



## **Democracy Digest**

**April 15<sup>th</sup> 2020**

### **Policing the Lockdown**

Since the start of the Covid-19 crisis in our country the government has been rightly lauded for its proactive response and its foresight. President Ramaphosa and Health Minister Zweli Mkhize have communicated well and, together with some other ministers, have created a strong impression of competent crisis management. There is little doubt that as a nation we are faring far better at this stage than we might have expected, and far better than many other, better-placed, countries.

However, there continues to be one worrying exception to this generally positive tale – the unacceptable, and unconstitutional, behaviour of some elements of the security forces. There have been too many reports, from different parts of the country, for this behaviour to be dismissed as just one or two ‘rotten apples’ getting carried away.

<https://www.dailymaverick.co.za/article/2020-04-10-sandf-and-polices-violent-easter-gift-to-masiphumelele/>

<https://www.news24.com/SouthAfrica/News/murder-case-opened-after-alexandra-man-allegedly-assaulted-by-sandf-20200412>

<https://www.news24.com/SouthAfrica/News/lockdown-man-dies-after-allegedly-being-tasered-and-beaten-by-police-ipid-investigating-20200330>

<https://www.news24.com/SouthAfrica/News/analysis-lockdown-police-kill-three-people-in-three-days-this-is-normal-for-south-africa-20200401>

Prof Raymond Suttner points out that, while President Ramaphosa instructed the security forces to deal respectfully with the public, “instead, we have seen what amounts to authoritarian policing, acts of aggression and killing of people, who have for one or other reason remained on the streets, sometimes for legitimate reasons that have not been interrogated by the law enforcement officers, sometimes technically for reasons that do not conform with the regulations.”

Early on in the lockdown, the journalist Steven Grootes noted that a heavy-handed approach by the army and police would undermine the legitimacy of the state’s actions, and thereby harm the fight against the virus.

<https://www.dailymaverick.co.za/article/2020-04-14-for-lockdown-to-succeed-security-forces-need-to-be-reined-in/>

<https://www.dailymaverick.co.za/article/2020-04-03-abuse-of-power-by-soldiers-and-police-undermines-legitimacy-of-the-state/>

Suttner's view is echoed by two other respected commentators, Mary de Haas and Sahra Ryklief, who both call for greater control to be exercised over the security forces. De Haas notes parallels between some recent security force behaviour and that of the apartheid era:

<https://tinyurl.com/u37kgl>

<https://www.dailymaverick.co.za/opinionista/2020-04-14-dear-president-ramaphosa-rein-in-the-security-forces-before-we-have-another-marikana/>

In all of this there is a crucial role to be played by Parliament. The fact that the country is under a State of Disaster in no way diminishes the oversight duty of the Portfolio Committees. The official opposition called for the establishment of an *ad-hoc* committee to oversee the protection of civil rights, but this call was rejected by the Speaker. Fortunately, there are signs that even without an actual or virtual sitting, Portfolio Committees can still try to influence what is happening; the chairpersons of both the Defence and the Police Committees have publicly expressed concern over reports of security force excesses.

<https://www.dailymaverick.co.za/opinionista/2020-03-31-security-forces-are-waging-war-on-our-constitutional-democracy/>

<https://www.news24.com/Columnists/GuestColumn/opinion-parliaments-role-in-a-state-of-national-disaster-20200331>

<https://www.dailysun.co.za/News/they-found-one-beer-in-the-fridge-20200414>

<https://citizen.co.za/news/covid-19/2267718/parly-asks-ipid-for-detailed-analysis-following-concerning-reports-of-police-brutality/>

Even if the strict lockdown is lifted at the end of April, it seems clear that there will be continued restrictions and prohibitions of various kinds for some months to come. It should be obvious to the government that, the more it wins the goodwill and co-operation of the populace, the more likely the measures are to succeed. Mr Ramaphosa's and Dr Mkhize's whole approach so far exemplifies this understanding, but some of their colleagues appear to be reading from a different script.

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