THE APPLE DOES NOT FALL FAR FROM THE TREE: CAN SOCIETY CORRUPT POLICE OFFICIALS?

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─ **Abstract** ─

It is argued that police officers commonly present what they consider to be an acceptable face to researchers regarding the cause and extent of police corruption within their respective law enforcement agencies. This 'self-censorship' can be a challenge to obtaining a reliable view of police officers' occupational, informal and personal perceptions. Empirical research on police corruptive practices in South Africa highlights the problem which seems to be persistent in the South African Police Service (SAPS). Though a number of factors combine to make reliable estimates of the number of officials engaging in misconduct difficult to obtain, the sheer number of individuals working in the SAPS suggest the scope of the problem. In order to get beyond some of these familiar tropes given the stigma attached to corruption, in-depth semi-structured interviews were conducted with key informants from the public in the three provinces of South Africa namely; Gauteng, KwaZulu-Natal and Western Cape to solicit their views regarding the concept 'corrupting society' as to determine, if society does corrupt the police. The findings indicated that while some pockets of excellence have been attained towards improving police-public relations, the other 'side of the coin' poses risks to the SAPS as corrupt friendship bonds with friends and associates within the communities the police serve, causes profound organisational problems to reduce police corruption. In the face of recent media scrutiny regarding how at the national level, some of the former National Commissioners were implicated by the media to have received kickbacks due to their close associations with some influential families, implies a concern of far greater complexity than the ordinary exchanges of accusation and defence regarding a 'corrupting society' and

'corrupted police officials' are likely to reveal. The author provided possible recommendations emanating from the findings.

Key Words: *Corrupting society, experts, interview*

JEL Classification: L48

1. INTRODUCTION

> *In soup, every ingredient adds flavour and over time, becomes flavoured by the whole. In great social soup no one is separate from what happens to society (Rekord 2008:8).*

The quote above argues that, in a society, all segments of society have a collective responsibility of what happens in a society. In the case of police corruption, the empirical question is, whether all segments of a society are collectively responsible for the prevalence of corruptive practices within the SAPS? The contribution of this paper was an attempt to determine the extent to which society is involved in the shaping of individual SAPS officials' corruptive behaviour. Saltzman (2013: np) argues that there are elements of the fields of justice and ethics that deal with the concepts of collective responsibility and collective punishment *vs.* individualism. Furthermore, Saltzman (2013:np) enquires that if something awful happens to an individual because of the actions of a single person or a small number of people, can the blame be placed on the larger society?

2. BACKGROUND OF THE STUDY

To understand what a society is, it may also be necessary to understand what a community, the public and citizens are. Think of community as bonding among people with strongly similar backgrounds and interests, and society as forms of bridging between those groups; both can be institutionalised in rules, laws, and shared conventions, but societal bridging is more often formal than communitarian bonding (Storper, Lavinas and Mercado-Célis 2008:3). A society can also mean an organisation for people with similar interests or hobbies, or who support similar causes, for example, the Wildlife Society of Southern Africa. The Collins Dictionary of the English Language (1984:1380) refers to society as the totality of social relationships among organised groups of human beings. Communities usually have a more homogeneous and local character.

In other words, a community is a group of people who have a strong communal interest that binds them together. Examples are the people of a particular rural area, town or city. However, White (1952) argues that society is composed of families, and is what the heads of families make it. Out of the heart are "the issues of life"; and the heart of the community, of the church, and of the nation is the household. The well-being of society, the success of the church, the prosperity of

the nation, depend upon home influences (White 1952:1). White (1952) further claims that the elevation or deterioration of the future of society will be determined by the manners and morals of the youth growing up around the elderly. As the youth are educated, and as their characters are moulded in their childhood to virtuous habits, self-control, and temperance, so will their influence be upon society. If they are left unenlightened and uncontrolled, and as the result become self-willed, intemperate in appetite and passion, so will be their future influence in moulding society. The company which the young now keep, the habits they now form, and the principles they now adopt are the index to the state of society for years to come.

The Hedgehog Review (2008:5) defines citizen as being "*a member of a political community, namely the nation-state. With it, of course, come certain legal rights (such as the rights of habeas corpus, the rights of free speech, the right to bear arms, and so on, as well as political responsibilities, such as the duty to participate in elections, to serve as a member of a jury, and the like.*" Bekker (1994:7) is of the view that the inhabitants of a particular geographic area form the citizens of a specific state. Therefore, for the purpose of this paper, the concepts 'public' and 'citizen' are used interchangeably to refer to all the segments of a society where one contributes meaningfully to the wellbeing of that society, cares about the surrounding, and becomes a part of the solution in response to the challenges that confront the society.

