state services and demonstrate a remarkable capacity to restore human dignity and as such are very positive agents of change.

5.2.5.8 Social challenges

In these ways, gun violence drains social capital. This is immensely important, in a country like South Africa that is in the midst of deep-rooted social change.

Across the country, focus groups spoke of the impact of change. They spoke of the growth of a black middle class in the midst of impoverished neighbourhoods. They spoke of the challenge of the human rights culture to older, hierarchical and patriarchal tenets. These create a multitude of cross-currents of expectation and frustration, particularly in youth.

The extremely high levels of violent crime handicap the ability of South African communities to cope with this transition, so that change works for them and not against them. It is not just the death and injury that weakens their capacity, but also the break-down in family and neighbourhood relationships and the growth of fear in the community. It undercuts people's capacity to work together to engage creatively in solving solve problems and to feel confident in implementing change.

5.3 *The impact on development*⁴⁷

It is impossible to give a full picture of the cost of gun violence for development. Gun violence is too pervasive, and its results range for example from increased medical aid rates to depressed housing prices in crime-hit areas. Moreover, it is impossible at present to attach a “rands and cents” figure on the cost of gun violence for government services. South African government departments are not geared up to provide that kind of information.

Butchart and Emmett (2000), however, have outlined the costs from a public health perspective which begin to identify how great the problem is. According to Butchart and Emmett (2000), violence is first and foremost a major contributor to premature death, disability and injury. This imposes great costs on the economy in terms of lost labour and lost earning power; it also places a heavy burden on the healthcare system, given the cost of treating and rehabilitating gunshot victims.⁴⁸

⁴⁷ Butchart and Emmett (2000) provide an excellent analysis of the cost of violence overall on development.

⁴⁸ Brett Bowman Brett Bowman of the MRC has implemented a limited qualitative survey and has determined that the cost of treating each gunshot victim - for casualty intake, drugs and administration alone - is R6850, based on an average three day stay in hospital. This does not include the cost of surgery, additional nursing hours and bed time (M Seedat and B. Bowman, interview, 14 February 2004).

The head of the Johannesburg General Hospital trauma unit reported that the cost of treating gunshot victims admitted to that hospital in 1998 alone cost R39 million (GFSA, 1999). This covered

These health care costs, however, may be greatly augmented by the societal costs, because the age group most at risk – that is young male adults between 15 and 35 – are also the group that is most likely to be the parents of young families and family bread-winners. Louw and Shaw (1997) argue that the loss of a family bread-winner is particularly difficult for very poor families who often lack the wherewithal to recover from such crises. The loss may cast a family into utter poverty.

As seen above, violence also diminishes the quality of life and, because it drains social capital, undermines the capacity of communities to work together to improve social and economic conditions. This is particularly problematic because it is greatest in the poorest communities, which are most in need of development.

Gun violence also fragments family and community ties. Moreover, as it plays out in the streets, schools and other public spaces in the worst hit communities, it disrupts education and the provision of health care and social services. As violence peaked in the gang areas of the Cape Flats, for example, clinics, rent offices, libraries and community centres were closed to protect government staff and the members of the public that use those facilities.

The disruption extends much further, to the curtailment of public transport and even the refusal of businesses to operate or deliver in the townships (Marud, 2005).

Butchart and Emmett add that violence also impedes economic development. It discourages investment, destabilises the labour market and industry, discourages tourism, and provokes the emigration of skilled citizens.

Finally, it diverts badly needed resources out of economic and social development and into safety and security. In the face of mounting crime, for example, the police have implemented the National Crime Combating Strategy, including the new strategies of “Visible Policing” and “Sector Policing”. This has required increasing the number of police employees from 123 000 to 161 000 (PMG, 2001), forcing the police budget to

Table 17: Safety and Security Budgets, 1998/9 – 2003/4

Year	Personnel (in R billions)	Other (in R billions)
1998/9	10.8	3
1999/2000	11.6	3
2000/1	12.3	3.4
2001/2	13.6	4
2002/3	15.1	4.5
2003/4	16.9	4.9
2004/5	18.7	5.5
Source: PMG, 2003		

only the cost of initial treatment and not long-term rehabilitation. Multiply this across the country, over the decade, and it becomes clear that the cost is immense.

In addition, health-care workers also pay a profound psychological cost, in terms of their exposure to violence in the clinics, day hospitals and tertiary hospitals (van der Spuy and Marais, 2002), and the disillusionment they suffer, particularly in the trauma wards, as a result of caring for a seemingly “endless conveyor belt of gun shot victims” (M Seedat and B Bowman, interview, 14 February 2005).

grow significantly (see Table 17).⁴⁹

Added to this is the cost that government, businesses and private citizens pay to reduce the threat of crime and violence occurring on their premises. For government, this includes the cost of securing a wide variety of premises: for example fencing schools, putting bullet-proof glass in clinics and hospitals, installing metal detectors and employing private security personnel to guard courts and other government buildings. It is not known how much this costs government, but for business, at least, there are some figures. The Banking Council estimated that the cost of protecting banks from bank robberies - in the form of double doors, CCTV and the hiring of security guards - cost banks R800 million in 1997 and R1 billion in 1998 (PMG, 1999).

