



UNIVERSITY OF CAPE TOWN
IYUNIVESITHI YASEKAPA • UNIVERSITEIT VAN KAAPSTAD



THE GLOBAL INITIATIVE
AGAINST TRANSNATIONAL
ORGANIZED CRIME



THE RULE OF THE GUN

Hits and Assassinations in South Africa

January 2000 to December 2017

About the report

This report is a product of a project called Assassination Witness, a collaboration between the Centre for Criminology at the University of Cape Town and the Global Initiative against Transnational Organized Crime (GITOC).

The report was authored by Kim Thomas with the assistance of Azwi Netshikulwe and Ncedo Mngqibisa.

To find out more about the work of Assassination Witness, see www.assassinationwitness.org.za and for daily tweeting on hits in South Africa, follow us on Twitter at @AssassinationZA.

Publication date: March 2018

Acknowledgements

I would in particular like to thank Azwi Netshikulwe and Ncedo Mngqibisa for their fieldwork in KwaZulu-Natal and Gauteng, Julie Berg for managing the project from the Centre of Criminology at the University of Cape Town, and Lameez Mota and Liesel Collins for their assistance in administrating the project. Guy Lamb and Erena van der Spuy provided valuable comments on an earlier version of the report. I am grateful to Mark Ronan for editing the report. Lastly, I would like to thank Mark Shaw for his invaluable input, direction and support, without which this project would not have been possible.

International IDEA partnered with us by providing software that was used to map the impact of assassinations on democracy at the local level. Corruption Watch supplied us with data that was used to establish whether there is a relationship between corruption and assassinations.

We would like to acknowledge the funders of this project, the Open Society Foundation of South Africa, the Government of Norway and the National Research Foundation of South Africa.

Summary

This report presents an analysis of data on hits (contract killings) carried out in South Africa. The data has been compiled as part of the work of a collaborative project, Assassination Witness. The data that informs the report spans the period from 2000 to 2017 and the findings allow certain conclusions to be drawn about the evolving nature of the phenomenon of paid-for assassinations.

The targeted killing of people – a form of organized crime that escalated rapidly towards the end of the data period – has a highly detrimental impact on South Africa's ongoing democratic project and often fragile governance systems. The study found that a large proportion of assassinations in South Africa are contracted for political, economic or social gain, and that commissioned killings also targeted professionals in the country's criminal-justice system. There are segments of the economy that nurture and feed this

criminal market, notably South Africa's notoriously violent taxi industry, which provides a recruitment pool where hitmen can be hired. The findings of this report aim to inform a more effective policy response to the phenomenon of contract killings in South Africa in order that more can be done about it.

Various international studies provided the terminology, framework and background to understanding how and why contract killings become prevalent. But these analyses are largely focused on developed countries.¹

It is important to note that the South African context, as is the case with other developing countries, is different from that of the Global North. In South Africa, the sheer number of hits is greater, the urgency of collecting the data more apparent and the need to act more pressing.

Key recommendations

- Improve firearm control to reduce the flow of illicit arms.
- Focus on reducing violent competition within the taxi industry.
- Erode the 'nurseries of violence' that provide a supply of hitmen for hire.
- Bolster prosecution-led investigations.
- Expand efforts at monitoring assassinations and disaggregate homicide data, so that better-quality statistics on contract killings are made available.



SINDISO MAGAQA

4 September 2017
Umizimkhulu,
Kwa Zulu Natal

Introduction

Sindiso Magaqa rose to prominence as one of Julius Malema's key allies after being elected as secretary general of the ANC Youth League in 2011. At the time of his death, he was an ANC councillor and executive committee member for the Umzimkhulu municipality. He was lauded as having the potential for a bright political future. One evening in July 2017, Magaqa and two other ANC councillors pulled over at a shop in the village of Umzimkhulu on their way back from an ANC meeting. Moments later, they were ambushed by gunmen who fired a hail of bullets at them. All three were rushed to hospital for medical attention. On 4 September 2017, Magaqa died from his injuries, making him the fourth councillor to be killed in the area in 2017.

Magaqa is only one of the many victims of assassinations in South Africa, few of which receive the coverage in the media that his death did. In several cases, the victims of hits had been whistle-blowers or civic activists who had stood up for the truth or who had wished to serve their communities. For this, they paid the ultimate price.

According to the data used for this study, there were 159 reported assassinations in South Africa in 2017 – a figure that was up by 36% from 2016 (when 117 hits were recorded) and up by 346% from 2012 (46 hits). From these numbers, it is clear that assassinations are a rapidly growing problem in South Africa. As the analysis in this report will show, there was a particularly dramatic increase in reported cases between 2014 and the end of 2017.

A contract hit, or assassination, can be defined as 'a continuous sequence of interactions by one or more persons in which one person solicits another person to have a third

person killed for gain, monetary or otherwise. An event begins with the initial exploration of the possibility of having someone killed, and terminates with a murder, attempted murder, or police intervention.² When describing the phenomenon, we use both the term 'hit' – which is widely used in South African popular discourse – and 'assassination'. In terms of South African law, making use of a third party to commit a murder is no different from committing the murder oneself.³

The cost of hits can be felt in many ways. But, generally, the goals of an open, prosperous and democratic society are severely thwarted when people are killed for political, economic, criminal and social gain. This report aims to quantify the problem of killings by paid hitmen in South Africa, to examine why the rate of contract killings has risen so sharply in recent years and to build the evidence base that can provide a platform for a call to action.

Targeted assassinations have resulted in the deaths of many citizens, but, among the victims, there is a notable proportion who had been politicians, whistle-blowers, proprietors of taxi businesses (known colloquially as 'taxi bosses') and members of the legal fraternity. The impact of these assassinations is far-reaching, as they undermine South Africa's democracy and judiciary, and threaten fair economic competition – suggesting they are used to exert a mafia-type control over society. But the effect is felt not only by institutions – a hit is also a human tragedy, and has an overwhelming impact on the victim's family and community. The killing of breadwinners is economically devastating for dependants.

Yet despite their impact, the scale and scope of assassinations in South Africa have not been monitored

Political conflict, poor governance and political uncertainty contributed to an increase in the numbers of assassinations that fall into the political category.

or analyzed, and the current understanding of assassinations – and the response to them – is poor. For example, there are no disaggregated police statistics for contract killings. The South African Police Service releases statistics on homicides – but not types of homicides. Therefore, to collate the figures for this study we drew on the resources of a database covering local, regional and national news. The information from the database was then supplemented with detailed searches of internet news stories.

The time frame for the search was 2000 to 2017. This intensive work generated a sample of over 16 000 media articles, which were then reviewed to identify specific cases where the police, family or media indicated that the victim had been the subject of an alleged hit. These cases were then coded for analysis according to their details, including the name and gender of the victim, the date and location of the incident, the method used to conduct the murder, the outcome and any other relevant circumstances surrounding the hit. We included in the database not only hits where the target was actually killed, but also assassination attempts that failed (i.e. where the intended target was only injured), or cases where the wrong person was killed (although these form only a small proportion of the total).

All the incidents that we identified as hits were then divided into four separate categories. Cases that fall within the political category generally targeted individuals designated as holding a political or administrative office, almost always in local government. We categorized cases related to economic interests and organized crime as those that clearly used targeted violence to influence a certain economic outcome – often these occurred in the criminal economy.⁴

In the personal category, we included cases that involved infidelity or perceived infidelity (love triangles), attempts to obtain life-insurance pay-outs and several cases of children arranging for their parents to be killed. Finally, we included a category for South Africa's minibus-taxi industry, partly because of the sheer number of murder cases in this industry, and because it is an industry segment that has long been characterized by the prevalence of targeted killings. These include hits targeting taxi bosses, taxi drivers and members of taxi association committees. Such murders are usually connected to disputes over route allocations and power struggles within the lucrative taxi associations.

Analysis of the data revealed two alarming trends. First, there was a marked increase in the total number of assassinations carried out in South Africa since 2012. It also shows that this significant upswing through to the end of 2017 was driven by increases in all the categories of assassinations mentioned above. It is perhaps not surprising that political conflict, poor governance and political uncertainty, for example, which defined the South African administration between 2014 and 2017, contributed to an increase in the numbers of assassinations that fall into the political category. But there were also increases in cases associated with organized crime and a large recorded growth in the number of targeted killings associated with the taxi industry.

It is also significant that hits associated with the taxi industry have a direct impact on other categories, because the industry has generated a cadre of hitmen available for hire, which means that a largely unmanaged set of taxi route conflicts has rippled out, creating an impact on both local governance and the lives of ordinary people.

More political hits take place in areas where the local-government party in power has remained the same.

The breakdown of hits by category shows that the taxi industry accounted for the largest number of hits (43%), followed by the political (22%) and organized-crime (22%) categories. Hits that fall in the personal category represent the smallest proportion of the cases (13%). These categories are analyzed in more detail later in the report.

The province that experienced the greatest number of hits in the recording period was KwaZulu-Natal, followed by Gauteng and the Western Cape.

Analysis of each of these cases indicates that in 86% of the incidents, the victim was male, while 7% involved female targets; 7% of the incidents involved the deaths of both male and female targets.

In cases where the information was recorded in the database of media stories, firearms were by far the main choice of weapon used in the incidents (83%). Most assassinations were carried out outside the victim's home – often as the victim was arriving home and often late at night.

We also used the data to examine a number of questions that are important for the debate. The first is the impact of the targeted killing of people who work in the criminal-justice system. The assassination of those who work in the justice sector must be viewed with particular concern. Examination of cases relating to the targeting of attorneys, prosecutors, magistrates, judges and witnesses shows that the impact of these murders has been far-reaching, as they are used to influence or manipulate the justice system by ensuring, for example, that witnesses are intimidated into not testifying.

Consequently, many attorneys take safety precautions out of fear for their lives.

The second is to explore the link between targeted hits and the prevalence of corruption in local authorities. To determine the impact of targeted killing on democracy, we mapped the number of assassinations against measures of corruption at the provincial level. Our findings here suggest that although there are corrupt municipalities that don't have hits, there are no municipalities with hits without corruption.

The third is to examine the degree to which political party change or political competition has had an impact on the prevalence of assassinations. When one analyzes the way political parties gained or lost power at the local-government level, the data reveals another significant finding: more political hits take place in areas where the local-government party in power has remained the same, indicating that hits are more often related to internal power struggles within political parties – most notably the ANC – than to conflict between them.

Finally, the study tested whether the number of assassinations forms a consistent proportion of the murder figures in each province over the period the data covers, or whether the hits phenomenon is more a function of its own underlying drivers (even if these cannot perhaps be separated in their entirety from the high level of general violence in South Africa). Significantly, the findings show that the number of hits appears to be independent of the levels of murder in almost all parts of the country, suggesting that the prevalence of assassinations is driven by a specific set of factors.

If nothing is done to address the issue of assassinations as a matter of urgency, those who commission them will continue to exert illicit power and influence over South Africa's society, economy and democracy.

Although the data analyzed in this report is valuable in terms of its ability to shed much-needed light on assassinations in South Africa, it is not without its flaws. On the basis of our research in the field, it is very likely, for example, that the database undercounts the number of hits that occurred in the context of organized crime and the gang environment of the Western Cape. From interviews conducted among gangs, it would appear likely that not all such cases are covered in the press and are therefore probably not all present in the database. Similarly, it is likely that the database may not include hits that occurred in remote rural areas where there is little media presence or coverage. Nevertheless, the data provides a meaningful overview of the extent and trajectory of the hit phenomenon in South Africa.

