

‘Credible’ child perpetrators: A critical discourse analysis of South African juvenile murderers

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DECLARATION

I, Kwanele Masuku, know and accept that plagiarism is wrong. I declare that this research report is my own work.

Signed:  Masuku.

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Abstract

Constructions of violence constrain women and children to victims and men to perpetrators, and imply that children are, at all times pure, innocent and, vulnerable. As such, child perpetrated crimes contradict these normative constructions, thus rendering child perpetrators inconceivable. The aim of this research was thus to identify resistance discourse that oppose these normative constructions of violence. This was achieved by interviewing incarcerated juvenile-offenders from juvenile correctional centres in South Africa. After the interviews were transcribed, the transcripts were subjected to Parker's (1992, 2004) critical discourse analysis. The findings illustrate how normative constructions of childhood and violence render child perpetrators inconceivable. Additionally, the analysis surfaced resistance discourse which challenge normative constructions of childhood and violence, and provide counter-knowledge on violence and crime within South Africa.

Keywords: Child perpetrators, violence, murder, social constructions, critical discourse analysis, power, knowledge production, South Africa

Table of Content

Chapter 1: Introduction, Rationale, and Aims	1
1.1. Introduction	1
1.2.Rationale	2
1.3. Research Aims	5
1.4. Structure and Outline of the Research Report	6
Chapter 2: Literature Review	8
2.2. The Construction of Childhood	9
2.2.1. The Child as a Miniature Adult.....	10
2.2.2. The Child as Innately Evil.....	10
2.2.3. The Child as a Tabula Rasa	11
2.2.4. The Industrial Revolution and the Construction of the Modern Child	11
2.2.5. The South African Child	13
2.3. Violence and Gender	13
2.3.1. Gender as Natural.....	14
2.3.2. Masculinities	15
2.3.3. Gender Relations in South Africa-Pre and Post 1994.....	16
2.4. Psychological Discourse	19
2.4.1. The Cycle of Violence - South Africa as Violent	19
2.4.2. Pathologising of Violent Behaviour- Children Who Kill.....	21
2.5. Media Discourse as Perpetuative	23
2.6. Legal Discourse- The Legal System as Lenient	25
2.6.1. Child perpetrator and criminal capacity	25
2.8. Conclusion- The child perpetrator as inconceivable	27
Chapter 3	28
Research Design and Method	28
3.1. Research Design	28
3.2. Participants	28
3.3. Data gathering procedure	31
3.5. Data analysis	33
3.4. Self-reflexivity	36
3.5. Ethical considerations	39
Chapter 4: Findings and Discussion	42
4.1. Offenders' Profiles	43
4.2. Rationalising and justificatory discursive strategies.	44

4.2.1. Blame attribution	44
4.2.2. History of abandonment and neglect.....	47
4.2.3. Violent South African context.....	49
4.3. Gendered Discourse	51
4.3.1. Vulnerability and femininity.....	51
4.3.2. Gangsterism and masculinity.....	53
4.4. Normative constructions of childhood	57
4.4.1. Constructions of impressionability.....	58
4.4.2. Constructions of vulnerability	59
4.5. Institutionalised Discourse	60
4.5.1. Childhood and Religion	60
4.5.2. Childhood and psychological discourse	62
4.5.3. Legal and correctional system discourse on childhood	64
4.6. Summary of key findings.....	66
Chapter 5	68
Implications, Limitations, Recommendations and Conclusion.....	68
5.1. Theoretical and Practical Implications	68
5.2. Limitations.....	69
5.3. Future Recommendations	70
5.4. Conclusion	71
Reference List.....	72
Appendix A: University of the Witwatersrand Ethical Clearance	86
Appendix B: DCS Ethical Clearance	87
Appendix C: Information Sheet	88
Appendix D: Informed consent to be interviewed	90
Appendix E: Informed consent to be audio-recorded	91
Appendix F: Interview Schedule	92
AppendixG: Participant profile.....	95

Chapter 1: Introduction, Rationale, and Aims

1.1. Introduction

Violence is constructed differently for men, women, and children. Despite the child being normatively constructed as innocent and vulnerable (AuCoin, 2005), over the course of history, there has been some acknowledgement by the law, psychology and media of the ‘delinquent’ child. Cases such as the James Bulger murder, where two ten year old boys tortured and murdered a two year old boy (Setaysha, 2015) speak towards this acknowledgement of child delinquency as a social problem. However, even though the ‘delinquent’ child has been acknowledged, there are discourses on violence that maintains the construction of the child as vulnerable and innocent, therefore rendering the child that transgresses these normative constructions as inconceivable. In cases where the ‘delinquent’ child has been acknowledged, justificatory discourses are used to explain the child’s violent behaviour.

Violence is typically constructed as an act that is committed against women and children by men (Kramer, 2015). This conventional way of constructing violence feeds into the probability of male perpetrators and female victims. This positioning of men as perpetrators and women and children as victims is based on hegemonic discourses which places gender binaries on violence. This construction of violence typically centralises the black male perpetrator or the female and child victim. However, contemporary hegemony offers complex gender relations which intersect across age, class and race, thus resulting in multiple masculinities and femininities (Connell, 2005). As such, discourses concerning gender, childhood and race impede on the inconceivability of ‘delinquent’ children (Burr, 1995; Demetriou, 2001), as they construct who the victim and perpetrator is and further inform the context in which these subject positions can be occupied (Burr, 1995). This seemingly inconceivable subject position of the child perpetrator is significant in a context with high violence rates such as in South Africa (Bowman, et al., 2015), where according to crime statistics, South Africa is amongst the most violent countries in the world (The centre for the study of violence and reconciliation, 2010). These statistics include the demographics of sentenced perpetrators to which children/juveniles make up 10% of the offenders population (Department of correctional services, 2010). However, South African legal documents such as the Child Justice Act (2008) which is a child based criminal justice system that aims to protect the child, speaks towards the system’s continual treatment of the child as vulnerable.

Currently, South African and the global media is scattered with cases and images of violent encounters that are considered as 'atypical' that include child perpetrated crimes. As such, these 'atypical' perpetrators do provide the opportunity for the investigation of both normative discourses that maintain their inconceivability, as well as provide resistant discourses that make these child perpetrators conceivable. By targeting participants who are considered inconceivable, this research thus aims to uncover the ways in which violence, transgression and victimhood is constructed. It is important to consider what is meant by inconceivable. Inconceivable is used as a means to point out how particular language denies the child perpetrator a discursive space. As such, this constrains society's ability to imagine the child as a perpetrator. This study will use Parker's (1992; 2004) critical discourse analysis to critically engage with incarcerated child perpetrators. The use of a critical discourse analysis will allow for the investigation of the discursive strategies used by incarcerated child perpetrators when constructing their offences. This investigation therefore aims to illustrate how normative construction of violence limits the 'legitimacy' of non-normative forms of violence and perpetrators.

1.2. Rationale

Typically, violence is constructed as an act committed against women and children by men (Kramer, 2015), and thus children are constructed as innocent and vulnerable (AuCoin, 2005) and always in need of protection (Sternberg et al., 1993). The constructions of perpetrators and victims are embedded in discourses of gender, race, age, and power, which inform who can be a victim or perpetrator and under what conditions these subject positions can be inhabited (Burr, 1995). These constructions of violence become normalised, and as a result restricts the possibility of 'non-normative' forms of violence (Burr, 1995). As such, the normative construction of violence situates children in the victim position, thus rendering homicidal children who transgress the normative construction as discursively inconceivable as the conditions of 'truth' are contingent on current forms of discourse (Foucault, 1981). Although, the literature on child perpetrated crimes is growing, most literature focuses on the children's actual offences rather than on the children's subjective experiences and perceptions. The study thus utilises a qualitative critical discourse analysis proposed by Parker (1992; 2004) to explore how discourse, at a particular cultural moment, both constrains and enables the occupation of the victim/perpetrator subject position (Kramer, 2015). As this is a Foucauldian informed discourse analysis it will be further supported by Foucault's (1972; 1980; 1981) approach to discourse, "as both an effect and an instrument of power, [that] operates through selection,

exclusion and inclusion” (Kramer, 2015, p. 352). The term power/knowledge is thus used to signify that power is constituted through the acceptance of forms of knowledge as ‘truth’ (Foucault, 1978; 1980, Hall, 1997; Kramer, 2017). As such, this offers a means of “critically interrogating the constitution of the [child offender] and its location in regimes of power and knowledge” (Parker, 2004; Kramer, 2017, p. 103). Parker (1994, p. 245) defines discourses as “sets of statements that constructs objects and an array of subject position”. These constructions, in turn, offer particular ways-of-being and particular ways-of-seeing the world, and more significantly, discourses provide subject positions (Willig, 2001). Foucault (1972, p. 64) defines discourses as not “a mere intersection of things” but rather as discursive practices which are taken for granted as knowledge and ‘truth’. As such, this study looks at discourses as providing sets of rules, systems and procedures which both constructs and constitutes various subject positions (Hook, 2001; Kramer, 2015).