For private individuals and businesses, warding off gun violence involves building high walls, installing burglar bars and anti-theft devices in cars and hiring private security firms. In some areas there are even “walled communities” – where automatic gates or booms and full-time security guards restrict entry and exit. Significantly, the private security industry in South Africa is booming. The value of the industry grew from R1.2 billion in 1990, to R13 billion, in 2000. By 2001, it employed more personnel (with 190 000 active security officers) than the South African Police Service (with 112 000 personnel) (Security Officers Interim Board, 2001). By July 2003, the number of private security employees rose to 248 025 – about twice the number of police employees (Private Security Industry Regulatory Authority, 2003).

This, the *Small Arms Survey* argues, is a matter for great concern. “Money spent on private security is diverted from productive or productivity-enhancing activities. Unproductive spending drains household (and corporate) savings, resulting in fewer resources for local investment” (*Small Arms Survey 2003*, 2003, p. 139).

Although this is only a part of the true cost of gun violence, it illustrates that the costs of gun-violence are staggering. They are costs that the South African government and people can ill afford to pay, given the tasks of economic growth, transformation and development at hand. This is why the South African government has set the reduction of crime and violence as one of its key priorities.

⁴⁹ Police officers have also paid a huge personal cost. They are commonly exposed to gun violence through exposure to its victims, by themselves being victims of gun violence, and by their own use of gun violence against perpetrators. The post-traumatic stress that results is clearly seen in the number of police suicides and family killings and the number of police officers medically boarded due to stress and anxiety (Nel, 1995).

6 South Africa's Policy on Gun Control

6.1 The early years

Since first elected into government in 1994, the ANC-led government has shown serious commitment to addressing gun violence by reducing the number of illegal guns in circulation and by implementing strict gun control. From initial, seemingly inchoate measures, the government has slowly and systematically built a cohesive, national gun control framework.

In 1994, the democratic leadership took up its seats in the national and provincial legislatures and began to grapple with transforming itself from a national liberation movement into a government in power. Even then, disparate efforts were made to begin controlling firearms.

These efforts in fact began in April 1993, with the announcement of a ninety-day firearm amnesty - during which time only 15 AK-47s were handed in - and the convening of a commission of inquiry into the smuggling of illegal guns. In October 1993, the police established 29 (illegal) Firearms Units to combat the illegal use, import, distribution, trade and possession of weapons ("Amnesty", *Man Magnum*, September 1993, p. 70; Lehr, 1993). Still, gun violence reached such serious proportions in the immediate lead-up to the 1994 elections that a state of emergency was declared in Kwazulu/Natal, prohibiting the open carrying of guns in public and the participation in parades or other gatherings where the public was taught how to use guns (Welch, 1994).

Once the ANC was in power, its leadership began to make calls for people to hand in their guns. An ANC MP, David Dalling, for example, called for national disarmament particularly given that the new government was a legitimate popular government ("Sentenced to death", *Man Magnum*, June 1994, p. 13). The new President, Nelson Mandela, publicly supported the Gun Free South Africa gun hand-in campaign.

In the earliest days, however, the response was to a certain extent reactive and isolated. As we have seen, the SANDF and SAPS began the momentous task of locating, recording and recovering the mass of weaponry handed out by the apartheid government to the former "homelands" and "independent states." It withdrew the permission that homeland governments had given to individuals, like chiefs, to possess state-owned firearms and required that these arms be handed over at local police stations (Gould *et al*, 2004). Similarly, people who had obtained firearm licences in the "homelands" and "independent states" were ordered to re-license them through the Central Firearms Register in Pretoria by 1997.

The Armscor scandal, as we have seen, resulted in the creation of the National Conventional Arms Control Committee in 1996 which established Cabinet control over the import and export of conventional arms.

The outburst of public violence, particularly on the part of PAGAD – an armed vigilante group in Cape Town that hunted down drug dealers – resulted in the

government banning the possession of firearms in public places (like sports stadiums). Firearms, the Minister of Safety and Security stressed, had been brandished publicly too often in volatile situations, heightening tensions and increasing the risk of public violence and death (Anger, 1996).

While these were disparate efforts, the first democratic government's term of office between 1994 and 1999 was distinguished by its efforts to lay down far-reaching policy that would guide the reform of law and the civil service in the future. This was as true of gun control as it was of many other issues.

6.2 Policy instruments for firearm control

The first real victory for the advocates of gun control was the South African Constitution (Act No. 108 of 1996). Negotiators declined to include a right to bear arms in the final document and further limited gun use in Section 17, which states that "Everyone has the right peacefully and *unarmed*, to assemble, to demonstrate, to picket and to present petitions" (Italics mine. "Pollex," *Servamus*, March 1997, p. 37).

This trend was confirmed by the National Crime Prevention Strategy (NCPS) which in many ways laid the foundation for future policy relating to the police. Section 3 of the NCPS gave a comprehensive list of the causes of violent crime in South Africa, amongst them the accessibility of firearms:

The number and easy accessibility of firearms is a major contributor to violent crime. The fact that a large proportion of the citizenry is armed serves to escalate the levels of violence associated with robbery, rape and car theft (South Africa, 1996).

Section 5 of the NCPS called for addressing firearm-related crimes through "an inter-agency approach to improve the legislative controls of firearms, track smuggling routes and syndicates, co-operate with neighbouring states, tighten controls on state-owned weapons and restrict illegal importation of firearms" (South Africa, 1996).

Indeed, a 1998 review of the NCPS called on the government to prioritise gun-related crimes in general, as well as various categories of crimes like organised crime, white-collar crime, inter-group conflict, vehicle theft and hijacking and inter-personal violence.