The overlay between the political, economic and social factors that act as catalysts for contract killings in South Africa speaks to the importance of an effective response. Not least, this must include the arrest and prosecution of hitmen. Unfortunately, the data does not contain details that allow us to measure the proportion of the cases where arrests or successful prosecutions have been made. But by having followed up on developments in individual cases, it would seem that the success rate is far too low (measured by whether a suspect is arrested and brought to trial).

It is clear that only a concerted and strategic response will end the phenomenon of hits. An effective response must include addressing police corruption, better implementation of firearm control, reducing political interference with and connections to local-government tender processes, and achieving better regulation of the taxi industry.

If nothing is done to address the issue of assassinations as a matter of

urgency, those who commission them will continue to exert illicit power and influence over South Africa's society, economy and democracy.

The Assassination Witness project hopes to continue to collect data, in particular in the run-up to the 2019 general election. For South Africa to develop into a society in which all feel safe, and where economic and political competition is lawfully and transparently regulated, it is critical that the rule of the gun is ended.

Methodology:

Collating statistics on South Africa's contract killings

With a homicide rate six times higher than the global average,⁵ it is common enough knowledge that South Africa is a particularly violent country. However, as mentioned earlier, although homicide statistics are made available by the South African Police Service, there is no disaggregated data on contract killings.⁶ And, given the low conviction rates⁷, it is difficult to establish the motives for murders and how they are carried out. An additional data-collection method was therefore needed to determine the scope and scale of assassinations in South Africa.

Trying to quantify assassinations is beset with obvious difficulties, in that they are deliberately concealed crimes. Those who perpetrate assassinations have often, for example, masked them as failed hijackings or robberies. And they are, unsurprisingly, reluctant to talk openly to researchers. As is the case with other hidden social phenomena, the data can therefore shine a light on the problem, but it is unlikely to be able to accurately reveal its true extent. The data used in this report – although a valuable indicator of what is occurring in South Africa's assassination economy – is likely to be an underestimate of the real extent of this type of crime, for reasons already explained in the Introduction.

The approach was to build a database of hits (including attempted hits) in South Africa over the period 2000 to 2017. To do this, we used a content analysis approach, primarily applying it quantitatively, namely to code and count the occurrence of assassinations.⁸

To create the sample, we drew on the resources of an electronic database, Sabinet, which provides access to local, regional and national news content published in the print

media. Sabinet encompasses 19 daily publications, 17 weekend publications, two weekly publications and one monthly publication.⁹ We supplemented this content with searches of other electronic news sources, using the search terms 'contract killing', 'political assassination', 'hitman' and 'taxi killing'. Collectively, these searches generated over 16 000 individual articles from the South African press.

Each of these news articles was then reviewed to identify cases where the circumstances and the commentary provided by the police, court proceedings, the community or family of those involved suggested that a hit or assassination (or attempted assassination) had taken place. We recorded various other details on each case where available. We then sorted the cases, based on the details we had obtained about them, into the four categories of hits described earlier: those linked to the taxi industry, organized crime, personal motives and politics.

Compiling the database raised various challenges. For example, we needed to experiment with search terms to make sure they identified enough cases for more detailed review. It was important to maintain consistency in identifying and recording the cases, and to make sure that the data was checked and double-checked. We are aware that there may be gaps in the sampling method, as it does not capture cases where hits may have been masked as accidents, or those that did not receive any media coverage, or where there may have been pressure on reporters not to run the story. And, in some cases, most notably those related to gang violence in the Western Cape, murders of this sort are seldom 'newsworthy' and our own interviews

on the ground suggest that many do not make the media. There are also more general drawbacks to using media reports, principally because the data is entirely dependent on the resources and capacity of journalists and media houses. Nevertheless, research that monitors violence in South Africa and elsewhere has drawn on similar methods in the past.¹⁰

Despite these drawbacks, however, we believe that the hits database provides a unique and useful way to measure and examine a specific set of crimes that have major political, economic and social consequences. The quantitative data was also checked and balanced against qualitative fieldwork, including interviews and focus groups conducted in Gauteng and KwaZulu-Natal, a summary of the

findings of which is provided later in the report.¹¹

This study is a continuation of a previous research project that looked into assassinations in South Africa by compiling a database of media articles and then categorizing and examining the overall trends of assassinations in South Africa from 2000 to 2015.¹²

This project has gone further by expanding the existing database, by including more details of the individual hits over the time period and by continuing to collect information on hits for 2016 and 2017.

Assassinations:

Exerting mafia-type control over South African public life

The impact of the assassinations recorded in our data set is profound. Victims are targeted across the country and the ripple effect taints South Africa's society, economy and democratic integrity. Hits have at their core the innate ability to create fear and uncertainty among groups of people and institutions. And with the added veil between who is calling the shots and the victim, a contract killing provides the perpetrator with the ability to intimidate and control with reduced risk of being caught.

The circulation of so-called hit lists in communities and constituencies is also used as a means of exerting criminal control by causing fear. People whose names appear in hit lists are threatened; they go into hiding, resign from their jobs or disengage from civic activism, for example.

Of course, assassinations do not occur in a vacuum. Political instability, corruption in the public and private sectors or the failure to regulate the taxi industry are factors that provide opportunities where assassination – or the threat of assassination – is used as a tool for political, economic or social gain. The use of targeted violence to achieve such objectives is at its heart a process akin to how mafia organizations exert violent control over public life.

Comparative studies have shown that the impact of assassinations in political and economic relationships is greatest when leadership change happens behind closed doors, without transparency and accountability, or occurs in circumstances of competition and conflict.¹³ These factors arguably exist in many places and institutions in South Africa,

If those who engage in instrumental violence face few consequences in terms of paying for their crimes, then using this type of violence is likely to become the norm.

where targeted killing often leads to spiralling levels of violence and revenge killing.

There is growing evidence from around the world of the overlay between politics, business and criminal activity – criminal violence is commissioned to influence interactions in all three spheres.¹⁴

This is essentially how mafia networks exert control over organizations, individuals and state institutions. In such contexts, the boundaries between criminal, economic and political motivations blur considerably.

There is also a small but growing body of literature on assassinations and political killings in South Africa.¹⁵ Corroborating the findings of the international literature on the subject, these works also demonstrate that contract killings in one sphere of society may overlap and influence the production of violence in other areas.¹⁶ As earlier work has suggested, targeted killings within South Africa's taxi industry have been a major stimulus for violence elsewhere.¹⁷

Recent research also suggests that the presence of a mafia-style capacity for violence in the criminal economy and its use by those with political and economic power – or the fact they tolerate its use by others – are key indicators of 'how democracies die' – the title of an important recent study that draws on historical analyses of democratic states that falter, decline or shift towards authoritarianism.¹⁸

Collecting data on assassinations and contract killing therefore provides a ready measure of the degree to which violence is used instrumentally in the South African political economy – and, in the process, a measure of

the health of South African society. Understanding and responding to that trend is a priority for building a democratic society.

If those who engage in instrumental violence face few consequences in terms of paying for their crimes, then using this type of violence is likely to become the norm. As noted above, it may result in a spiralling of revenge killings. Our data collection, as mentioned, has not allowed us to determine what proportion of the hits we record have been solved by the police. However, David Bruce, the leading analyst on this subject, explains how there have been roughly 120 political killings in South Africa since 2003 and less than 10% of them have resulted in convictions.¹⁹ It is doubtful that the overall conviction rate for hits is higher than this figure.

This study is particularly important given that hits often target local-government civil servants, whistle-blowers and key witnesses – representatives of the people in a democratic society.²⁰ The use of targeted violence is therefore particularly detrimental to the achievement of an open society, undermining, as it does, confidence in political institutions and systems, and subverting transparent economic processes.

Assassinations in South Africa, 2000–2017:

The findings

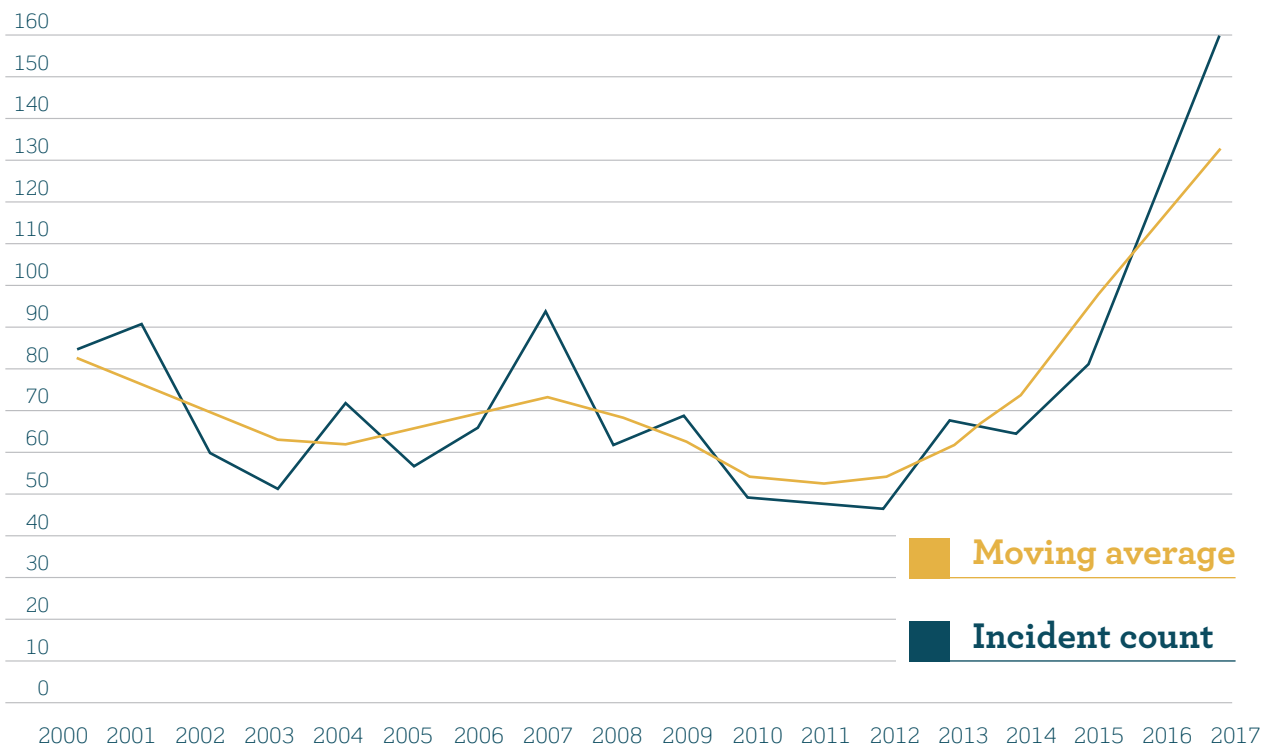
The data that was collected and analyzed for the period revealed various time trends by both province and category. Additional findings concerning the variables that were recorded (i.e. gender, method of assassination, location, occupation and/or relationship between the victim and the person who ordered the hit) also came to light, some of which are analyzed here. A total of 1 317 cases were recorded over the time period.