Currently, violence discourse constructs the victim as innocent and incapable of self-defence, to which these attributes are reserved for women and children rather than men. It therefore seems that violence is understood in relation to ‘who’ the victim is rather than the violent act itself and the situation to which the violent act occurred (Richardson & May, 1999). Currently, various media platforms in South Africa continuously circulates victim and perpetrator discourses in daily reports of crime, homicide and sexual violence (Jewkes & Abrahams, 2002). These include violent encounters of child perpetrated crimes of homicide, which although considered ‘atypical’, provide an opportunity for an investigation of resistance discourses that make these children conceivable. This study therefore, attempts to demonstrate how legal, psychological, media and gender discourse become conventions in which a child perpetrator is seen as inconceivable (Butler, 1998).

As this study aims to analyse the rules of discourse which govern subject positions, this study further aims to analyse how the individual (participant) engages with those rules and what resistances they may display (Parker, 2004). Foucault (1982) sees resistance as a feature of every power relationship where power relations cannot exist without resistance. These discourses can be both an instrument and effect of power as well as a point of resistance (Foucault, 1972; 1980; 1981). As such, by interviewing child perpetrators and subjecting these transcribed interviews to Parker’s (1992; 2004) critical discourse analysis, this study attempts to identify and explore any resistance discourses these child perpetrators use in constructing themselves and their crimes. This will be achieved by investigating how participants use resistance discourses to construct their own subjectivity. In addition, this study aims to

demonstrate how current discourses constrain ways of speaking and thinking (Hook, 2001) by identifying instances where normative discourses are drawn upon by the participants and critically engaging with what the implications for self-identification as a perpetrator are.

Given the discursive nature of childhood, its conceptualisation becomes a difficult exercise. As such, this study is cognisant of the vast and diverse conceptions of childhood which in turn produces varied understandings of what constitutes a child/childhood. For example, neuropsychology constructs the child as an individual who lacks the capacity to (fully) reason (see Casey, Galvan & Hare, 2005; Casey, Jones & Hare, 2008; Steinberg, 2005) whereby, literature on the frontal lobe (see Babcock & Vallesi, 2015; Collins & Koechlin, 2012; Goel et al., 2004) and frontal lobe development constructs the child as lacking reasoning by purporting that children's frontal lobes have not yet fully developed (see Blakemore, 2012; Casey, Jones, & Hare, 2008; den Bos, 2011; Kaplan, 2004; Sisk & Foster, 2004; Sylwester, 2007). In this instance, the child is constrained to its physiological brain development. From a psycho-social perspective, Erikson's (1950, 1968) developmental theory purports that children develop their egos in stages defined by psycho-social crises. A healthy personality is purported to result through the resolution of conflict in each stage (see Erikson, 1950, 1968). Here the child/childhood is not constructed by age but rather through periods of biological development as these interact with social environments. These examples illustrate the diversity of childhood constructions in the context of science and psychology.

However, in relation to the current study, the category of 'child' will be conceptualised in legal terms given that the participants were recruited from juvenile correctional centres, based on particular inclusion criteria as these relate to the law. As such, in the Child Justice Act 2008 (CJA), the child is defined as a person who is under the age of 18 years. However, the CJA further stipulates that in certain circumstances a child is defined as a person who is 18 years but under the age of 21 years. Despite the child being legally defined as a person who is under the age of 18, there is still the residue of older laws that consider a person under the age of 21 to be a child. As such, before the age of majority was moved to 18 years (Children's Act 38 of 2005), the age of majority set the age to which a child becomes an adult at 21. The term juvenile being sometimes used interchangeably to mean a child, further blurs the age category to which the child is said to fit into. For example, a juvenile is defined as a person under the age of 18 in the Criminal Procedure Act 51 of 1997. Whereas, the old Correctional Services Act 8 of 1959 defined juvenile as an individual who was below the age of 21. The current Correctional Services Act 11 of 1998, does not include the term juvenile at all however, the Correctional

Services Act 111 of 1998 Section 7(2) (c) states that offenders aged 18 to 21 should be detained separately from offenders over the age of 21 years. In correspondence to the detaining of offenders, Child and Youth Care Centres (CYCC) further expose the capricious age of the child. CYCC is a facility that provides a residential programme for children who have perpetrated crimes (Mahery, Jamieson, & Scott, 2011). As such, “a child would be sentenced to a Child and Youth Care Centres for a period until the child is 21 years old” (Mahery, Jamieson & Scott, 2011, p. 3). The CYCC occupation criteria further highlights the capriciousness of the age of a child. As such, the definition of the child by these various acts reveals how arbitrary the character of age is. Furthermore, these acts reveal the grey area of people between the age of 18 and 21 years. Therefore, for the purpose of this study a child will be described as a person under the age of 21.

1.3. Research Aims

This study made use of the theoretical and paradigmatic backdrop of social constructionism (SC). “Social constructionism is concerned with [investigating] the processes by which people come to describe, explain [and] or account for the world in which they live” (Gergen, 1985, p. 266). It attempts to challenge our taken for granted knowledge of ourselves and the world we live in (Burr, 1995; Gergen, 1985). As such, SC aims to deconstruct constructions of human experiences and oppressive categories through demonstrating how the ways in which the world is understood is circumscribed by history, culture and social context (Gergen, 1985; 1999). Additionally, because SC focuses on meaning and power, this study was further supported by Foucault’s (1972; 1978; 1980; 1981) approach to power/knowledge. For Foucault (1978) power/knowledge occurs at a particular cultural and historical moment. Foucault (1972; 1980; 1981) further argues that discourse is an effect and an instrument of power, which operates to produce as well as normalise bodies (Foucault; 1978). By engaging with male and female South African juveniles that have been convicted for murder, the primary aim of this research study was to identify and investigate the discourses that make child perpetrator conceivable or inconceivable within normative constructions of violence. This was achieved through interviewing child perpetrators and then subjecting the transcripts of these interviews to a critical Foucauldian approach suggested by Parker (1992; 2004). A Foucauldian approach was utilised to analyse these transcripts to demonstrate how discourses construct subjects and objects of knowledge within frameworks of power (Parker, 1992; 2004). Additionally, Butler’s

(1989; 1999; 2004) theory of performativity was used to further support the Foucauldian approach, particularly with regards to the conception of gender

The overall aim was further guided by a sub-aim which aimed to investigate how power and knowledge operate together to subjectify child perpetrators. Through examining the way the participant self-identified with their given subject position of perpetrator, this sub-aim was achieved by identifying and investigating normative discourses that maintain the child perpetrator as inconceivable. The objectives of this sub-aim was to identify where normative discourses were drawn upon and what the implications were for the participants to self-identify as perpetrators. Therefore, this study seeks to answer the following two research questions. How do child perpetrators construct their crimes and subject positions as offenders? Which discourses inform the position of child perpetrator and which discourses constrain this position?

1.4. Structure and Outline of the Research Report

CHAPTER 2 reviews the relevant literature to locate the study within the context of social constructions of the (violent) child. The literature review begins with Foucault's approach to language and power/knowledge. Thereafter, this literature review provides an overview of gender discourse, psychological discourse, media discourse, and legal discourse on violence in order to portray the construction of the violent child in society. Further, this literature considers the historical constructions of violence and childhood in order to show how these constructions are fluid and are context dependant. In addition, previous research on violent children is investigated to demonstrate how the child perpetrator remains at the periphery of normative constructions of violence.

CHAPTER 3 presents the research design and method of the study. The sampling strategy, means of data collection, and data analysis approach are described. Thereafter, a self-reflexivity section is included as a way of accounting for the researcher's subjective role in the research process. Lastly, ethical considerations are also discussed.

CHAPTER 4 presents the results of the analysis. The chapter locates the discourse arising from the data in relation to the psychological, legal and gendered discourse identified by the literature review. These discourses include rationalising discourse, gendered discourse,

normative constructions of childhood and institutionalised discourse (such as legal, psychological and religious discourses).

CHAPTER 5 concludes the study with a summary of the key findings and acknowledges the study's limitations as well as provides recommendations for future research.

