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# A CITY UNDER SIEGE

Gang violence and  
criminal governance in  
Nelson Mandela Bay



KIM THOMAS | MARK SHAW | MARK RONAN

NOVEMBER 2020



The background features faint, stylized graffiti in the upper right corner, including the number '26' and some illegible text. Overlaid on this are several thick, light-colored curved lines that intersect to form a geometric pattern across the page.

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in Nelson Mandela Bay*

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Cover: Schauderville, part of the northern areas of Nelson Mandela Bay, experiences high levels of gangsterism. © *Corinna Kern/laif*

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# EXECUTIVE SUMMARY



All of the most violent urban centres in the world, measured by homicide rates that account for above 30 per 100 000 people, display common characteristics: economic and social exclusion, and the presence of a spectrum of criminal organizations. The majority of these cities, whose names have become synonymous with extreme levels of violence, are in Latin America. But some suburban communities in South Africa are now regularly experiencing similar levels of violence, as measured by recorded levels of homicide. What is different is that they do not necessarily achieve the same levels of notoriety as their Latin American counterparts.

Nelson Mandela Bay<sup>1</sup> has been experiencing a steady increase in recorded murders and attempted murders since 2012/13, reaching levels comparable to or above some of the most violent places on earth. In Gelvandale and Bethelsdorp, two of the worst-afflicted areas, reported homicide levels spiralled upwards, peaking between 2017 and 2019. Gelvandale had an astonishing 124 homicides per 100 000 inhabitants in 2018/19; Bethelsdorp clocked 79 homicides per 100 000 in the same year.

It is easy to liken the drivers of violence in Nelson Mandela Bay to those seen in other high-violence zones in South Africa, such as parts of Cape Town. In the mix in both cases are racial and economic marginalization, extreme poverty, high rates of youth unemployment, the presence of organized-crime groups and failing government responses. But a closer examination suggests that a specific combination of factors linked to gangsterism and emerging patterns of misgovernance in the city's administration are also crucial in understanding the sheer extent of such violence in Nelson Mandela Bay and how it has increased so dramatically.

The literature provides a sobering comparison for analysis. In excluded communities around the world where local criminal economies are closely tied to the supply and control of drug markets, and where multiple criminal entities compete for control of these markets, the result is often high levels of self-reinforcing violence. This violence is enacted between actors, but also often with the state, while activities of the state

◀ A city in need of a more coherent anti-crime strategy: police in Nelson Mandela Bay raid a taxi to search passengers for drugs. © Corinna Kern/laif



can also be a factor sustaining the violence. Where local governance is penetrated by criminal groups or individuals, the prospects for escalating levels of violence increase even further.

This combination of factors can be found today in Nelson Mandela Bay. The protracted economic and social exclusion (real and perceived) endured by the communities afflicted by violence; the connections to prison gangs (including in the notorious St Albans prison in Port Elizabeth); the influence among communities of local criminal figures as instigators of violence, but who are also seen by some as role models and sources of community 'support'; and the corruption and subversion of local government, in combination, have gathered in force to build into a perfect storm of blood and despair.

The violence and disenfranchisement bedevelling Nelson Mandela Bay have been significantly worsened by the degree to which systems of local government and administration have become criminalized.

Corruption within the tiers of local government at least partly explains why state interventions to reduce levels of violence in Nelson Mandela Bay have failed. In the wake of a major police operation in 2018 aimed at reducing the influence of gangs in the city, violence actually increased.

Despite the high levels of violence and criminal control, there is a lack of research and analysis on organized-crime trends in Nelson Mandela Bay. This report explores the context and drivers of violence in the city, focusing on Nelson Mandela Bay metro, and particularly the northern areas of Port Elizabeth. The primary rationale for the report is the drastic increase in violence in the northern areas experienced in the period since 2010. Not only are the sheer numbers of murders high, but the rate of increase is also alarming. The report analyses violence in the northern areas of the city in the context of their historical and ongoing struggle with gang violence. The recent spread of criminal governance from the northern areas to other parts of the city also warrants attention.

The COVID-19 lockdown in South Africa, which began in late March 2020, has had some impact on quelling levels of violence in the city. But it did continue, and unless a clear set of policy and policing interventions are brought in, levels of violence will almost certainly surge in the wake of the economic crisis left by the pandemic.

What is needed in Nelson Mandela Bay is a more coherent strategy to break the cycle of violence. There is no silver bullet, and policing on its own has proved unable to address the crisis of lost lives. What is required now is an overarching approach that includes socio-economic and infrastructure upgrading; the erosion of the barriers, both seen and unseen, that perpetuate the exclusion of marginalized communities in the city; the reversal of the cycle of criminal influence (including in the allocation of tenders) that has hollowed out effective governance in the municipal authorities; and the effective targeting of senior figures and management structures in criminal organizations by the police, as opposed to their harassing of low-level gang members. Unless such a strategy is followed, many more lives and livelihoods will





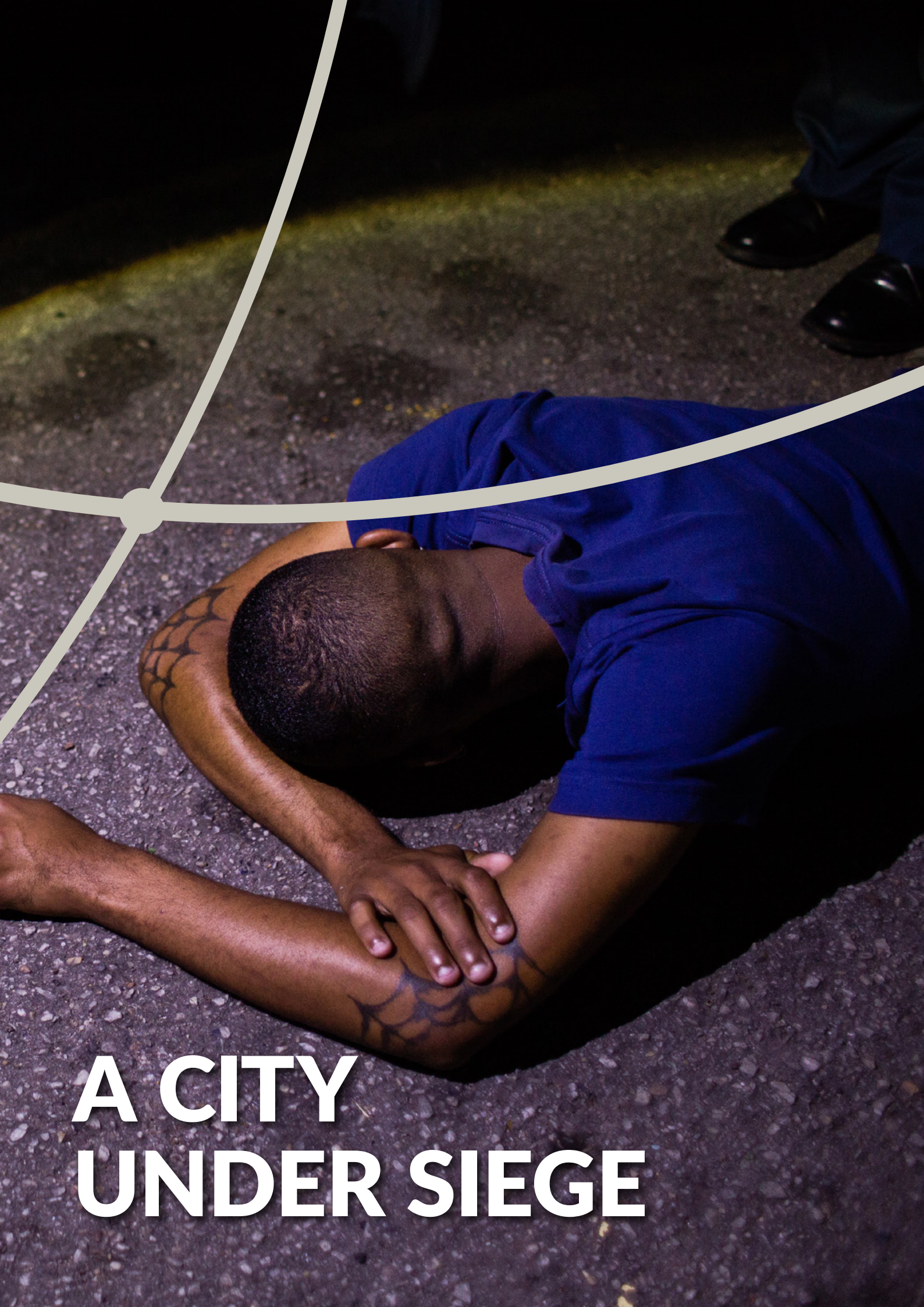
be lost, and the implications will become even more serious for the city, leaving the problem to fester, driving away investment and creating new cycles of violence that will become ever more difficult to contain.

## Methodology

This report is based on more than 60 interviews conducted in and around the Nelson Mandela Bay metro and particularly in gang-affected northern areas. Interviews were conducted between August 2018 and March 2020. Participants included people close to gangs, gang members, police officers, community leaders and other local representatives. Key informants with information on gangs were interviewed several times and the information cross-checked. The research also included a comprehensive literature review, including academic papers and civil-society research reports. The authors also reviewed media reports, company records and police statistics.


Parts of Nelson Mandela Bay metro are blighted by extreme poverty, high rates of youth unemployment and failing local-government responses. © Corinna Kern/laif





# A CITY UNDER SIEGE





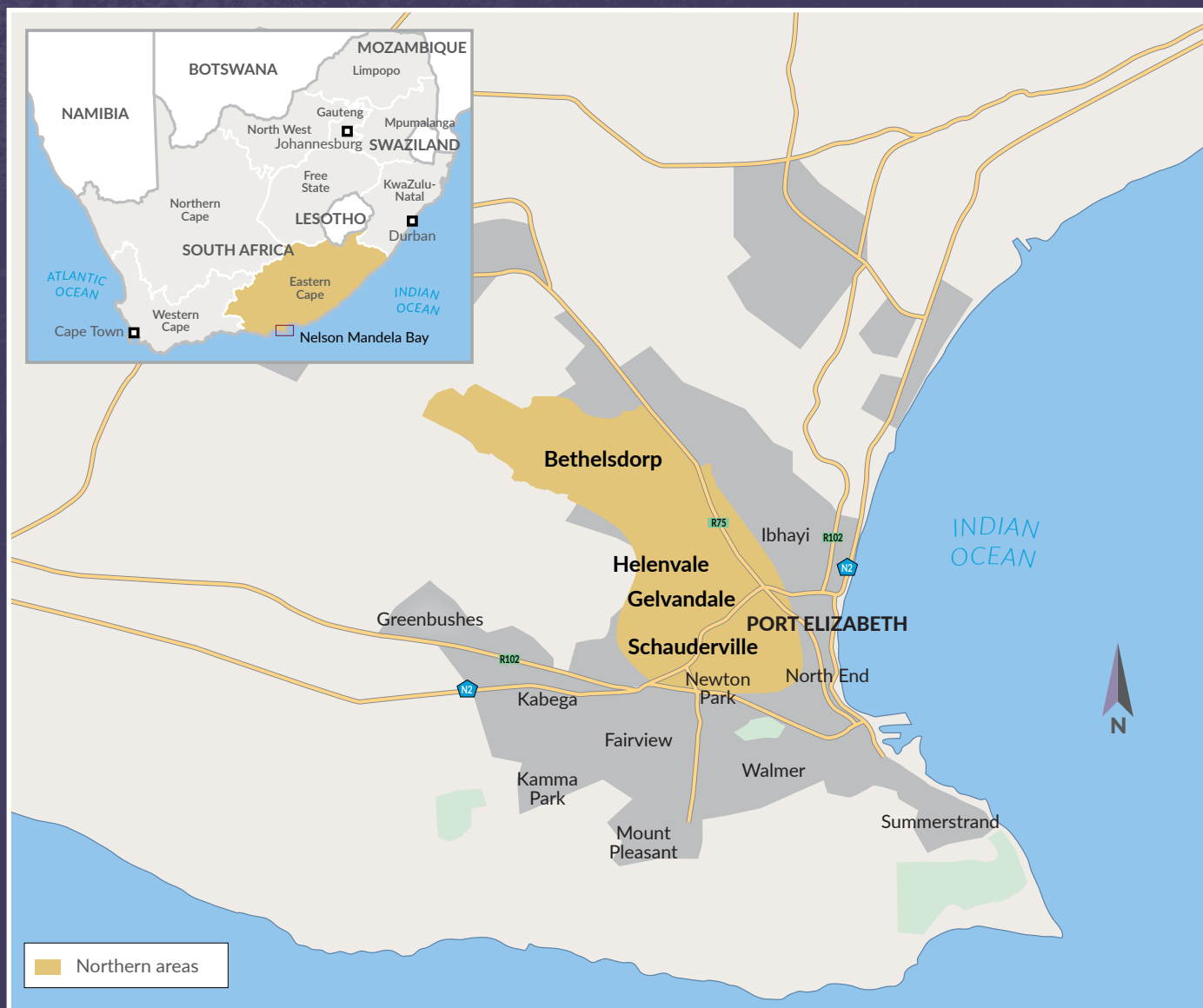
**T**he deployment of the South African military to parts of Cape Town in 2019 in response to escalating levels of gang-related violence in the Cape Flats suggested to many that normative state law-enforcement interventions to counter gangs in the city had failed, and that the deployment of the army was now a last resort. Both the protracted gang-related violence and the deployment of soldiers to suppress it have dominated media coverage of the state's response to crime in South Africa, and caught the wider public's attention.