A visual inspection of the trend line for total annual incident counts for South Africa as a whole suggests a general decline from 2000 to 2012. Between 2014 and 2017, however, the average annual incident count increased sharply, reversing the previous

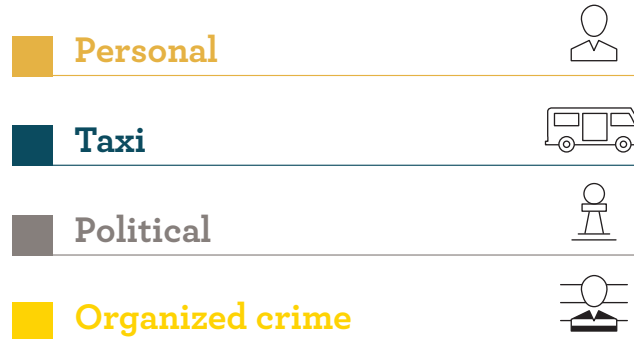
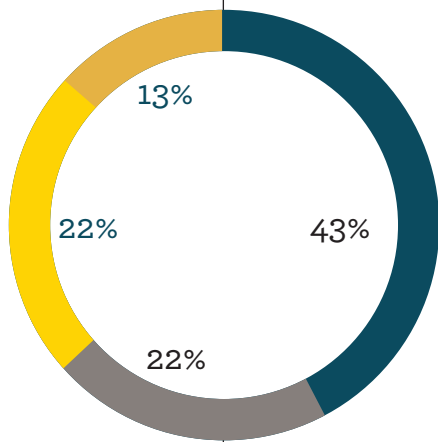
declining trend. By 2017, the average incident count was approximately double the 2012 figure – and an increase of approximately 60% of the average at the start of the period in 2000.

Although it is political assassinations that get most prominent coverage in the media, increases occurred across all four categories in the data period. The increase was particularly the case with targeted killings related to the taxi business. Indeed, assassinations broken down by incident type show that throughout the period, the taxi-related incidents were the biggest contributor to the overall trend. This is followed by organized crime and political incidents, and finally personal incidents.

Total count of reported assassination incidents across South Africa with moving average smoothing line superimposed



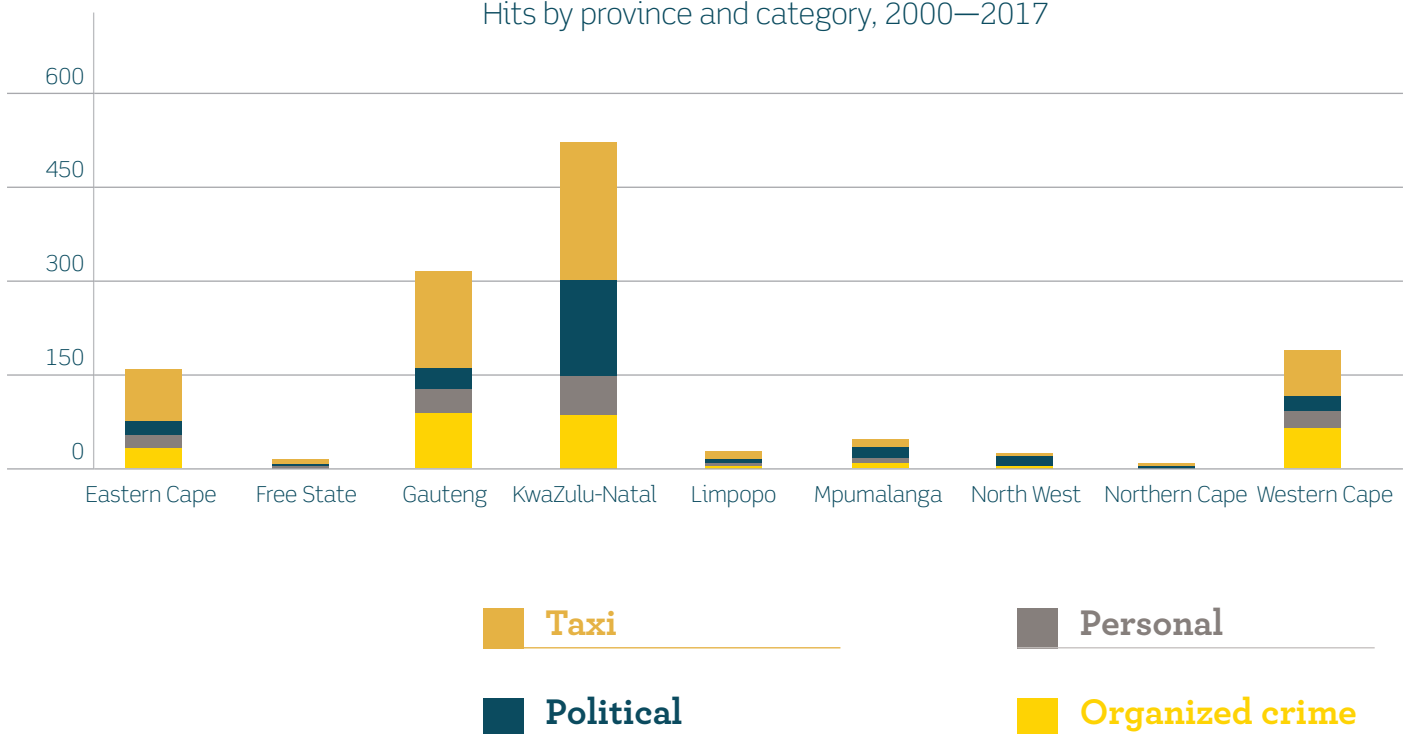
Hits breakdown across all four categories



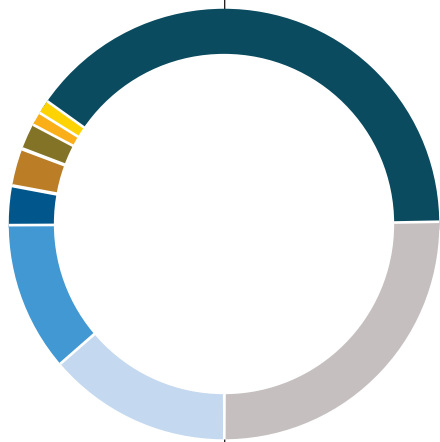
Assassinations by province

Assassinations broken down by province show that throughout the period, KwaZulu-Natal is the largest contributor to the national trend, followed by Gauteng, the Western Cape and the Eastern Cape, with more modest contributions from Limpopo, Mpumalanga and North West. Over the duration of 2016 and 2017, the Eastern Cape and, to a lesser extent, the Western Cape both increased their contribution to the overall trend.

Hits by province and category, 2000—2017



Hits by province, 2000–2017



KwaZulu-Natal	40%	North West	4%
Gauteng	24%	Limpopo	2%
Western Cape	14%	Free State	1%
Eastern Cape	12%	Northern Cape	1%
Mpumalanga	4%		

KwaZulu-Natal



SIFISO MKHIZE

Killed: 29 June 2017

Location: Richmond,
KwaZulu-Natal

Sifiso Mkhize was a local councillor, the chairperson of the Richmond Community Policing Forum, as well as the forum's cluster public-relations officer. He was assassinated in a hail of 18 bullet shots while on his way home from a Community Policing Forum meeting in July 2017.

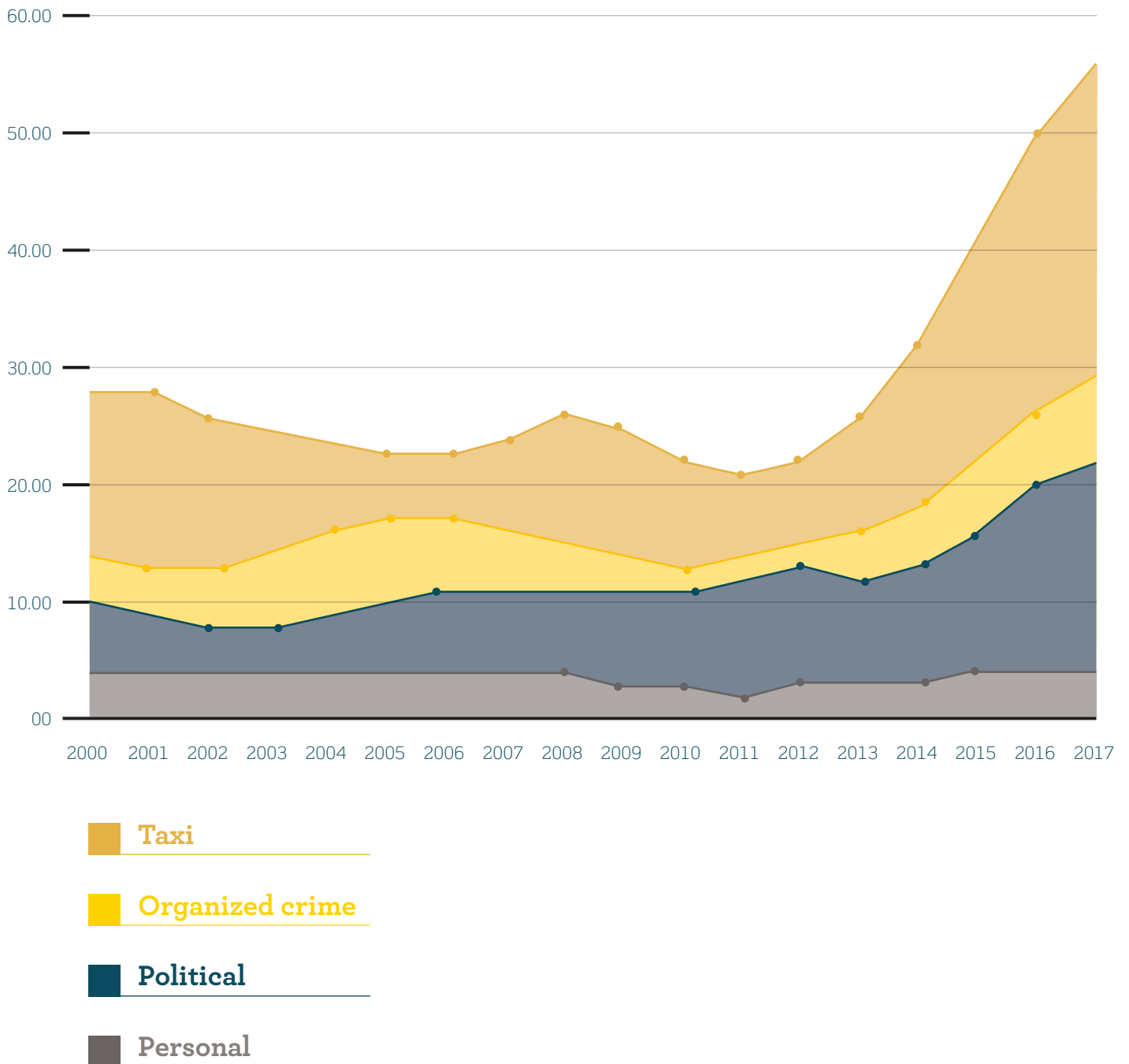
KwaZulu-Natal accounted for 40% (i.e. 522 cases) of all the hits recorded for the time period and is the most significant provincial contributor to assassinations nationally.