The NCPS foreshadowed a far deeper transformation of the police, guided by the National Crime Combating Strategy, launched by the National Commissioner of Police, Jackie Selebi, in 2000. This called for restructuring and refocusing the police:

- Dismantling most of the specialist units (like the Illegal Firearms Units) to bring expertise down to the area and station level
- Focusing resources on the 140 or so station areas that were responsible for more than half of the country's violent crime (PMG, 2001)
- Introducing new policing strategies, like "visible policing".

While the police had consistently prioritized firearms since 1995 (Hennop, Jefferson and MacLean, 2001), in 2000 they released a comprehensive, multi-pronged National Firearm Strategy. This covered and integrated all strategic areas of the work. The policy set out five pillars:

- Pillar 1: Develop and maintain appropriate firearm-related regulators

- Pillar 2: Develop and maintain effective control processes and procedures regarding firearms
- Pillar 3: Reduce and eradicate the illegal pool and the criminal use of firearms
- Pillar 4: Prevent crime and violence through awareness and social crime prevention partnerships, including campaigns to educate and raise awareness among the public
- Pillar 5: Develop regional and sector co-operation (SAPS, 2004).

Each was to spur important initiatives. Pillar 3 for example covered major operations, like Operation Sethunya that was implemented between 1 April and 30 September 2003. Here, concerted efforts – road blocks, stop-and-search actions and house-to-house inspections – were carried out in high-risk communities to recover illegal arms and ammunition and to arrest law breakers. Ultimately, 13 859 guns and over 1.5 million rounds of ammunition were recovered in the operation, and 3 082 people arrested (SAPS, 2004). When added to normal police gun recovery activities, almost 26 000 firearms were brought in during that year (Minister of Safety and Security, Parliament, 22 June 2005: www.info.gov.za). By far the best known of the initiatives, however, was the Firearms Control Act.

6.3 The Firearms Control Act (No 6 of 2000)

6.3.1 The background

In 1994, the new South African Cabinet tasked the Minister of Safety and Security, Sidney Mufamadi, with conducting an in-depth audit of state-owned firearms. As seen above, this entailed efforts by the SANDF and the SAPS to identify, record, and recover the various arms that had been distributed to previous “homeland” governments.

By September 1996, Mufamadi made clear that (in light of the NCPS) the effort would become far broader:

The government is determined to ensure that tighter controls over the use and possession of firearms are introduced. Whilst ongoing efforts are being made to track and confiscate illegal firearms and to arrest those found in unlawful possession, it has also become necessary to start looking afresh at existing firearms licences (Quoted in Anger, 1996, p. 55).

Work began with the appointment of a Joint Investigating Team (JIT) in 1997, including Sheena Duncan (a noted human-rights activist and chairperson of Gun Free South Africa) and a joint team of police and military personnel, to audit state-owned firearms and to track down and recover outstanding state-owned firearms (Kirsten, 1998; Gould *et al*, 1994). The mandate was extended to make recommendations on systems used in the CFR that allowed irregularities to occur. The JIT found negligence, gross abuse of powers and corruption in the CFR and established that in many cases firearm licences were issued too easily and to the wrong people. The JIT estimated, for example, that 20 000 people with criminal records had been given firearm licences (Kirsten, 1998).

The JIT was disbanded in 1999 before the work was complete. Its efforts were picked up by (a reformed) CFR, which finished the state audit in 2003 (Gould *et al*, 2004) (See section 6.4 below).

The Minister also appointed a National Firearms Policy Committee to assess the apartheid-era Arms and Ammunitions Act and to investigate a possible new policy for the control of legal firearms in South Africa. Given the leakage of large numbers of licensed firearms into the illegal pool, the Minister noted that such a policy would need to “contribute to a drastic reduction in the number of legal weapons in circulation in South Africa” (Kirsten, 1998, p. 77).

The members of the committee were largely civilian and represented diverse interests, ranging from Gun Free South Africa to the South African Gunowners’ Association (SAGA). The committee report, completed in May 1997, proposed a series of measures to improve control over the proliferation of small arms, many of which ultimately found their way into the new Firearms Control Act of 2000 (Kirsten, 1998). These included, amongst other things, lifting the minimum age from 16 to 18, mandatory competency testing, tightening up background checks and regular renewals of firearm licences (“Forum. Gun control act”, *Man Magnum*, August 1997).

The Department of Safety and Security announced in March 1998 that it intended to draft a new gun law and to table it in Parliament, possibly in the second half of the year (Anger, 1998i). This initiated a period of intense public debate on gun control that persists even today. The Department redoubled its efforts in February 1999, announcing that it had commissioned a team led by the ISS to draft the new Bill (“The gun debate”, *Man Magnum*, April 1999, p. 44). The leaking of controversial draft provisions produced by the team in July 1999, however, led to loud public outbursts by the gun lobby. The Department of Safety and Security took over the work of finalizing the new Bill in September 1999 and released it to the public in December 1999.

Deliberations on the Firearms Control Bill will be dealt with in detail in a forthcoming book by Adele Kirsten, who was in many ways the main engine for the gun control lobby during this period. The Bill was passed by Parliament on 10 October 2000 and signed into law by South Africa’s President Thabo Mbeki in April 2000. It took the Department of Safety and Security four years to complete the wide range of regulations that needed to accompany the new law, however, delaying promulgation until 1 July 2004.