Meanwhile, a few hundred kilometres east, Nelson Mandela Bay has long been caught in its own vicious cycle of deadly gang conflict that continues to scar the city, but which has gone almost unreported in the national media and unnoticed in the wider debate. Even though Nelson Mandela Bay has been emerging as one of the country's major centres of gangsterism for decades,<sup>2</sup> the gang phenomenon in Nelson Mandela Bay has attracted almost no attention from national, or even local analysts, and has largely escaped the public consciousness. Yet the violence in the city has accelerated dramatically since 2012/13, and by the time of the COVID-19 lockdown in March 2020 had reached extreme levels in some places.

Although gang activity is highly concentrated in certain parts of the metro's northern areas, most notably Helenvale, Gelvandale and Bethelsdorp (see Figure 1), the consequences are far-reaching and serious. Violence within communities affected by the gangs is extraordinarily high, and targeted killings and open conflict almost daily events.

The local economy in Nelson Mandela Bay is under considerable pressure, having seen declining levels of growth since 2011.<sup>3</sup> The impact of the COVID-19 virus and the economic shocks associated with it are likely to exacerbate these challenging economic circumstances. Local politics in Nelson Mandela Bay has also been highly

- ◀ Crime and drug abuse are concentrated in parts of the metro where criminal economies are tied to the supply and control of drug markets. Here a suspect lies waiting as the police conduct a drugs search. © Corinna Kern/laif



**FIGURE 1** Nelson Mandela Bay Metropolitan Municipality, showing the northern areas.

NOTE: The northern areas have a high murder rate. In 2018/19, Gelvandale had 124 homicides per 100 000. Helenvale has reportedly the highest concentration of gang activity in South Africa.

conflictual. In 1994, the city council won an overwhelming ANC majority. The opposition Democratic Alliance (DA) targeted the municipality as one where it could make inroads with voters, particularly given the high levels of corruption and dysfunction in the city administration. So intense was the political competition for the city's control that the ANC at national level sought to intervene to improve administration and reduce corruption, including with the appointment of a high-profile national candidate for mayor.<sup>4</sup>

The ANC intervention failed to sustain its majority. In fact, no party won a clear majority in the 2016 local-government elections,<sup>5</sup> and a coalition government had to be formed. This gave smaller parties in the metro a critical role as kingmakers. An uneasy coalition of the DA and the United Democratic Movement (UDM) assumed office. This coalition was unstable from the start and fell apart in August 2018 as the UDM swapped sides, joining the ANC, but in exchange for the appointment of Mongameli Bobani of the UDM as mayor. Municipal civil servants reported high levels of internal instability in the metro, little strategic direction and a culture of fear following his appointment.<sup>6</sup>



Bobani was ousted from the position following a motion of no confidence in December 2019,<sup>7</sup> but his tenure was significant for the alleged corruption and chaos that permeated the municipality while he was in office. Although the UDM had only two seats in a council of 120,<sup>8</sup> Bobani was able to use the dynamics of coalition politics to his advantage. An interim mayor, Thsonono Buyeye, Bobani's deputy, from the Africa Independent Congress, was appointed. In March 2020, the ANC announced that it would not participate in a special council session to appoint a new mayor. On 23 July, the Department of Cooperative Governance and Traditional Affairs alerted the municipality of its intentions to place it under administration for its 'persistent failure' to fill the mayoral position, which had been vacant since December 2019. Meanwhile, the National Treasury threatened to withhold R800 million of grants to the municipality over the questioned legality of the appointment of an 'unqualified' acting municipal manager.<sup>9</sup>

For the municipality to be placed under administration, the message from central government is clear: the council is dysfunctional, and the city's administration has collapsed. The crisis of governance in the city, including allegations of systemic and widespread corruption, have proved all but impossible to curb. Now, uncertainty and instability seem set to reign in Nelson Mandela Bay's political administration for the foreseeable future.

The COVID-19 pandemic has reinforced this uncertainty, to the severe detriment of the city and the province as a whole.

**Governance crisis: former Nelson Mandela Bay Mayor Mongameli Bobani was removed from power, with allegations that systemic corruption had permeated the metro authority under his watch.** © Theo Jephtha/ Gallo Images



## The tipping point

Throughout the period of political contestation in the town hall, violence in the city's northern areas had been ratcheting up over time. The northern areas of the city, the primary focus of this report, including Schauderville, Gelvandale, Helenvale and Bethelsdorp, were designated as settlements reserved for 'Coloured'<sup>10</sup> communities under apartheid and have since continued to suffer high levels of exclusion. Gangs emerged in these areas as result of a combination of factors: a long, historical process of social and economic exclusion; the acceleration of the local drug economy; the growing availability of guns; and the fragile and highly conflictual politics that have characterized the metropolitan government over the last few years. A tipping point is now being reached, and reversing this trend will not be easy.

Crime governance – whereby gangsters effectively constitute the system of local control<sup>11</sup> – is now a feature of Port Elizabeth's northern suburbs and is spreading to other parts of the metro. Unchecked, this will have wider repercussions for the metropole. Off the record, police officers express concern over the extent of the challenge and the degree to which politics makes it harder to resolve.<sup>12</sup> They concede that police corruption blunts state efforts

to respond. In July 2019, following a spate of gang warfare that resulted in the closure of several schools in the northern areas, the provincial premier announced that a new anti-gang police unit was needed to confront gang violence.<sup>13</sup>

For their part, gangsters report a desire to extend their control over parts of the city, including through local-government public-works tenders.<sup>14</sup> The link between municipal tenders and subcontracts and criminal groups in Nelson Mandela Bay is an omnipresent danger to long-term rule of law and governance in the city. In the early months of 2019, a spate of murders, some of them of prominent businessmen and politicians in Nelson Mandela Bay, were reported across the metro.<sup>15</sup> Seemingly targeted killings, these have been linked to a contested process of development related to the issuing of tenders and the formation of what is known in South African parlance as small, medium and micro-enterprises, or SMMEs.<sup>16</sup> The rationale for such entities was that they would provide a vehicle for wealth redistribution and prosperity for previously excluded people. In Nelson Mandela Bay, SMMEs have become one of the emerging drivers of criminal influence and corruption in the city.

## Violence in Nelson Mandela Bay

Nelson Mandela Bay is not the most violent city in South Africa. Statistically, when the homicide rate is used as a proxy measure, Cape Town holds that title. In 2017/18, Cape Town had a total of just under 2 500 murders in total, at a rate of about 70 murders per 100 000. In comparison, Nelson Mandela Bay had just over 500 recorded murders in that year, with a homicide rate per 100 000 residents of just over 55. Both cities are well above the average murder rate for South Africa as a whole, which stands at 33 per 100 000.<sup>17</sup>

Cape Town's homicide rate peaked in 2006/07 and then declined to 2010/11 before spiralling upwards to around 70 deaths per 100 000 in 2017/18. Nelson Mandela Bay's trajectory is different. The murder

rate peaked in 2006/07 before declining to 2010/11, stabilizing at a high level for several years before increasing rapidly in 2015/16, a period in which there was extensive gang-related violence in the city. The latest official figures for 2018/19 suggest that the city's murder rate is now above 60 cases per 100 000 residents. Nelson Mandela Bay is edging closer to the country's homicide record holder.

These are extraordinarily high levels of violence; as mentioned, they are comparable to levels experienced in cities in Latin America long associated with extremely high homicide rates. It should be emphasized that violence in cities such as Cape Town and Johannesburg is concentrated in particular areas.<sup>18</sup> In the case of Nelson Mandela Bay,

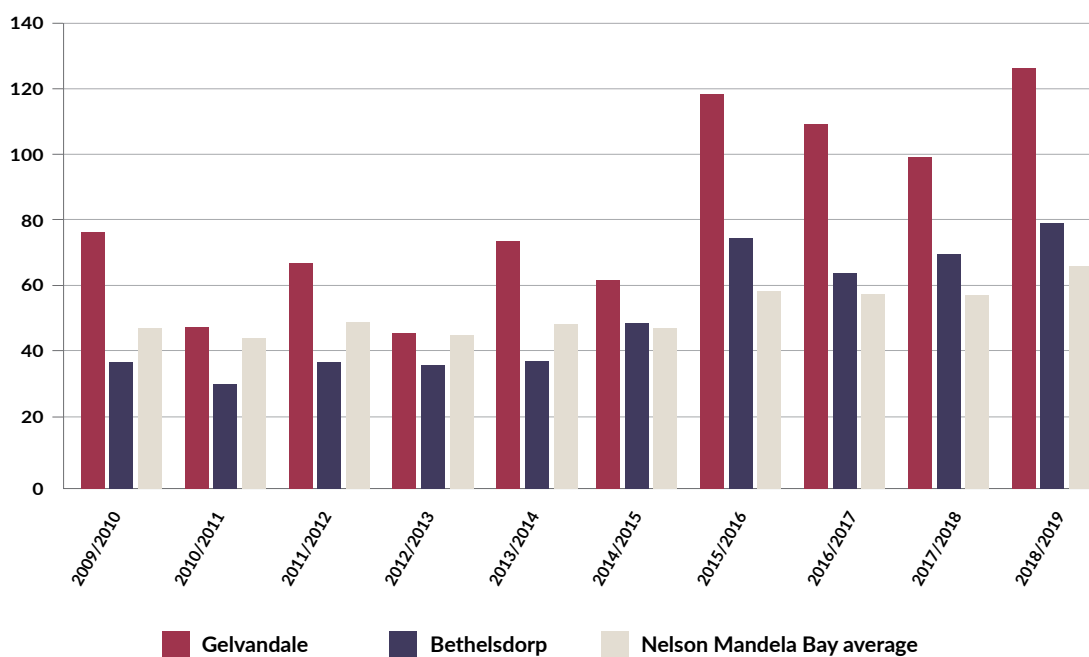
this geographic concentration is even more pronounced. In Bethelsdorp and Gelvandale, two of the worst-afflicted areas, levels of reported homicide spiralled upwards, peaking in 2017/18. In 2018/19, Bethelsdorp had 79 homicides per 100 000 people; Gelvandale 124 per 100 000. By comparison, no

subnational area in Central America, considered by criminologists to be the most criminally violent region on earth, exceeds 90 homicides per 100 000 of the population.<sup>19</sup> The levels of violence in Nelson Mandela Bay therefore deserve urgent attention yet seldom receive it.