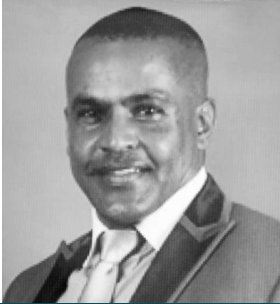
A breakdown of assassination incidents in KwaZulu-Natal is consistent over longer periods. There was a general declining trend between 2000 and 2011, with a temporary small increase between 2007 and 2010. From 2012, however, there was a sharp increase in the trend, which continued to 2017. Taxi incidents are the largest contributor to the overall trend in KwaZulu-Natal. The next most significant contributor to the trend is political incidents, followed by

organized crime and hits that fall into the personal category.

In terms of trends over time, the temporary slight increase between 2007 and 2010 is entirely attributable to increases in taxi-related killings. The sharp increase from 2012 can be largely explained by a correspondingly sharp increase in taxi industry incidents, though all incident types exhibited increasing trends in the province over that period. An increasing trend in political incidents in the province continued to bolster the overall numbers, with smaller increases in the number of incidents linked to organized crime.

Trend of annual counts of reported assassination incidents in KwaZulu-Natal by incident type





TALBY FOSTER

Killed: 3 September 2017

Location: Katlehong, Gauteng

Talby Foster was chair of the Reiger Park Taxi Association. He was shot dead in a hit in the early hours of the morning on 3 September 2017. Earlier, in May 2014, Andy Khosa, the chair of the Reiger Park Taxi Association at the time, was also assassinated.



THOZAMA NJOBE

Killed: 18 July 2017

Location: Fort Beaufort, Eastern Cape

Thozama Njobe was an ANC councillor. She was killed by 16 shots fired at close range. She was also aware of the plot to kill her. Her assassination has been linked to her anti-corruption stance.

Gauteng

The province saw a general decline in the number of annual incidents between 2000 and 2011. Then, in common with the national trend, there was an increase in the average annual incident count in the province between 2012 and 2017.

As elsewhere, taxi-related incidents are the largest contributor to the overall trend in Gauteng, followed by cases we assessed to be associated with organized crime. In notable contrast with other provinces, the annual average number of personal incidents is greater than the average annual number of political incidents. The increasing trend in Gauteng between 2012 and 2017 was dominated by an upswing in the number of taxi-related incidents, though there was also a small growth in the incidents in the political category.

Western Cape

In common with other provinces, the trend in reported assassination incidents began at a relatively high point in 2000 and then went into a general decline. Between 2004 and 2010 there was a marked increase in the average number of hits. After 2010, the largest contribution to the overall trend came from trends in taxi-related and organized-crime incidents, with organized crime or gang-related incidents taking a more dominant role from 2015 onwards. There was a sharp increase in 2017 in reported cases in the province, with a total of 26 incidents, compared to four incidents in 2016.

Eastern Cape

There was a modest declining trend in the average annual counts in the province between 2001 and 2004, though closer inspection suggests this was driven by an unusually high count in 2001 and may not reflect a genuinely consistent trend.

As with the national trend, taxi incidents are the largest contributor to the overall numbers of hits in the Eastern Cape, followed by organized crime and personally motivated cases. Unlike the national trend, however, personal incidents are a more consistent contributor to the overall trend than politically related cases, though the difference between the two is marginal.

From the end of 2015 to the end of 2017, political incidents approximately quadrupled their contribution to the overall trend and taxi incidents also increased – in this case by a factor of approximately 1.5. The high average annual number of incidents in the province in 2017 was driven by an increase in the average annual numbers of political and taxi incidents.

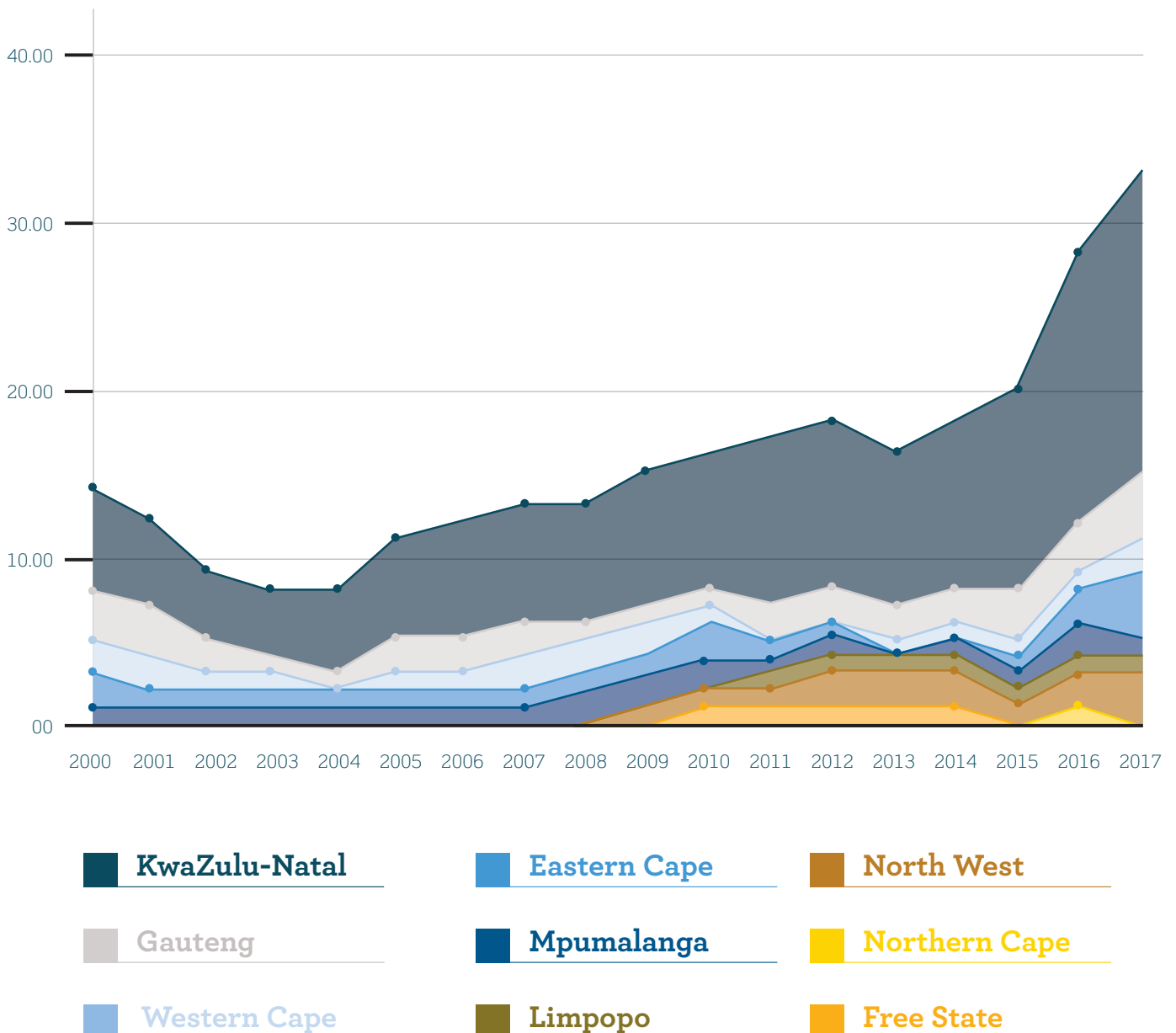
The remaining five provinces – Mpumalanga, North West, Limpopo, Free State and the Northern Cape – account for only 10% of the total number of hits nationwide (i.e. 131 cases). The numbers of cases in these provinces are too low to make any meaningful assessment of trends.

Assassinations by category

Political hits

Throughout the period, the average count of political assassinations was dominated by incidents in KwaZulu-Natal. The contribution of Gauteng, the Western Cape, Eastern Cape and Mpumalanga remained consistently low and similar in magnitude throughout the period. There were no hits that fall into this category in North West province until 2009, in the Free State until 2010, in Limpopo until 2011 or in the Northern Cape until 2016.

Trend in annual political assassination incidents by province





JOE KANYONA

Killed: 21 June 2015

Location: Cape Town

Joe Kanyona was a bouncer at the Beerhouse, a bar in Long Street, central Cape Town. He was stabbed to death by hitmen while he was on duty. His death has been linked to the Cape Town nightclub security extortion network.



EDWARD SIBUSISO SITHOLE

Killed: 6 March 2017

Location: Tongaat,
KwaZulu-Natal

Edward Sibusiso Sithole had been the Richmond municipal manager for five years and had just been hired to be the municipal manager in uMgeni. He was shot dead in a hit at a taxi rank in March 2017. Like the killing of Thozama Njobe, his murder has also been linked to his anti-corruption stance.

Hits related to organized crime

The trend in hits related to organized crime showed a general decline between 2000 and 2012. Between 2012 and 2017, there was an upward swing. The declining national trend in organized-crime incidents between 2000 and 2012 is attributable primarily to a decline in the number of organized-crime incidents in the Western Cape, though it was also influenced by a modest reduction in Gauteng between 2004 and 2007, as well as by a decline in KwaZulu-Natal between 2004 and 2011.

The increasing trend that can be seen between 2012 and 2017 was driven mainly by more reports of organized-crime-related incidents in KwaZulu-Natal. However, from 2014 to the end of 2017, the continued increase in the overall trend was also driven by an increase in the Western Cape. Over the period 2015 to 2016, this was amplified by increases in incidents in Mpumalanga and Limpopo, and, in 2017, by an increase in Gauteng.



JAYDE PANAYIOTOU

Killed: 21 April 2015

Location: Port Elizabeth

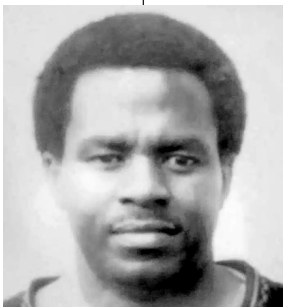
Jayde Panayiotou was a schoolteacher. She went missing while waiting outside her home for her lift to school. Her body was found the next day. Her husband, Christopher Panayiotou, was found guilty of hiring a hitman to kill her. In November 2017, Panayiotou was sentenced to life imprisonment.

Hits with personal motives

Between 2000 and 2004, there was an increasing trend in incidents of personally motivated assassinations. This was followed by a declining trend from 2004 to 2014, and from 2014 to 2017 there was, once again, a slight upward turn in the trend. The declining trend between 2004 and 2014 is primarily attributable to fewer recorded hits in Gauteng, though KwaZulu-Natal and the Western Cape also exhibited a small net decline in the same period.

The slight increasing trend seen in 2014 to 2017 is due to the combined increases in the numbers of hits in the Eastern Cape, KwaZulu-Natal, the Western Cape and Mpumalanga. Although hits ordered for personal motives tend to be widely covered in the media, they constitute only a small proportion of the total number of contract killings in South Africa.

the average annual taxi incident count occurred in almost all provinces over similar periods of time suggests the possibility that some or all of the taxi incidents occurring in any one province may have links with taxi incidents occurring in other provinces.



XOLANI MAPUMA

Killed: 19 March 2016

Location: Mdantsane,
Eastern Cape

Xolani Mapuma was a taxi boss and member of the Mdantsane East London Taxi Association. He was shot dead, execution style, in broad daylight. He was at the centre of a leadership battle in his taxi association at the time.

Taxi industry hits

Between 2000 and 2004, the trend in reported assassination incidents associated with the taxi industry shows a decline. The increase and then subsequent decrease in average annual counts of taxi incidents between 2004 and 2012 was primarily driven by a similar trend in the Western Cape, with substantial contributions from both Gauteng and KwaZulu-Natal, and with some incidents recorded also in the Free State, Limpopo and Mpumalanga.