Chapter 2: Literature Review

The purpose of this literature review is to consider the different dominant violence discourses that eternally construct the child as a victim during a violent encounter. As such, South Africa will be the main focus for this literature review. Increasingly, society is paying more attention to child perpetrated crime (see Bladon, Vizard, French & Tranah, 2005; Forsyth, Asmus, Forsyth, Stokes & Mayne, 2011; Leibowitz, Akakpo & Burton, 2016), however society continues to use justificatory discourse that protects the child from culpability. This is not to say that previous research has not considered child perpetrators - academics have conducted research on child perpetrators as far back as the 1980s (see Cantwell, 1988; Johnson, 1988; Ewing, 1990). Yet society¹ continues to rely on discourse that constrains the child to a victim position. This literature review therefore, aims to demonstrate how popular discourse maintains the victimhood of children that carry out ‘non-normative’ violent acts. Discourse constructs as well as organises various subject-positions that can be occupied in a particular context (Burr, 1995). In addition, discourses that traditionally construct violence, have implications for who is more easily able to occupy the position of victim or perpetrator. For the purpose of this research, discourse will be understood as “a system of statements which constructs an object” (Parker, 1990, p. 191).

2.1. Power/Knowledge and Subjectivity

Social construction places emphasis on the importance of language, to which language is said to be constituted in meaning (Galbin, 2014). The meaning of words and phrases is “organized into systems and institutions” (Parker, 1999, p. 5), which Foucault (1981) coins as discursive practices (the order of discourse). It is these discursive practices that situates people in relations of power (Parker, 1999). Power in this regard is not to be looked at as sovereign power, a power that is controlled and exercised by someone over others through force (Butchart, 1997), but rather as a power that is omnipresent. The concept of disciplinary power is of a power that is productive in its nature (Butchart, 1997). Foucault’s (1978) concept of disciplinary power refers to the circulation of historicised and institutionalised² discursive practices

¹ Berger and Luckmann (1991) conceptualise a physical and social ‘reality’, to which they argue how society exists materially and subjectively. This research will be referring to the latter, which occurs through human interaction with the social world.

² Institutions can be defined as “historical accretions of past practices and understandings that set conditions on actions through the way in which they gradually acquire the moral and ontological status of taken-for-granted [knowledge] which, in turn, shape future interactions and negotiations” (Phillips, Lawrence, & Hardy, 2004, p. 637). As such, institutionalised discourses are those discourses circulated by institutions like the law, the media and psychology.

(institutionalised discourses) which organises and constructs at all times, through surveillance, objectification and subjectification of every individual body in a given society (Butchart, 1997; Kramer, 2010; Van den Bosch, 2012). It is through power that constructs which inform knowledge gain the status of being regarded as ‘truth’ (Foucault, 1977; 1980). Hegemony provides a manner to which society on an everyday basis talks about overarching regime of ‘truths’ (Foucault, 1980; Hearn, 2004). This way of talking (thinking) is achieved through systematic power relationships which privilege certain ways of knowing (Nayak & Suchland, 2006). Once a construct and the discourses that explain it become regarded as ‘truth’ they become hegemonic (Burr, 1995; Hall, 1996), and they are thus capable of defining normative conditions of being (Hall, 1996). Hegemonic discourse thus come to define the way of being which are performed by social bodies (Butler, 2004).

The coupling of power/knowledge is thus used to signify that power is constituted through the acceptance of forms of knowledge as ‘truth’ (Foucault, 1978; Foucault, 1980; Hall, 1997). Thus, once constructs and its discourses becomes regarded as ‘truth’ (Kramer, 2010), they become hegemonic, and are capable of “providing parameters of normality and abnormality” (Wilbram, 2004, 488). The subject is thus created within the regimes of power/knowledge. However, in order for power to exercise control and discipline over the body, it must be regarded as “taken-for-granted knowledge that we own, as evidence of...self-knowledge” (Kramer, 2017, p. 48). It is therefore through the interaction of discourse and power that subject positions are produced. It is these normative conditions that enable or disable the occupation of a particular subject position (Burr, 1995; Hall, 1996). As such, this literature review aims to investigate the various discursive structures at play in the understanding of why child perpetrators remain inconceivable. This will be achieved by investigating the historical and current relationship with systems of power (psychology, law, and media). In turn, this literature review will provide a framework in which child perpetrators’ self-knowledge can be investigated. This literature review thus turns to the construction of childhood.

2.2. The Construction of Childhood

Social constructions and the discourses that constitute them are neither naturally occurring nor universal (Burr, 1995). Rather, all social phenomena are constructions which are produced over time through human interaction (Berger & Luckman, 1991; Foucault, 1972). Constructions such as ‘the child’ should be understood as both historical and malleable rather than as fixed and stable (Bowman, 2005; Kramer, 2017), and by extension childhood should be understood

as a shifting set of ideas that are ever changing (Cunningham, 2014). The child in the modern world is constructed as pure, innocent and in need of protection (Ariès, 1973). However, this was not always the way in which the child was understood and as such, various points in European history will be examined to illustrate alternate constructions of childhood. Although a timeline will be presented for clarity purposes, and attempts have been made to exact a predominant period for the emergence of the various constructions of childhood over time, it should not be taken as a fixed timeline³. These constructions of childhood often overlapped, co-existed and competed with one another (Bowman, 2005).

2.2.1. The Child as a Miniature Adult

Ariès (1973) argues that childhood is a relatively new concept that only emerged around the 17th century. Prior to this, medieval children, which was from the 5th to the 15th century, were seen as miniature adults (Ariès, 1973; Gittins, 2009). Art work during this period show children depicted with adult features where the only difference lied in their scale. Furthermore, the child was deemed an adult as soon as he/she was no longer physically dependent on the mother/caregiver. Thus the category of ‘child’ was in relation to physical dependency rather than age or developmental category (Ariès, 1973). The absence of childhood during this period is in stark contrast to the construction of the present child. The trajectory of the representation of children over history, after the 15th century, was a product of various changes in the socio-economic world.

2.2.2. The Child as Innately Evil

The development of capitalism, and thus the fall of the feudal order (particularly in England), was coupled with new religious beliefs which affected how people viewed their world. There was thus a revolution in childrearing and a change in attitude towards children with the rise in Puritanism (Gittins, 2009). The Puritan child was seen as innately evil and in need of adult supervision to ensure the child remained on the path to goodness (Thomas, 2010). This period saw children as being inherently naughty “sinful polluted creatures” (Hendrick, 1997, p. 38), who needed to be ridden of evil in order to become mature, responsible adults (Sorin, 2005). Essentially, socialisation by the parents was seen as a necessary process to ‘rid’ the child of evil (Naftali, 2007). As such, during the 16th century the parent (adult) was seen as the saviour

³ Specific social events in the construction and reconstruction of childhood over history are mentioned to illustrate how childhood has changed, it should not be viewed as implying that these were the only conditions that caused change.

to the child through providing constant discipline as a way of redeeming the child (Bowman, 2005). Additionally, the high mortality rate during this period was a contributing factor for this “religious morality” which aimed to prepare the child for death (Bowman, 2005; Burman, 1994, p.51).

2.2.3. The Child as a Tabula Rasa

The 17th century gave rise to the construction of the child as a *tabula rasa*. The child as a *tabula rasa* drew upon John Locke’s idea that the child came into the world as a blank slate (Kehily, 2004). The *tabula rasa* discourse countered the discourse of seeing the child as being innately evil (Bowman, 2005) and instead saw the child as being “an empty vessel, as a ‘human becoming’” (Thomas, 2010, p. 25). This discourse placed emphasis on the role the parent/caregiver played in the child’s formative functions (Bowman, 2005). As such, the child as ‘becoming’ was seen as being influenced by the child’s surroundings and thus this era gave rise to schooling as a way of socialising children (Dekker, Kruithof, Simon, & Vanobbergen, 2012). Schooling coupled with parental guidance was seen as a way for children to develop into rational human beings (Thomas, 2010). Although schooling for children was formally introduced in the mid-18th century, education became a concern during this period where the child was constructed as a *tabula rasa* (Bowman, 2005). As such, the 17th century clearly distinguished the child from the adult, to which emphasis was placed on the environment and experiences of the child (Bowman, 2005; Hendrick, 1997).

2.2.4. The Industrial Revolution and the Construction of the Modern Child

In the 18th century two discourses of childhood overlapped due to the Industrial Revolution (Hendrick, 1984). The Industrial Revolution which began mid-18th century brought further changes in society, which influenced adults and children. As such, during this period class plays a role in the construction of childhood, or in this instance childhoods, to which class was one of the defining characteristics that dictated the type of life a child experienced (Mintz, 2004). During this period, working-class families often needed labour contributions from several family members, including children, in order to survive (Gratton & Moen, 2004). Working-class children were therefore sent to work from a very early age in factories and workshops (Sommerville, 1986). Although children of the working-class had always worked, the Industrial Revolution brought about drastic changes to the type of work the children had to do (Pollock, 1981). Through the increase in technology in this period, new types of employment were created for the working-class child in some industries. For example, prior to

the Industrial Revolution coal was transported by sledges which were “too heavy” for a child to pull. However, through technological advancements brought about by the revolution, wheeled “corves” and “tramways” were introduced thus lightening the task for a child to be able to carry out the coal transportation (Pollock, 1981, p. 109). Juxtaposed to the conditions that working-class children experienced were the conditions of the middle and upper-class children. As such, the middle and upper-class children lived very differently from the working-class children. As a direct repression of the negative effects of the revolution the middle and upper-class retreated from the “incomprehensibility of industrial life” (Hendrick, 1984, p. 89), by raising their children in nurturing environments which sheltered them from the harsh conditions of industrialisation (Sommerville, 1986). Thus, the 18th century gave way to the enlightenment concepts of childhood innocence (Ariés, 1973). Once the negative social consequences of the Industrial Revolution were realised “the government was forced to intervene” (Pollock, 1981, p. 115). The history of social reforms of this period is very complex, however reforms around child education played a crucial role in the construction of childhood. Due to the conditions created by the revolution there was an increase in social anxiety about the state of society.