6.3.2 The provisions of the Firearms Control Act No. 60 of 2000⁵⁰

The Firearms Control Act is a comprehensive gun-control law that deals with gun licences and the legal and illegal use of guns. In terms of legal firearms, the Act requires that each and every firearm in private hands be licensed. Police officers and soldiers who use state-owned firearms must have firearm permits. Even foreign visitors have to obtain a temporary authorisation document before they can bring a firearm into the country.

⁵⁰ An excellent description of the Firearms Control Act is contained in S. Meek, “Rolling out the Firearms Control Act,”

Civilians must go through a two-step process to get a gun licence. They must first get a competency certificate and then apply for the actual licence. The competency certificate is an innovative tool to screen out people who should not get gun licences.

To get a competency certificate a person must:

- Be a South African citizen or permanent resident who is at least 21-years old (the applicant can be 18 under certain circumstances);
- Be a “fit and proper” person: mentally stable, not inclined to violence, and not dependent on alcohol or narcotic drugs;
- Have no convictions in the past five years for a crime involving violence, sexual abuse, domestic violence, fraud, drug or alcohol abuse, or negligent or illegal use of a gun;
- Be trained and pass national tests on knowledge of the law and on the safe and efficient handling of a firearm.

Accredited, private institutions do the training and testing. Designated police officers at local police stations do background checks on each applicant, and the CFR in Pretoria checks national databases to make sure that the applicant does not have a criminal background. A person can only apply for a firearm licence after he or she has a competency certificate.

There are many categories of licences:

- Self defence: one firearm is allowed – either a handgun or a shotgun.
- Occasional hunting or sports shooting: up to four guns are allowed – three if the person already has a licence for self defence.
- A dedicated hunter or sports shooter can get any number of firearm licences, but must be a *bona fide* member of an accredited hunting or sports-shooting association.
- An ‘additional licence’ allows two or more people living in the same household to be licensed to use the same firearm.

There are special licences for collectors and businesses: for hunting outfitters, game farmers and security companies. Gun dealers, manufacturers, importers / exporters and gunsmiths must get special licences. Only a licensed gun dealer is allowed to sell a firearm, unless the transaction is mediated by the designated police officer at the local police station.

Moreover, every firearm licence must be renewed regularly. How often depends upon the type of licence: firearms for self defence, or example, must be renewed every five years. Existing licence holders have been given five years to renew their licences.

The law also sets out where misuse of a gun constitutes a criminal offence. Thus, it is illegal to point a gun or air gun at any other person without good reason, to fire a gun in a built-up area without good reason, to handle or shoot a gun in a way that is likely to injure or endanger another person or their property or to handle a gun after drinking or taking narcotics. The law also requires that the gun owner lock the gun in a proper gun safe, strong room or safe-keeping device when not carrying it. A gun owner is held responsible if the gun is lost or stolen when it is not properly stored. A person convicted of these offences can get a maximum sentence of between 3 and 10 years imprisonment.

The police and the courts can also declare a person “unfit to possess a firearm”. This is done through hearings held at local police stations, following the lodging of a formal complaint, or through a court when a person has been found guilty of any of a range of crimes, including involvement in gun-related crimes, crimes involving violence or sexual abuse, or the abuse of drugs or alcohol, amongst other things. When a person is declared unfit to possess a firearm, all of his or her guns are confiscated, the firearm licences are revoked and the police must refuse any firearm applications submitted by that person for the next five years.

The law also gives the police and the courts new powers to deal with illegal guns. First, it is a criminal offence to know that an illegal gun is in a residence and not report it to the police. Second, in certain circumstances, the Act suspends a person’s right to remain silent, notably in cases involving gun-related crimes like drive-by shootings, where witnesses normally refuse to testify. Third, the law gives the police power in extraordinary and strictly defined circumstances to take body prints or bodily samples without warrants.

The Act contains severe maximum sentences, ranging from two years for failing to store an antique gun properly to 25 years for trading illegally in firearms. However, people found guilty of crimes with a maximum sentence of five years or less can pay administrative fines. This is intended to take some of the pressure off the courts where a crime involves an omission and not violence.

Finally, the law attempts to promote safer environments. Thus, when a firearm is not under the direct control of its owner, it must be stored in an approved, SABS-standard safe, storeroom or device. If this is at home, the owner must have exclusive access to the storage facility, and hunting and sports-shooting firearms must be stored unloaded. The Act also allows the Minister of Safety and Security to declare premises firearm-free zones, making it a crime to bring, store or allow another person to bring a gun onto the premises, and the power to declare amnesties.

6.3.3 The implementation of the Firearms Control Act

The implementation of the Firearms Control Act required developing and implementing a number of new processes and procedures. This work began in 2000 and while almost complete, is still underway today.

Beginning in 2000, the Central Firearms Register engaged in a Business Process Re-engineering Study to identify what new processes and methods needed to be set up to implement the law. It became clear that numerous changes needed to be made.

Many changes were needed within the SAPS, itself. A new Firearms Control Information System was designed and put in place. This is a centralized system to allow the police to track all of the relevant business processes pertaining to all firearms and ammunition throughout their lifespan, from their manufacture or import, to their life on the store shelves of firearm dealers, to their possession by their private owners. The CFR itself had to be extended and re-equipped, while new structures were piloted for implementing the new law on the ground. Notable, here, are the new firearm registration centres that now operate in Gauteng. Designated firearms officers had to be identified, equipped and trained for each station area, and electronic systems

set up for easy communication between local police stations, the province and the national CFR.