An application of Akers' social learning theory (2000) suggests that police officers develop peer groups within the department as well as society at large. These associations either hold conventional or non-conventional, prodeviance beliefs. According to the United States General Accounting Office (GAO) (1998:19), one factor associated with police corruption identified whilst in the process of literature review was pressure arising from an officer's personal neighbourhood ties. GAO further asserts that some sources indicated that neighbourhood to friends, family members, or even associates, for example in gang-plagued areas, might make it difficult for officials raised in those communities to avoid situations that promote corrupt behaviour (GAO 1998:19).

Earlier research indicates that one of the four dimensions of police corruption that contemporary police theory emphasises is the influence of the social, economic, and political environments in which police institutions, systems, and agencies operate (Klockars, Ivkovich, Harver and Haberfeld 2000). Klockars *et al.* (2000:2)

indicate that for example, some jurisdictions in the United States have long, virtually uninterrupted traditions of police corruption. Other jurisdictions have equally long traditions of minimal corruption, while still others have experienced repeated cycles of scandal and reform. Such histories indicate that public expectations about police integrity exert vastly different pressures on police agencies in different jurisdictions. These experiences also suggest that public pressures to confront and combat corruption may be successfully resisted (Klockars *et al.* 2000:2). Steffens (1979) as cited in Ward and McCormack (1987:12) concurs that early studies assert that corruption is as old as the creation of a human kind:

> *You blame it on Adam, he blamed it on Eve, and she blamed it on the serpent. But I am here to tell you that the origin of sin was the apple, the reward of being evil* (Steffens 1979 as cited in Ward and McCormack 1987:12).

Applied to public and police corruption, Steffens (1979) contention is that police officials are ordinary people facing extraordinary temptation. Steffens (1979) blames corruption on a socio-economic system where the value of money as a status symbol can produce corrupt business people and corrupt citizens who tempt these ordinary public officials serving the public. Ward and McCormack (1987:14) concur that popular theories attempting to explain the causes of police corruption are as controversial as they are numerous. The absence of police standards, police morality, police professionalism, police supervision, adequate public support and adequate pay are common postulates. Ward and McCormack (1987) further argue that popular theories attempting to explain the causes of police corruption are fairly descriptions of things, which are quite complex.

Menninger (1950) as cited in Ward and McCormack (1987:16) asserts that it should not be very hard to persuade a police official to agree that their job requires one to have the abilities of a superman. As a matter of fact, in choosing this profession, the police official has elected to be a superman (Ward and McCormack 1987:16). However, Faull (2007:7) argues that: "*In South Africa both public and organisational discourses around police corruption have tended towards over-simplification, revolving around one of three themes: the 'rotten apple' theory, salary levels, and the 'corrupting public'*."

From an empirical perspective, it therefore, not yet clear as to what extent does the influence of business, family and friends, affect police official's behaviour

negatively. For example, do negative relationships between police and citizens have a ripple effect on police behaviour? Kempe (2015:13) asserts that there is considerable agreement, and based on lessons learned from many countries, the most severe consequences of police corruption are to be found in its negative impact on the relationship between the police and the community. Perceptions, attitudes, and relationships are affected whether the corruption level is low but well known in the community, and involves the acceptance of gratuities or minor kickbacks or whether it is the cause of major, well-publicised incidents. Police corruption, widely reported, can have a significant impact on public perception and confidence in the police (Kempe 2015:13). Lamani and Venumadhava (2013:229) concur that the entire police system reflects the character of a society in which they are working. The corruption in the police cannot be looked and explained in isolation. It cannot be expected that a police officer should be honest when the whole society is depending and employing corrupt means for its upliftment.

3. PROBLEM

A generalized understanding of police corruption, its causes, consequences, and reform efforts to control it, is not fully possible without completely considering and assessing diverse perspectives derived from understanding the basic realities of different societies and the issues and processes of policing those societies face (Kempe 2015:xiii). In some developing societies, cultural *mores* have discouraged professional police standards from developing. As a result, the police tend to lack a strong tradition in law enforcement beyond self-aggrandizement (Williams 2002:91). Bayley and Perito (2011:5) point out that: *"In developing countries… bribery becomes a transaction fee for doing any business with the police. It afflicts everyone, not just criminals, and it implicates all police officers."* According to Kempe (2015:16), family and personal background and lifestyle factors, relationships, and so on that could make a police officer susceptible to corruption or compromise the officer are considered. This paper therefore provides critical analyses of the views of the participants regarding the extent to which the character of a society is affecting the police, the manner in which they are working and how serious they considered different types of practices which they may or may not classify as corruption.