The conditions that child labourers worked in and the physical effects thereof were being realised. As such, the Factory Act of 1833 was the first act that not only limited the number of hours that children worked but it was also the first act that made provision for education. Many other acts followed the Factory Act of 1833 which eventually lead to school attendance being compulsory in 1891 (Pollock, 1981). The introduction of compulsory education for all children regardless of class revealed the poor physical health of working-class children (Ariés, 1973; Hendrick, 2006; Pollock, 1981). Consequentially, more reforms were implemented such as feeding scheme programmes and medical grants (Pollock, 1981). Additionally, the education reforms were indicative of children being clearly separated from adults, with children being seen as fundamentally naïve and innocent (Ariés, 1973). The introductions of compulsory schooling systems could thus be seen as an institutional site to which a child’s body was (is) regulated and surveilled.

By the mid-20th century, social conventions had changed and children were treated with greater care. There was a growing interest in the child’s social development and natural intellect. As a result, this led to child rearing which placed emphasis on natural play and its function to the child’s development (Pollock, 1981). The modern child as innocent and naïve (Ariés, 1973) is thus a product of disciplinary power which governs the child’s body. The normative

construction of childhood is heavily influenced by the Global North⁴ (Diptee & Klein, 2010), however, the way childhood is understood is context dependant and varies as it intersects with race, class and gender. It is therefore necessary to also look at how childhood is constructed within the South African context.

2.2.5. The South African Child

During the days of apartheid, childhood was constructed along racially divided lines such that all aspects of the black child's experience in South Africa was oppressed (Kvalsvig, Liddell, Masilela & Shababala, 1991; Mhlauli, Mokotedi & Salani, 2015), and as such, the black child was denied basic needs such as education. This was achieved through providing quality free education for the white child and poor quality education for the black child that parents still had to pay for (Atmore, 1998). However, in order to pass the laws of a racially divided society during the Apartheid regime – that essentially oppressed the black child - the black child and the white child were constructed to be different. The white child was seen as innocent and vulnerable (Swartz & Levett, 1989) and thus they were subject to constant monitoring, surveillance, and intervention. Whereas the black child - who was seen as a fundamental threat to white supremacy (Bowman, 2010) - was seen as innately violent (Swartz & Levett, 1989). As such, these constructions enabled the white child to occupy a subject position of victimhood to which the black child was unable to occupy. The black child was constructed as a delinquent (Bowman, 2010) such that he/she more readily occupied a perpetrator subject position. However, post-1994, with the introduction and promotion of human rights discourse, the construction of the innocent white child and the violent black child has destabilised (The Bill of Rights of the Constitution of the Republic of South Africa, 1996). As such, by recognising “that every citizen has the right to be treated humanely”, this discourse allows for people- “regardless of gender, [socio-economic status], sexuality or race”- to be produced as a victim or perpetrator (Kramer, 2015, p. 347). These brief examples of historical constructions of childhood illustrate how childhood is (or has been) a construction that is not only temporary but a reflection of present (past) circumstances (Austin, 2003). This literature review now turns to the construction of violence through gender.

2.3. Violence and Gender

⁴ Psychological knowledge is predominantly Western, thus the normative construction of the child has based the standard of ‘normal’ on the Western child. This is problematic when this standard of ‘normal’ is used to analyse children in non-Western countries, as it ignores the variation in context (Diptee & Klein, 2010)

Foucault (1978) conceptualises bio-power “to indicate that the anchor points for forms, exercises, and strategies of power are populations, or the social body” (Kramer, 2017, p. 42). Bio-power is a modern power which regulates and monitors through “diverse techniques [that achieve] the subjugation of bodies and control of populations” (Foucault, 1978, p.140). There are two complementary forms within which bio-power operates. The first focuses on disciplining the individual body or as Foucault (1990, p. 139) defines it as “an anatomo-politics of the human body”. The second focuses on the regulation and monitoring of social life or bio-politics of the population (Foucault, 1978). The shaping of an individual’s identity (identities) is thus through the mechanisms of disciplinary and bio-power. That is, when an individual accepts a specific identity as self-knowledge, the individual is ironically “subjected to the rules and norms engendered by a set of knowledges about [that identity] (Lawler, 2008, p. 62). The individual is therefore still being disciplined by adhering to the prescribed ways of being (Duffy, 2011). As such, “even self-knowledge is socially constructed” through power/knowledge (Kramer, 2010, p. 19).

2.3.1. Gender as Natural

Violence is conventionally defined in gender binary terms, which feeds into the conceivability of male perpetrators and female victims (Butler, 1999; Kramer, 2015; Richardson & May, 1999). The gender binary approach perceives gender as being categorical and as predetermined, thus treating women and men as pre-formed categories, to which gender is seen as being predetermined by the biological sex of the person (Connell, 2001). In essence, it is the conflation of sex with gender that has brought about the construction of gender binaries (Burns, Crewe, Kruger & Maritz, 2017). As such, gender is a social construct that is traditionally used to define what it means to be feminine or masculine. Traditionally, women are produced as being “passive, powerless, [and] submissive”, and men are produced as being “active, aggressive...and powerful” (Moore, 1994, p. 138). By treating gender as natural and as a fixed identity a person is rendered as either feminine or masculine based on their biological sex (Anderson & Umberson, 2001; Connell, 2001). Thus, in terms of these gendered constructions, female transgression is rendered unlikely. In South Africa, Boonzaier and de la Rey (2004) conducted a narrative study that aimed to explore how women and men understood and explained violence in their relationships. Both men and women drew on these traditional constructions of male authority and female submission. A study conducted in schools in the Eastern and Western Cape in South Africa (Ngabaza & Shefer, 2015), also reiterated these normative constructions of gender. The study aimed to explore sexuality programmes in

schools and how these programmes challenge or reproduced normative constructions of gender. In-depth interviews were conducted with school principals, Life Orientation teachers, and grade 10 learners. The findings illustrated how schools reproduced these dominant gendered norms of submissive and vulnerable femininity. This study thus also illustrates how through institutionalised sources, hegemonic discourses are reified. The school is thus a form of disciplinary power which regulates and monitors the child's body through the uptake of knowledge as self-knowledge. However, a study done by Brown, Hines and Dunning (2007) found that male partners experienced physical abuse from their female partners. These findings illustrated how women can also perpetrate abuse while simultaneously illustrating how men can be victims of abuse (see Buttell, Carney & Dutton, 2007; Caldwell, Gambone, Snow, Sullivan & Swan, 2008; Henning, Holdford & Renauer, 2006; Kramer, 2017). Such studies that both maintain and resist normative constructions of gender illustrate how gendered behaviours are not natural internal qualities that are possessed by men and women, but rather they are a performance (Butler, 1999).

Thus, in agreement with Butler (1999), the production of identities, and specifically gender identities, are more than just socialisation, they are also performances. Butler (1990, p. 33) notes gender identities as being “a set of repeated acts” performed within the regime of disciplinary power “over time to produce the appearance...of a natural sort of being”. As such, Butler's (1989, 1999, 2004) conceptualisation of gender identities as a performance illustrates two key characteristics of gender. Firstly, it illustrates how disciplinary power has normalised gender, which has led to the assumption of gender identities being naturalised (Duffy, 2011). Secondly, the notion of gender identity as a performance within disciplinary power, opens possibilities of doing gender differently (Butler, 1995). By making use of Foucault's (1978) understanding of power, gender identity should thus be seen as a historical and malleable product, constituted in time, which is shaped and reshaped by power (Butler, 1988; Kramer, 2017). As such, in agreement with Butler's theory on performativity (1989, 1999, 2004) this text aims to show how gender (masculinity) interacts with class, race and age.