This was the core of the change. The new law also required that numerous other details be worked out, with a wide range of other government departments and with other public and private structures. In terms of state-owned firearms, other government departments that continue to possess guns have been required to put in place effective methods of accurate record keeping and tight control over their firearm inventories. As a result, the SANDF, for example, has established a Firearms Control Centre (PMG, 2005).

In terms of privately held firearms, the CFR worked with a number of structures to build a new framework for competency testing and licence approval, as required by the law. This has involved:

- Co-operation with SASSETA, the body in the Department of Labour that oversees training in the security sector and that is responsible for developing national firearm training curricula and for accrediting firearm trainers and firearm training institutes;
- Co-operation with the bureau of standards to develop standards for marking firearms, for privately owned safes and for shooting ranges;
- Creating linkages with other bodies like the Private Security Industry Regulatory Authority that will serve as the primary accreditation body for relevant bodies (in this case private security companies);
- Developing methods for and then accrediting the various collectors', hunters' and sports' organisations and societies that will participate in the firearm licensing processes set up under the new law.

The impact of these changes has been far-reaching. First, a comprehensive communications framework is now in place. This will ensure the rapid transfer of information and accurate record keeping. It will also provide better supports to assist designated firearms officers and the CFR in their decisions on licence applications.

Second, specific, specialized training has been given to the relevant police officers who will implement the law. By September 2004, this included the training of 844 officers in the Firearms Control Act, 1 878 officers in the practical approach to implementing the law, 1 480 officers in the enhanced firearms registration system, 2384 officers in evidence management, 420 officers in IBIS (ballistic) testing, and 86 officers in declaration of unfitness hearings (SAPS, 2004). Station visits conducted by GFSA in July 2004 found that the training had deeply motivated officers who now clearly understood the law and were motivated to make their mark in reducing gun violence. This marks a dramatic shift of mind-set on the part of the police and the beginning of what seems to be a new era in gun control in South Africa.

Third, the creation of accredited firearm training providers, who implement a comprehensive national curriculum when training prospective gun owners, should in and of itself, save many lives.

6.3.4 The impact of promulgation

Although it is too early to assess the impact of the Firearms Control Act overall, an initial impression is that it has been profound. The most dramatic effect has been the utter collapse in the number of firearm licence applications submitted to the police, from on average 157 850 a year before (SAPS, 2004), to virtually nothing after the promulgation of the full Act on 1 July 2004. By October 2004, almost four months later, the CFR had received only 286 applications for competency certificates, and had issued only four (Minister of Safety and Security, C. Nqakula, Parliamentary media briefing, 28 October 2004: www.info.gov.za). Moreover, it had received no new licence applications, and only 12 for renewals (Adams, 2005).

Various factors have been cited for this change. Certain gun dealers blame delays in putting in place needed structures (Schroeder, 2005). There was a major problem with training structures, required as part of the process for obtaining competency certificates. Firearm trainers and firearm training institutions were very slow to apply for accreditation, meaning that in the first months of the law's operation, very few were available to the public, and those that were tended to charge high prices. Moreover, mandatory standards for shooting ranges were released only in late May 2004, so that when the law came into effect, no shooting ranges had yet been accredited. These were needed for practical training in the use of a gun.

The police have turned their attention to these matters, and by January 2005 it seemed as if they had more or less been resolved (Schroeder, 2005). But no one was exactly beating down the doors of firearm training institutes, suggesting that other factors were at work.

There were problems, too, with reconstituting the Appeals Board which greatly delayed the processing of appeal cases.

A second complaint relates to the CFR itself. Some complain that the CFR became so inefficient that it took months to process firearm licences, and prospective buyers were simply not willing to wait that long, particularly if their application might in the end be turned down. Gill Howard of GRC Arms explained that people have to pay money to purchase a gun, but then leave the weapon at the gun shop awaiting approval of the firearm licence. Where it once took three to six weeks to process applications, it began to take much longer, and people began to see purchasing a firearm as "throwing money away" (Gill Howard, Interview, 17 February 2005).

There is evidence to support this. The police cleared a significant backlog of 25 739 applications made under the old Act between June and August 2004 (Minister C. Nqakula, Media briefing, 28 October 2004, www.info.gov.za). They acknowledged that there was also a significant backlog of left-over appeal cases (where the application was initially denied), some dating back to 2002. The Minister of Safety and Security reported that 10,000 of these appeals had been processed between January and August 2004, leaving some 8280 still to be processed (Adams, 2004).

Sup. Govender of the CFR also confirms that from 2002, staff began to apply stricter criteria when assessing firearm licences, especially background evaluations (Sup. A. Govender, Interview, 28 April 2005). Rob Sim of Continental Weapons reported that as long as eight months before the promulgation of the FCA, it became common for

the CFR to deny applications, citing “insufficient motivation” or “not convinced of need” (Interview, 28 April 2005). However, it is difficult at this early stage to assess whether this will significantly decrease the number of firearm licence applications approved.

Other factors may have been the perceived difficulty and expense of the new procedure. Many prospective and existing gun owners might not want to go to the trouble or expense of undergoing training, competency testing and regular firearm licence renewal, and so have decided to give up the idea of getting a gun altogether (Howard, Interview, 17 February 2005; Ben Coetzee, Interview, 28 April 2005).

