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Publics of policing: expanding approaches to nodal policing

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ABSTRACT

The rise of private security across the globe has sparked concerns that a central public good is being corporatized, and that policing will no longer be guided by the interests of ‘the public’. In this article, we argue that state policing has never been in the interests of ‘the public’. Instead, like all policing actors, the state police create and serve something more finite: ‘a public’. By exploring the ‘publics of policing’ we gain important insights into the constitutive role policing plays in producing socio-political communities. We suggest that this represents an important addition to the nodal governance framework, which currently overlooks the importance of what corporate, state and civic actors create when they engage in policing.

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Introduction

In the literature on plural policing, few frameworks have proved as popular as nodal governance. This approach has enabled people to explore plural policing landscapes from Kenya (Mutahi 2022) to Australia (Holley and Shearing 2017), and from the Netherlands (Steden *et al.* 2016) to Honduras (Sanjurjo 2017). Over the last twenty-five years, nodal governance has provided generative insights into the numerous ways that policing actors engage with each other across the globe.

Following Adam White (2012), however, we argue that the nodal governance framework does not sufficiently explore the ‘political economy’ of policing. In other words, it does not pay enough attention to the political relations that shape policing arrangements and are, in turn, forged by them. This is particularly important when scholars are trying to understand the roles played by a growing private security industry and its impact on policing and politics. To address this gap, we introduce the concept of the ‘publics of policing’. This notion refers to the publics that are forged through, coalesce around, and are protected by acts of policing. We argue that *all* policing actors produce publics. In this context, a ‘public’ is not necessarily a democratic or inclusive entity. Rather, this term is normatively neutral and refers to the sense of connection and collectivity that is forged amid a shared endeavour.

As well as responding to White’s (2012) call for a greater focus on the political economy of policing, we believe that the concept of the ‘publics of policing’ offers two key contributions. First, by arguing that *all* policing actors create publics, we are recognising that private security actors can play a constitutive role in creating communities. In other words, private security actors do not

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simply *corrode* a sense of publicness, they can also create it. Second, by thinking in terms of ‘publics’ rather than ‘the public’, we are explicitly moving away from the notion that states serve ‘the public’ while other civic and corporate actors serve partial publics. This idea has remained remarkably resilient in the literature on pluralised policing. Here, we insist that state policing – like all other forms of policing – represents *a public and not the public*.

Our article proceeds as follows: Our first section provides an overview of some of the key developments and debates surrounding the nodal governance framework within scholarship on plural policing. We begin with an analysis of the nodal governance framework and its failure to directly address the political economy of policing. Thereafter, we discuss Ian Loader and Neil Walker’s (2007) ‘anchored pluralism’ approach that served as a corrective to the nodal governance framework by emphasising the constitutive role of the state police. While we recognise the value of this approach, we also discuss its weakness: that is, its normative insistence that the state is uniquely placed to provide security to ‘the public’.

We conclude that proponents of nodal governance and anchored pluralism have either overlooked the constitutive role of policing or continued to believe that state policing can serve ‘the public’. The shortcomings of both approaches are fruitfully addressed by interrogating the ‘publics of policing’, which we outline in the second section of this paper. In the third section of our paper, we further demonstrate the utility of this approach by focusing on empirical material in South Africa. In doing so, we focus on three private policing nodes – gated communities, contractual collectives, and digital networks – that we have identified in our respective research projects. In each case, we demonstrate the utility of analysing the ‘publics of policing’.

Our article focuses on the contribution that ‘the publics of policing’ can make in South Africa, where our work is based and where the rise of private security has been particularly pronounced (Berg 2003). In doing so, we are contributing to broader efforts to build criminological theory from the global South (Agozino 2003, Moosavi 2019, Watson *et al.* 2023). That said, we believe that this development represents a valuable addition to analyses of nodal policing across the globe, especially in contexts where pluralised policing has been the norm for many decades. Such discussions are also valuable in a context where the futures of policing are once again in question.

Plural policing frameworks

In this section, we will provide an overview of some of the key scholarly debates within plural policing. Recognising the need to speak about plural policing and security landscapes across the globe, numerous scholars have developed terms, frameworks, and theories in the last two decades to help analysts to map and explore this terrain. These include ‘security assemblages’ (Abrahamsen and Williams 2010), ‘multi-choice policing’ (Baker 2008), ‘the policing web’ (Brodeur 2010), and ‘nodal policing’ or ‘nodal governance’ (Shearing and Wood 2003, Shearing 2001). The great strength of all these approaches is that they do not make any prior assumptions about which actors are, or should, be at the centre of plural policing landscapes. That said, each approach also has its critics. In this paper, we specifically focus on the nodal governance framework as it is perhaps the most widely used of these approaches. The critiques we raise, however, also have traction on this wider theoretical terrain.

Nodal governance framework

Briefly put, the nodal governance framework encourages analysts to explore the different nodes or ‘organisational sites’ (Wood and Shearing 2007, p. 149) from which policing emerges and through which it is governed. This framework has equipped scholars to map different policing actors and institutions in specific sites, and to explore their relationships to one another. This framework’s focus on the ‘mentalities’, ‘technologies’, ‘institutions’ and ‘resources’ of different nodes has provided a valuable structure for the analysis of policing landscape across time and space (Johnston and Shearing 2002).