2.3.2. Masculinities

Normatively masculinity is understood and used as a construction that represents maleness to which, masculinity is represented as the dominant gender identity. However, masculinity is a fluid and malleable social construct that intersects with class, race, and age (Langa, 2012). Connell (2005, p.71) defines the term masculinity as “a place in gender relations, the practices

through which men and women engage that place in gender, and the effects of these practices in bodily experience,..[identity] and culture”. Thus, instead of looking at masculinity as a natural character type or as a norm that is “exclusively the property of men” (Langa, 2012, p.30), Connell (2005) looks at masculinity by focusing on the relationships through which both men and women conduct gendered lives, to which, gender is a social practice that refers to the body and what the body does. As such, gender is a discursive construct that arises out of institutional and historical practices that relay modern power onto social bodies through the operation of disciplinary power (Foucault, 1978).

However, masculinity and femininity cannot be looked at as a standalone social practice, therefore, it is unavoidably involved with other social structures like race and class which consequently results in “multiple productive possibilities of gender” (Kramer, 2017, p. 44). Thus in agreement with Connell (2005), masculinity should not be seen as a singular gendered performance, instead there are multiple masculinities⁵ as they intersect with race, age, and class. Additionally, in agreement with Butler (1990) this research does not look at gender as dichotomous but argues that masculinity is not automatically aligned with the male body and nor is feminine strictly aligned with the female body. As such, multiple masculinities opens a discursive space for females to be seen as conceivable perpetrators. This literature review now turns to the construction of gender within the context of South Africa.

2.3.3. Gender Relations in South Africa-Pre and Post 1994

In the current research study, the concept of masculinity is critical in understanding how men, boys, women, and girls are gendered in violence. Connell (2005, p.77) defines hegemonic masculinity as “the configuration of gender practice which embodies the currently accepted answer to the problem of the legitimacy of patriarchy, which guarantees (or is taken to guarantee) the dominant position of men and the subordination of women”. Additionally, hegemonic masculinity is not only characterised by the domination of women, but also by the domination of men over other men (i.e. homosexual men) (Langa, 2012). As such, hegemonic masculinity can be seen as being both a “hegemony over women” and as a “hegemony over subordinate masculinities” (Demetriou, 2001, p. 341). However, the idea of masculinity is not fixed, but is a constantly changing construct that is dependent on social context.

⁵ Talking about multiple masculinities should not be looked at as fixed i.e. black masculinity or working-class black masculinity. These masculinities do not always occupy the same space, as not every individual who attempts to perform a specific masculinity will do so in the same way. Therefore, performance of any masculinity varies according to social context and the intersecting of other identities the person possesses.

Historically, South Africa was a context which was shaped by segregation, where the identities of black men and women were shaped by space (Morrell, 1998). This period was characterised by a clear demarcation of masculine identities between white and black men, to which white masculinity was dominant and black masculinity was constructed as ‘other’ and thus subordinate (Ellapen, 2007). Morrell (1998) identifies a type of masculinity within the South African context which he terms urban black masculinity (township masculinity), which arose as a consequence of the Apartheid regime. After World War II there was rapid industrialisation and urbanisation which led to a rapid influx of black population (Morrell, 1998). As the Apartheid government could not stop the growth of this new urban culture, strict migration control measures were enforced (Ellapen, 2007) which aimed to only allow a “skilled, urban African population to stabilise while keeping the ‘surplus’ population in the reserves cut off from the urban labour opportunities” (Morrell, 1998, p. 624). Still segregated from the white population, through the Group Areas Act of 1950 which led to the development of townships, this led to the emergence of a new black urban masculinity (Ellapen, 2007; Morrell, 1998).

Urban masculinity, although characterised by the rejection of the traditional and submissive values of what Morrell (1998, p. 625) coins as African masculinity, was not completely “devoid of rural experiences”. Additionally, work became a central characteristic of urban masculinity (Ellapen, 2007). However, as this black (working class) urban masculinity was paid little and offered minimal geographical mobility, by the 1970s black urban masculinity had turned violent (Morrell, 1998). The conditions of the township were characterised by social disorganisation, a result caused by urbanisation, which was noticeable in the family life of the urban blacks (le Roux, 2004). The township being the space in which urban black masculinity was confined, the youth within these confines often became petty criminals/gangsters. The *tsotsi* culture thus emerged. The *tsotsi* culture was characterised by being streetwise, tough and by fighting (Morrell, 1998). The formation of the *tsotsi* gang arose from political, economic, and social circumstances (le Roux, 2004). The *tsotsi* gang was thus an emergence of an oppositional masculinity against the Apartheid government, white people, African elders, and African women. It was a rejection of rural roots and a fight against racial capitalism (Morrell, 1998). This oppositional ‘tough’ masculinity was primarily asserted through violence, a violence that was against the other gangs, women, and symbols of authority (Ellapen, 2007; le Roux 2004; Morrell, 1998).

The Constitution of the Republic of South Africa post 1994 promotes gender equality along with equality based on race and culture (The Bill of Rights of the Constitution of the Republic

of South African, 1996). However, even though the Constitution advocates for gender equality, gender relations became shaped by the South African context. In the present day, remnants of Apartheid have continued to ensure that black men 'have to' remain violent. Ratele's (2006) concept of ruling masculinity, which is an analytical tool influenced by the concept of hegemonic masculinity, better captures gender performance and more specifically how males perform their gender identity within the context of gangsterism. Ratele (2006, p.51) describes a historically ruling masculinity in South Africa that is "assertive heterosexuality, control of economic decisions within (and outside) the home, political authority, cultural ascendancy and support for male promiscuity". The development of ruling masculinity encapsulates the destruction of the material conditions of African masculinity as a result of colonialism and apartheid, which disrupted the black man's ability to "attain manhood" through traditional customs such as paying lobola⁶ (Brouard, Lynch, & Visser, 2010, p. 16). As such, ruling masculinity is taken up as a position which is primarily shaped by the socio-economic structures and dynamics of Apartheid history, a position which males (and by extension females) aim to inhabit discursively and materially. Males who are convinced by the ruling ideas of what a man is, come to then behave and interact with others under the influence of ruling masculinity (Ratele, 2008). Ruling masculinity is the ideal masculinity for these black young men in townships, but because of their environment they have limited resources to 'obtain' or perform this masculinity. As such, these ruling ideas of manhood coupled with the impoverished conditions in many South African environments results in young black men identifying with a violent masculinity to ensure their survival (township masculinity).

The historic roots of gang activity in the present day are deeply rooted in socio-economic factors created by Apartheid (Du Toit, 2014). Gangsterism is determined along racial and economic groups (Madikizela-Madiya & Mcube, 2014). It is seen as a systemic phenomenon which is rooted in socio-economic as well as political causes. As such, a gang's activity is to be determined by the social context in which the gang is located (MacMaster, 2007). Further, gangsterism operates on the notion of power and the powerless, to which this power is exerted through forms of violence (physical violence and structural violence-which plays on inequality and vulnerability) (Du Toit, 2004). Therefore, men who join gangs are in a disempowered position (economically) and thus joining a gang becomes an alternative behavioural performance which aims to fulfil the position of ruling masculinity.

⁶ Dowry

As such, when gangs use violence they are attempts to achieve control of the material and discursive environment around them (Ratele, 2008). When gangs use violence to show dominance within a particular community they are behaving under the influence of ruling masculinity. Gang on gang violence is another example of how violence is used to maintain masculinity. In this instance, violence is used to fight and maintain 'toughness', which is an element of ruling masculinity (le Roux, 2004). Thus the shaping of a gang's identity is through the mechanisms of disciplinary and bio-power where the individual (gang) accepts the notion of the ruling masculine identity as self-knowledge. The masculine ideal of whom one must become in these townships in order to be a man and the particular performances that one must engage in is to ensure that masculinity is not only inscribed onto their body but inscribed onto their body for others to see. As such, gangs behave on the bases of ruling ideas of what it means to be a man which is based on elements of: "money power-having more money and controlling decisions about money, leadership in public life -gangs control specific parts of communities, males promiscuity, physical and psychological hardiness, and being intellectually superior over others" (Ratele, 2008, p.35). In summation, violence is a socially produced performance linked to one's particular gender identity (township masculinity), to which, in the case of gang violence becomes a functional performance used to maintain the ruling masculine identity.

2.4. Psychological Discourse

Psychology is an institution of knowledge production which constructs particular realities and subject positions to which the construction of the 'normal child' and the 'abnormal child' is implicated. As such, particular entrenched psychological discourses promote the construction of the child as a victim. For the purpose of this research the cycle of violence and the pathologisation of violence will be looked at to illustrate how psychological discourse concerning child perpetrated violent crime explain and justify child delinquency to external factors, thus attributing the child's violent behaviour to 'outside of its control'.

2.4.1. The Cycle of Violence - South Africa as Violent

The cycle of violence has been the most common explanation used to account for the high levels of child perpetrated violence in South Africa. This theory views violence as something which children take up from their violent environment. For example, this theory argues that perpetrators of domestic violence are individuals who come from abusive homes (Browne & Dixon, 2003). Thus, this theory purports that a child that experiences and/ or witnesses violence

will end up being violent themselves (Richter, Mathews, Kagura, & Nonterah, 2018). Various explanatory discourses have been deployed to explain how children become violent, which continues the cycle of violence.