4. METHODOLOGY AND SAMPLE

Fieldwork consisted of three Focus Group Discussions (FGDs) with a mix of both males and females from the three provinces of Gauteng, KwaZulu-Natal and Western Cape in South Africa between February and April 2016. These provinces were targeted due to the reason that the author lectures in all of these three provinces. The sample consisted of thirty two (32) participants. Of these participants, fourteen (14) were males and eighteen (18) were females. In terms of age, five (5) were in their late twenties, seven (7) were in their thirties, seven (7) were in their late forties, ten (10) were in their early fifties and three (3) in their late fifties. The majority of the participants indicated that they had served the most of their time within the public sector environment both in the SAPS (N = 17); as well as within the other public sector departments (N = 9). The remaining participants (N = 6), indicated that they were from the business sector and had a 'working knowledge' regarding police corruption. From these FGDs, the author was able to assess relevant issues that could be used to probe participants' perceptions, and to learn from their experiences how to strengthen the SAPS anti-corruption strategies.

For the purpose of this paper, a purposive non-probability sampling technique was applied. The reason for this choice was to identify key or knowledgeable participants about police corruption. Data was analysed according to the descriptive approach of Tesch (1992:117-141), following an eight-step approach. This method helped the author to reduce data into themes, sub-themes and categories. During the FGDs, the author made use of audio recordings of the data, by means of a tape recorder. Some of the cohort of the students enrolled for Policing (B-Tech and M-Tech), are from these three provinces and are serviced through block classes twice a year. Therefore, before the commencement of block classes, the author made a prior arrangements with some of the B-Tech and postgraduate students, to recruit possible key informants or experts knowledgeable about the topic, from various public sector institutions, as well as from the business sector to be part of the FGDs. These FGDs utilised an in-depth interviews each lasting approximately 30-45 minutes. This approach was recommended by colleagues who published extensively in the high impact international journals, as it would give both the dynamic FGDs which are ideal for discussing and comparing perceptions.

5. RESULTS

5.1 Society shapes individual behaviours of police officials

When presented with a variety of scenarios, the participants demonstrated sophistication in their careful assessment and consideration of the individual scenarios. They recognised the complexity on how a police misconduct could be traced back to association with certain segments of society. When asked to what extent a society shapes individual police behaviour, the majority of the participants concurred that to a great extent, as some of the officials conform to dominant social norms and values of that particular community. One participant said:

> *"…Yes, indeed the local communities shapes the police officials' behaviour and attitude. The constant negative critique of the media towards the police, the public making seductive offers to the police in order to compromise the outcome of the investigation… all these, create a negative impact on the police and, directly or indirectly, influence the way the police act.*" (FGDs – Western Cape)

> *"…If the communities depended on corrupt officials to get certain results or attention, police officials that come from those communities, subconsciously, are already de-sensitised to the notion of corruption. Furthermore, if police officials are not respected by communities and treated like idiots, they would start acting like idiots, and even act in a way that they don't really care what the communities think, because their reputations are already tarnished."* (FGDs – Gauteng)

> *"…Depending on what sort of community it is, will either positively or negatively shapes the behaviour of the police official. For example if the community is violent then the police official's behaviour, would likely gravitate towards the norms of that community..."* (FGDs – Kwazulu-Natal)

Some of the individuals said:

> *"The police official should be deployed in other communities not the same community they are from. It should be a new unknown environment to him or her. If a police official work in the same community he/she learnt or grew up from, his/her friends and or*

business people will have a very bad influence on him/her. For instance, if his/her brother is a criminal and whenever he/she commits an offence he/she will know that a big brother/sister who is a police official will speak to other colleagues for a favour to tamper with police evidence."