The potential weakness of this framework, however, is that it fails to explicitly direct people's attention to what policing produces. Namely, how policing constructs various political communities (White 2012). Therefore, what White calls the 'political economy' of policing, has been systematically understudied by scholars who use the nodal governance framework (White 2012). Taking White's critique as a starting point, we argue that policing actors are always producing a service *for* somebody. Therefore, the lack of an explicit focus on what is being produced is an important oversight. We need to know more about the forms of policing produced: What is delivered? For whom? And what forms of community are being (re)made in the process?

The closest that the nodal framework comes to exploring this question is through the concept of 'mentalities' (Shearing 2005), which refers to that node's conception of policing and security. By studying these 'mentalities' we can start to understand what the *intended* public of a particular form of policing might be, who it may seek to protect, and what it may seek to guard against. The framework does not, however, push us to explore the contested emergence of this public in practice and the forms of sociality it creates. In other words, work on nodal governance has tended to focus on the 'logics' (White 2012, p. 92) of provision, rather than developing a more encompassing understanding of what collectives are protected *and produced* through policing. As we will discuss later, our notion of the 'publics of policing' aims to address this point.

Anchored pluralism

Accounts of 'anchored pluralism' were developed in response to discussions of nodal governance. Anchored pluralism is a concept that was developed by Loader and Walker (2001, 2006, 2007), amongst others. We argue that while nodal governance ignores the 'constitutive' role of policing, Loader and Walker explicitly address this function. Their work falls short, however, by assuming that state policing creates and serves 'the public' – an all-encompassing, democratic unit. We contend that this idea of 'the public' is theoretically and empirically flawed.

Loader and Walker's work on anchored pluralism rests on two key arguments. First, states have the potential capacity to anchor security. Second, *should* anchor security. It is the normative strand of their work that is perhaps the most well-renowned. In making this argument Loader and Walker (2007, p.144) draw on the notion of security as a 'thick public good'. For them, the notion of the 'public good' is sociological – it refers to good that is generated and valued collectively (Loader 1997). The 'thickness' of this good refers to the worth that it holds in society. Loader and Walker (2007, p. 145) argue that a 'thin' public good is only produced and shared collectively because it must be. In other words, it depends upon mutual co-operation to exist. Thicker public goods are more inherently 'public' because they have a 'social dimension'. The thickest public goods – like security – actively constitute the public that they serve.

This idea that some goods are '*constitutive*' is a crucial insight, to which we hold. Policing does not just serve a particular community, it can help to *create* and *shape* a sense of collective identity (Shearing and Wood 2003, Loader and Walker 2007). By making this argument, Loader and Walker are linking security studies back to much older ideas in the political sciences about the role that policing and security can play in creating publics. This topic has long been a central tenet of thinking in social contract theories and theories of state formation (Hobbes 1651, Locke 1690, Tilly 1990). In more recent work on rebel governance, scholars have also highlighted the role that security and policing provision plays in creating socio-political communities (Wood 2003, Mampilly 2012). Loader and Walker's (2007) work is thus valuable because it reminds us of the importance of these links.

We disagree, however, with Loader and Walker's (2007) normative claim that ties the notion of 'the state' to the interests of 'the public'. As a host of research demonstrates, the state police represent the interests of *a* public rather than *the* public (e.g. Reiner 1985, Brogden and Shearing 1993, Bowling 1999, Fassin 2013, Alves 2014, 2018, Jauregui 2016). From Kenya (van Stapele 2016, Jones *et al.* 2017) to Brazil (Perry 2013, Alves 2018); and from India (Jauregui 2016) to the United States (Ritchie 2017), we see how the state police systematically targets the marginalised and

oppressed, leaving them 'over policed and under protected' (Muir in Macpherson 1999, p. 312). Much of what is done in the name of 'the public good' can only actually be justified if we remove certain groups or individuals from our notion of 'the public' (Marks and Howell 2016, Alves 2018).

These issues and flaws do not go unnoticed by Loader and Walker (2007, see also: Caparini 2006, p. 269). They admit that the state is 'a physical and psychological bully ... prone to meddling ... tak[ing] sides ... set[ting] the cultural climate and ... making life difficult or impossible for those who do not conform to the norms it encourages and defends' (2007, p. 143, see also Berg and Shearing 2018, p. 74). The state will also, they observe, 'tend towards stupidity' (Loader and Walker 2007, p. 143). Nonetheless, they argue that the state remains 'indispensable' to providing the 'thick public good' of security (Loader and Walker 2007, p. 143). According to them, the state is a 'vital means of generating and sustaining the 'public interest' over matters of policing and security in a market society whose neo-liberal champions triumphantly proclaim that no such thing exists' (Loader and Walker 2007, p. 29).

We want to problematise that assertion. Unlike Loader and Walker, we suggest that the flaws of the state are neither incidental nor accidental. It is not that the state is simply in need of stronger, liberal reforms, as many scholars on police reform have portrayed. In practice, as Naomi Murakawa (2014) shows in the context of the U.S., liberal reforms have often compounded some of the more partisan and punitive elements of the criminal justice system. Furthermore, the state's shortcomings do not only emerge because state officials develop informal practices or institutional cultures that pull them away from procedural norms (Hornberger 2004, Marks 2005, Vigneswaran and Hornberger 2009, Faull 2010, 2017, Steinberg 2014). Rather, as a range of scholars from Marxists (e.g. Miliband 1969) to Critical Race Theorists (e.g. Bell 1980) have argued, there are structural reasons behind the state's incapacity to produce policing that serves 'the public'. These logics of exclusion, which run around and through the state, mean that the state will never represent 'the public' in its fullest sense. Loader and Walker (2007, p. 73–93) explore these critiques but they conclude that 'radical' critiques of the state under-estimate 'the openness of political systems and the theoretical and political prospects that this affords' (2007, p. 92). They suggest that this is because radical theorists are more concerned with critiquing existing state security than they are with 'civilising security' for the future (2007, p. 92).