Social learning theory (Lynch, 2004) accounts for a child's aggressive behaviour by explaining the adverse effects this violence exposure has on the child's regulatory mechanisms in that being exposed to violence may make it difficult for the child to develop the necessary regulatory mechanisms that are needed to control his/her emotions. . As such, this theory purports that without having the necessary regulatory mechanisms the risk for aggressive behaviour increases (Guerra, Huesmann & Spindler, 2003). More so, the greater the exposure to violence, the greater the chance of aggressive behaviour (Osofsky, 1999). The manner in which these regulatory mechanisms develop over time happens as the child negotiates different social contexts (Guerra, Huesmann & Spindler, 2003). As such, aggressive behaviour that is seemingly displayed by children exposed to violence has been attributed to social learning. That is, children that are continuously exposed to family and community violence learn to react aggressively from models in their own environment (Gordis & Margolin, 2004). Children that are exposed to violence are thought to learn that violence and aggression are appropriate behaviours when reacting to situations. These children therefore are said to include these responsive behaviours into their repertoires (McKelvey et al., 2011). Social learning theory thus further supports the normative construction of a child as vulnerable, by attributing violent behaviour to being a consequence of their violent environment. As a result the child's violent behaviour is treated as a natural consequences that is unavoidable.

In a qualitative study which focused on how children constructed and understood violence, Parkes (2007) found that one of the ways in which children protected themselves from violence was by retaliating with violence. As such, the cycle of violence is said to be perpetuated by retaliation or self-defence. Reactive aggression is an aggression that is described as affective, defensive, and retaliatory in nature (Elbert et al., 2016). Thus, this can be used as an explanatory discourse of being exposed to violence to which the violent behaviour is attributed to the child 'having no choice' in order to protect himself/herself. Appetitive aggression has also been used to explain the cycle of violence. Appetitive aggression is explained as an adaptation from living in an environment of ongoing threat (see Athens & Ulmer, 2003; Crombach, Elbert, Hecker, Schalinski, & Weierstall, 2013). That is, if a child continuously witnesses violence, and more so if they experience violence, they end up being attracted to violence. This appetitive aggression is explained as an adaptive mechanism to ensure survival.

Lastly, violence as social capital has been used to explain the cyclical nature of violence, specifically with regards to children being affiliated with gangs. In a context characterised by social and economic hardship, Parkes (2007) found that children were attracted to masculinities which used violence as a social tool. As such, although these children overtly rejected gang membership, they viewed gang violence as a means of generating control. The use of violence within gangs is thus explained as means of achieving social status and protection. Overall, these explanatory psychological theories attribute violent behaviour to forces that are beyond the child's control. These explanatory discourses continue to protect the normative construction of the child by removing the child's agency as a factor in the violent behaviour.

However, theories on child resilience demonstrate how the cycle of violence theory aims to construct childhood as a vulnerable period. Resilience is defined "as the capacity of a system to adapt successfully to significant challenges that threaten its function, viability, or development" (Masten, 2018, p. 12). Resilience is thus seen as maintaining healthy and/ or successful behaviours and adaptations regardless of exposure to adverse conditions or threat (Cicchetti & Rogosch, 1997; Masten, 2001; Masten & Obradovi, 2006). As such, research on resiliency has found that many children have adequate behaviour and emotional function despite witnessing violence (Bogat, Levendosky, Martinez-Torteya, & von Eye, 2009) and are able to develop adequately (see Herman-Smith, 2013; Margolin, 2005). This is in line with a study done by Cavanagh, Humphreys, and Laing (2013) who found that up to 50% of children who were exposed to Intimate Partner Violence (IPV) were functioning as well as children who were not. As such, theories on the cycle of violence are not homogenous and monolithic instead, rather they work to maintain the normative construction of childhood

2.4.2. Pathologising of Violent Behaviour- Children Who Kill

In addition, and closely linked to the cycle of violence is the pathologising of violent behaviour. Adult men are treated as normatively violent whereas women and children are constructed as non-violent. However, when women and children deviate from this normative construction one of the most common explanations used is that they are mentally unwell. As such, mental illness categories, such as personality disorders and conduct disorder, are psychological constructs that attribute violent behaviour to a psychological condition beyond the control of the child (see Fairchild et al., 2011; Scott, 2007; Weber & Reynolds). It is important to note that abnormal selfhood is culturally determined, it is through discourses and institutional practices

that the legitimacy of particular subject positions are determined (Crowe, 2008; Foucault, 1988).

Foucault's (1982, p. 212) notion of disciplinary power denotes how people are "made subjects", in that who they understand themselves to be, is produced by being "tied" to a specific identity through a "conscience or self-knowledge", where self-knowledge is formed through institutions such as the school, the media, the law, and psychology. Disciplinary power thus creates conditions of normality which governs people. As such, control is the main characteristic of disciplinary power, to which this control supports the process of normalisation by setting standards and norms.

In terms of mental illness, psychology creates standards and norms through the use of medical discourse (Walker, 2006). These standards and norms define what constitutes as 'normal' and 'abnormal' (Foucault, 1977). Research on children who have committed parricide⁷ has ascribed psychopathology as a reason for children's homicidal actions (Heide, 2003). This constructs the violent child in a particular way in order to maintain normative constructions of childhood. For example, a study done by Brooks and Heide (2003) purported to find a wide range of psychopathology in children who kill. In a study done by Heide (1995), after reviewing literature concerning children who kill their parents, she concluded that there are three types of individuals who kill their parents. The first is the severely abused child who can no longer tolerate the abusive home environment. The second typology is the mentally ill child, and the third is the antisocial child. The first typology constructs the child as a victim, thus removing the child's culpability and situating their violent action as a necessity. The second and third typology removes the child's agency by locating the violent action as 'beyond the child's control'. As such, these typologies externalise the cause of murder, which maintains the normative construction of childhood as it removes blame from the child's actions (Conrad & Schneider, 1992).

To Foucault (2000) the construction of the category 'abnormal' is reflective of how ideas about what is 'normal' "get established and become dominant" (Hagström, 2015, p. 124). It is the internalisation of normative categories that define what is conceivable and what is inconceivable. A child who kills can thus be seen as 'abnormal' because of his/her incapacity

⁷ The term has been used to define the killing of close relatives, but has become identified with the killing of one or both parents.

to be normative. As such, the ‘abnormal’ may provide a discursive space to which the child as a perpetrator is made conceivable.

2.5. Media Discourse as Perpetuative

The media is one of the key drivers for the circulations of discourses. Childhood, gender and violence are constant themes in media. As such, media is a key institution which circulates and reiterates normative constructions of childhood and violence (Kramer, 2017). Although children who murder have been given a lot of attention in media, these children are still treated as an anomaly. More so, these children’s actions are ascribed to external factors thus removing their culpability (see Abraham, 2017; Blaine, 2008; Geduld & Maughan, 2015; Kadali, 2015; Mahopo, 2017; Masweneng, 2017; Naidu & Kuppan, 2006; Ross, 2009; Smith, 2007). For example, a number of western films like, “The Omen”, “Orphan”, and “The Boy”, circulate religious discourses which work to remove the child’s culpability. Firstly, these films choose very young children as a means of highlighting their innocence and vulnerability. Secondly, these characteristics are attributed as a reason for their susceptibility to being possessed by evils spirits. All these films attribute the children’s violent acts to being possessed by an evil spirit thus making their actions ‘outside of their control’. This is in line with Butchart’s (1997, p. 102) notion of “power as a productive and creative force that fabricates individual and collective human bodies through the microtechniques of the social-medical sciences”. In this instance, religious discourse creates the ‘evil child’ who is susceptible to being possessed because of his/her innocent and vulnerable nature. As such, whilst there is an acknowledgement of children who murder, the media continues to circulate and replicate normative constructions of childhood.