The increasing trend in this category from 2014 to 2017 is dominated by the growing number of hits in KwaZulu-Natal and, from 2015, in the Eastern Cape. There are more modest contributions to the increasing overall trend from the Free State, Limpopo, Mpumalanga and North West province. The fact that increases in

**Individuals
who are privy
to the killings
and corruption
withhold
information
because they are
most likely to be
threatened and
intimidated.**

Using violence to move up the ranks: Exploring the conflicts that fuel taxi hits

To gain a better understanding of the dynamics behind hits associated with South Africa's taxi industry, the project team conducted interviews to establish the reasons that have fuelled a recent route conflict between rival industry associations. It also explored the role that hitmen play in conflicts between taxi associations.

The mall of violence

Although Gauteng is known generally to be notorious for taxi-related violence, two important themes emerged from the case study that have not yet been explored in the literature surrounding taxi violence in South Africa. First is the role of government, which has played both an active and passive role in fuelling the violence. This is evident in the development of the Mall of Africa, a major new retail centre in Midrand, which opened in April 2016 and which has created yet another route over which taxi associations were bound to dispute.

The bone of contention surrounding the Mall of Africa continues to be unbridled competition for lucrative routes, which has sparked conflict between rival taxi associations operating in the area, ATA and ARMSTA. The nub of the issue here is said to be operating permits. Interviews suggest that the key problems with the state response

are corruption – seen in the illegal and unregulated issuing of operating licences; police corruption and lack of empathy; lack of consultation by government and the private sector in the early stages of new developments, which is essential to ensure that all players in the transport industry are consulted; and, lastly, the complicated and opaque relationship between government and taxi association management, including the ownership of taxis by government officials and/or their families.

Besides these factors in the external environment, our findings also noted a number of weaknesses within the taxi industry that make it especially prone to violence: a high level of fragmentation and competition, the long-standing propensity in this industry to use violence to settle disputes and to eliminate competitors for positions within taxi associations.

Our interviews also revealed the increasing influence that hitmen exert on this industry and the degree to which men of violence have advanced in the taxi industry. It also emerged that individuals who are privy to the killings and corruption withhold information because they are most likely to be threatened and intimidated or because, in some cases, police officers handling the matters are alleged to be indirectly involved in the killings. ►

Taxi bosses have been said to give hitmen security jobs, so that they do not enforce their demands. Offering them a full-time job neutralizes the threat.

The vanishing hitmen

While trying to ascertain the causes of taxi disputes and killings, it emerged that taxi bosses in Gauteng often hire hitmen from KwaZulu-Natal (known as izinkabi) to carry out assassinations in taxi conflicts. These assassins, hired from across the provincial border, have a particular utility for the taxi bosses: discretion. They carry out the hit and immediately disappear back to the rural obscurity of their province to help avoid being detected by law-enforcement agencies. These izinkabi are believed to originate from remote rural areas of KwaZulu-Natal, particularly Msinga, making it more difficult for them to be identified or traced than would be the case for a local hitman. Their role in Gauteng is twofold: killing and then vanishing.

By contrast, izinkabi operating in KwaZulu-Natal appear to play a more conspicuous and powerful role – as enforcers – in their own province's taxi environment. They tend to remain in the urban centres, particularly in hostels, and when they need money they enforce their demands, such as extorting a taxi from a boss for whom they carried out a hit. This is said to be why hitmen emerged as taxi owners in their own right or as security heavies in the province's taxi industry.

The role of private security: From enforcer to employee

In KwaZulu-Natal in particular, taxi associations are known to source

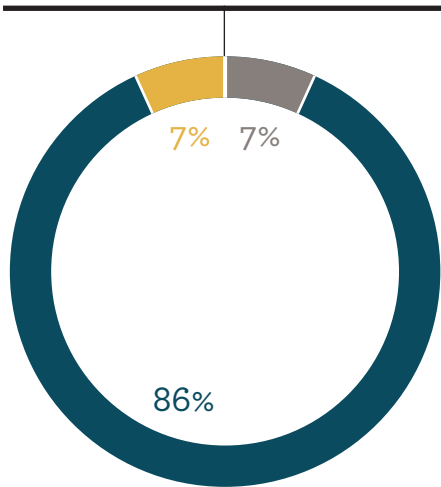
protection from well-armed private security companies. One of the respondents said that such security measures were needed to protect taxi businesses from hitmen who are allegedly hired to eliminate competitors. Others were of the view that the security measures around the taxi ranks and association premises were put in place to deal with the unreasonable demands of the hitmen. In such circumstances, taxi bosses have been said to give hitmen security jobs, so that they do not enforce their demands. Offering them a full-time job neutralizes the threat. This way, hitmen have muscled their way into employment in the taxi industry. Researchers were told about several cases where hitmen had killed taxi owners to create fear within the taxi industry or the associations. Once they have made people fear for their lives, they then provide them with security – in a circuitous system that can be regarded as extortion.

For more information on this subject, see Azwi Netshikulwe, *Violence begets violence: How hitmen transform the taxi industry and empower themselves*, (forthcoming) and Ncedo Mngqibisa, *'Fertile routes': How the government and private sector fuel taxi violence* (forthcoming).

Assassinations by gender, method and location

Gender

An overview of all incidents in which gender was recorded showed that in 86% of the cases (i.e. 1 135 incidents), the victim was male and in 7% of cases (91 incidents) the victims were female. In 7% of the cases (91 incidents), there were both male and female victims.



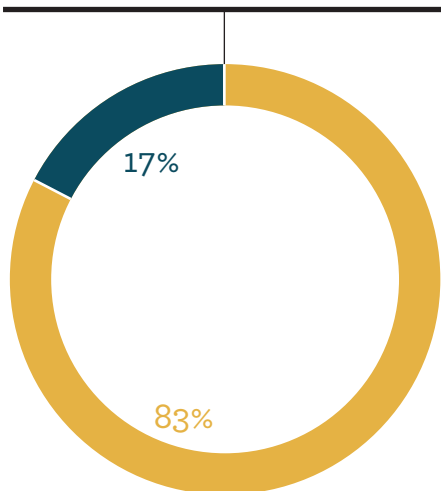
Female

Male and female

Male

Method

Firearms were used in 83% (1 090 cases) of the assassinations. In the remaining 17% (227 cases), victims were disposed of by, among other methods, stabbing, strangulation, poisoning, beating or bludgeoning and car 'accidents'.²¹



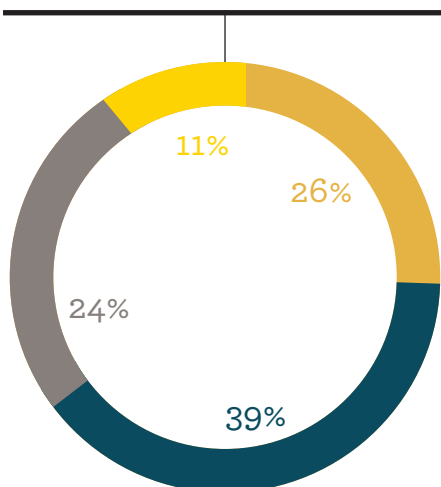
Firearms

Other

Location

There is accurate data on the location of the hits in only about 40% of the cases in the database. In the majority of these (63%; 325 cases), the hit took place either inside or outside the victims' homes. In such incidents, the hit was usually carried out as the victim was arriving home at night. In some cases, the person who hired the hitman provided the killer(s) with access to the target's home.

In 26% (134 incidents) of the cases, the hit was a drive-by shooting - a method often used in politically motivated assassination cases. The remaining 11% (57 cases) occurred at a place of business, including the victim's office, school (where principals or teachers were targets), shop or taxi rank.



Drive by

Outside home

Inside home

Place of business

Assassinations in the justice system

The database recorded 46 cases of criminal-justice actors who were targeted in hits (i.e. they were either assassinated or there were unsuccessful attempts on the targets' lives) over the period under analysis. These cases include the assassination/attempted assassination of magistrates, judges, attorneys and witnesses in legal cases. Although it is likely that there were more cases than those captured in the database, we nevertheless used these as a valid sample to gain more insight into the phenomenon of assassinations in South Africa's legal community. Each case was explored in greater detail in an attempt to gauge how many of them resulted in arrest, prosecution and conviction. Through interviews with attorneys, prosecutors and court personnel, further insight was provided into the nature and extent of the impact of contract killings in the legal profession.

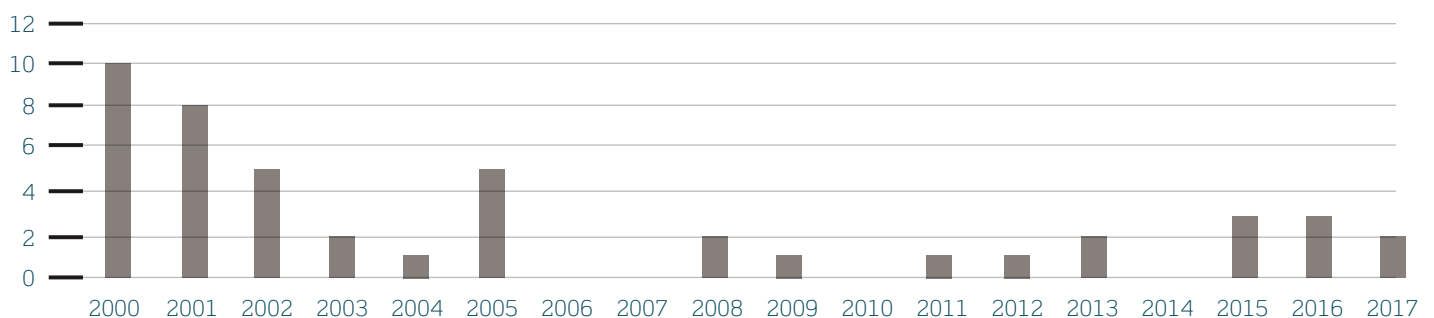
The time span of the database was divided into three periods. The period 2000 to 2005 experienced the highest number of cases (31): ten magistrates, two attorneys and 19 witnesses. Of these hits, 15 were carried out in the Western Cape, eight in Gauteng, six in KwaZulu-Natal and two in the Eastern Cape.

A significant proportion of the cases (five witnesses and three magistrates) in 2000 and 2001 were linked to vigilante group People Against Gangsterism and Drugs (PAGAD), all of which took place in the Western Cape. In 2002 PAGAD's leader, Abdus Salaam Ebrahim, was convicted and sentenced to seven years' imprisonment. Since then, PAGAD has had a less publicly visible presence in Cape Town and, based on our data, no further assassinations related to the justice system were connected to PAGAD.

Between 2006 and 2011, there was a notable decline in cases. A judge, an attorney and two witnesses were targeted over this period. Both assassinations of witnesses happened in 2008, one in the Eastern Cape and the other in Mpumalanga. The judge was murdered in a contract killing in Cape Town – in this case, it was found that his wife had arranged the hit. The attorney, Ian Jordaan, was killed in 2011. He was the lawyer for Lolly Jackson, murdered strip-club boss, and his case has been linked to notorious underworld figure Radovan Krejcir.