Perhaps it is telling that Loader and Walker (2007, p. 144, Loader 1997) quote Enlightenment scholars in their defense of the state (see also: White 2012, pp. 93–94). For all that these scholars spoke of a universal idea of 'common humanity', their work was often built on foundations of gendered and racialised exclusion (Vartija 2021). Similarly, while those involved in contemporary police reform and democracy promotion may talk of the police serving '*the whole public*' (emphasis in original Wiatrowski and Goldstone 2010, p. 81) this has been neither the achievement nor the aspiration of states to date. The state, in Prunier's words, 'is always somebody's state' and 'never the State in the legal abstract form beloved of Western constitutional law' (Prunier 2009, p. 361). To make this argument is not to say that the state or the law simplistically represents one social category of people, but it is to say that there are intersecting, structural patterns of inclusion and exclusion that place some, systematically, at its sharpened edge (Crenshaw 1988).

Thus, in contrast with Loader and Walker's (2007) normative claim that the state *should* anchor security, we do not take any stance on how policing and security *should* be organised. Rather, we propose that scholars need to develop and employ analytical tools to comprehend the world as it is and not the world as they would like it to be. Loader and Walker (2007, pp. 90–93) recognise the importance of acknowledging the state's partisan behaviour, yet their discussions of 'the public' do not help us to do so. With the notion of the 'publics of policing', we aim to make power visible and contend that this helps, rather than hinders, people to mobilise for change (*contra* Loader and Walker 2007, p. 92).

In short, Loader and Walker's (2007) strong, normative argument that ties 'the state' to 'the public good' is the primary flaw in their work. Below, we will explore the different directions that other scholars take to counter this problem – namely, those who pursue a more economic definition of 'the

public good' and those who maintain a sociological definition of the 'the public good' but distance themselves from the normative claims of the authors above. As we do so, we identify the analytically generative elements of these approaches, which have helped us to develop our approach to the 'publics of policing'.

Beyond anchored pluralism

Analyses of the relationship between policing and the public good have not been limited to anchored pluralism. As scholarship has grown on pluralised policing, so too have discussions about the relationship of private security to 'public goods'. Whether we look in Germany (Leese 2016); Kenya (Mkutu and Sabala 2007); the United Kingdom (Loader 1997); or Haiti (Burt 2012), we find scholars who probe the degree to which private security actors can deliver security as a public good. While Loader and Walker (2007) understand 'public goods' in a sociological sense – as goods which are generated and valued collectively (e.g. Loader 1997, Bear and Mathur 2015, p. 21) – there is another strand of the literature that focuses on 'public goods' in an economic sense – as non-rivalrous, non-excludable goods (e.g. Engerer 2011).

Contemporary studies exploring security from a more economic perspective tend to explore the notion of security as something more complicated than either a 'public' good or a 'private' (excludable, rivalrous) good. For some scholars, security is best described as a 'quasi-public good' (Crawford 2006, p. 120). For others, security is a 'club good'. That is to say, a good that is only available to members of a club but is non-rivalrous amongst those members (Hope 2000, Crawford 2006, Engerer 2011). Such scholars might describe *all* forms of policing as a 'club good' or they might see the policing landscape as a combination of different types of good. Hella Engerer (2011, p. 144), for example, describes security as a 'mixture of private protection, club good solution and public provision'.

This literature has allowed analysts to move away from an assumption that private security necessarily produces private goods rather than public goods. The authors above are, instead, driven by the empirical realities of private security on the ground. As such, they create a far more nuanced understanding of the products and practices of private security, which is capable of recognising degrees of 'publicness' (Cooper-Knock 2016). Their work resonates with authors who ask whether the 'publicness' of private security will expand as these services become increasingly enmeshed with those of the state (Thumala *et al.* 2011, White 2012, p. 97, Loader and White 2017).

The limit of this economic approach to 'public goods', however, has been the fact that it overlooks the socially and politically constitutive role of private security. This critique brings us back to the more sociological approaches to 'public good' discussions. It is within the sociological literature on policing that we find a keener interest in the constitutive role of private security. Although many authors have distanced themselves from the calls for a 'return to state-centred governance' *a la* Loader and Walker, they have retained an interest in the possibilities of 'community governance' amid plural policing (Shearing and Wood 2003, pp. 206, 207).

Clifford Shearing and Jennifer Wood (2003), for example, argue that the policing landscape is replete with shared initiatives that deliver security as a 'collective good'. That is to say, different groups deliver a type of security that sits in the 'middle of a continuum' between public and private goods (Shearing and Wood 2003, p. 206, Shearing and Johnston 2003). Shearing and Wood's (2003) work resonates with the work of other scholars who emphasise the overlap between 'public' and 'private' goods and social consequences of this mix (Diphorn and Kyed 2016). Such works highlight the shared interests, audiences, and values that might exist between state, civic, and commercial actors. And yet, they do not romanticise security actors. They recognise, for example, that economic markets may create pressures that can challenge the emergence of 'shared interests' between customers of private security and the broader public (Porter and Kramer 2011, Berg and Howell 2017, p. 283; Loader and White 2017). There are times when the identities, interests, and practices of entangled policing actors may actively collide (Marks and Wood 2007, p. 144, Diphorn and Kyed 2016, Nøkleberg 2020).