Rob Sim noted that from the time that the FCA came under serious consideration, “everyone went into panic mode”, resulting in the decline of gun sales (Rob Sim, Interview, 29 April 2004). For any variety of reasons – to avoid hassle, to save money, to wait and see - prospective gun owners held back. This became particularly acute after the implementation of the new law on 1 July 2004 after which time the gun market became “basically dead” (H. Oosthuizen, Interview, 29 April 2005).

Gun dealers have been particularly hard hit. There are common reports of hardship in the industry and closure particularly of smaller dealerships that specialize in gun sales. Gould *et al* (2004) explained that small gun dealers have small stocks, small turnovers, and little capital, and they own money on their stock and cannot afford to advertise or diversify. They simply do not have the wherewithal to weather a “dead market”.

Other dealers that have diversified into sports equipment have had a better chance of survival. Continental Weapons diversified by selling paintball guns, air guns, torches, and fly tackle. However, sales have remained so poor that even they are being forced to close branch offices (Rob Sims, Interview, 28 April 2005). Obviously they share deep concerns about the fate of retrenched staff and of the small businesses, like the leather workers who make gun holsters and who will be put out of business as well (Gill Howard, Interview, 17 February 2005).

Survival through diversification reflects one of the stranger consequences of the law, which is a renewed interest in historic weapons. The tighter gun laws, a Durban newspaper said, are pushing people to buy cross-bows, spears, swords, knives, and pepper spray. Justin Willmers of Durban Guns and Ammunition, reported, “We’ve had to build an entirely new shop because the demand from people is so great.” “It can be anything from a Zulu fighting spear, battle axes, swords, crossbows”. Men, he noted, were buying machetes to fight off hijackers, or cross-bows to shoot people breaching their property, while women preferred pepper spray. Reportedly, one customer fought off three car hijackers with a machete. Shop staff faced a major problem, however, in that none of these weapons was regulated, and staff had to exercise judgment in deciding to whom they would sell these weapons (Apps, 2005).

The collapse of demand has resulted not only a halt in sales, but also in the import of firearms. Sim reported that while Continental Weapons had once imported a container of firearms every three or four months, the last shipment was eighteen months before, and its contents were still on the shelves (Sims, Interview, 18 April 2004).

While the trend has impacted badly on people in the gun industry, it may mark a turning point for South Africa. If no new guns are coming into the country, and if the police can manage to bring in unwanted or illegal guns and destroy them, it may be the first time since Dutch settlement in 1652 that there is an actual reduction in the number of guns in circulation in South Africa. That, it seems, is just what the police intend to do.

The National Minister of Safety and Security declared an amnesty between 1 January and 31 March 2005, which was subsequently extended to 30 June 2005. This allows anyone who has an unlicensed firearm to hand it in without fear of prosecution for illegal possession of the weapon. The amnesty is conditional, in that it covers only illegal possession and does not indemnify the owner if the gun is linked – through ballistic testing – to other crimes. This may have significantly reduced the number of firearms brought in. Still, by 31 March 2005 the police reported the recovery of three types of firearms:

- 26 058 legal firearms and 529 221 rounds of ammunition, voluntarily handed in by legal gun owners, who no longer wanted them
- 19 041 unlicensed firearms and 351 268 rounds of ammunition that were handed in under the amnesty
- 8 896 illegal weapons and 112 660 rounds of ammunition were seized and confiscated during police operations during this period (South African Police Service, 2005).

This marks an important victory for gun control in South Africa.

6.4 Gun destruction

A second very positive drive on the part of the South African government which merits special mention is its policy on gun destruction and its commitment to destroying surplus, obsolete and confiscated weapons. As Gould *et al* note (p. 243), it is not a unique, but “is in its scale and duration...[it is] one of the most comprehensive undertaken” globally, displaying the government’s real commitment to reducing the number of firearms in circulation.

As seen above, Armscor was initially tasked with selling surplus government guns. This policy was confirmed by the South African Cabinet in November 1995. In the wake of the Armscor scandal, however, the government rethought the matter, and in November 1996 the Minister of Finance stated his department’s support for the proposal that unserviceable government weapons be destroyed rather than sold. The NCACC decided in December 1996 that this should be a general policy: that all government departments that had to dispose of firearms destroy them. This would ensure that those weapons would never end up in the hands of criminals operating in South African communities. The Department of State Expenditure accepted the financial loss resulting from the routine destruction of all redundant, obsolete and surplus weapons (Thins and Engelbrecht, 1998). Thus on 19 February 1999 the government announced its intentions to destroy all surplus and confiscated weapons instead of selling them.

The most dramatic operation in this regard was Operation Mouflon undertaken by the SANDF. As part of the 1996 Defence Review, the SANDF began to audit its holdings and identified a wide range of arms that had become redundant “due to more advanced technology” or that had been confiscated by the old SADF during military

operations. From July 2000, the SANDF began the process of destroying these weapons, which came to total 262 667 weapons. The breakdown was as follows:

Table 18: Weapons destroyed under Operation Mouflon

198 506	R1 rifles (7.62mm)
1 326	R1 rifles for paratroopers
2 914	R1 rifles, heavy barrelled
3 708	FN rifles, 7.62 mm
12 238	R2 rifles
36 415	Other small calibre reasons and machine guns

From 1997, the police also began to destroy redundant and obsolete firearms, illegal guns that had been seized but could not be traced back to their legal owners and legal guns that had been voluntarily handed in by their owners for destruction.