The period 2012 to 2017 saw a second, albeit smaller, wave of hits on actors within the justice system. There was a total of 11 reported cases. Of

Overview of hits relating to the justice system, 2000–2017





VICTOR MABUNDA

Killed: 10 January 2018

Location:

Bronkhorstspuit, Gauteng

Victor Mabunda was assassinated in his driveway as he returned home one evening.

The hit was allegedly linked to cases he was presiding over. Two suspects and the alleged hitman have been arrested.

these, three were in KwaZulu-Natal (witnesses), five in the Eastern Cape (one attorney and four witnesses), two in Gauteng (witnesses) and one in the Western Cape (attorney). These hits were more dispersed and mainly targeted witnesses. Of the hits on attorneys, one was carried out in Mthatha in October 2016 and one on a Cape Town attorney in November 2016.

No cases of hits or attempted hits on magistrates or judges were recorded for this time period. However, in January 2018 a Gauteng magistrate, Victor Mabunda, was killed in a hit. Witnesses were targeted in a variety of cases, including those connected to gangs, the taxi industry and violence at the Glebelands Hostel in Durban. In one case, the victim had witnessed a housebreaking; another was a witness in a case against Krejcir.

Location of hits and lethality

Of the targeted magistrates, eight of the 11 cases took place at the victims' home or outside their home, one at work and one while driving. Of the attorneys, four of the five hits took place at the victims' home and one in a car. In the witness category, where data is available, of the 30 cases, six were carried out at home and four were drive-by shootings. Of the cases in which a location was identified, the most common was at the victim's home or outside the home.

Not all the hits against magistrates resulted in the death of the target: out of a total of 11 cases, four died, five were shot but survived, one hit was prevented, and one was only a plot. All five of the attorneys died: four were shot and one was set alight. In the witness category, 24 of the 30 victims died, four were shot but survived and two attempted hits were prevented. Of the witnesses, 23 were shot and

two were beaten to death. As for the remainder, either the method was not ascertained, or the incident was prevented. The majority of hits were undertaken with firearms.

Investigations, arrests and prosecutions

Cases were followed up by tracing them through media searches (although this has limitations given the length of time over which cases may run and the fact that media reporting can be uneven in less high-profile cases).

In the category of magistrates and judges, there were 11 cases in total. Three of these resulted in convictions; three cases had further reporting on the investigation, but there was no further information on whether there was an arrest. In five of the cases, there was no further reporting in the media.

In the category of attorneys, there were five cases in total, three of which had no further coverage in the media. The assassination of Ian Jordaan, as mentioned, was linked to Krejcir, although this case has not made its way to court yet.

The 2016 assassination of attorney Noorudien Hassan has received significant media attention, as he represented various notorious organized-crime figures in Cape Town. However, to date, no one has been arrested for his murder. This case had a significant impact on the criminal-defence fraternity in Cape Town. As one attorney said, 'Hassan's death had a massive ripple. He was very well known and very well liked. ... It caused a massive effect in the legal fraternity because it hit home that this could happen to anyone.'²²

In the category of witnesses, there were 30 cases in total. However, there



NOORUDIEN HASSAN

Killed: 7 November 2016

Location: Cape Town

Noorudien Hassan was a criminal defence attorney.

He was assassinated outside his home in a drive-by shooting in November 2016. There had been previous attempts on his life. His murder could be linked to various underworld activities/cases. To date, no arrests for his murder have been made.

were only four convictions, three arrests where the suspect is awaiting trial and one arrest where the charges were later dropped. The majority of cases were not covered further by the media and there could, therefore, be more convictions than were reported.

In summary, according to media reports, only three of the cases of hits on judges or magistrates resulted in convictions, none of the cases on attorneys have resulted in a conviction and only four of the 30 hits on witnesses have resulted in convictions.

Impact of hits in the justice system

The impact of contract killings targeting those in the South African criminal-justice sphere is not limited to the victims or the cases they are or were connected to. Their effect is felt much more deeply, as these hits are representative of the broader issue of intimidation in the justice system. The fact these hits occur, and that fact that others in the criminal-justice system are aware of them, creates a pervasive environment of fear. The message that this category of contract killings communicates is that there is a very real possibility that the same violence may well be applied to someone else in the system. This constant threat of violence is tantamount to the capturing of the justice system by criminal forces.

From interviews with legal practitioners, it is clear that hits in the justice system have serious ramifications. For example, one prosecutor estimates that in 50% to 60% of her cases, the witness is actively intimidated by the accused or an agent of the accused, and this often results in the witness refusing to testify or dropping the case.²³ In one case, the female victim of a sexual offence received a phone call from the accused while he was in prison

awaiting trial. He told her to drop the case or he would 'use one of his connections on the outside'.²⁴

A criminal-defence attorney said that the state is often negligent with regard to witness protection and that in one case the defence attorney had accidentally received a copy of the witness list, which is meant to be confidential to help protect witnesses.²⁵ When asked about the effectiveness of witness protection, practitioners said that it is flawed and inadequate. Notably, witness protection is provided only until the point at which a witness has testified – after that they are out in the open and vulnerable. Witnesses are also often reluctant to join the witness protection programme, as they might be seen as betraying their community. It also means that they are removed from the community and there is still no guarantee that they will be safe even by joining the programme.²⁶

Criminal-defence attorneys are known to adopt certain tactics to avoid being caught in the middle of criminal conflict. One of those tactics is to make sure they don't take on clients who are from rival gangs or criminal groups. Following the death of Hassan, fear among Cape Town attorneys for their lives is said to have escalated. One attorney said he had acquired a licensed firearm for self-defence. In response to protecting witnesses in sexual-offence cases, a prosecutor said that special courts for hearing sexual-offence cases are currently the best option. In normal courts, victims, witnesses and the accused sit next to one another as they await trial, providing ample opportunity for the accused to intimidate the witness into not testifying. In specialised courts, however, the victims and accused are kept apart, providing a safer environment to prepare for testifying. This results in a better functioning of the justice system.²⁷

Political competition and hits

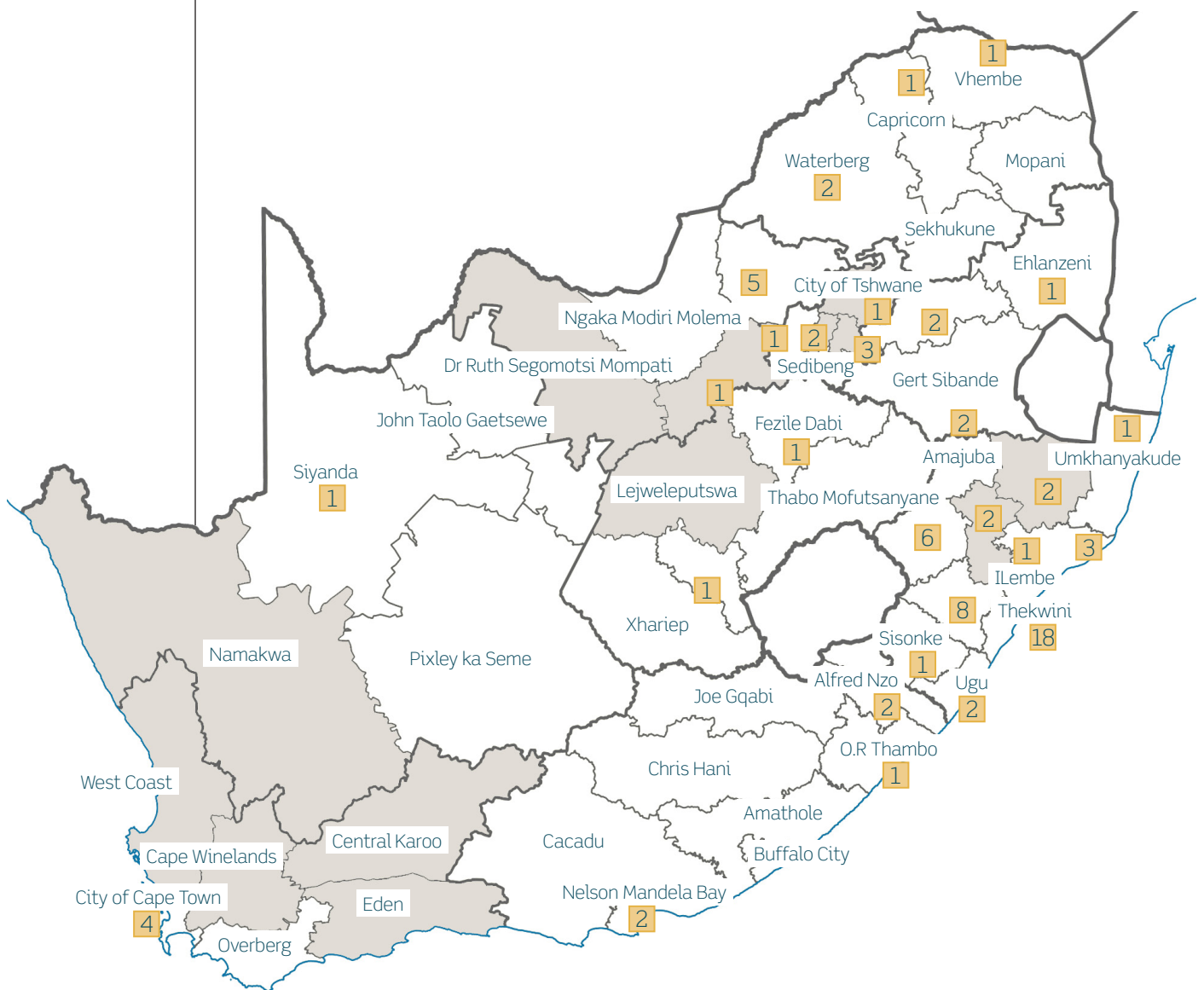
Political assassinations are acts that are used to destabilize politics in South Africa. An important question to consider is whether political change at local-government level – the political sphere in which most hits occur – is associated with the phenomenon of political assassinations. In other words, is competition between political parties in hard-fought local elections one of the driving forces for contract killings?

To test if the contestation of political power is accompanied by violence, the project mapped which district municipalities had experienced a change in power against the number of assassinations that occurred in that municipality. To do this, we analyzed political category hits from 2012 to 2016, and mapped these against a change in power in the district municipality in the 2016 local elections.²⁸ In the map the district municipalities that experienced a change in government are shaded in grey; those that are white did not experience a change in government. The numbers indicate how many political assassinations occurred in certain municipalities from 2012 to 2016.

As can be seen from the map, there are several municipalities that underwent a change in government without experiencing any political hits during the period under analysis. It appears, particularly in KwaZulu-Natal, that the majority of political hits took place in municipalities that did not experience a change in power. Although the data is insufficient to draw definitive conclusions, the political hits in areas that did not experience a change in power suggests that they could be the result of internal power struggles within individual political parties – most notably the ANC.

Is competition between political parties in hard-fought local elections one of the driving forces for contract killings?

Political change in municipalities and numbers of assassinations



Number of assassinations x

Corruption and assassinations:

Is there a correlation?