## The communities affected by crime

Looking more closely at the areas experiencing such high levels of violence, Figure 2 shows that Bethelsdorp and Gelvandale have become significantly more violent than other parts of the city in the last few years. In both places, gang violence had peaked in 2015/16, but data for 2018/19 shows levels of violence rising again.

Figure 3 provides an indication of both the raw murder (i.e. not measured per head of population) and attempted murder data for Gelvandale and Bethelsdorp. This confirms the above pattern, showing striking levels of violence in both areas, with year-on-year increases occurring in parallel in both localities.



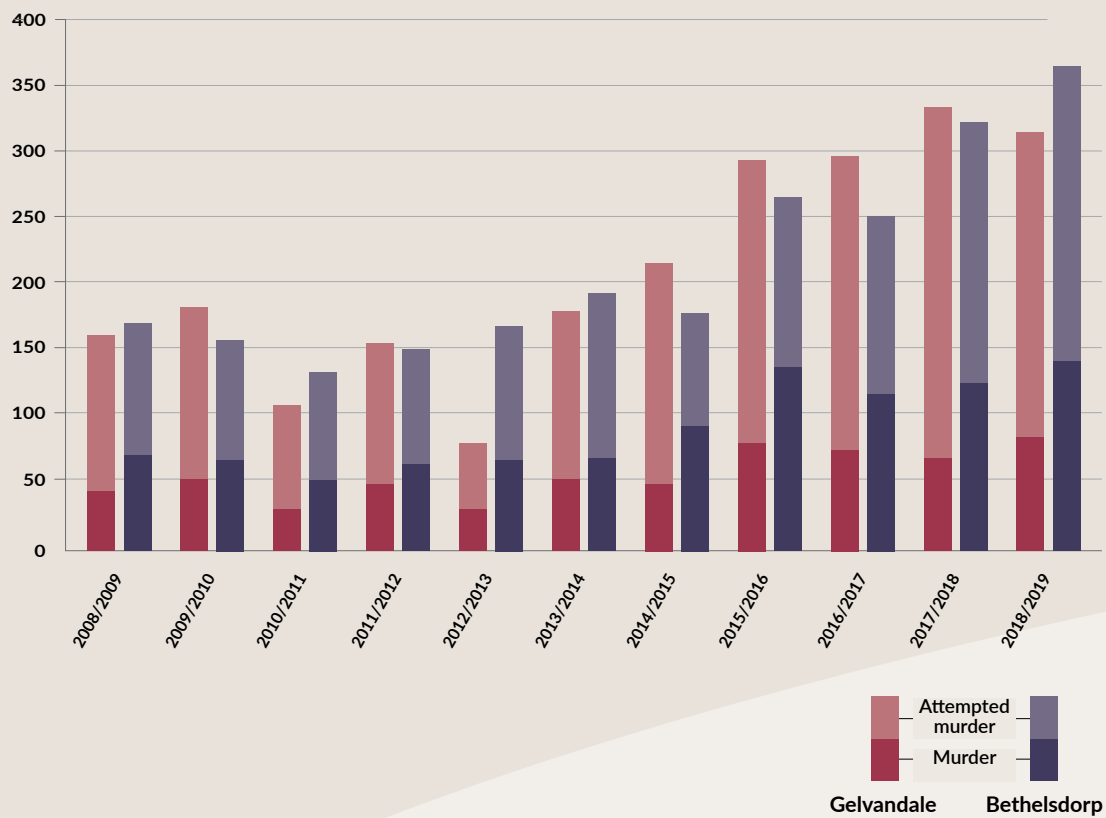
**FIGURE 2** Comparative homicide rates for Bethelsdorp, Gelvandale and Nelson Mandela Bay, 2009/10 to 2018/19

Furthermore, data gathered for this study through interviews on gang-related murders since January 2019 recorded over 159 gang-related murders in these areas for the period. As noted earlier, 2019 was characterized by very high levels of gang violence in the affected communities (Figure 4).

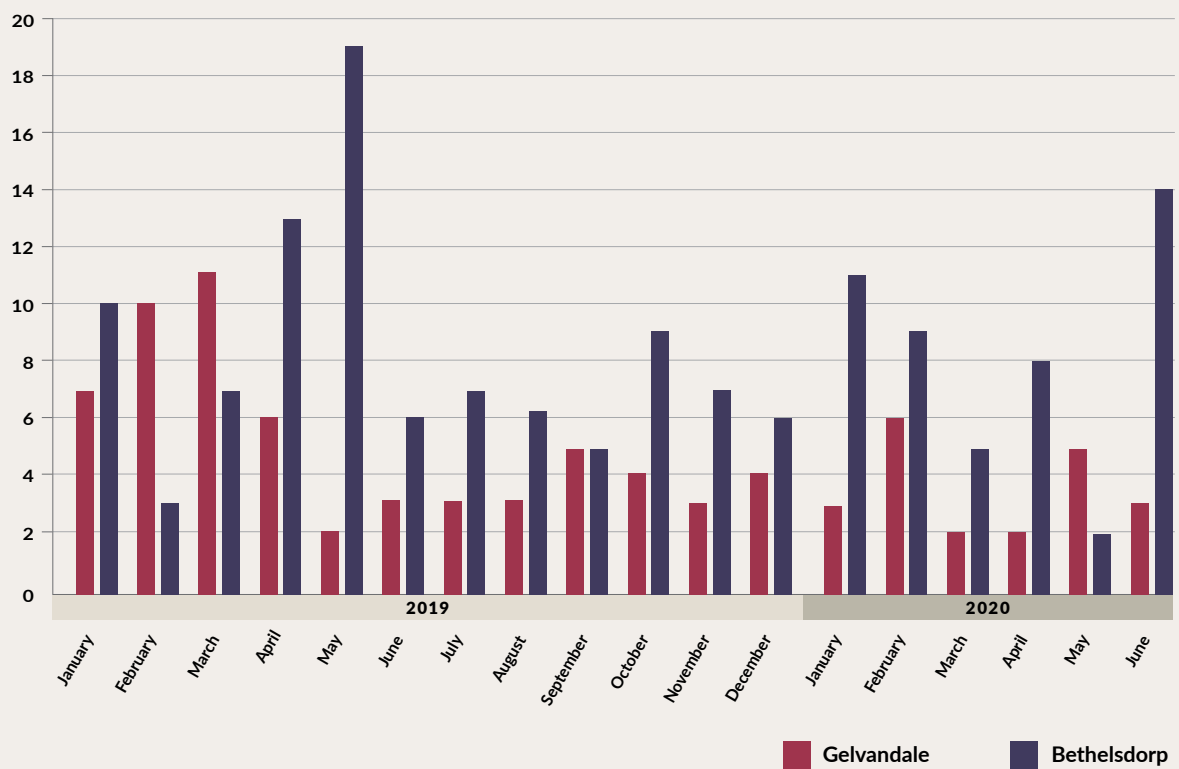
Figure 5 shows that Bethelsdorp SP (an area within Bethelsdorp), Arcadia and West End are the hardest hit by gang violence. The spike in Bethelsdorp gang-related murders in April and May 2019 was due

to gang wars between several local gangs. Interviews indicate that much of the violence was linked to gang turf wars, the majority of recent cases being the result of revenge killings between gangs in the area.<sup>20</sup>

Making an accurate connection between levels of violence and gang presence in a given area is challenging. In this study, we could link only a relatively small proportion of murders in the two areas directly to gangs (i.e. direct hits carried out by named gangs and reported as such by community

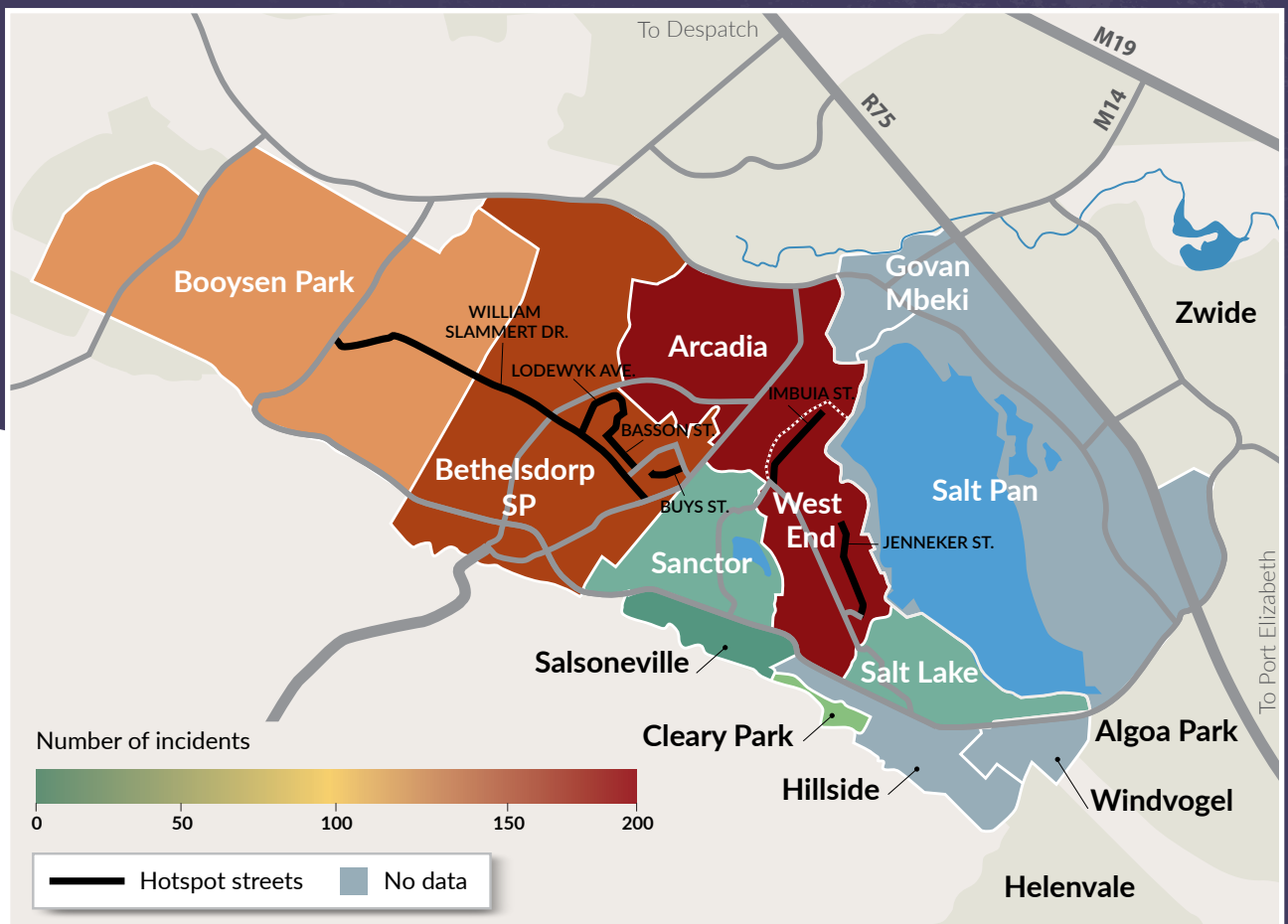


**FIGURE 3** Murders and attempted murders in Gelvandale and Bethelsdorp police station boundaries, 2008–2019



**FIGURE 4** Gang-related murders in Gelvandale and Bethelsdorp, 2019 to June 2020





observers). That said, interviews suggest a much wider number of killings are linked to gang activity, but these lack some of the strict defining features that allow a direct connection to be made. Interview material also shows that the general milieu of instability created by gang presence and competition between gangs generates violence to a significant degree.