Despite this, authors like Julie Berg and Clifford Shearing (2020, 2022) allow for the possibility that private security may be *more* successful at catering to shared interests across society. In a South African case study, these authors argue that for-profit or civic actors who are engaged in harm reduction may be more effective at delivering security as a 'public good' in 'the public interest' (Berg and Shearing 2018, pp. 79, 83, Berg and Shearing 2020, 2022). In making this argument, they offer a new take on the established principle that policing nodes 'can be a strategy for achieving public as well as private goods' (Burris *et al.* 2005, p. 36).

It is in this work that we find the most generative analysis to date: the recognition that private security can create goods with 'quasi-public' characteristics and may also play a constitutive role in creating socio-political collectives. The difficulty with this work – including our own – is that the link between 'the state' and 'the public good' is not sufficiently questioned. In other words, these authors may critique Loader and Walker's (2001) work, yet some of the normative assumptions about the state in this work remain.

Thus, Adam Crawford (2006, p. 136), stresses that the state is 'normatively and empirically different' in its policing provision to those who provide club goods. In a similar vein, in their discussion of policing and security as a 'collective good', Wood and Shearing (2003, p. 211) stress the importance of multiple collectives while maintaining that 'the public' as a 'very broad and encompassing collective' is a 'central' concern of the state.¹ Even in some of our own work, (Berg and Shearing 2018), in which we sought to 'decouple' the notion of the public good from the state, we still maintain the notion of '*the* public interest' and '*the* public good' of security.

In other words, while the studies above fruitfully challenge the 'privateness' of private security actors, they do not sufficiently challenge the 'publicness' of the state. The fact that this remains – despite the manifold shortcomings of the state – means that the line between normative hopes and empirical reality is consistently blurred. Moreover, by maintaining that it is only states that can oversee security as a public good, scholars pay insufficient attention to the forms of community that *are* forming around private security, for better or worse (Steinberg and Marks 2014, p. 257).

To move the conversation forward, we suggest a different approach: namely, a shift away from talk of 'the public good' or 'the public' and towards a focus on 'publics' more broadly. As we explain below, this approach capitalises on some of the strengths of Loader and Walker's (2007) work on 'anchored pluralism' while avoiding some of its downfalls. By focusing on the 'publics of policing', we can better analyse the political consequences of plural policing arrangements as they are in the here and now. In the section that follows, we first unpack the notion of the 'publics of policing' and then apply it to the South African context, where we have each conducted research on private policing constellations over the past decade.

Defining the publics of policing

Our definition of the 'publics of policing' starts from the premise that publics are multiple, contested, and finite. This is an insight that we borrow from Nancy Fraser (1990). Fraser's analysis emerged in response to Jürgen Habermas' (1989) notion of '*the* public sphere' (emphasis added). She argued that while Habermas's idea of 'the public sphere' was engaging, it was also limited and limiting. Firstly, she argued that Habermas' vision had ignored the intersecting power structures that systematically excluded certain groups from the ideas, interests, and practices of 'the public'. Second, Habermas had also overlooked the forms of distinction that are maintained within any public. If analysts wanted to be able to analyse power precisely, Fraser argued, they needed to think about multiple public spheres. These public spheres may have varied aims and aspirations, different terms of inclusion and exclusion, and divergent relationships to power (Fraser 1990, p. 57, Squires 2002, Srinivasan *et al.* 2019). This is how we imagine the publics of policing.

When we speak of the 'publics of policing' we are referring to publics that are forged through policing, coalesce around it, and are protected by it. In some cases, policing may play a fundamental role in the constitution of a public. Nicholas Simcik Arese (2018), for example, explores the creation of

Haram City on the outskirts of Cairo. Through his research, Simcik Arese charts the emergence of this 'private city', where developers sought to realise their grand designs for social engineering through 'bottom-up forums for social management in neighbourhoods' linked to corporate policing provision (Simcik Arese 2018, p. 462). Through the policing of dispute resolution, Simcik Arese argues, a 'consensus over "offensiveness" and "reasonableness"' was being forged on whose foundations, developers hoped, a concept of 'public-ness' could be formed (ibid, pp. 469, 479–480). In other cases, as we will show below, policing may emerge to protect members of a pre-existing public (Steinberg and Marks 2014). Either way, policing is constantly making and remaking forms of collectively and connection. Importantly, we contend that *all* policing actors are involved in production of publics. In other words, for-profit security provision does not just fragment, fracture, and corrode publics, it also creates them.

A public, in this context, refers to a collective that emerges amidst a shared endeavour (Warner 2002, Asen 2018). It is this shared sense of endeavour and mutuality that creates a public, not the endeavour itself. This does not mean that there is unanimous agreement amongst all participants about who constitutes a public, what they stand for, and who (or what) should be policed. Nonetheless, when we talk about the 'publics of policing', we must be able to identify *some* shared vision of what a 'safe life' looks like, what should be done to achieve it, who belongs within that life, and on what terms. If this shared sense of purpose exists, there need not be thick social relationships between people in a public. In fact, in many urban areas, collective endeavours may exist precisely to try and help people keep a mutual sense of privacy and distance, as we shall see below.

Crucially, we do not consider publics to have any *a priori* normative value. Our understanding of publics is normatively neutral. A 'public' being created through policing might be violent, oppressive, and exclusionary. The terms of belonging it offers could be toxic, and based on white supremacist, militaristic, and/or heteronormative hierarchies. Conversely, it could strive to be inclusive, democratic, and equitable. All publics of policing are worthy of study and their shape cannot be assumed in advance: it must be ascertained empirically from the ground up. By adding a focus on 'the publics of policing' to the nodal governance framework, we encourage such work.