On 6 October 1997, the SAPS melted down 20 tons of firearms including 4 505 confiscated weapons, and between then and July 2000 destroyed a further 11 tons of confiscated ammunition, 10 tons of confiscated small arms, 9 tons of obsolete or outmoded ammunition and 20 tons of redundant or obsolete small arms. Although these weapons were initially destroyed nationally, more recently the police have begun to destroy surplus weapons on an ongoing basis in the provinces. This makes weapons destruction more difficult to track, but easier and safer for the police to do. The available statistics on the SAPS destruction of weapons between 1999 and 2002 is given in Table 18.

6.5 Additional measures

Finally, the Firearms Control Act does not stand alone but interacts with a number of other control measures that apply within South Africa and in the Southern African

Table 19: SAPS Gun Destruction, 1999/2000 – 2001/2

	1999/0	2000/1	2001/2
Officially redundant/obsolete			
Pistols	38	4 463	7 534
Rifles	3 263	6 946	7 450
Shotguns	25	1 518	2 167
Sub and machine guns	6	745	589
Revolvers	14	133	5 073
Equipment		12 889	15 612
Launchers	--	1	1
SUB-TOTAL	3 346	26 695	38 612
Confiscated weapons			
Firearms/equipment		910	20 191
Revolvers and pistols	5 940	2 291	
Rifles	2 641	127	
Shotguns	489		
SUB-TOTAL	9 070	3 328	20 191
TOTAL	12 416	30 023	58 617

(Sources: "Small arms meltdown," Nedbank ISS Crime Index (5) : www.iss.org.za; Gould et al 2004, p. 243)

region to address the proliferation of small arms. These include the Explosives Act (No. 15 of 2003) that regulates the production of materials used to manufacture ammunition, and the NCACC which establishes Cabinet control over the import and export of conventional weapons and to a certain extent over firearms.

On a regional level, the Southern African Development Community (SADC) Declaration on the Control of Firearms, Ammunition and Other Related Materials was signed by the heads of state of the SADC in May 2001, and the SADC Protocol on the Control of Firearms was adopted at the SADC summit in August 2001. The Protocol sets down (among other things) the basic requirements for domestic gun control laws in the region and requires SADC member states harmonise national firearm control laws in the region.

The Southern African Regional Police Chiefs' Cooperation Organisation (SARPPCO) played an important role in drafting these instruments and now serves as an operational arm through which the small-arms policies of the region can be executed. Under its auspices, a number of joint police operations are now being conducted, for example to track down and destroy illegal firearms.

Finally, key non-government organisations like the Institute for Security Studies, Safer Africa and the Centre for Conflict Resolution have begun to play an instrumental role in assisting other African nations to develop more effective firearm control measures and to erect structures, like national nodal points, to comply with the United Nations Programme of Action on Small Arms and Light Weapons.

7 Conclusion

South Africa emerged in 1994 from a period of political turmoil marked by great violence. The new democratic state set to work to transform South African society, to unify the country, to reduce its deep poverty and great inequality and to provide basic services for the formerly excluded African majority, in order to provide a foundation for development that would result in “a better life for all”. Political conflict rapidly dissolved, except in the war torn province of Kwazulu/Natal, but shortly afterwards the benefits of peace were offset by the growing spectre of gun-related crime and violence. This was attested in a growing rate of violent crime that peaked in 1999 and 2000, which was facilitated and aggravated by the widespread use of guns. It was also attested in the growing use of guns in personal violence in homes and between friends. Gun-related violence then rose to become the number one cause of death due to accident or injury.

As a result, South Africa has one of the highest rates of gun-related violence in the world. This is not a simple statistic. The results go far beyond what numbers can express. The use of guns in homes and on the streets has had a profoundly traumatic impact on South African families and communities – and especially on South African township youth. As a result, it has drained the social capital of the poorest communities, undercutting their capacity to respond to and participate positively in change. Moreover it has diverted resources urgently needed for development into the non-productive sector of safety and security.

Undoubtedly, one factor driving this trend has been the very easy access to firearms. From the onset of independence wars in the region in the 1960s, for over twenty years southern Africa was an important arena in the Cold War, and revolutionary and rebel movements in Mozambique, Angola, Namibia and Zimbabwe were armed by East and West, as well as by the apartheid regime, bringing a huge number of military assault rifles weapons and handguns into the region. Added to this was the guns brought into the South African democratic struggle, during which time the apartheid government and to a far lesser extent the liberation movements brought in arms and equipped local adherents – distributing weapons through surrogate “homeland” authorities, through commando structures and through underground networks.

Failed disarmament has meant that most of these remain in scattered caches or in private hands, available for trading in illicit markets to be used in crime. The open borders, poverty and growing activity of international crime syndicates in the region mean that this trade will be hard to control.

Added to this are guns stolen from legal gun owners in South Africa. Since 1994 at least, licenced gun owners have reported on average 66 guns lost or stolen every day. Although many are recovered by the police, many are not, and day by day these increase the pool of illegal weapons. These private firearms, added to the former weapons of struggle, create a miserable legacy for a country that otherwise has such great potential for becoming an African powerhouse and a driving force for positive change on the African continent.