**FIGURE 5** Bethelsdorp, showing gang-related incidents of murder and attempted murder, 2018–2019

The data and the map show just how extreme, and how concentrated, levels of violence are in the northern areas of Nelson Mandela Bay. Indeed, of all the urban areas in South Africa, Helenvale has the highest concentration of gang activity, with more than 20 gangs operating in an area of 0.88 km<sup>2</sup>.<sup>21</sup> The northern areas of the city are historically the hubs of gang activity in this urban conglomeration, and continue to be so today. Socio-economic conditions in these areas are extremely challenging. In a 2011 study of Helenvale, the average income per household was estimated to be between R260 and R700 per month (equivalent to between US\$14 and US\$38, calculated according to May 2020 exchange rate); this equates to R401.39 and R1 081.67, respectively (US\$22 and US\$59) as of 2019, when adjusted for inflation.<sup>22</sup> For comparison, the average monthly household income in South Africa for 2019 was R34 037.<sup>23</sup> The study estimated that each household in Helenvale is home to an average of eight people, all of whom often rely on the meagre income derived from state-disbursed child and disability support grants, pensions and perhaps informal employment of a household member.<sup>24</sup> In such communities, gang members may provide a form of social and economic lifeline.



**Praying for a way out?**  
Schoolchildren at  
Booyenspark High School,  
Bethelsdorp, before the start  
of an outreach programme  
performed as a response  
to the high prevalence of  
gangsterism, and drug and  
alcohol abuse in the northern  
areas of Nelson Mandela Bay.  
© Corinna Kern/laif

Despite these challenging socio-economic circumstances, community members feel unable leave the area, for lack of work opportunity elsewhere and instinctual fear of the unknown.<sup>25</sup> Interviewees described these communities as a trap, with the only exit often being offered by death or imprisonment.<sup>26</sup> Compounding this sense of social entrapment is the lack of opportunity for upward financial mobility, as well as the high rate of teenage pregnancy.<sup>27</sup>

It would be imprudent, however, to single out economic circumstances as being the sole, or even primary, determinant for gang membership. Poverty does not necessarily translate into criminality, as many impoverished communities throughout the world demonstrate relatively low levels of crime and gangsterism.<sup>28</sup> Rather, economic circumstance is just one factor in terms of the propensity for criminality. Others that require investigation are living conditions other than financial circumstances, such as the dehumanizing effect of overcrowding and the impact it has on children's ability to study, for example; familial and community relationships; historical inequality; and the influence and legitimacy that gangs have or seek to exert in certain communities.<sup>29</sup>



## Gangs and crime during the lockdown: Business as usual?

A further development not comprehensively explored in this report but worth taking note of for future research is the impact of the COVID-19 pandemic and the resulting lockdown on crime on Nelson Mandela Bay. It is too early to tell what the long-term impacts of the lockdown will be on gangs and violence in Nelson Mandela Bay, and it is an important development that will be analyzed in future research.

However, early findings suggest that during the initial stages of the nationwide COVID-19 'hard' lockdown in South Africa, which began in late March 2020, the state recorded a reduction in serious crimes in Nelson Mandela Bay. This can be attributed to a combination of factors, such as the restriction on movement; the closure of non-essential businesses (such as liquor and tobacco retail); and high police and law-enforcement deployment and interventions in the area.

However, the lockdown also caused some shifts in criminal behaviour and patterns (e.g. street robberies diminished, while incidents of school and business burglaries and lootings increased), and general civil disturbance in poorer communities. The restrictions will most probably have contributed to an upsurge in organized-criminal and gang activities mainly due to the destabilized economy (e.g. drug, liquor and tobacco smuggling, and corrupt business exploitation practices).

Community members said that gangs were operating as though it were business as usual. Although more people were staying behind doors and a preliminary drop in violence was noted, gang shootings were still occurring.<sup>30</sup> Drug dealing continued as some people still continued to move freely in the street. One community member claimed that gangs had made use of the lockdown to assassinate a witness to a gang murder trial. The witness had stayed home as a result of the lockdown, so the gang knew exactly where to find him. He was apparently killed at his home shortly after the lockdown had begun.<sup>31</sup>

Meanwhile, the sale of alcohol has moved underground and products have increased in price. In Bethelsdorp, foreign-owned shops have been looted by gangs who previously targeted taxis, resulting in residents having to travel some distance to supermarkets without transport. Unoccupied schools and churches have also been targets of burglaries.<sup>32</sup>

The current operational demand of law enforcement under the lockdown outweighs the organizational expertise, expectations and abilities to stabilize or combat crime, and in particular enforce the lockdown regulations. The SAPS operational focus shifted during the period of lockdown to enforcing compliance, which has affected normal crime-combating practices to a great extent.

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FROM THESE PREMISES  
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**When the community is a trap: in socially excluded settings, there is a risk young people may seek self-realization and identification in illicit activities.** © Shaun Swingler

Parents' lack of education, or lack of interest in their children's education is also a problem because parents are often not able to provide academic or even emotional support.<sup>33</sup> This is compounded by the general lack of role models for the young in households and the community at large. The lack of privacy caused by overcrowding is also a pressing concern, in that it undermines human dignity.<sup>34</sup> Although accurate figures are not available, our interviews suggest anecdotally very high levels of substance abuse (drugs and alcohol) in the affected communities.

## A perfect storm

What are the factors that explain how this concentration of violence in pockets of Nelson Mandela Bay has come about? Recent comparative research on urban violence provides some important pointers, suggesting that some areas become vulnerable

When asked about the situation at home, one respondent described it as '*liefdeloos*' (Afrikaans for 'loveless').<sup>35</sup> This lack of acceptance and love among one's own family – together with the factors described above – often compels young people to seek self-realization elsewhere, in some cases in crime. Community frustrations in this urban area therefore often lead to violent behaviours as young people may seek social and personal development and identity in illicit activities that they can't achieve in a 'loveless' domestic environment or in normative society.

over time, not only because of social and economic exclusion or decline, but through a broader combination of factors.

The first of these is that whatever other conditions may be prevalent, concentrations of violence in

particular geographic zones become self-reinforcing over time. Such places have been described as persistent 'constellations' of violence, in which pockets of 'murder and mayhem [stick] in and around discrete people, places and things. ... These constellations of risk are surprisingly stable and durable,' concludes Thomas Abt, a crime researcher specializing in evidence-informed approaches to reducing crime in urban areas, and are driven by a set of local criminal conditions, including a confluence of guns, gangs and drugs.<sup>36</sup> While certain parts of a city may be governed normatively, violent zones are increasingly excluded from standard administrative services and practices, and metaphorically walled off by government actions (including tough law-enforcement responses) and middle-class public pressure, making the problem worse, not better.

The 'stickiness' Abt refers to in these constellations of violence is not due solely to poverty – as noted, many poor or excluded places display low levels of violence. Rather, violence accumulates in certain communities over time, slowly builds and then rapidly accelerates. This continuum is exacerbated by state responses, which hallmark some places and communities as prone to violence. In a self-fulfilling prophecy, violence is the expectation, and the state responds with that in mind. A violent response from state enforcement agencies in turn reinforces rather than breaks the cycles of violence. In such a context, legitimate forms of government, argues Abt, have to be returned, not all at once but person by person, and block by block.<sup>37</sup>

The second factor pointed to by recent literature that has a decisive bearing on prevalence of violence is the presence and evolution of criminal-style structures, such as gangs, and particularly where such groups are in competition with one another. This is exacerbated when there is a trade in an illicit commodity that triggers competition, funds the tools of violence and creates incentives for local criminal entrepreneurs. Deborah Yashar's groundbreaking recent study on high levels of violence in the Americas shows that the 'organizational competition

[among criminal groups, such as gangs] to control subnational, territorial enclaves drives the high violence patterns in the region; this competition occurs between illicit actors and/or with the state.'<sup>38</sup>

Criminal organizations evolve over time, often drawing on other forms of social organization and connections until they become self-reinforcing social structures. This is particularly so when groups operate in competitive, concentrated drug markets. Importantly, one group may not necessarily become dominant in the end as the system of criminal accumulation feeds all parties and violence occurs in cycles.

The third factor concerns the role of the state. Another new study on high levels of violence in particular localities suggests that spiralling levels of violence occur when governments, at all spheres, become complicit in the violence, either through cooperating with, co-opting or coming to quiet agreements with criminal groups. This occurs, Rachel Kleinfeld argues, in 'highly unequal, politically polarized societies governed by political and economic elites who twist the law to their benefit to monopolize exorbitant state resources'.<sup>39</sup> Such complicity includes a combination of neglect, corruption, the infiltration of criminal groups and individuals into government processes, and failure by political elites to foster social and economic inclusion.

Although none of these factors is in itself new, what each of the studies emphasizes is how these overlapping drivers of violence have been recently exacerbated in many urban areas around the world. Each of the analyses suggests that historical factors, particularly in the relation to the building of nascent criminal organizations over time, are important. But so, too, are the conditions that have led to a sudden acceleration of violence in several cities, often in the context of a failure of government.

Nelson Mandela Bay fits this pattern closely in terms of how the gangs developed and gained influence both in their own drug territories and with local government.





# THE GANGS OF THE BAY





**T**he gang phenomenon in Port Elizabeth can be traced to around the middle of the last century. However, the current constellation of criminal operators have become more violent and territorial over time. This territorialism coincided with the opening of South Africa's borders, after the isolation years of apartheid, and in particular the subsequent influx of drugs in the 1990s. The new drug economy heightened the need for gangs to secure and control their territory, or turf, raising barriers around them, and creating a monopoly on drug sales in their pitch. Later, as they expanded their drug empires in the first decade of the new millennium, gangs reinforced their territorial control through violence and by forging connections with the police (see Figure 6).

In Nelson Mandela Bay, gang formation began in the wake of forced removals in the 1950s and 1960s, during which predominantly Coloured communities were uprooted from areas of the city declared exclusively for white residents.<sup>40</sup> Interviews conducted in these communities underscore how the expansion of gangs stems from continuing marginalization in post-1994 South Africa.<sup>41</sup> Their experience is not necessarily a unique one. In predominantly black townships – still trapped in an apartheid-era geography 26 years after the dawn of democracy – and poor rural communities across the Eastern Cape, you will hear stories of dashed, broken promises of post-1994 development that has not come to pass. And, similarly, black South Africans will say that Coloured and white 'police don't care for us'.<sup>42</sup>

In this context of exclusion and insecurity, gangsters have often fulfilled a dual role as both providers of resources and as avatars representing the community's frustrations.<sup>43</sup> In that sense, gang bosses have been described as 'flawed saints', actively seeking community approval and legitimacy, while at the same time being ruthless practitioners of violence and organizers of the local drug economy.

In the development of gangs in Nelson Mandela Bay, it is important to note the nature of their evolving functions. A gang may have numerous functions, but essentially these can be broadly categorized into two: social and economic. The first street gangs of Port Elizabeth, among whose ranks were typically unemployed men,

◀ Luchen Pieterse, 5, was killed, reportedly caught in the crossfire of a gang shoot-out, while flying his kite on the streets of Helenvale in March 2014.

appeared to have fulfilled only a social role. Men and boys joined these groups for the camaraderie they offered, and perhaps for the cathartic aspect involving the release of frustration through violent confrontations with rival groups. In marginalized neighbourhoods lacking a sense of community and mutual respect, disgruntled and disenfranchised youths found companionship among those similarly affected and a sense of purpose in delinquent group behaviour.<sup>44</sup>

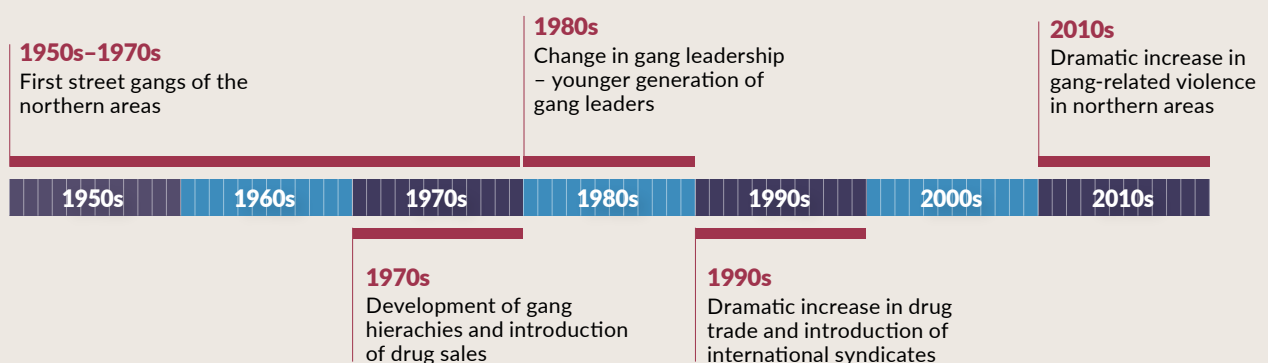
Later, with limited opportunities for employment due to the racially prejudicial legal regime and lack of opportunity for education, illicit activity became a means of financial gain. The lack of a sense of community in these areas combined with under-resourcing during apartheid impaired the resilience of these communities when faced with the spectre of crime and gangsterism. Instead, as described above, many community members came to depend on crime or turned to crime themselves to survive.