The SAPS is an organisation operating nationally with over 180 000 officials. As such, public perceptions of the 'police' do not necessarily refer specifically to the SAPS. The large size of the SAPS also means that it is not an organisation that should be generalised about lightly. Each station will operate differently depending on the socio-economic, rural/urban, cultural and criminal context in which it is located. Despite these obstacles to the accurate measurement of perceptions relating to the SAPS, it is worth noting the diversity of views the participants have of the society and how certain practices shapes the SAPS officials in general. The general public does not spontaneously negatively encourage the police corruption or misconduct as one of their 'global' concerns. It became apparent from the views of the FGDs that social disorder at a broader level (as expressed via bribes, crime, lack of community sprit) can play a part in the shaping of individual police negative patterns. The society negative pattern or character often maximises opportunities and fills voids associated with a society's failure to provide adequate 'moral compass' to regulate behaviour. Basdeo (2010:386) postulates that the influences of the business people have played a significant role when it comes to corrupting the police officials. It is a fact that corruption in the police force is a challenge for citizens in many countries across the world. In 31 of the 100 countries covered by global survey, police are the most corrupt institution in many countries and formed partnership with business leaders.

5.2 Corruption and the character of police officials through socialisation with society

Negative views about corrupt friendships between the police and some segments of the society (where the degree of police officials' closeness with individuals who do not demonstrate conformity to dominant social norms and values), were raised by the majority of the participants. In view of the findings, it is imperative for the policy makers to look into these associations as they might, indirectly shape the character of police officials. It is therefore, essential that society supports the SAPS to rid itself of corruptive practices that are often reported in the

printed and electronic media. Active participation of the communities in South Africa regarding reducing the level of police corruption will go a long way towards instilling positive dominant social norms and values acceptable by all segments of society.

Within every society, there are community functions such as socialisation, social control and mutual support that regulates behaviour in that given society. The failure of these units, in a way, goes a long way towards breeding anarchy within that society. It goes without saying that if all the segments of the society do not hold the police accountable, there would be an added pressure on police managers to instil and maintain professionalism as well as acceptable character within the police ranks. In a democratic society or state, the policed should be empowered to function as co-workers with the police. According to Bradford and Jackson (2011:4-5), calling upon or assisting the police are not simply outcomes arising from its legitimacy, these are acts which constitute nature of the relationship between the police and policed (Bradford and Jackson 2010). Such acts place obligations on both officer and citizen that are expressive of underlying moral values and beliefs (Bradford and Jackson 2011:5). A democratic state is "*stable institutional structure that realises the liberty and equality of citizens through the legitimate and correct functioning of its institutions and mechanisms*" (Morlino 2009:4) whilst a "democratic society" is defined as one in which all citizens participate in selecting from among a competitive field representatives who are then charged with carrying out the task of governing society according to their understanding of the will of the citizens" (Dahl 1971 as cited in Rauth 2008:8). The rationale behind this social contract is based on the premise that the society pays tax and the democratic elected government is expected to 'fix' everything.

This social contract between a government and its citizenry is lopsided or lacking in balance, hence the local or the national law enforcement administrators would find it difficult to handle perceived corruptive practices within their ranks. How to rectify this problem, naturally, depends on what each scholar believes to be the root cause of the police corruption. While Faull (2007:7) argues that police corruption is over-simplification of facts, revolving around one of three themes: the 'rotten apple' theory, salary levels, and the 'corrupting public', some authors call for a general revitalisation of society, some propose specific solutions (Bradford and Jackson 2011; GAO 1998; Kempe 2015; Lamani and Venumadhava 2013). Putnam (2000) as cited in Rauth (2008:8) calls for a "healthy democratic society" and defines it as "*one in which citizens are actively*

engaged in influencing the operations, decisions, and actions of their communities, as well as their local and national government beyond voting for representatives, resulting in a government and society that is strongly influenced by, and responsive to, the needs and opinions of its citizens." Therefore, corruption in the police cannot be looked and explained in isolation. All segments of society living in a democratic society, must serve as the ultimate gatekeepers of their own acceptable morality and assist the local police by adhering to the ideals set forth in the 1996 Constitution of the Republic of South Africa.