In the remainder of this article, we demonstrate the utility of studying the publics of policing and pay particular attention to private security constellations, because this is arguably where talk of 'publics' is less well developed. Our analysis draws on examples from South Africa but, as we demonstrate in our conclusion, our arguments have much broader application.

The publics of private security in South Africa

In this final section we demonstrate that a focus on the publics of private security would make an important contribution to the literature on private security nodes in South Africa. Our argument is that work on private security remains dominated by accounts of what private security erodes rather than what it creates, enables, and facilitates. There are important reasons for this: Policing remains at the heart of discussions around the social contract in South Africa. During colonialism and apartheid, the police were clearly geared to serve a political and economic elite (Steinberg 2014). The fact that private security expanded rapidly just as policing was supposedly democratised has been seen by many as a material and symbolic mockery of the transition (Cooper-Knock 2016, Diphoorn 2016, Diphoorn 2017a). Little wonder, then, that scholars and activists have done the important work of highlighting the fragmenting, corrosive, predatory work that private security actors undertake (Samara 2010, Murray 2022).

We do not want to blunt their warnings. Rather, we believe their work is strengthened by greater attention to what these private security nodes are creating: the publics that are being forged and served. Below, we explore three different policing nodes that can give rise to publics of private security: gated communities, collective private security contracts, and the digital networks that exist between those using social media or digital messaging like WhatsApp and Facebook. In our analysis, we highlight what makes the public emerging from each node distinctive. We do not assume that

particular nodes will always create distinctive forms of public and remain open to the idea that separate nodes may produce publics with shared characteristics that may, on occasion, actively reinforce each other. Ultimately, the form, function, and significance of any public can only be determined from the ground up.

Gated communities

Gated publics are created through the building and securitised protection of estates, which are prolific across the world, from China (Pow and Kong 2007, Breitung 2012, Lu *et al.* 2020) to Ghana (Obeng-Odoom *et al.* 2014); and from the US (Low 2001) to Turkey (Akgün and Baycan 2012), and Mozambique (Bertelsen 2021, Nielsen *et al.* 2021). While gated communities are not purely produced by/around private security, such security does play a formative role in their creation, as Magdalena Górczyńska argues in the context of Poland (Górczyńska 2012).

The nature of their securitised architecture, we would argue, lends a solidity to the publics that emerge from gate communities. To exit a gated public, people usually have to move out. This means membership of this public will be replenished, as new occupiers enter the property. This public of private security, then, is likely to be relatively stable over time.

Scholars have long highlighted the need to study gated communities across the globe (Blakley and Snyder 1998). Much of this work does talk about the parameters of the community being created within such estates (Durlington 2006). Residents within gated communities are often obliged to adhere to a whole range of regulatory interventions, which shape how everyday life is to be lived, from the aesthetics of their houses to the forms of socialising that are permitted (Landman 2010). Since the 2000s, an expansive literature has developed on gated communities in South Africa. This literature has tended to focus on elite, predominantly white estates. Scholars have discussed the different form of 'semigration' (Ballard 2004) that residents have sought and the communities they have created, defined by a pursuit of whiteness (Lemanski *et al.* 2008, p. 150), apartheid suburbia (Durlington 2006), or Afrikaner Nationalism (Van der Westhuizen 2016).

In practice, however, there is a 'continuum' of 'gatedness' (Bowers and Manzi 2006, p. 9) across the country and a focus on the 'publics of policing' would encourage a more thorough interrogation of this continuum. As Karina Landman (2004) has argued, it is important that we do not just see gated communities as a 'meta concept' and, instead, explore the specifics of each instance of gating (see also: Ruiu 2014, Landman and Schonteich 2002). In South African cities, for example, we see a whole range of collective gating mechanisms on roads, apartment buildings, townhouse complexes, and vast estates. Property developments with sectional title deeds that tie private property owners into shared governance and service arrangements are increasingly common in middle-class developments (Chipkin 2013, p. 228). In a recent study, Roger Southall (2022, p. 8) suggests that almost 20% of residents in Gauteng province might live in this form of housing.

Arguably, this is where there is a need for greater attention to the types of public being formed (Mosselson 2018). In a context of ongoing desegregation within elite areas and a growth in middle-class compounds (Crankshaw 2008, p. 1692), insufficient attention is being paid to multi-racial gated communities. And yet, understanding the publics being created across multiple types of gating is crucial. As Ola Uduku (2010) has demonstrated, gating rarely has a stable meaning across time and space. Therefore, analysts need to constantly appraise the meaning that gating holds, the varied forms of 'public' that may be produced by it, and what this says about identity, security, and justice in post-apartheid South Africa.

Emerging literature on this area demonstrates its utility. In his case study of a middle-class, multi-racial compound, Ivor Chipkin argues that the communal pursuit of private life has created a situation in which people chaff against the stringently enforced minutiae of compound rules while simultaneously advocating for them (2013, p. 243, see also: Jürgens and Gnad 2002, p. 350). The policing and surveillance that residents establish to police 'outsiders' is also used to monitor and control them (Chipkin 2013). That said, internal power dynamics are also in play: Numerous identities and

forms of power shape the rules that are made in such settings, and the degree to which they may be subverted. These are important to understand. By exploring multi-racial compounds, for example, analysts can interrogate the intersection between race and class in more nuanced ways. Following Ndlovu (2020), for example, they can ask ‘when members of the black middle class leave the township, where they can easily afford to buy a house, what is it that they are leaving behind or escaping? When purchasing a suburban house, what are they buying?’