Gangs may entice young alienated men into their ranks, because they appear to offer an attractive alternative to a life of exclusion.<sup>45</sup> The economic function is often a lure for youths who have limited economic opportunities, or for whom the state cannot provide alternative livelihood options. As gangs developed and their criminal operations expanded, the distinction between a gang as a social mechanism and as an economic enterprise became more pronounced.<sup>46</sup>

By the late 1970s, gangs had formed themselves into organizational hierarchies, with at least one member performing a leadership function in the structure. Groups became defined by a name and, with it, an identity. Among the first of these were the Mongrels, the Mafias and the Forty Thieves.<sup>47</sup> An economic function of these gangs had developed alongside the social function. The market for drugs – at this stage particularly cannabis and Mandrax (a synthetic drug, sold in tablet form whose active ingredient is methaqualone) – was growing, and the monetary proceeds provided numerous Coloured men with financial prospects in an environment that offered them very few alternative livelihood opportunities. In this process of economic gain, gang leaders achieved a degree of local respect for climbing the economic ladder out of poverty.

Heightened police activity in the 1980s suppressed levels of crime and inter-gang violence. Police interventions disrupted the violence, or at least brought it under a certain degree of control, but did not deter criminality or gangsterism. The style of policing may have alleviated the symptoms but it did not treat the disease.

Very few of the original gangs of Port Elizabeth survived to see the end of the 20th century. This is unsurprising, given that the average shelf life of a street gang, based on a global comparative review, is roughly ten years.<sup>48</sup> For a gang to survive, it must develop an established hierarchy that outlasts the sum of its parts, and that allows members to move



**FIGURE 6** Timeline of gang evolution in Nelson Mandela Bay

up the ranks and step into leadership roles. It also helps that a gang's strategy is clearly defined, for example through its involvement in particular criminal markets, and that it has a certain recognizable hallmark in how it executes its operations. Without a propensity for endurance, the activities and operations of a particular gang will come to a halt once the leaders are imprisoned or killed.<sup>49</sup> This was the case in Nelson Mandela Bay in the 1980s and early

1990s during a major police operation when key high-ranking gang leaders were imprisoned.<sup>50</sup>

Older, imprisoned gang leaders often continued to assert their leadership by issuing instructions to the gang foot soldiers, but their influence was waning and their lack of presence on the streets allowed a younger generation of leaders, towards the end of the 1980s, to start taking control of gangs and to establish new ones.<sup>51</sup>

## Accelerators of gangsterism: Drugs, guns and prison gangs

The new generation of gang leaders stepped into position at a time when three intersecting accelerators would act together to transform criminal enterprise in South Africa. The first was the significant growth in the local drug economy, which had been expanding since the 1970s, but showed dramatic increases from the mid-1990s. The second was a sudden influx of guns, beginning in the 1990s, but surging from 2010 onwards. The third was the degree to which prison gang culture – and, in the case of Nelson Mandela Bay, the influence of gang inmates in St Albans prison – had a wider impact on gang organization. In different but overlapping ways,

these three factors accelerated criminal organization in Nelson Mandela Bay.

Selling drugs is an activity conducted by almost all of Nelson Mandela Bay's gangs, and certainly all of the most powerful and influential groups. Local gang bosses sourced drugs from their connections in Cape Town and Johannesburg – both cities that were seeing increases in the supply and use of methamphetamine, or 'tik', for example.<sup>52</sup> (Port Elizabeth harbour is known to be used for big shipments of drugs, as evidenced by a September 2019 bust, in which 85 kilograms of cocaine was seized.<sup>53</sup>)

**The prison gang culture and mythology have influenced the way gangs organize themselves and their identity.**

© Shaun Swingler







Watching over their turf. The Nice Time Bozzas are caught on camera in Helenvale, an urban area that is contested by some 20 gangs. © Corinna Kern/laif

Gang bosses report that one reason why drugs started to become more readily available in the mid-1990s was that a new set of interlocutors with external connections appeared in the market. Until that period, most gangs had a few prized connections to local dealers but border control prevented these connections expanding further. This applied in particular to methaqualone sourced from South Asia, often in collusion with political actors and criminal syndicates.<sup>54</sup>

Among these external connections, Nigerian criminal networks assumed prominence in Nelson Mandela Bay from the late 1990s. The arrival of Nigerian syndicates marked an important phase in the city's gang evolution not only because their entrance into the markets marked a diversification among criminal groups operating in South Africa, but also because of the opportunity that their presence offered

local gangs as conduits to external illicit commodity markets to which, previously, the local gangs had limited or no access, including cocaine.<sup>55</sup>

Nigerian networks are said to have introduced a more consistent flow of firearms to the gangs.<sup>56</sup> Community leaders and gang bosses confirmed that firearm possession and use first became prominent in the late 1980s and early 1990s, slowly mounting over the 2000s. Proliferating dramatically since around 2013 and 2014, firearm use has become widespread in the city's northern townships.<sup>57</sup> Research conducted for this report suggests that firearms and ammunition in Nelson Mandela Bay have also been sourced from local police officers, or are of police origin. Stocks of police guns sold to gangs in Cape Town by former police colonel Christiaan Lodewyk Prinsloo have also apparently found their way into the hands of criminal groups in Nelson Mandela Bay.<sup>58</sup>

As elsewhere in South Africa, the increase in availability of firearms decisively impacted the evolution of gangs through their ability to enforce territorial power. The presence of guns has been, as will be discussed later in the report, a decisive factor in escalating violence in Nelson Mandela Bay.<sup>59</sup> In a vicious cycle, drug sales generate funds for the purchase of guns, and guns allow gangs to defend larger areas of drug turf. Consequently, there has been a rise in recent years in the number of gun-related casualties among gang members and ordinary civilians, the latter frequently caught in the crossfire.

The connections between gangs on the street and prison gangs is not unique to South Africa. Globally, prisons have been shown to be both incubators and bases for criminal organizations.<sup>60</sup> In South Africa, prison gangs have a long history, and a distinctive mythology and symbolism. Referred to as the 'Number', the prison gangs' origins stretch back into colonial history. St Albans prison in Nelson Mandela Bay has been a fertile environment and recruiting ground for gangs.<sup>61</sup> Although the mythology and symbolism of the Number has dissipated in recent years, the prison gangs nevertheless remain an important organizing principle among the city's gangs, and their systems of ranking a way in which imprisoned gang bosses retain influence outside of jail.<sup>62</sup>

## 'Gemors' gangsterism

Compounding the problem of violence in the northern fringes of the city is what has been termed *gemors* (i.e. messy or trash) gangsterism, which has provided a new dimension to gang activity and its effect on the community.<sup>64</sup> Initially, gangs in the area would deploy violence for the purpose of intimidation so as to consolidate territory, to enforce agreements, or for the purpose of 'honour' in the form of revenge killings and for other demonstrations of bravado tied to a culture of hypermasculinity.<sup>65</sup> *Gemors* gangsterism subverts this traditional understanding, in that this form of gang violence is often random and targeted at ordinary civilians for the purpose of robbery or to spread fear.<sup>66</sup> These seemingly irrational forms of

Most street gangs in Nelson Mandela Bay – and the same applies to other large metropolitan areas, such as Cape Town – are allied to either the 26s or the 28s. Gangs have taken to organizing themselves according to the paramilitary-style hierarchy demonstrated by the prison Number gangs, and have adopted their ideologies.<sup>63</sup> This manner of gang organization has imparted street gangs with a greater degree of resilience, potentially allowing them to persist longer than the norm for an average street gang. Prison gangs were therefore an accelerator of the gang phenomenon, in the sense that they have provided a framework, a set of ordering principles and a legitimacy to gangs as they expanded.

For those in the upper tiers of the Nelson Mandela Bay gang hierarchy, organized crime became a highly profitable venture. Over time, gangs expanded their drug markets, and, with them, their territory, gaining control over areas while seeking to solidify their social standing among the community.

Territorial control and social power among the community, along with connections forged with corruptible state officials and civil servants, enabled the gangs of the bay to later move into the business of local-government tenders, at the same time overwhelming the communities with violence.

violence are at odds with, for example, the approach taken by gangs such as the Dustlives, which sees itself as performing a quasi-state role in the provision of goods and services to win community support.<sup>67</sup> With *gemors* gangsterism, ordinary citizens are held hostage through terror imposed by gangs such as the Boomshakas.

Alarmingly, the perpetrators who inflict the violence are mostly young children, some between the ages of 9 and 14, who are paid for their actions in small quantities of drugs.<sup>68</sup> Why children are motivated to work for the *gemors* gangs appears to differ from the reasons that attract young recruits to the 'traditional' street gangs. Rather than the prospect of economic gain or even the protection and belonging

that a gang may purport to provide, children are primarily interested in acquiring drugs. People interviewed for this report described them as zombie-like individuals who terrorize communities and are interested only in their next payment in kind – perhaps just half a tablet of Mandrax.<sup>69</sup> Loyalty to the gang counts for nought, especially given that the notion of the gang offering a haven for protection, belonging or self-actualization is absent in this context. Child gang members can be hired with ease for the

purpose of committing violent crimes and spreading terror, with neither gang hierarchy nor a sense of loyalty keeping them in check.

Over time, the levels of gang-related violence have increased, from incidents of targeted shootings among gang members to widespread violence and shooting in which bystanders are caught in the crossfire. The evolution of these gangs has also seen an increase in their power and influence.

## Mapping the gangs: Location and identity

Leadership change generally occurs in gangs when they splinter. This happens in two ways – either a particular event causes certain members to split away from the group but continue operations under a different moniker, or a group becomes defunct and its remnants rebuild and continue to operate, but under a different name. Many weakened gangs are also subsumed by others. It is important to note that processes like these are not simply once-off occurrences, but occur continually and are representative of the dynamic nature of gangs. It was a splintering process that led to the formation of the gangs that currently dominate Nelson Mandela Bay, such as the Boomshakas and Kakdalers.

A gang's name signifies its functions and modus operandi, and imparts a sense of collective identity to its members. Often, the group provides a mode of belonging for its individual constituents. For such reasons, the naming of gangs is of symbolic and practical importance. Gang names symbolize how groups with shared experiences associate and disassociate with one another (this model can be seen in Cape Town, where gangland territories have been contested for decades). Such forms of criminal association are perhaps indicative of identity as a conscious choice, as opposed to something beyond the individual's control. Even where gangs may deal in the same business and deploy violence in similar ways, the choice to operate under

different names sets each group apart from one another, and this phenomenon is important to understand in the context of gangs.