Newspapers reporting on children who commit murder also replicate normative discourses. Newspaper articles that have been published in South Africa illustrate how the media perpetuates popular discourses that explains and justifies a child’s violent behaviour. “Children are not born violent, insists experts” and “Children need our protection” (Geduld & Maughan, 2004; Fritz, 2017) are two headlines that illustrate how children are constructed as innocent and are rather made to be violent - by external factors like their environment (AuCoin, 2005; Ariés, 1973) - and are vulnerable beings who are in constant need of protection (Sternberg et al., 1993). This construction of the innocent child, which is perpetuated by the media, prevents the violent child from occupying the perpetrator subject position which is characterised by

aggression and malicious intent (Kramer, 2015). The opening paragraph of this particular article states how “children who kill are not born violent, but are created by their family and social circumstances, insists a top academic” (Geduld & Maughan, 2004, p. 1). Immediately, by using words such as ‘created’ the child’s agency is removed as a factor in the violent behaviour. Secondly, the violent behaviour is being attributed to external consequences as being a product beyond the child’s control. In addition, this opening paragraph illustrates how the constructions of perpetrators and victims is embedded in the discourse of power, which informs the context in which these subject positions can be occupied (Burr, 1995). As such, normative constructs of violence become normalised (Burr, 1995), through rules of being which is circulated by powerful institutions of knowledge production such as psychology (Hall, 1997). In the opening paragraph the claim, “insists a top academic” implies that the statement must be true and accurate given its source (Geduld & Maughan, 2004, p.1), a psychology lecturer that is said to be an ‘expert’ researcher in murders that are committed by children (Geduld & Maughan, 2004). As such, this illustrates how a subject is constituted within language and power. Notions of victimhood (and by extension childhood) exist to the extent to which it is constructed by psychological, social and scientific paradigms as an object of knowledge (Butchart, 1997).

Violent behaviour being attributed to external consequences is the most commonly used discursive strategy in media discourse as a means to maintain the violent child’s victim subject position. Headlines such as, “Exposure to violence damaging to children”, “Families to blame”, “SA too violent for children, says study”, “Traumatized youth turning to violent crime”, speak to external factors being used by the media to remove agency as a factor in the child’s behaviour (Blaine, 2008; Geduld & Maughan, 2004; Ross, 2009; Smith, 2007). This is further supported again by institutions of power, and specifically psychology. Statements such as “years of psychological research have shown that children who do not get help for psychological distress often act out violently” (Smith, 2007, p. 1) speak towards the constitution of the subject and how it is located in the regimes of power and knowledge (Foucault, 1972; Foucault, 1980; Parker, 2004). Another example of how institutions of power play a role in the construction of subject positions is in a particular article that reported an 18-month toddler being tortured by two 11-year old boys, which consisted of these two boys pouring boiling water over the toddler’s private parts and face as well as cutting and peeling off the skin at the back of the toddler’s head and neck. In response to this violent act a psychologist again attributed the behaviour to external factors such as violent television, video games and dysfunctional families

(Naidu & Kuppan, 2006). Of the newspaper articles that were reviewed 90% of them acknowledged that there was a growing number of violence perpetrated by children. The implication of a pandemic serves to cause public fear and moral panic. Cohen (2002, p. 1) defines moral panic as when “a condition, episode, person or group of persons emerges to become defined as a threat to societal values and interests [...]”. The media is one of the key producers of moral panic (Cohen, 2002) where it conveys ‘newness’ of a breaking story/phenomenon (Price, Welch, & Yankey, 2002). Headlines like “What turns children into violent monsters?” (Lekota, 2006) produce and generate an amplified fear of child violence (Price et al., 2002). In turn, this threat to the moral fabric of society results in society being consumed with protecting the innocence of children. This results in children being increasingly surveilled. Foucault (1978) speaks to how normative discourses are both regulatory and also operate to discipline and surveil. As such, when children ‘deviate’ from the normative construction of childhood these children are surveilled and regulated not by society per se but by disciplinary power.

2.6. Legal Discourse- The Legal System as Lenient

The legal system is one of the prominent institutions within society which surveils and regulates the individual. It is through legal discourse in the form of laws and practices, that self-regulation occurs so that behaviour is consistent with social norms (Kramer, 2017). Since the law governs violence, gender, and childhood, it is important to explore legal definitions of child perpetration. For the purpose of this South African based research, the South African Child Justice Act (CJA) will be considered to show how legal discourse make child perpetrators inconceivable. The CJA’s (2010) aim was to set up a child justice system for children that were in conflict with the law (Ballard, 2011). Additionally, it was created so that children were dealt with separately from adults. The separation from adults reproduces the construct of the innocent and vulnerable child. This reproduction will be illustrated below.

2.6.1. Child perpetrator and criminal capacity

The CJA categorises age as follows: a child below 10-years is constructed as having no criminal capacity (Ballard, 2011). Criminal capacity is the child’s “ability to know the difference between right and wrong and to act in accordance with that knowledge” (Holtzhausen, 2012, p. 3). Between the ages of 10 and 14, the child may be arrested only if the state proves criminal capacity. However, if the state does not prove criminal capacity the child is not convicted of

any crime. For ages 14 to 18, these children are said to have criminal capacity and can therefore be sent to a correctional facility (Ballard, 2011). In summation, the CJA perceives criminal capacity in children aged 14 to 18 years. However, even though criminal capacity is perceived these children are still treated more leniently than adults. In 2008 for example, the sentencing of a child offender, in the Supreme Court of Appeal's decision of *N v The State*⁸ the difference in treatment between children and adults is made apparent. In delivering the majority judgment the judgment was concluded by this closing statement (Van Eeden, 2013, p. 26):

We distinguish child offender from adults because we recognise that their crimes may stem from immature judgment, from as yet unformed character, from youthful vulnerability to error and impulse. We recognise that imposing full moral responsibility for a misdeed might be too harsh. In that we allow them some leeway of hope and possibility. That is not maudlin or sentimental, but necessary if we are to have any belief in our future.

This statement is in line with normative constructions of a child as innocent, naïve and thus impressionable (Ariés, 1973). Additionally these characteristics are seen as always in need of protection from corruption (Burman, 1994).

The age of criminal capacity is similar in other countries. For example in Australia the ages between 10 and 14 years a child is deemed to have criminal capacity only if the prosecution can show that the accused child was able to adequately distinguish between right and wrong at the time of the offence. For ages 14 to 18, these children may be held fully responsible but are still subjected “to a different range of criminal sanctions than adults committing the same offences” (Urbas, 2014, p. 1). This further reifies the normative construction of childhood (Ariés, 1973; AuCoin, 2005; Hendrick, 1990). As such, even if the crime has been acknowledged child offenders are treated leniently by the system, as it still treats the child as naïve, innocent and vulnerable.

The CJA's (2010) main aim is to offer child offenders a space to take responsibility for their actions, to make amends to their victims, and to participate in a rehabilitation programme which focuses on developing socially acceptable behaviour (Van Eeden, 2013). Disciplinary power governs the body by creating standards and norms through institutions like the law, which the body has to adhere to (Foucault, 1982). When people do not adhere to these standards and

⁸ This case concerned a 17-year old who had been sentenced for a period of 10 years imprisonment, to which four years were suspended. The majority of the Supreme Court Appeal, set aside this sentence and replaced it with a sentence of correctional supervision which only required him to spend a sixth of his sentence in prison (Van Eeden, 2013).

norms they are sent to institutions like the prison. The prison is thus a symbol of disciplinary power which aims to 'correct' and/ or 'rehabilitate' (Foucault, 1977). As such, children who perpetrate are going against their normative constructions and thus correctional facilities aim to 'correct' this 'deviance'. It is at the point of this 'deviance' that discursive opportunities for the conceivability of child perpetrators can happen. However, legal discourse continues to perpetuate normative constructions of childhood, which thus maintains the child perpetrator as inconceivable.

2.8. Conclusion- The child perpetrator as inconceivable

The child offender as an inconceivable perpetrator is maintained through normative discourses that construct the child as innocent, naïve and vulnerable. Children who 'deviate' from this normative construction are often rationalised or justified in order to protect the normative construction of childhood. Discourses on gender and psychology, thus aim to maintain the normative construction of the child by deploying explanatory and/ or justificatory discursive strategies to account for the violent child's actions. In addition, the legal system also maintains the normative construction of childhood by treating children who kill leniently. This leniency is indicative of the denial of child perpetrators in the discursive space. The next section presents the research design and method that this study used to investigate how juvenile offenders construct themselves and their violent actions.

Chapter 3

Research Design and Method

3.1. Research Design

This research study is located within a qualitative framework, and is an exploratory and cross-sectional design. The study is an exploratory design because it aimed to investigate unexplored phenomena (Durrheim, 1999). The current research study is also located within the social constructionist framework, a framework which affirms how people create their own subject positions based on culture, tradition, language, and social norms (Hosking & Morkey, 2004). This research therefore seeks to investigate the discourses used by participants to construct their subject positions. As subject positions are constructed and constituted through discourse (Burr, 1995; Foucault, 1980), it is appropriate to make use of qualitative analysis as it produces detailed data that will allow for an in-depth interpretation on the ways in which participants perceive their crimes and positions. Specifically, this research study will make use of Parker's (1992; 2004) critical discourse analysis to investigate how the participants construct themselves in light of their offences. This current study forms part of a larger research project within the University of the Witwatersrand- *Cultural conditions for identity disruptions in violence: Possible perpetrators and worthy victims?*⁹ As such, this research study aligned with the larger project in various aspects of design and data collection.