In the middle of inner-city neighbourhoods in cities such as Durban and Johannesburg, we reach the other end of the gated community spectrum: high-rise flats that are occupied by South African’s poorer residents. These, too, operate as a form of gated community, with residents often having to pass through highly securitised entrances to access their homes. By bringing these spaces into dialogue with elite gated communities, it is possible to see how different relations of power and different forms of public can emerge from similar policing nodes.

As Chipkin (2013) demonstrated in more elite gated communities, the policing that people pay for can also be used to regulate their own behaviour. The consequences of this can be particularly stark within inner-city accommodation. Biometric security checks, for example, are sometimes used to control people’s entry into a residential block and can be used to lock out those who do not pay their bills (Murray 2011). In such situations, landlords play a heavy role in creating the contours of a ‘public’.

That said, we would not go as far as Martin Murray (2011) in describing these forms of gating as ‘carceral urbanism’. While it is vital to acknowledge the weaponizing of security against those who are struggling to make ends meet, it is important to *also* acknowledge the agency that people exercise in choosing to live in such flats, and the appeal that securitised buildings may hold (Mosselson 2018). Aidan Mosselson (2018), for example, explores the highly securitised, shared buildings that exist within the inner-city neighbourhood of Hillbrow, Johannesburg. Having spoken to residents who live there, his conclusions are ambivalent. On the one hand, he argues that there are clearly ‘revanchist’ moves by business and commercial interests to create economically attractive city centres at the expense of figures from street children to informal traders (Mosselson 2018, pp. 67, 117). On the other hand, these practices may overlap with the needs and demands of the ethnically diverse, working-class residents who live in the neighbourhood (Mosselson 2018, p. 144). Private security in this area, he suggests, is creating a public that reflects the diversity of the area, while still being grounded in exclusion.

The studies above highlight the importance of bringing together studies on gated communities into a more cohesive conversation (Landman 2010). The notion of the ‘publics of policing’ is an excellent conceptual anchor for these conversations. Such dialogues would enable analysts to better explore the diverse forms of being, belonging, and community that are emerging in these spaces while also maintaining a focus on the collective consequences of gating across the country (Landman 2020). Although this article primarily focuses on urban South Africa, discussions of gating would also benefit from looking beyond the urban centres, exploring whether rural gating and peri-urban gating created qualitatively different publics (Spocker 2013).

Contractual collectives

The second node that we explore is that of ‘contractual collectives’. This node describes the contractual agreements between different entities across a geographical space. These entities could be residences, businesses, or state institutions. In contrast to the gated community, these contractual collectives are not cemented into urban form. Instead, contractual collectives are usually drawn together by the incentives of purchasing security services together (Clarno and Murray 2013, p. 217). Private security in South Africa is a highly competitive marketplace and security companies often offer incentives for groups who commit to a private security contract with the same company (Diphoorn 2016). Incentives can include the reduction of fees; the provision of patrol cars; a lowered response time as well as signage demarcating the area (Diphoorn 2016).

The commitment of contractual collectives to their policing node can be paper-thin: as slight as the contracts that they sign. There is not necessarily any shared sociality built through these business arrangements and, in fact, attempts to create or maintain financial commitments across a series of households on a particular street can create tensions between neighbours (Cooper-Knock 2016, Diphooorn 2016, Steinberg and Marks 2014, p. 255). In instances where tensions, resentments, or disinterest form, there may be little keeping people within contractual publics. Consequently, the borders of these collectives are relatively porous and more fluid (Cooper-Knock 2016). Households may opt in and opt out at their own discretion and when they exit, they are not necessarily replaced. This policing node – and the publics it produces – can prove more fragile over time.

Precisely for that reason, however, private security companies have a commercial incentive to *create* a public amongst their clients, positioning themselves as a public-spirited company and engaging in a variety of activities to create a shared identity (Diphooorn and Kyed 2016). Collective contracts are not only highly valuable in and of themselves, they can also have a ‘catalytic effect’ in the areas where they were established, multiplying the companies rootedness and reach (Diphooorn 2016). In the service of creating these valuable footholds, private security companies may organise community gatherings, sponsor local initiatives, and turn up to community policing events (Cooper-Knock 2016, Diphooorn 2016). All of this can actively solidify the sense of a collective as a public. In other words, private companies can play a critical role in creating ‘communities of security’ (Diphooorn 2016).

In some cases, of course, contractual collectives emerge from areas where strong communal identities already exist. Jonny Steinberg and Monique Marks (2014), for example, highlight the role that ethnic solidarity between some Jewish residents in Glenhazel, Johannesburg, served in creating the basis for a contractual collective. Through the non-profit organisation ‘Glenhazel Active Policing’ residents jointly funded a paramilitary security response that focused on the ‘corridors’ or public spaces surrounding the gated and fortified areas of the neighbourhood using a ‘confrontational policing’ approach (Berg 2010, p. 294). Despite the success of this initiative, Steinberg and Marks emphasise the disquiet that community members felt as they grappled with the contradictions and (moral) discomforts of creating an exclusive ethnic enclave of ‘self-security’ (Steinberg and Marks, 2014, p. 254). This discomfort was one of the factors that resulted in an extension of what became ‘Community Active Policing’ to a much broader area, in which Jewish residents became the minority (Steinberg and Marks 2014, p. 254). In this case, private security provision had expanded people’s sense of being ‘members of a public’ (2014, p. 256, 258). Security, however, remained a ‘club good’ (Crawford 2006). While security actors now protected a broader public, they remained committed to ‘mak[ing] life very difficult for unfamiliar black men, especially those travelling in groups of two or more’ (Steinberg in Murray 2011, p. 274).