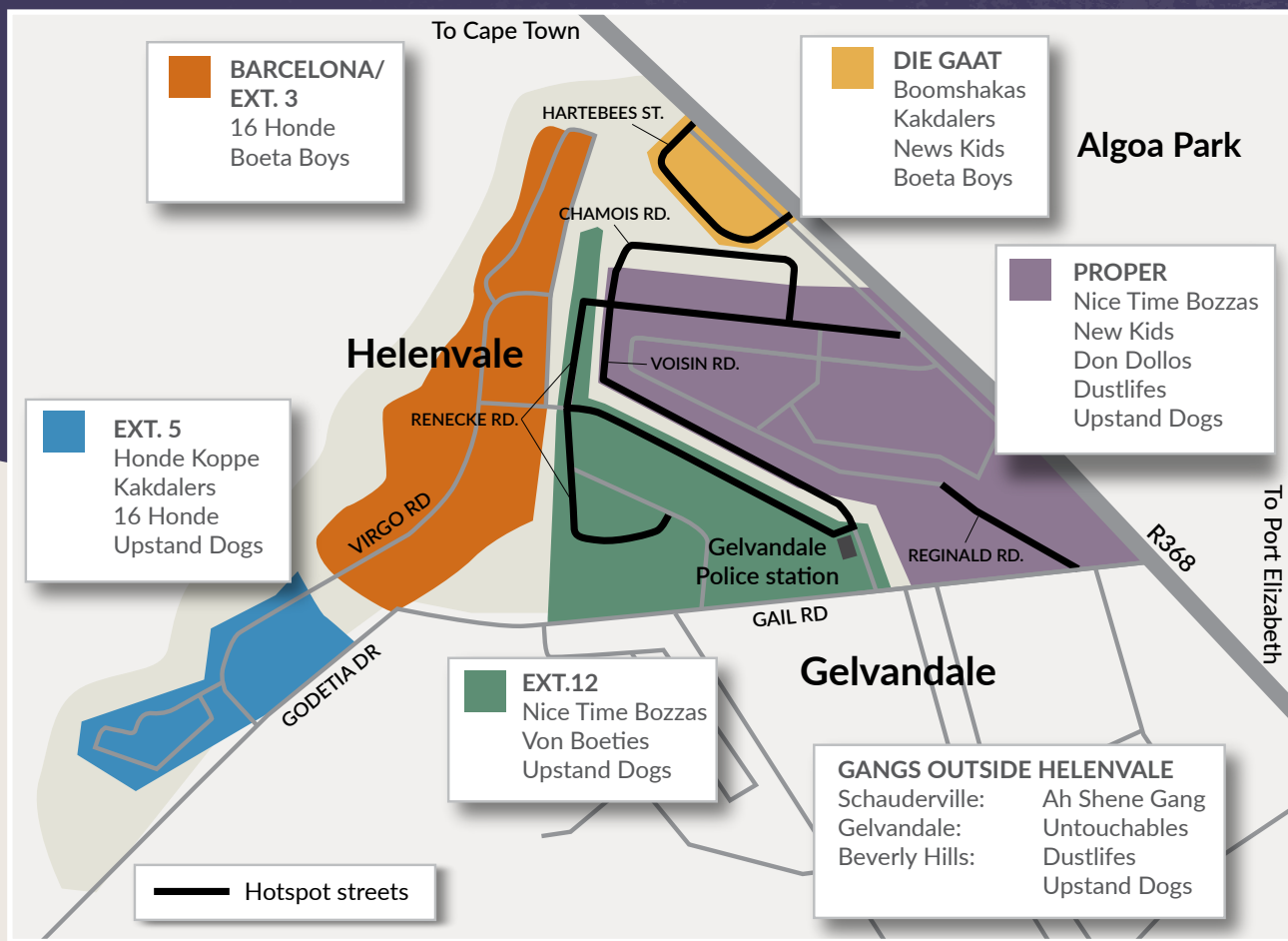
The dozen or so main gangs identified in the area under study, and their areas of operation, are shown in Figure 7.<sup>70</sup>

In the case of Helenvale, our interviews revealed that the majority of gang-related murders have occurred on the main streets that divide parts of the suburb or where there is a large number of opposing gangs and alliances in proximity. These streets are indicated on the map in black.

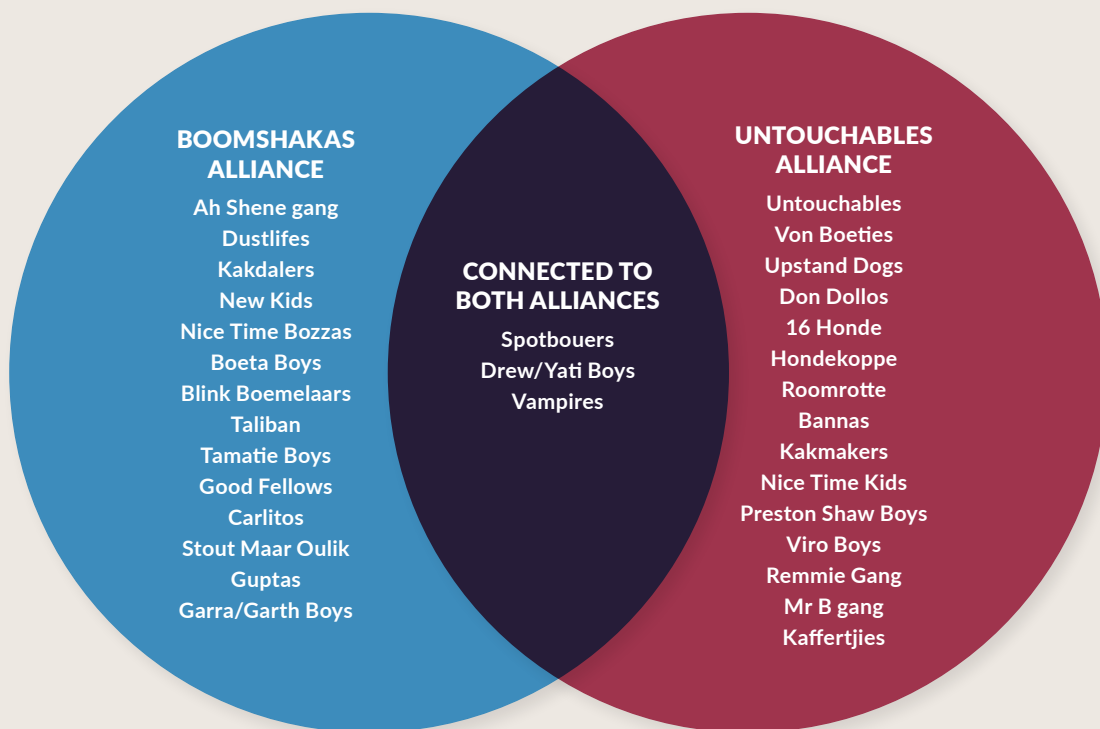
The precise number of gangs in the northern areas of Nelson Mandela Bay is not entirely certain, but at least 33 have been identified. These gangs generally associate themselves with one of two alliances: the Boomshakas and the Untouchables (see Figures 8 and 9).<sup>71</sup> These alliances are strategically important in the way the gangs and their operations are run. While these two alliances overlap with the system of prison alliances (the Number), they now constitute an important organizing principle in their own right. Both the Boomshakas and the Untouchables alliances have gangs linked to both the 26s and the 28s.

The gangs listed in the table operate in one or more of the following neighbourhoods: Helenvale, Schauderville, Gelvandale and Bethelsdorp.





**FIGURE 7** Helenvale gang territories and hotspots



**FIGURE 8** Gang alliances in Nelson Mandela Bay

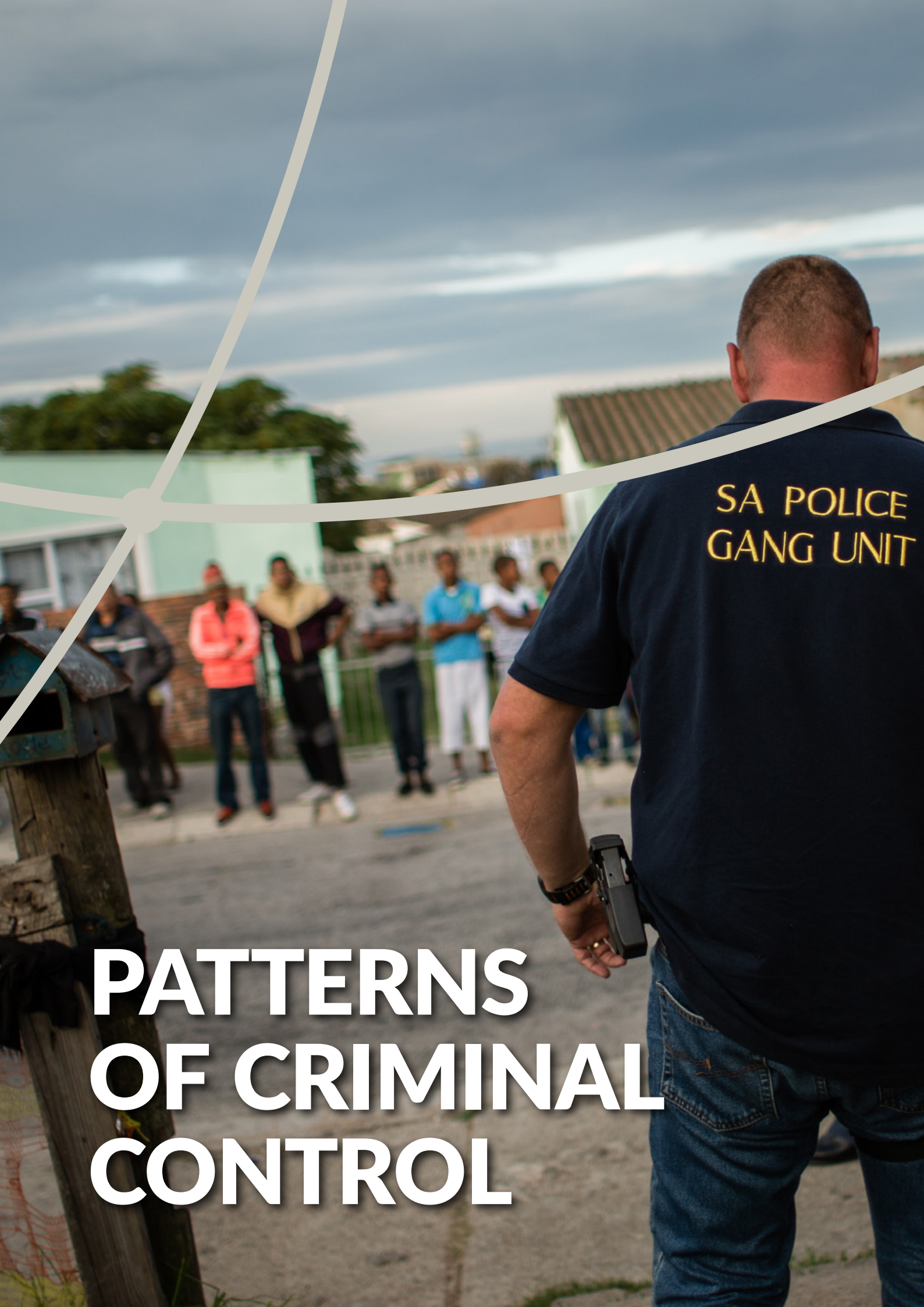
	Gang name	Main criminal economies	Active locations	Number alliance	Description
Boomshakas Alliance	Boomshakas	<ul style="list-style-type: none"> <li>Drug dealing and trafficking</li> <li>Robberies</li> </ul>	Die Gaat (Helenvale)	28	One of the city's oldest gangs.
	Ah Shene gang (AKA the Chinas)	<ul style="list-style-type: none"> <li>Drug dealing and trafficking</li> <li>Firearms</li> <li>Human trafficking for arranged marriages</li> </ul>	Schauderville and Bethelsdorp		Equal in power to the Boomshakas.
	Dustlives	<ul style="list-style-type: none"> <li>Drug dealing and trafficking</li> <li>Firearms</li> </ul>	Proper (Helenvale)	28	The leader is the notorious Wendel Petersen, who is known for being a violent killer. <sup>72</sup> The Dustlives have been involved in a major ongoing conflict with the Upstand Dogs, which has been continuing since the breakdown of a peace agreement in 2012. <sup>73</sup>
	Kakdalers	<ul style="list-style-type: none"> <li>Drug dealing and trafficking</li> <li>Violent crime</li> </ul>	Die Gaat (Helenvale)	28	Apparently formed when the Invisibles amalgamated with the Boomshakas.
	New Kids	<ul style="list-style-type: none"> <li>Drug dealing and trafficking</li> <li>Robberies (particularly in taxis)</li> <li>Burglaries</li> <li>Extorting contractors for construction jobs in their area.</li> </ul>	Die Gaat and Proper, Helenvale, with their main bases being in Leith Road, Stag Road, Elk Street and Martin Street.	26	Relative newcomers to the local gang environment, they are only four or five years old and the majority of their members are under 25.
	Nice Time Bozzas	<ul style="list-style-type: none"> <li>Drug dealing and trafficking</li> <li>Robberies (particularly taxis and businesses)</li> <li>Extorting contractors for money or construction jobs in their area.</li> </ul>	Extension 12 and Proper, (Helenvale) with its main bases in Voisin Road, Kobus Road, Olifant Street and Reginald Road.	28	The gangs that they are closest with in the alliance are the Blink Boemelaars; sworn enemies of the Upstand Dogs.
	Boeta Boys	<ul style="list-style-type: none"> <li>Drug dealing and trafficking</li> </ul>	Die Gaat and Barcelona/ extension 3 (Helenvale)	28	
Other gangs in this alliance include the Blink Boemelaars, the Taliban, Tamatie Boys (Bethelsdorp), Good Fellas (Bethelsdorp), Carlitos (Bethelsdorp), Stout Maar Oulik gang (Helenvale), Garth/Garra Boys (Bethelsdorp) and Guptas.					
Untouchables Alliance	Untouchables gang	<ul style="list-style-type: none"> <li>Drug dealing and trafficking</li> <li>Armed robberies</li> <li>Assassinations</li> </ul>	Gelvandale	28	Set up and run by former prison warders.
	Von Boeties	<ul style="list-style-type: none"> <li>Drug dealing and trafficking</li> <li>House and business robberies</li> <li>Car theft and dismantling of stolen vehicles (known locally as chop shops)</li> </ul>	Extension 12 (Helenvale)	28	
	Upstand Dogs	<ul style="list-style-type: none"> <li>Drug dealing and trafficking</li> <li>Violent crime</li> </ul>	Extension 5, extension 12 and Proper (Helenvale) but have gang members across the northern areas.	26 and 28	The Upstand Dogs are led by Hans Jordaan <sup>74</sup> and Rodwell Boef Peters. <sup>75</sup>