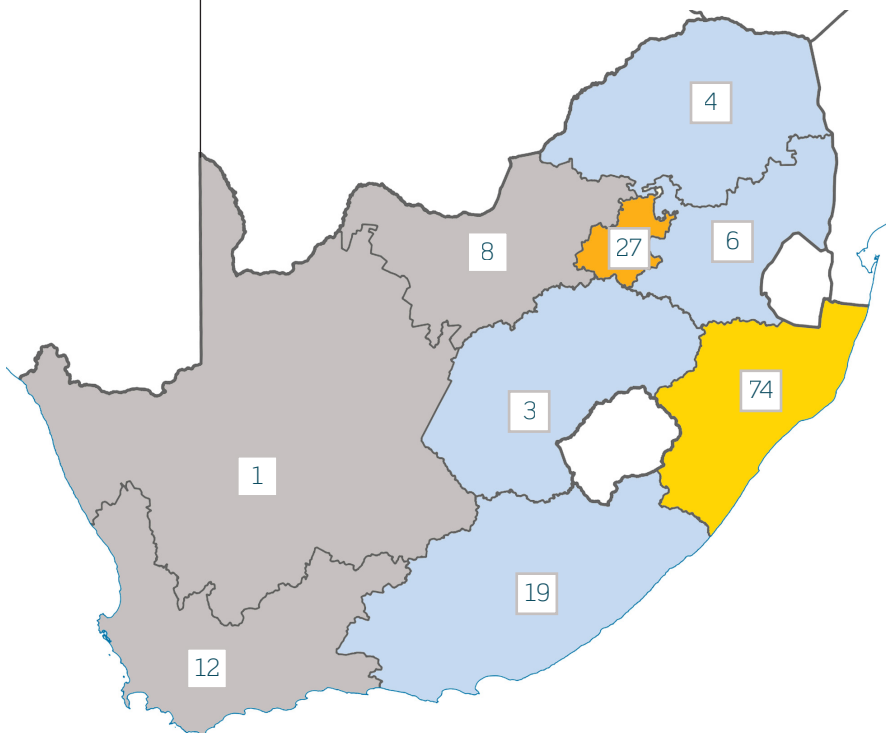
According to Transparency International's 2017 Corruption Perceptions Index, South Africa ranked 71st out of 180 countries, with a score of 43/100.²⁹ Although this ranking shows that South Africa is far from being among the most corrupt countries, a score below 50 shows that there is a significant corruption problem in the country. In multiple assassination cases in South Africa, this study found that the victim was a whistle-blower or was known to have a strong anti-corruption stance.

Therefore, another important question to ask is, what is the relationship between corruption and assassinations in South Africa? To answer this, we first filtered through

the last five years of our database to identify all hits that had the potential to relate to corruption. These hits were then sorted by province. This was then measured against data that was provided by Corruption Watch. The data provided by Corruption Watch included the number of corruption cases reported to Corruption Watch, by province, from 2012 to 2016. Although this does not reflect the level of corruption in each province, it does show where there is significant corruption and where the public reports it.

In mapping the corruption reports against the assassinations, we first scaled corruption levels from 1 to 5, with 1 representing a low level of corruption reports, and 5 representing a high number of reports. The number of potentially corruption-related hits are displayed by province on the map. The map represents data for the period 2012 to 2016, showing the corruption reports and hits.

After mapping both the corruption reports and potentially corruption-related assassinations, it was clear that the data was insufficient to show any significant relationships or threats. This is as a result of weaknesses in the data. The weaknesses concerning the data on assassinations have already been discussed. The two main weaknesses concerning the corruption-related data are, first, that the data is made up of reports by the public, so it only represents corruption that has been brought to light. There are various reasons why the public do not report corruption,



Low number of corruption reports



High number of corruption reports

Number of assassinations



and the corruption data can only be considered to be a window onto the wider problem of corruption. The second weakness is that the data is biased towards Gauteng. Corruption Watch's headquarters are in Gauteng, and, as the Corruption Watch report acknowledges, the organization has done more awareness-raising on corruption locally, resulting in more people in Gauteng being aware of Corruption Watch and how to report corruption to the organization.

Despite these limitations, however, some observations can be made. Gauteng has the highest rate of corruption reports; KwaZulu-Natal has the highest rate of potentially corruption-related assassinations.

Overall, both Gauteng and KwaZulu-Natal show the highest and second highest rates of corruption and assassinations, respectively, as can be seen in the map. After looking at corruption reports at the district and local-municipality level over the period 2012 to 2016, it can also be noted that, although there are many municipalities that have reported corruption but have not experienced any hits, all municipalities that experienced hits also had a significant number of corruption reports. This shows that although there can be corruption in a municipality that has not experienced hits, it is unlikely that there are hits without some level of corruption.

Gauteng has the highest rate of corruption reports; KwaZulu-Natal has the highest rate of potentially corruption-related assassinations.

Assassinations and the murder rate

The South African Police Service recorded 18 673 murders for the 2015/2016 reporting year, which results in a murder rate of 33.9 per 100 000 people. But how are such high levels of murder connected to assassinations? Clearly, it is much easier to mask hits if they occur in a generally violent society. But, that still leaves the question of whether incidents of targeted killing correlate with general murder trends in the country.

To test this proposition, we examined the average murder rates between 2012 and 2015 by province and compared these to the average assassination rates by province for the same years. Both the murder rates and assassination rates are calculated per 100 000 people and these are shown in the table.

Although the data is insufficient to draw any definitive conclusions when looking at the assassination rate against the murder rate, what is clear throughout the country and over time is that hits do not follow or replicate the general murder trends of the country. Instead, the hit rate is independent of the murder rate. Essentially, assassinations link nationally to the high levels of overall violence but, by nature, assassinations are driven by an economy of their own.

	Average murder rate, 2012-2015	Average hits rate, 2012-2015
Eastern Cape	50.97	0.09
Free State	35	0.04
Gauteng	27.11	0.13
KwaZulu-Natal	35.4	0.24
Limpopo	13.93	0.03
Mpumalanga	19.15	0.04
North West	23.83	0.08
Northern Cape	35.2	0.04
Western Cape	49.36	0.08

 **Very high murder/hit rate**

 **High murder/hit rate**

 **Average murder/hit rate**

 **Low murder/hit rate**

Conclusion

In South Africa, the use of hits – targeted killing, often paid for and carried out by hitmen – has an impact across all sectors of society. This form of murder is used to manipulate and exert power over politics, business, the criminal-justice system and personal relations. The phenomenon therefore undermines democracy, spreads fear, distorts political and economic relations, and threatens to institutionalize violence further in South Africa's body politic.

Our data demonstrates clearly that there has been a significant increase in recorded cases of hits between 2014 and late 2017. This is attributable to increases not only in targeted killings associated with politics, but in other categories too. Most significant of these is the prevalence of murder in the taxi industry. This has implications for hundreds of thousands of people who use this means of transport – yet it attracts remarkably little attention in policy discussions.

The data also shows clearly the degree to which the province of KwaZulu-Natal has contributed to the overall number of assassinations. It is encouraging to note that the Moerane Commission of Inquiry into political killings in KwaZulu-Natal has raised concerns at the political and provincial level. A notable suggestion from this commission is to increase the capacity of investigators and prosecutors, ensuring that those responsible are arrested.

The political change taking place in South Africa in early 2018 has heralded a new era in the country's history. It is a political environment that promises greater independence for law enforcement and is tackling corruption and violence. Preliminary observations of hits in the first two months of 2018 interestingly show

indicators of decline.³⁰ However, many have died in the upswing in targeted killing over the past few years. These include victims who were courageous whistle-blowers, strong and vocal members of their communities – demanding that the interests of people be respected. It is in all South Africans' interests that investigations into all cases of hits and targeted killings should be expedited.

The work of our project, Assassination Witness, will continue. The project will continue to record and monitor cases of hits for 2018 and 2019, most particularly given that political competition will increase in the run-up to South Africa's general election due in 2019. Our focus will also turn to finding ways of both improving our collection methodology and monitoring more effectively the success of investigations into individual cases. Our aim will be to continue to draw attention to the scourge of targeted killing and to mobilize for action to be taken against the killers.

Recommendations

1. Improve firearm control

Most hits are carried out by well-armed assailants. Although South Africa has legislation to manage firearm control, more needs to be done to reduce the flow of illicit arms.³¹ A recent firearms control briefing suggested three key points that would lower the risk of guns moving from the legal market into the illegal market. First, accurate record-keeping is needed. This is the responsibility of the Central Firearms Registry. However, the lack of a unified electronic recording system, together with corruption and fraud, has compromised the ability of the law to prevent the flow of illegal arms. Secondly, keeping effective records of weapons seizures in crime-recovery operations will help determine what illegal weapons are on the market and may identify where they are coming from. Thirdly, more effective stockpile management of weapons is needed.³² This would prevent further cases like that of Colonel Christiaan Prinsloo, a police officer who sold guns to gangs in the Cape Flats.³³ A further initiative to improve firearm control would be to disaggregate crime statistics, thereby generating more information on weapons used in murders. This will assist in monitoring the effectiveness of gun control policy and enforcement.³⁴

2. Focus on reducing violent competition in the taxi industry

A disproportionately high number of hits – on average, just under half of all contract killings in South Africa – are linked to violence in the taxi industry. Research suggests that the industry also provides a system in which hitmen are nurtured, providing a source of violence not only for taxi bosses, but for other buyers of violence too. It is an urgent necessity for this industry to be better regulated and policed, with

a clear focus on reducing the violence that has long been associated with it. The fieldwork undertaken for this study in Gauteng and KwaZulu-Natal suggests that corruption in the industry is rife and relationships between state agencies and taxi bodies is murky and too often shaped by economic self-gain. These relationships need to become more transparent, with independent oversight to avoid corruption. There also needs to be improved law enforcement to address corruption in the issuing of taxi permits. Our case study of the Mall of Africa also shows better coordination between public- and private-sector stakeholders in the process of commercial development may reduce violence within the industry. If the state effectively regulated the routes, there would be no need for the industry to resort to governing itself by means of violence.

3. Erode the ‘nurseries of violence’

As is the case with the taxi industry, hitmen are also predominantly hired from two other ‘nurseries of violence’.³⁵ The first is the hostel system, as noted in the Moerane Commission of Inquiry.³⁶ The second is the gang-afflicted areas, predominantly in the Western Cape, but also in the Eastern Cape and Gauteng. These pools of violence must be addressed through more effective social and development responses, as well as through more effective law enforcement.³⁷ There are strong social and economic reasons to intervene here because, in each case, quite apart from providing a source of assassins, the taxi industry, hostels and ganglands are responsible for wider forms of insecurity. Hence, interventions would have significant associated benefits, reducing crime and insecurity, and providing better opportunities for young men trapped in these environments of violence.

4. Bolster prosecution-led investigations

During the Moerane Commission, it was suggested that prosecution-led investigations would be a way in which to improve the arrest and conviction rate of political murders.³⁸ A prosecution-led investigation essentially entails an experienced prosecutor directing the investigation to ensure that it is properly prepared for presentation in court.³⁹ An amendment to the National Prosecuting Authority Act in 2000 made provision for prosecution-led investigations, by carving out a function in the investigation of the crime specifically for prosecutors.⁴⁰ A primary reason for creating this function was to improve investigations involving organized-crime, fraud and corruption cases, as the established approach to law enforcement had been ineffective in dealing with local and international developments in organized crime.⁴¹ Since their introduction into the criminal-justice system, prosecution-led investigations have also seen successes in the investigation and conviction of rape cases.⁴²

5. Expand efforts at monitoring assassinations and disaggregate homicide data

It is the responsibility of both government and civil society to monitor hits and assassinations in South Africa. The work done, for example, by the South African Local Government Association in recording the deaths of municipal councillors and officials is of great importance.⁴³ Other projects have recorded the number of political killings, and lobby for action from the authorities.⁴⁴ Improvements in monitoring must be made to increase the scope in areas that are not adequately covered – for example in rural areas or cases

that are not reported by the media. Improved monitoring can result in the detection of cycles, particularly in gang- and taxi-related hits, and possibly assist in prevention and early intervention. Much greater efforts are required to determine how successful are investigations and prosecutions in cases of targeted killing. There is no conclusive data on this, and interviews suggest that the case resolution rate remains low. The state seldom provides disaggregated data on murder, which greatly hampers the ability to develop more effective responses to different types of murder, including targeted killings. There are important opportunities here for cooperation between the state and other stakeholders in local government, civil society and the private sector.