Some of the views from the FGDs:

"… A major factor to consider is a temptation that would almost certainly present itself on numerous occasions to such police officer especially if they are personally acquainted with the criminals in question. However, it is unfair to automatically assume that all such police officials are being corrupted by associating with people who have a questionable character..." (FGDs – Gauteng)

"…Police character is indeed shaped by associating with criminal, especially police officials who grew up in an environment where the dominant subculture undermines the rule of law. Recent interventions to establish community structures within each of our streets (street committees), has gone a long way in addressing the challenge of criminality as a way of life in the community. Bad company or associations do alter police character…However, since the establishment of street committees, the relationship between the community and our station management has improved to such an extent that any incident that undermines the rule of law, is reported to the station management. This is unfortunately not the practice at all police policing areas…" (FGDs –KwaZulu-Natal)

"… This really has become the way things operate in South Africa. A couple of hundred bucks and the right police official to alter the evidence… almost anything is possible. For instance, stories of missing case dockets, wrongful arrests where the victim would eventually claim compensation from the state, where the police would still benefit out of these practices, are some of the common incidents, yet nothing seems to happen to the police officials who staged these practices…" (FGDs – Western Cape)

While it is not known to what extent society shape personality in officials, it seems that, at least initially, prior to enlistment or recruitment in the police departments, prospective police officials' values are shaped by the character of the society they come from. Research has shown that corrupt police officials seek consolation by blaming 'the system for their own misconducts'. Remarks such as inefficient salaries, poor management and lack of training are often expressed by members of the SAPS. Some police officials were of the opinion that planting evidence, obtaining confessions illegally, submitting false reports and committing perjury are necessary counter measures in taking criminals off the streets.

6. CONCLUSIONS

The findings indicated that across the FGDs, there was a view that morality within the wider society has imposed a number of challenges which had in themselves had an impact on overall police character. In some respect this could contribute to compromise of acceptable standards of what would be expected from the local police. Discussions identified a number of areas where the impact of corruptive practices from different segments of society, such as business acquaintances, friends and family members could indirectly, alter the character of the police officials. From the discussions, as well as the literature review, it is clear that association with corruptive individuals, breed corruption and this view is an ancient one. The problem has been part of policing for as long as we have had policing. The influence of society on the police, based on the FGDs, cannot simply be explained as the emphases is generally on the person who accepts the bribe rather than to focus on all the actors. Often times, the media focuses on a police official receiving or soliciting a bribe than placing the blame on the business person involved in the transaction, is a cause a serious concern.

Although this paper has limited scope as the study did not find a significant positive relationship between character of a society and police official behaviour, nevertheless, the findings have practical implications. First, because police officials are constantly exposed to negative behavioural patterns from groups in society where they come from, it is likely that with time, the officials will learn to internalize the definitions shared by other peer groups or associations. SAPS management need to focus on the continuous development and sustainment of police officials attitudes consistent with being fair and just. Second, the government of South Africa, need to mobilize the society to become true and worthy guardians of ethical behaviour. Narayan (2005:3) points out that the fight

against corruption is too important to be left to a few formal institutions or politicians. The people at large have some roles to play ensuring clean public life and corruption-free services. Narayan asserts that experience all over the world showed that determined initiatives with public support can and will succeed in curbing corruption and cleansing the system effectively.

This interaction, when successful, is one of mutual checks and balances; when unsuccessful, the checks and balances are not sufficiently present, allowing the potentially negative effects of society or community alone to make themselves felt (Storper *et al.* 2008:3). Thus, when the conditions do not exist for society-community interactions of mutual checks and balances, however, then other less favourable outcomes for negative character that reflects in the police moral development are likely to be the result. Ward and McCormack (1987) concur that in discussing police corruption care should be taken not to forget that corruption is not the sole prerogative of police organisations. Despite Menninger`s reference to superman qualities, individuals are also subject to the same emotions, aspirations, and domestic responsibilities as their fellow citizens.

In Africa, the culture or character of a society associated with the tolerance of corruptive practices is linked with Africa's colonial past. Mulinge and Lesetedi (1998:25) postulate that Africa's colonial past, has undoubtedly impacted on the extent of corruption and contributed to the degree of tolerance within our society, but the emphasis placed on the role of the historical event of colonialism in the birth and entrenchment of corruption in South Africa should however not be construed as attributing corruption entirely to colonialism (Mulinge and Lesetedi, 1998:25). Society, especially businesses also have their own role to play in eliminating corruptive practices. The Wimpy franchises, for example, are located at the Engen 1-Stop facilities on the freeways have a special menu for members of the SAPS, dressed in uniform, which include free regular coffees. This courtesy was observed to be extended to members of the Municipal Police as well as members of Provincial and Municipal Traffic Services. The question which arises is whether this is bribery or clever marketing by these franchises to ensure a constant uniform presence whereby they are ensuring the safety of their businesses and their personnel?

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