	Gang name	Main criminal economies	Active locations	Number alliance	Description
Untouchables Alliance	Don Dollos	<ul style="list-style-type: none"> <li>■ Drug dealing and trafficking</li> <li>■ Robberies</li> <li>■ Extortion and protection rackets</li> </ul>	Proper (Helenvale) with headquarters in Fitchard Street.		Don Dollos are a substantial organization and highly mobile. They are notoriously feared, as they are known to regularly kill other gangsters. The leaders have family members in the SMME business
	16 Honde	<ul style="list-style-type: none"> <li>■ Armed robberies</li> <li>■ Assassinations</li> <li>■ Extortion and protection rackets (particularly extorting taxis)</li> </ul>	Extension 5 and Barcelona/extension 3, Helenvale	28	Used to be part of the Boomshakas alliance but have recently moved over to the Untouchables alliance. Main sources of income used to be drugs, insurance fraud and loan sharking. But since their leader left (he is in witness protection), the gang depends on robberies, assassinations and protection money for income.
	Hondekoppe	<ul style="list-style-type: none"> <li>■ Drug dealing and trafficking</li> <li>■ Extortion and protection rackets (particularly extorting foreign-owned shops)</li> <li>■ Armed robberies</li> <li>■ Hijacking</li> <li>■ Assassinations</li> </ul>	Their base is in Denson Street, Didloft Street and Lodewyk Avenue in Bethelsdorp SP, but they also operate in Arcadia, Bethelsdorp (Imbuia street, Esterhuizen street, Hickory street, Bakkiesblom street and Bloukappie street).		Mostly their feuds are over territories, drug turf and revenge killings, and they sometimes use hitmen hired from their alliance members to carry out killings in the Bloemendal area of Bethelsdorp
	Roomrotte	<ul style="list-style-type: none"> <li>■ Drug dealing and trafficking</li> <li>■ Robberies (particularly taxis)</li> <li>■ Extortion of contractors for money or construction jobs in their area.</li> </ul>	Headquarters are in Leith Street and Deverell road, Helenvale.		Known to make potholes to secure municipality work for themselves. <sup>76</sup>
	Other gangs in the alliance are the Bannas, Kakmakers (Die Gaat, Helenvale and Bloemendal, Bethelsdorp), Nice Time Kids, Preston Shaw Boys, Viro Boys (Bethelsdorp), Rennie gang (Bethelsdorp), Mr B gang (Helenvale) and Kaffertjies (Bethelsdorp).				
Connected to both alliances	Spotbouers		Reported to have gang members and territory throughout the northern areas.		Were led by Donovan 'Staal' Berry until his assassination in 2016. They are renowned for bringing guns into the area, and hiring hitmen from Cape Town.
	Other gangs connected to both alliances include the Drew/Yati Boys and the Vampires.				

**FIGURE 9** Gangs and gang alliances in Nelson Mandela Bay's northern suburbs


Mapping gang turf also helps visualize which areas have greater gang density; this is important, as research has found that greater inter-gang competition over any given area usually results in more violence spilling onto the streets.<sup>77</sup> The territories shown in the map are controlled by the gangs not only for the sale of drugs but also for the extortion of local businesses.



A police officer from the SA Police Gang Unit stands with his back to the camera, looking at a group of people in a residential area. The officer is wearing a dark blue t-shirt with "SA POLICE GANG UNIT" printed in yellow on the back, and blue jeans. A handgun is visible in his right hand. In the background, a group of people, including children and adults, are standing on a paved area near some residential buildings. The sky is overcast.

SA POLICE  
GANG UNIT

# PATTERNS OF CRIMINAL CONTROL



**B**roadly defined, criminal governance (or criminal control) is a situation that develops when a criminal group exerts some form of territorial control, forms either collaborative or non-collaborative relationships with the resident communities, and violently opposes the state or colludes with it.<sup>78</sup> In this process, criminal actors usurp functions of the state and often provide a form parallel local (crime) governance.<sup>79</sup>

The relationship between criminal actors (in the case of this study, gangs in Nelson Mandela Bay) and the community can be predatory or reciprocal, or both. Comparative examples in the literature provide some classifications on the relationship between criminals and the state. Various modes of governance can occur, according to the relationships in play between communities, criminals and the state. These are, broadly, criminal disorder, divided governance and collaborative governance.<sup>80</sup>

Criminal disorder refers to instances where conflict exists between disorganized gangs or armed groups.<sup>81</sup> Here, governance exercised by these groups, if at all, is typically weak. However, violence will invariably negatively affect communities in which these actors operate. Divided governance is where criminal actors, as symbols of resistance, are in competition with the state for control of territory and may exert some form of control in the areas in which they operate. Collaborative governance is where active collusion between criminal actors and the state occurs, most often to the detriment of local communities.

In Nelson Mandela Bay, elements of each of these forms of criminal control are present and can be seen in the gangs' involvement in business, politics and community relations, and in police corruption.

Political and administrative instability that has plagued the province's largest municipality for several years, culminating in the ousting of Bobani as mayor and, later, in the

◀ **Not curing the disease: police interventions in Nelson Mandela Bay may have disrupted the violence, but have failed to deter criminality or gangsterism.** © Corinna Kern/laif



July 2020 order to place the municipality under administration, is partly symptomatic of South Africa's troubled, tense and often violent local-government coalitions. Nelson Mandela Bay's administration was described by the Nelson Mandela Bay Business Chamber in June 2020 as suffering from a 'prolonged dysfunctional state'.<sup>82</sup> This has been to the detriment of the utility and protection that should be provided, constitutionally, by local government to its citizens.

Part of the gangs' strategy of collaborative criminal governance is also visible in the relationship they have forged with the police – a reciprocal arrangement that can be particularly harmful to the goals of law enforcement and one that poses a serious underlying threat to society in general. Similarly, when gangs deploy violence to exert their influence over local commercial markets, other businesses are crowded out of the market. In their role as community 'providers' of goods and services – and this strategy of gangs capturing state service provision has been seen around the world in cities afflicted by criminal governance during the COVID-19 crisis, from Cape Town to Naples to Rio – gangs seek to provide a parallel form of governance. In so doing, their manipulative goal is to elicit greater legitimacy than the state among desperate communities.

## Problems in the force

In recent years, some high-profile cases of police involvement in gang activity in Nelson Mandela Bay have come to light. Possibly the most prominent is that of Alicia Beeming, a detective, who in March 2019 was sentenced to four years in prison for defeating the ends of justice.<sup>83</sup> Beeming had in 2017 used her position in the specialized Police Gang Unit to withhold information regarding Hans Jordaan, an alleged former member of the Upstand Dogs gang (see the table on page 24), resulting in Jordaan's escaping arrest and prosecution for an attempted murder charge.<sup>84</sup> It is unclear whether Beeming was involved for financial gain; it is alleged that the two were in a relationship. An unwelcome result of this episode was the further erosion of trust between police and the communities who bear the brunt of Jordaan's criminal activities.<sup>85</sup>

In another recent instance of police collusion, a court case involving a former constable, Walter Francis, is currently ongoing. Francis was charged alongside Wayne Wabanie and Shamiel Gallant for the murder of Alex Ferreira in 2017.<sup>86</sup> The three men have pleaded not guilty. Ferreira was due to testify for the state in a separate trial when he was gunned down.<sup>87</sup> The gun used in this killing belonged to Francis, a serving officer at the time.<sup>88</sup> Francis was convicted in October 2018 on a charge of culpable homicide, separate from the matter currently being heard.<sup>89</sup>



Convicted former police detective Alicia Beeming. © Werner Hills/The Herald



These cases are but two known and publicized recent instances of corruption within the Nelson Mandela Bay police service. Collusion between police and gangsters, however, is often insidious, manifesting in less visible ways. It is quite common for police officers to provide gang leaders with information pertaining to police raids and other exercises.<sup>90</sup> In some cases, the motive is financial gain. However, it often has more to do with self-preservation, as many of the police are from and live in the northern areas most affected by gangsterism.<sup>91</sup> So as not to incur the ire of powerful gangsters, and to protect themselves and their families, police officers may choose to divulge important information to criminals.

The problems with policing in the area go further than crooked officers in collaboration with gangs: police officers who are on the right side of the law are also evidently failing to do their job effectively. Despite the high levels of violence and gangsterism in the area, in the 20-plus years since the enactment of the Prevention of Organised Crime Act 121 of 1998, the National Prosecuting Authority has achieved only one successful prosecution in

Nelson Mandela Bay under Section 9 of the Act, which is intended to target criminal gang activity.

This shows that the SAPS and the National Prosecuting Authority in the city are either unequipped to investigate and prosecute gang members under Section 9 of the POCA, or that there is some degree of police and prosecutorial incompetence.

Likewise, the most recent police effort of note to tackle the problem of Nelson Mandela Bay's gangs has been part of the nationwide policing crackdown under the Minister of Police, Bheki Cele, which has not yielded any positive results. Cele's interventions in the metro began in December 2018 with a 30-person task team and the deployment of 40 additional officers in affected areas.<sup>92</sup> Interviews suggest, however – and this is confirmed by our data (see Figure 4, gang-related murders) – that the violence has actually *increased* since the ministerial crackdown. The intensified police presence in the northern areas has also had the negative fallout of displacing gangs elsewhere, leading them to extend their operations to less closely policed areas in the province, such as Humansdorp, Uitenhage and Grahamstown.<sup>93</sup>

Police Minister Bheki Cele addresses residents from the northern areas plagued by gang violence in 2018. Since his police intervention plan, levels of violence in the areas have only increased. © Gallo Images/Netwerk24/Lulama Zenzile







## Criminal governance of local communities

The relationship between gangsters and ordinary citizens in the community is complex and perhaps best described as two-faced. On the one hand, the violence that accompanies gang activity often results in serious harm, both physical and psychological, for ordinary citizens. On the other hand, gangs often provide income, protection and services that would usually be the function of the state to provide. Reportedly, gangs in Nelson Mandela Bay have purchased school uniforms for people in the community, paid for electricity, medicines and diapers, and distributed food parcels.<sup>94</sup> In this so-called role as providers, where they often usurp the monopoly of the state in the provision of goods or services, thereby providing a parallel form of governance, gangs cynically seek to garner greater legitimacy than the local government. The COVID-19 crisis has created further opportunities for organized crime to exploit marginalized communities rendered even more vulnerable by the crippling economic impact of the pandemic.