Notes and references

- ¹ Louis Schlesinger, The contract murderer: patterns, characteristics, and dynamics, *Journal of Forensic Sciences*, 46, 5 (2001), 1119–1123; JA Black, Murder for hire: An exploratory study of participant relationships; L Brolan, D Wilson and E Yardley, Hitmen and the spaces of contract killing: The doorstep hitman, *Journal of Investigative Psychology and Offender Profiling*, 13 (2016), 220–238; D MacIntyre et al, The British hitman: 1974–2013, *Howard Journal of Criminal Justice*, 53 (2014), 325–340; Jenny Mouzos and John Venditto, Contract killings in Australia, Public Policy Series (Australian Institute of Criminology, June 2003); Samuel Cameron, Killing for money and the economic theory of crime, *Review of Social Economy*, 72, 1 (2013), 28–41; David Wilson and Mohammed Rahman, Becoming a hitman, *Howard Journal of Criminal Justice*, 54, 3 (July 2015), 250–264.
- ² James Black, Murder for hire: An exploratory study of participant relationships, in PH Blackman et al (eds), *The Varieties of Homicide and its Research: Proceedings of the 1999 Annual Meeting of the Homicide Research Working Group*. Washington, DC: Federal Bureau of Investigation, 2000, p 226.
- ³ See South Africa's Riotous Assemblies Act 17 of 1956.
- ⁴ For example, there have been numerous recorded hits of high-level criminal figures that were linked to disputes, most notably around the drugs trade.
- ⁵ Ardil Jabar and Richard Matzopoulos, Violence and injury observatories: Reducing the burden of injury in high-risk communities, *SA Crime Quarterly*, 59 (March 2017): 47.
- ⁶ Mark Shaw and Luke Lee Skywalker, The hammermen: Life and death as a gang hitman in Cape Town, *Howard Journal of Criminal Justice*, 55 (2016): 377–395.
- ⁷ Anine Kriegler, South African crime stats show police struggling to close cases, *The Conversation*, 31 October 2017, <https://theconversation.com/south-african-crime-stats-show-police-struggling-to-close-cases-86429>.
- ⁸ The *Oxford Research Encyclopaedia of Criminology and Criminal Justice* describes quantitative content analysis as 'aiming to distil the many words presented in a text into meaningful categories. These categories can then be treated as variables, allowing for a descriptive interpretation of the texts, or functioning as variables in statistical analysis.' See Lisa Kort-Butler, Content analysis in the study of crime, media, and popular culture, *Oxford Research Encyclopaedias*, September 2016, <https://doi.org/10.1093/acrefore/9780190264079.013.23>.
- ⁹ For more information on the Sabinet database, see: www.sabinet.co.za.
- ¹⁰ Mark Shaw and Kim Thomas, The commercialization of assassination: 'Hits' and contract killing in South Africa, 2000–2015, *African Affairs*, 2016, 1–24, doi:10.1093/afraf/adw050.
- ¹¹ For more on the findings of this fieldwork, see: Azwi Netshikulwe, Violence begets violence: How hitmen transform the taxi industry and empower themselves (forthcoming), and Ncedo Mngqibisa, 'Fertile routes': How the government and private sector fuel taxi violence (forthcoming).
- ¹² This resulted in the publication of Mark Shaw and Kim Thomas's, The commercialization of assassination: 'Hits' and contract killing in South Africa, 2000–2015, *African Affairs*, 2016, 1–24, doi:10.1093/afraf/adw050.
- ¹³ Zaryab Iqbal and Christopher Zorn, The political consequences of assassination, *Journal of Conflict Resolution*, 52, 3 (2008), 385–400.
- ¹⁴ A recent study in Mexico, for example, has shown an increase in assassinations of mayors, mayoral candidates and even former mayors in recent years. Laura Y Calderon, an analysis of mayoral assassinations in Mexico, 2000–17, *Justice in Mexico*, Working Paper Vol. 15, No. 1, January 2018.
- ¹⁵ See, for example, Mark Shaw, *Hitmen*

for Hire: South Africa's Underworld Exposed, Cape Town and Johannesburg: Jonathan Ball Publishers, 2017.

¹⁶ Nicholas Barnes, Criminal politics: An integrated approach to the study of organized crime, politics, and violence, *Perspectives on Politics*, 15, 4 (December 2017), 967–987.

¹⁷ Mark Shaw and Kim Thomas, The commercialization of assassination: 'Hits' and contract killing in South Africa, 2000–2015, *African Affairs*, 2016, 1–24, doi:10.1093/afraf/adw050.

¹⁸ Steven Levitsky and Daniel Ziblatt, *How Democracies Die*, Crown Publishing, 2018, pp 24–25.

¹⁹ David Bruce, A provincial concern?: Political killings in South Africa, *South African Crime Quarterly*, 45 (2014), 20.

²⁰ For more on the impact of violence and intimidation on democracy, see Justin Steyn, Violence in democracy: The political killing and intimidation of local representatives and administrators, South African Local Government Association, 2017.

²¹ These cases include brakes being cut, cars being driven/forced off the road, or other suspicious circumstances. These were included in cases where the circumstances surrounding the incident suggested it was a hit.

²² Interview, criminal-defence attorney, Cape Town, 18 September 2017.

²³ Interview, prosecutor (National Prosecuting Authority), Cape Town, 30 November 2017.

²⁴ Ibid.

²⁵ Interview, criminal-defence attorney, Cape Town, 18 September 2017.

²⁶ Interview, criminal-defence attorney, Cape Town, 18 September 2017. An example of this is the case of Jacob Nare. Nare was a witness

to Sam Issa's murder and a key witness in the state's case against Radovan Krejcir. The state pleaded with him to go into witness protection and testify. Nare refused, saying, 'I mean I have been in a position where I saw one of the people you are protecting being compromised ... he was actually about to be killed.' For more on this case, see Angelique Serrao, *Krejcir: Business as Usual*. Johannesburg and Cape Town: Jonathan Ball Publishers, 2016, pp 195–202.

²⁷ Interview, court advocacy officer, Cape Town, 24 November 2017.

²⁸ To do this, we made use of the IntegriTAS Threat Assessment System to map and monitor the threat of assassinations. The IntegriTAS Threat Assessment System helps national and local institutions identify the threat of organized crime in terms of its potential to distort politics. The system focuses on the threat and, 'instead of seeking to establish the existence of such links or their impact, allows users to map and focus on the factors that contribute to this type of corruption, and identify related strategies to prevent or mitigate the threat'. The system looks at both democratic structure and vulnerabilities at different geographical levels and the presence and scope of organized-crime networks. This provides users with the ability to map and monitor the threat, and plan prevention and mitigation strategies. For the purposes of the South African IntegriTAS Pilot, we narrowed down the assassinations data to the past five years, focusing on data from 2012 to 2016. Of this data, we also narrowed the focus concerning the type of assassination in relation to the type of data we measured the threat against.

²⁹ Rank – a country's position relative to other countries included in the index. Score indicates the perceived level of public-sector corruption on a scale of 1 to 100 in a country, where 0 means that the country is perceived as highly corrupt and 100 means that the country is perceived as free from graft. See Transparency International's 2017 Corruption Perceptions Index, https://www.transparency.org/news/feature/corruption_perceptions_index_2017.

[transparency.org/news/feature/corruption_perceptions_index_2017](https://www.transparency.org/news/feature/corruption_perceptions_index_2017).

³⁰ It is important to note, however, that it is too early to tell if there is in fact a declining pattern, as cases often only reflect in the media later on and violence can easily flare up at any point.

³¹ Firearms Control Act 60 of 2000.

³² Gun Free South Africa, Firearms Control Briefing 6 of 2017: Reducing illicit flows: Contributing to sustainable development, 21 June 2017, http://www.gfsa.org.za/wp-content/uploads/2017/08/2017_Briefing6_SDG16.4_ReducingIllicitArmsFlows.pdf.

³³ Marianne Thamm, When hell is not hot enough: A top cop who supplied weapons to country's gangsters and right wingers, *Daily Maverick*, 4 July, 2016, <https://www.dailymaverick.co.za/article/2016-07-04-when-hell-is-not-hot-enough-a-top-cop-who-supplied-weapons-to-countrys-gangsters-and-right-wingers/>.

³⁴ Gun Free South Africa, Firearms Control Briefing 1 of 2017: Strong gun laws save lives; poor enforcement kills, disables and costs, 15 February 2017, http://www.gfsa.org.za/wp-content/uploads/2017/08/2017_Briefing1_StrongGunLawsSavePoorEnforcementKillsDisablesCosts.pdf.

³⁵ Mark Shaw, *Hitmen for Hire: Exposing South Africa's underworld*, Cape Town: Jonathan Ball Publishers, 2017.

³⁶ Zimasa Matiwane and Bheki Mbanjwa, Hit men for hire at Glebelands Hostel, IOL, 18 July 2017, <https://www.iol.co.za/news/south-africa/kwazulu-natal/hit-men-for-hire-at-glebelands-hostel-10342375>.

³⁷ Mark Shaw and Kim Thomas, The commercialization of assassination: 'Hits' and contract killing in South Africa, 2000–2015, *African Affairs*, 116, 465 (October 2017), 17.

³⁸ Kaveel Singh, Investigation methods, police training under scrutiny at Moerane

Commission, News 24, 21 February 2018, <https://www.news24.com/SouthAfrica/News/investigation-methods-police-training-under-scrutiny-at-moerane-commission-20180221>.

³⁹ Correspondence with a court advocacy officer, Cape Town, 22 February 2018.

⁴⁰ Moses Montesh, A critical analysis of crime investigative system within the South African criminal justice system: A comparative study, PhD thesis, University of South Africa, 2007, 194.

⁴¹ Joey Berning and Moses Montesh, Countering corruption in South Africa: The rise and fall of the Scorpions and Hawks, *SA Crime Quarterly*, 39 (March 2012), 4.

⁴² Interview with a court advocacy officer, Cape Town, 24 November 2017.

⁴³ Justin Steyn, Violence in democracy: The political killing and intimidation of local representatives and administrators, South African Local Government Association, 2017.

⁴⁴ David Bruce, A provincial concern?: Political killings in South Africa, *South African Crime Quarterly*, 45 (2014), 13-24.



UNIVERSITY OF CAPE TOWN
IYUNIVESITHI YASEKAPA • UNIVERSITEIT VAN KAAPSTAD



THE GLOBAL INITIATIVE
AGAINST TRANSNATIONAL
ORGANIZED CRIME

www.assassinationwitness.org.za



@AssassinationZA

March 2018