The example above focuses on residential security arrangements. It is important to remember, however, that many contractual collectives include corporations. This is certainly true of one of the most stable contractual collectives: City Improvement Districts (CIDs). CIDs occur when a majority of rate-payers within a certain area elect to create them (Samara 2010). These are not purely security arrangements, but policing remains a core element of what drives and defines these districts (Berg 2003). Once they are established, a non-profit company is formed to administer the funds collected from each rate payer by the municipality (Berg 2003).

The institutional mechanisms used to create CIDs create a level of compelled contribution that is akin to gated communities (Samara 2005, Bénit-Gbaffou *et al.* 2008). And sometimes, while the boundaries of a district might not take a concretised form, they can feel like entering a gated compound (Bagaeen and Uduku 2015). As Till Paasche (2012) argues, however, the differences between CIDs and gated communities need to be taken seriously. While the forms of public that gated communities and contractual collectives are trying to create may be similar, their capacity to do so is systematically different. CIDs, Paasche *et al.* argue, are always negotiating a more ‘porous’ public (Paasche *et al.* 2014, p. 1567).

Existing literature on CIDs in South Africa suggests that the publics that they attempt to create are exclusionary, profiling people at the intersection of race and class (Crenshaw 1988, B  nit-Gbaffou *et al.* 2008, Berg 2010, Samara 2010). Those who are not classed as ‘clients’, ‘consumers’, or ‘tourists’ are actively excluded (Hentschel 2011). That said, both Aidan Mosselson’s (2018) work in Hillbrow, Gauteng, and Gideon van Riet’s (2022) work in Potchefstroom, North West, suggests that other forms of public are possible: ones that may still be partial but allow for greater diversity of persons and purpose in shared space. Their work calls us to interrogate the degree to which private security must always replicate similar logics of exclusion. Paying greater attention to the publics produced by planned CIDs in areas like Mitchells Plain Town Centre³ – a formerly coloured township – would help us to have a better grasp on the publics that such nodes could produce.

Digital publics

The final form of policing node we explore is the ‘digital public’. Here, our interest in the publics that are created through digital platforms – like WhatsApp and Facebook – as well as cell networks. These can either serve as a distinct policing node in and of themselves, or as a resource for other policing nodes. Again, the publics created and amplified by these nodes can differ.

We will start with Facebook pages, which are a popular locus for community policing activities. As Marie J. Hattingh and Sunet Eybers’ (2019, p.6) study has demonstrated, there are currently 114 crime-fighting Facebook pages in Gauteng alone, with an estimated membership of 300,000. While these pages are clearly concerned with crime reduction, Lefika’s (2020) study demonstrates that a relatively high proportion of posts are not linked to policing at all. Rather, they deal with broader community-related issues. As such, these sites can become important tools for building a shared sense of community and a ‘common vision’ between members (Hattingh 2015). That said, the popularity of Facebook pages varies greatly over time and space (van Riet 2022).

Of particular interest to us in this article are the Facebook pages and WhatsApp groups that are initiated or utilised by private security companies. In some cases, private security companies may join existing community networks to engage with posts instrumentally as a means of tracking ‘suspicious behaviour’ in different areas (Du Plessis 2018, p. 84). However, as Gideon van Riet (2022) demonstrates, private security companies also instigate networks themselves as a means of generating a community presence.

Van Riet’s (2022) study focuses on two, local private security companies in Potchefstroom, North West. In both cases, pages are created and maintained as a marketing mechanism that is ‘cloaked in notions of community service’ (2022, p. 119). The ethos of each private security company differs: one is more ‘community oriented’ whereas in the other, it is more ‘militaristic’ (2022, p. 221). That said, the forms of public they help to construct seem to be functionally similar. Van Riet argues that both reinforce an ‘echo chamber’ by creating an enabling environment for ‘insular and exclusionary logics’. On these Facebook pages, he argues, predominantly white residents share comments that are defined by a critique of the state, by the dehumanisation of criminal suspects and by apartheid nostalgia (van Riet 2022, pp. 118, 122–125). Both Facebook pages also provide a platform for AfriForum – a white, right-wing social movement engaged in what Christi van der Westhuizen (2018) terms ‘neo-Afrikaner enclave nationalism’. Van Riet suggests that these same pages could be used to build a more democratic ‘public’ that includes the neighbouring population of a formerly black township, Ikakeng. At present, however, both private security companies are using their platforms to create a far narrower ‘public’.

In addition to Facebook platforms, cell networks are also utilised in acts of policing. In her work on security-focused WhatsApp groups, Natalie Dixon (2017, p.494) argues that these digital networks can create ‘a sense of rootedness amongst the flow of people and things in a neighbourhood’. This anchoring can ‘hold, even to stabilise, a community through feelings of collective presence’ and Dixon calls this a sense of ‘affective mooring’ (Dixon 2017, p.494). To suggest that communities are ‘moored’ within their local area is not necessarily to suggest that the publics being built are

determined purely by local notions of being and belonging. Digital publics may be nested within (or have resonance with) publics at other scales (see also: Kamra *et al.* 2023). By studying digital publics from the ground up, it is possible to delineate how they mix, merge, or diverge from each other.