Gelvandale community residents gather during a march against violence and gangsterism in the area, August 2017. © Gallo Images/Die Burger/Lulama Zenzile

The Dustlives gang found favour with many in the Helenvale community. Its leaders often tried to portray the gang as one that looked after the communities in which it operated and aimed to advance the interests of Coloured people.<sup>95</sup> As mentioned, however, gang activities often in reality inhibit development in these very same communities. A consequence of this is that the affected areas remain largely dependent on gangs for many basic goods and services. Therefore, far from operating as heroic Robin Hood figures, gangs use cynical means to enforce that dependence, ensuring not only the continued existence of the gang, but also continued authority. This, in turn, imbues these criminal groups with power in the social, economic and political sense.



## Cash handouts and jail breaks

One gang that has ingratiated itself with local communities is the Spotbouers. The group has achieved this by unashamedly handing out money to children and adults alike.<sup>96</sup> Its chief, 'Staal' Berry, is said to have actively pursued civil cases against the SAPS.<sup>97</sup> It was under this guise of challenging the establishment that Berry built up a good rapport with the northern communities of Nelson Mandela Bay, and the handouts he provided clearly helped.

Berry also appeared to have a good relationship with correctional services' employees, an arrangement

that allowed him to escape custody on at least one occasion.<sup>98</sup> A 2013 court case dealt with the prosecution of one correctional services officer who had used his position to unlawfully book Berry out of custody.<sup>99</sup> Berry was killed in 2016 in Bethelsdorp; one Elgershin Goliath was arrested for the murder.<sup>100</sup> Berry's brother, Sean (alias Nako) Berry, was gunned down a month later in what was apparently a related incident.<sup>101</sup> In his testimony in the latter case, Captain Rio Kriel of the Provincial Gang Unit stated that 49 gang-related murders had occurred in the Bethelsdorp area in 2016 alone.<sup>102</sup>

## Criminal control over business: Gangs, tenders and hits

It is likely that, having potentially reached a profit threshold within the drug market, and having seen the opportunity for large and easy profits to be made in government tenders, some gangsters in Nelson Mandela Bay made a move to capture local-government contracts and subcontracts as a means to extract 'rents' from state business. There are persistent allegations that some gangsters in Nelson Mandela Bay have gone about registering SMMEs, and use these entities to bid for tenders.<sup>103</sup> 'Tenderpreneurship' – as it is commonly referred to in the South African context – is one manner in which gangs have tried to become entwined with local politics to profit financially. Tenderpreneurship is the practice of making money by winning government tenders. This has become fairly common among businesspeople and government employees in South Africa. Although not illegal in the strict sense, the act of profiting from contracts involving outsourced services intended for public benefit remains controversial. The practice is especially problematic when crime bosses are involved, as – besides that fact that public-sector works programmes are awarded to known criminals – it also affords some veneer of legitimacy to the endeavours of these criminal enterprises.

One interviewee, a police detective with knowledge of gang activities, said: 'An even bigger a problem here is the fact that the gang bosses have [registered] SMMEs and they have relationships with powerful politicians like ward councillors and maybe even high up ... That gangster that is operating like a business person still is the head of the gang and has all of his minions that are ready to kill for him because those kids are armed to the teeth with guns.'<sup>104</sup>

A former gang member claimed that gang meddling in lucrative government contracts could be traced to the Reconstruction and Development Programme (RDP), a socio-economic policy framework implemented by Nelson Mandela's ANC government

in 1994. The programme was intended to address poverty and alleviate massive shortfalls in social services, housing, healthcare and public roads. 'This started way back with the RDP programme and the coalition government in PE [Port Elizabeth, now Nelson Mandela Bay], because the government started outsourcing contracts and fortunately or unfortunately gangsters are cunning and they are always looking for opportunities to make profits.<sup>105</sup>

'The gangsters found that they could extend their violent extortion rackets to manipulate control over council members by registering as SMMEs. ... Politicians were forced to succumb to gang bosses under the threat of violence. The gangs had found a loophole permitting them to strong-arm the system by threatening politicians into business relationships and political partnerships where the gang bosses could register themselves as SMME's. ... The politicians feared for their lives and gave the gang bosses whatever they needed, thus, municipal service-related tenders worth millions were commissioned to gang bosses who were money hungry and lacking the capacity to follow through with service delivery contracts necessary to uplift communities.'

A former ward councillor and two community officials said that gang members had been 'encouraged to register SMMEs because they thought it would reduce crime'. In effect, they were told, 'Put down your gun and we will give you tools'. The gang bosses saw the opportunities.<sup>106</sup>

Violence and murders related to tenders reached an all-time high in Nelson Mandela Bay in 2019. Some of the incidents appear to have been politically motivated. Many of the victims of the 2019 killings in Nelson Mandela Bay were linked to a tender for cleaning storm-water drains in the metro, which was awarded in December 2018 and valued at R21 million.<sup>107</sup> The leader of the Eastern Cape Black Business Caucus, a group apparently committed to the development of black entrepreneurs and business interests in the province, Lungelo 'Baba' Ningi, and businessman Nkululeko Gcakasi were two of the victims.<sup>108</sup> Ningi had been vocal in his support for local SMMEs but had also been accused of siphoning off money for himself.<sup>109</sup>

This particular accusation came just weeks before his murder. It is also alleged that the Black Business Caucus was influential in the irregular allocation of funds in the tender process of the storm drain cleaning tender.<sup>110</sup>

At the time of writing, some R4 million from the storm water project is still unaccounted for.<sup>111</sup> The ex-mayor, Bobani, had opposed a forensic audit into the project, feeding suspicions that there may be involvement from the top tiers of local government.<sup>112</sup>

The motivation for the move into tenders by gangs was described by an interviewee familiar with the tender process: 'They jumped on the tenders because it is easy access to clean money [for] them ... They can also invest [in] more of their wicked criminal activities using this clean money because it gives them more power, so now they can buy more guns or more soldiers or more drugs – whatever they want.'<sup>113</sup>

In what is evidently a marriage of convenience, politicians may look to benefit from the services offered by the gangs. As a police officer from Nelson Mandela Bay explained:

The ward councillor or the high-level politician that [arranged] a tender for the gang boss also can have his wish granted in terms of the gang boss doing him a favour. The ward councillor or politician maybe has an enemy in politics and then they go to the gang boss and say, 'I helped you get this tender and I gave your people this and that, so sort out this rival councillor for me.'<sup>114</sup>

These events are indicative of the increasing intertwining of the legal and illegal economies in Nelson Mandela Bay, and the uneasy confluence of the political and gangland economies. A municipality is a sphere of government whose very purpose and role is to provide essential daily goods and utilities to the community, and holding it hostage through gang intimidation is detrimental to public interest, and serves to imbue violent entrepreneurs with some form of legitimacy by affording them control over the provision of services.



# CONCLUSION AND RECOMMENDATIONS





In the past, the gangs of Nelson Mandela Bay's northern areas were formed in response to a growing sense of frustration and alienation among young men and boys. Over time, gang activity developed beyond its initial social-grouping function to include an economic one. Money was made through petty crime or the sale of contraband. As gangs grew in prominence, so did the scope of their operations. Some gangs began creating a niche in the illicit economies by specializing in certain criminal markets. More recently, gangs have curried influence in local politics to unlock new illicit markets in public-works programmes, registering SMMEs for the purpose of acquiring lucrative tenders for the provision of public services.

The result is a governance crisis whereby state functions at the local level are usurped by criminal actors. Swathes of Nelson Mandela Bay's population are living under conditions of criminal governance where state legitimacy is eroded and captured by criminal organizations. The COVID-19 pandemic has provided opportunistic criminal entrepreneurs even more scope to enforce such modes of governance. Over time, this will have devastating ramifications for the legitimacy of the state and paralyze its capacity to deliver services, security or a livelihood for its people.

Without a pragmatic, multi-pronged approach to combating poverty, inequality, poor education and high levels of youth unemployment, with the disenfranchisement these sow, the allure of gangs and criminal organizations among the youth will grow, feeding upon the lack of normative livelihood opportunities, and on the financial rewards that such groups can offer. Too often, fighting gangsterism is about big statements, but which are not followed by action on the ground. The following five actions should be core to an overarching strategic response:

### **1. DEVELOP A STRATEGIC RESPONSE WITH HIGH-PROFILE LEADERSHIP.**

There has been no clear, integrated plan to end gangsterism in Nelson Mandela Bay. Such a plan must include a new approach to policing, combined with attempts at social upliftment of afflicted communities. The response requires cooperation between national, provincial and local government. Political infighting and points-scoring need to be put aside, and government at all levels needs a cooperative approach to improve the lives of citizens in gang areas. Such a plan should be published and open for consultation. Its implementation should also be subject to independent assessment.

### **2. INTRODUCE MORE STRATEGIC POLICING.**

No policing interventions to date have brought about an improvement in gang-afflicted areas. Indeed, our research suggests that the last major police intervention saw an increase in gang-related violence. Police responses to gangsterism are too often viewed uncritically, and the police need a more strategic, innovative and intelligent response to the gangs. Core to this strategy must be to move away from arresting low-level gang members and to focus on targeting the gang bosses for arrest and prosecution.

### **3. STRENGTHEN EFFORTS TO COMBAT POLICE CORRUPTION.**

Our interviews suggest that police corruption is an inherent feature in ensuring that the gangs and their bosses operate with impunity. There can be no excuse for the state not cracking down on corrupt police officers and building the confidence of ordinary people in the police. It is by no means the case that all law-enforcement officers are necessarily corrupt or corruptible. However, dramatic and symbolic actions are needed to demonstrate that there will be no tolerance for corrupt officers. Again, there is too much talk and too little action.

### **4. ESTABLISH AN INDEPENDENT INVESTIGATION INTO THE ALLEGED LINKS BETWEEN GANGS AND THE TENDER PROCESS.**

Our research has uncovered cases where gang bosses have positioned themselves and their companies to access city tenders. An independent investigation into the awarding of tenders and subcontracts to gang-aligned companies in Nelson Mandela Bay and the blacklisting of companies aligned with gangs are essential to ensure that a proper and clean foundation for local administration can be built.

### **5. UPGRADING OF DRUG TREATMENT FOR THE MOST MARGINALIZED.**

Drugs are a core affliction in the city's gang areas. Gangs prey on local people to make money from drugs, enabling them to practise violence by buying illegal guns and secure their hold over the community, including through bribing the police. A more pragmatic approach is needed for local-level drug users than arresting them. A massive effort is required to respond to drug use in the metro through health-based approaches that seek to keep drug users outside of the criminal-justice system. At a minimum, this requires much more investment in drug-treatment centres and a more sensible and cooperative approach where the police refer local users for treatment and work with health professionals to reduce the impact of drug use in the city.





A security guard watches at the entrance to Helenvale Primary School. One of the school's playgrounds cannot be used because of the risk of stray bullets during gang wars.

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Nelson Mandela Bay is in crisis. Gangs own a concentrated geographic space within the city, and government at all levels has been unable to reduce the trend. The reason for this is largely a lack of a strategic and cooperative response. The state is failing the people of Nelson Mandela Bay. The subsiding of the coronavirus pandemic will offer opportunities to rethink how governance in the metro is conducted. Central to this must be to confront the power of the gangs and end their control over the tender process.

The challenges facing Nelson Mandela Bay because of the stranglehold that gangs have come to exert over the community are not inherently impossible to resolve. An effective response will require a clear programme of well-led action. Without this, the city will remain under siege.



## NOTES

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# GLOBAL INITIATIVE

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