While the effect of guns may be seen as a South African or southern African problem, the causes – in terms of the sources of these weapons – are international. The South African arms industry at the end of the apartheid era – although heavily state-subsided – seemed healthy and poised to prosper once let loose on the international market. Within two years, arguments for conversion of the military industrial sector, for turning “swords into ploughshares”, were overridden by the new liberalism of government financial policy, and Cabinet seemed to decide that the best method of developing these manufacturing resources was through focusing on and strengthening “core areas” – that is expanding arms production for export. Despite great creativity and a determination to transform, however, these efforts largely failed, at least in terms of commercial firearms. Government-owned and private manufacturers entered a world awash with small arms, with established markets and often high barriers that made entrance into regional markets very difficult.

In fact, once the arms embargo was lifted, international firearms came into South Africa, undercutting local products and dominating the market. One firm after another of South African firearms producers closed down, except, it seems, for those that found places in niche markets. This urges that the question of conversion be looked at once again.

South Africa has made great efforts to address the gun problem. Since 1994 it has developed a comprehensive firearms strategy, including tough new firearm control legislation that already is having a major impact. Moreover, it is assisting other countries in the region with cross-border operations, regional sharing of information and other forms of technological assistance. These have focused on stimulating stricter gun control measures throughout the region, on tracking down the sources of illegal guns, and identifying and destroying weapons caches. It is hard to appraise to what extent this has addressed the problem; however it is likely that these activities will have to continue long into the future.

However, South Africa cannot address the problem on its own. In order to curtail access to arms, caches within the region must continue to be destroyed. This needs continued international support. This also raises the question of Angolan disarmament.

This provides important lessons for the future. It is critical that the United Nations evaluate its disarmament activities to develop effective methods of collecting and destroying stockpiles even during the tenuous early days of peace agreements. The southern African region shows that if peace-keeping forces wait much longer, it will be too late.

Finally, far more control needs to be extended over the international trade in small arms, including commercial firearms, to stop the dangerous build-up of weapons in areas where they will do great harm. This requires the passing and implementation of uniform laws regulating the transfer of small arms and open, public accounting on the small arms trade to curtail abuse or corruption. The global arms trade treaty would constitute a critical first step in this direction.

8 Recommendations

These research findings support the following recommendations:

- 1 The SAPS should continue strict implementation of the FCA. Moreover, to assist in achieving this or supporting its ends:
 - 1.1 The Justice College should implement extensive training programmes for magistrates and court assessors on the FCA and its likely interaction with the Domestic Violence Act and other related laws.
 - 1.2 The SAPS should support the piloting and national implementation of training programmes for civil society to effectively use the law, including specific programmes for community police forums, police station victim empowerment room volunteers and primary health care clinic staff.
 - 1.3 Provincial governments and local municipalities should use local Moral Regeneration Programmes or other youth programmes to create programmes that empower youth to build positive networks and to speak out against gun violence.
- 2 The SAPS should not only maintain, but step up the collection and destruction of surplus and illegal weapons, using
 - 2.1 Renewed police operations following at the 30 June 2005 amnesty deadline, and
 - 2.2 General and targeted public awareness campaigns on the destructive impact of illegal guns
3. Different government departments need to intersect and also work in collaboration with relevant non-government organisations and community-based structures to enhanced support provided for those at risk or deeply affected by gun violence. Thus,
 - 3.1 The South African Broadcasting Corporation should continue its courageous campaigns to raise critical issues relating to crime, violence and human rights, to raise public awareness about patriarchy and the high tolerance of violence and to promote a human rights culture.
 - 3.2 The Department of Education should fund and oversee the piloting, development and wide implement of effective school-based programmes that help school staff identify and assist children at risk
 - 3.3 The Department of Social Welfare in partnership with non-government organisations should develop and implement special programmes for victims of violence, notably for parents who have lost children as a result of gun violence or parents whose children have been permanently disabled.
 - 3.3 The Department of Social Welfare in consultation with non-government organisations should develop special programmes for women who have experienced gun-related domestic violence, possibly based in local primary health-care clinics.
4. With 3.3 in mind, the South African government should place a tax on either guns or ammunition, to support victim support programmes.
5. The SAPS should continue if not expanded programmes of destruction of obsolete, redundant, surplus and illegal firearms

6. The government should amend the Firearms Control Act and the National Conventional Arms Control Committee Act to create a single system of control over the import, export, manufacture, transport, and brokering of small arms and conventional weapons, whether these involve government to government or commercial transactions.
7. The government should amend the National Conventional Arms Control Committee Act to require open and transparent reporting on the trade in small arms
8. DENEL and the Department of Trade and Industry should explore new possibilities of industrial conversion that might be far more profitable than continued arms production
9. The UN should review and evaluate the disarmament programmes that UN peacekeepers have implemented, with an eye to developing effective disarmament systems that can be implemented at the end of conflicts.
10. Additional research should be conducted on the following topics:
 - 10.1 The domestic firearms trade between 1994 and 2004, with a particular focus on the lifting of sanctions, the impact of entry into the world market and the impact of the Firearms Control Act.
 - 10.2 The specific impact of guns on domestic violence.

This report provides strong support for the need for a global arms trade treaty but also highlights why it is necessary that the treaty apply not only to military arms dealt with in government to government transactions, but also civilian arms that flow through normal commercial networks. Both combine to create conditions of civilian and communal violence particularly in Africa that can obstruct development and slow and even overturn efforts to transform the situation of the poor.

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