Private security companies may be instigators or participants in such groups. In fact, prior to the ubiquity of WhatsApp, private security companies also provided the technological foundation on which networks were built. This was the case in Durban during the fieldwork of Cooper-Knock and Diphooorn when SunCell Watch was used by numerous neighbourhood watch groups. SunCell Watch was a predecessor to WhatsApp, which linked together clusters of households, enabling them to message one another with security updates. In the predominantly white areas that Cooper-Knock and Diphooorn were studying, this invariably encouraged residents to message one another whenever multiple black men were seen in an area. This phenomena, which Diphooorn has referred to as 'bravo mike syndrome' encouraged the sense of a shared public at the intersection of race and class (Diphooorn 2017b). Arguably, this service also encouraged 'suspicion creep' (Wood and Thompson 2021, p. 415). That is to say, a slow and systematic increase in the behaviours that were deemed to be 'suspicious' by local residents (Ibid).

Such accounts push us to heed the warning of Lipika Kamra *et al.* (2023, p. 2), whose work in Delhi highlights the link between the 'banal' and 'mundane' use of digital technologies and 'more spectacular acts of force, violence and coercion in the urban'. Digital technologies, they demonstrate, can create and feed forms of 'grassroots authoritarianism' (Ibid). That said, digital technologies can support a range of political projects (Karekwaivanane 2019). By studying the publics that emerge from digital networks with care, we avoid any form of digital determinism. Greater attention to digital communities in former townships and city centres, for example, would provide a better sense of the types of public created in areas that weren't primarily defined by whiteness. These publics may be relatively permanent or ephemeral. Either way, they are worthy of study.² Such research is particularly important considering the advancement of technologies and increased use of digital platforms in the creation of 'infrastructures of security' (Murray 2022). More attention should be paid to the way that these digital and virtual platforms create divergent forms of publics (both online and offline), interrogating the role of policing actors therein.

Concluding remarks

Policing does not serve 'the public' and it never has. Wherever we look across the globe, we see that the state police serve *a* public. While the boundaries of this public shift over time and space, certain groups within society will find themselves systematically 'over policed and under protected' (Macpherson 1999).

Thus, rather than thinking about policing and 'the public' we should be analytically concerned with specifying the different publics that policing creates and serves. Whereas the notion of 'the public' carries a normative heft – suggesting some form of expansive, inclusive collective – the notion of 'a public' sheds this normativity. In this article, we have argued that a public emerges amid a shared sense of endeavour, however thin or ephemeral. Publics are political and normative projects, but they share no stable definition of 'justice' or 'security'. Consequently, they may be built on soaring utopian schemes or shallow ideas of self-interest. Similarly, they may bolster, undermine, or be awkwardly entangled with a broader democratic project. When considering a public, two key questions emerge: what are the terms of inclusion? And, what are the costs of exclusion?

In this article, we have argued that the 'publics of policing' would make a valuable addition to the nodal policing framework. Following Adam White (2012), we suggested that this framework does not play sufficient attention to the politics of policing and the nature of what policing *produces*. By focusing on the publics of policing, we are better able to explore the nature of the political communities that are both created and served by a particular policing node. We are also better able to see how coterminous nodes create publics that are in contestation or harmony with one another across the city, creating bigger pictures of being, belonging, inclusion, and exclusion.

In our third section, we demonstrated the utility of a publics approach in the literature on South Africa. Here, we highlighted three different policing nodes in which private security might be active – gated communities, contractual collectives, and digital networks. In each case, we demonstrated the importance of the publics created by these policing nodes. By introducing the terminology of ‘publics’, we argued, analysts can explore the constitutive effects of private security without taking an *a priori* stance on the normative consequences of these creations. Our analysis highlighted that while the spatial form that each node takes inevitably shapes policing practices, it does not have a deterministic impact on the forms of public created. This much becomes clear when we pay more attention to the differences *between* and *within* different elite enclaves as well as the differences that become apparent when we move beyond elite spaces.

These nuances are not just important in their own right: they can also have an impact on the broader social fabric that emerge from the ‘patchwork assemblage of discontinuous and compartmentalised’ security arrangements across the city (Murray 2011, p. 209). When exploring this bigger picture, we can ask: what claims are people making in the process of home-making and security? To what degree is there a consistency in the publics being created across the city from informal settlements to golfing estates? (Lemanski and Oldfield 2009). To what degree are cities fragmenting into fundamentally distinct, incompatible ways of seeking a better life? What consequences does this have for freedom, safety, and justice?

Zooming out further, a focus on publics pushes us to ask what possibilities exist for people to avoid producing security *against* people? To what degree are exclusionary forms of policing the result of interpersonal and institutional discrimination? To what degree is exclusion simple at the very heart of the policing endeavour? These questions are particularly relevant in areas of urban policing where people’s relative anonymity might mean that assumptions about ‘strangers’ and ‘dangers’ are unmediated by relational connections. Relatedly, by unpicking the publics that form around policing, we can return to the question: what are we asking the police to *do* in society? (Marks 2003) Is there a point in society where the order that needs to be maintained is so exclusionary and unequal that there is no humane means to police it? Asking such questions can help us to identify shifting forms of exclusion with precision and contribute to a more just future.

Notes

1. Similarly, in Wood and Shearing (2003) the authors discuss the emergence of ‘communal’ spaces. These are seen as ‘different from and fall[ing] outside the public/private distinction’. The difficulty with this framing is that ‘public’ spaces are imagined to exist. They are simply being corroded by ‘mass private property’. Our argument is that truly public spaces have never existed. Spaces have always been for *a* public and not for *the* public.
2. Woods and Shearing (2022, p. 408) make a similar point when they highlight the importance of ‘denizenship’ that people experience, however fleetingly, in shopping malls.
3. <https://mptcid.co.za/about-us/>

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