3.2. Participants

This research targeted participants who were incarcerated for violent crimes in a South African juvenile correctional centre. After ethical clearance was obtained from the University of the Witwatersrand Medical Human Research Ethics Committee under the larger project (see Appendix A), a research proposal was submitted to the South African Department of Correctional Services in order to gain access to the proposed participants. After the proposal was granted ethical clearance by the Department of Correctional Services (DCS) (see Appendix B), a summary of the proposal was submitted to the regional commissioner who then granted access to the participants. The proposal summary included an explanation of the research aims, the research process, and all research-related documents (information sheet, informed consent sheets and the interview schedule) and DCS approval letter (see Appendices A through F). Further communication with the various centres was made to secure dates for data collection.

⁹ Principal researcher on the larger project: Dr Sherianne Kramer

Additionally, inclusion criteria were given to the correctional centres as a way of identifying the appropriate participants which were as follows: juvenile male and female offenders, who had been charged for sexual offence (excluding prostitution), grievous bodily harm, assault and homicide (including attempted homicide). Offenders who were still awaiting trial were excluded to avoid any possible influence on the awaited trial. Additionally, offenders who were only charged with non-violent crimes (robbery, housebreaking, theft and prostitution) were excluded from participation.

The correctional centres that were approached for this study included: Leeuwkop Centre of Excellence Juvenile Correctional Centre, Boksburg Juvenile Correctional Centre, Pollsmoor Juvenile Correctional Centre, Johannesburg Female Centre of Excellence Juvenile Correctional Centre and Baviaanspoort-Emthonjeni Juvenile Correctional Centre. These five centres were selected as they are in the Gauteng region where the researchers resided. Child offenders were purposively selected from these above mentioned correctional centres and thereafter interviewed by a range of researchers on the study. Purposively sampling the participants allowed for the investigation of 'transgressive' or 'deviant' subject positions (Patton, 2002). The use of this sampling strategy was appropriate for this study, as it aimed to investigate excluded forms of transgression that speak to the manner in which age and gender are constituted in violence.

On the first day of data collection, the researcher(s) were put in contact with a social worker who then guided the data collection process. This process included the final selection of participants in order to ensure the participants met the inclusion criteria. Additionally, the social worker briefed potential participants with regards to the nature of the study as well as on the voluntary nature of participation. Data collection began at Pollsmoor Juvenile Correctional Centre in Cape Town where the Principle Researcher interviewed juvenile offenders comprising of five male offenders and two female offenders. Thereafter, data collection was conducted in Gauteng by myself, Kwanele Masuku, and two other researchers who were also part of the larger research project where: six female offenders were interviewed at Johannesburg Female Centre of Excellence, six male offenders were interviewed at Leeuwkop Centre of Excellence Juvenile Correctional Centre, 13 male offenders were interviewed at Baviaanspoort Juvenile Correctional Centre and 12 male offenders were interviewed at Boksburg Juvenile Correctional Centre. In total, 44 juvenile offenders were interviewed, seven of which were conducted by myself, Kwanele Masuku. In addition, all of the participants that were interviewed by myself, Kwanele Masuku, were black/coloured. As such, all of my

interviews were conducted in both English and IsiZulu. The charge summary and demographics of the entire data corpus can be found in Appendix G. In total, the data corpus of this specific study was made up of eight participants (four female participants and four male participants).

This research aims to identify and investigate the discourses that make child perpetrators inconceivable or conceivable within the normative constructions of violence. As such, language is always implicated in the construction of subjective experiences to which language is used to express meaning while simultaneously influencing how meaning is constructed (Van Nes, Abma, Jonsson, & Deeg, 2010). The individual thus interacts with the material world through language (Van Nes et al., 2010; Burr, 1995). As this study is located within the social constructionist paradigm, the interview is seen as the primary site of knowledge production in the research process (Riach, 2009). It is with this regard that translation is also seen as forming part of the process of knowledge production (Temple & Young, 2004). The translation process occurred in several stages. The first stage involved transcribing the audio-recorded interviews verbatim. The transcribed interviews were then translated from IsiZulu to English by myself, Kwanele Masuku, and Zama Khoza¹⁰. A Critical Discourse Analysis involves an analysis of implied discursive meanings in language and how this relates back to power/knowledge (Foucault, 1977; Foucault, 1980). As such, the transcripts were translated so that they conveyed meaning. Simon (2005, p. 130-131) illustrates how translation should also be about finding the meaning of text in a culture:

The solutions to many of the translator's dilemmas are not to be found in dictionaries, but rather in an understanding of the way language is tied to local realities, to literary forms and to changing identities. Translators must constantly make decisions about the cultural meanings which language carries, and evaluate the degree to which the two different worlds they inhabit are 'the same'. These are not technical difficulties, they are not the domain of specialists in obscure or quaint vocabularies. . . . In fact the process of meaning transfer has less to do with finding the cultural inscription of a term than in reconstructing its value.

Cultural meaning is not discovered by "tackling linguistic statements against its ecological and conceptual backdrop", but rather it is discovered through finding equivalent concepts (in English) to the original concept (in IsiZulu). It is about finding the answer only in a "value judgment" prescribing the degree of possible equivalence between the two concepts (Simon,

¹⁰ Zama Khoza is part of the research team.

2005, p.131). As such, the translation process occurred by translating through meaning rather than word for word. This was done by continuously engaging with the text to ensure that meaning was transferred adequately and that the implied cultural meanings were brought to the fore. Additionally, there was continuous communication with the Principle Researcher to ensure that meaning was transferred adequately. Although great care was taken during the translation process some of the intended meanings may have still been lost.

Of the 44 interviewed participants, participants that were serving sentences for murder (and attempted murder) were identified. Twenty-one participants were then selected from the full data corpus based on this criteria. These 21 participants were then subject to further screening. The age of the participants at the time of their offences was further used in order to select appropriate data in line with the research aims. The Department of Correctional Services identifies offenders under the age of 18 as children (Department of Correctional Services, 2009). Additionally, under the CJA a person between the ages of 18 and 21 are defined as a child if they committed their crime before they turned 18. Offenders who were under the age of 18 at the time of their perpetrations were selected first. As such, one female and four males were selected based on this criteria. In addition, three female participants who committed their offences while they were 19 years old were included to allow for possible gender comparisons. Participant selection was thus based on age, gender and nature of offence. The final data corpus for this study was eight participants (comprising of four females and four males). Overall, there were more male offenders than female offenders, to which only one female offender fulfilled the age requirement. The full details of the entire dataset can be found in Appendix G. For the purpose of this research, participant identifications were reworked by being re-numbered. Detailed information concerning the offences of the participants that made up the final data corpus can be found in section 4.1.

3.3. Data gathering procedure

Upon arrival at the correctional facilities, the researcher(s) were put in contact with a social worker(s). After the final participants were selected in collaboration with the researcher(s) and the social worker/correctional staff, each researcher was provided with an office to conduct the interviews with the targeted participants. The participants were then fetched and escorted by the correctional staff to the interview room. The interview began with the researcher briefly explaining the research aims (see Appendix C) as well as the participant's rights (see Appendix

D and E). This was followed by answering any questions the participants had as well as clarifying anything the participant did not understand. For the interviews I, Kwanele Masuku, conducted this was usually done by translating what they did not understand into IsiZulu. Once the participants expressed that they understood the research process and their rights as a participant, they were provided with documents that they had to sign to show their consent. These comprised of the information sheet, consent form to be interviewed, and a consent form to be audio recorded. Again the researcher reiterated the participant's rights to ensure the participant understood the research process. The researcher then asked the participants to sign the documents to indicate consent. The researcher then verbally re-explained the purpose of the research and also provided the written explanation of the research process for the participants to read. Again, for the interviews that I, Kwanele Masuku, conducted this was done in both English and IsiZulu to ensure that the participant understood. In addition, the researcher emphasised how the interview would not be used to appeal or alter their sentence. The participant rights were often re-explained specifically in times where the participants seemed uncomfortable to answer. None of the participants withdrew from the study after consent was achieved.

After receiving the participant's consent, the participants partook in a semi-structured interview. The interview duration ranged from 20 to 90 minutes depending on the willingness of the participant. A semi-structured interview was used in order to gather relevant data (see appendix F). This type of interview which is fluid in nature (Whitley, 2002), allows the participant to comfortably talk about his/her perceptions. Thus, the use of a semi-structured interview allowed for the exploration of the participant's perceptions and opinions (Barribal & While, 1994). Overall, because a semi-structured interview does not follow a rigid structure, the researcher was able to change or adapt questions according to the participants' responses.

Having a private room allowed for some privacy which made the participant comfortable to talk about his/her story. It is important to note, as this research study is based on a social constructionist perspective, the narratives in the interviews emerged out of co-constructions between the participants and the researchers. The content of the interview covered the participants' perceptions of themselves in relation to their offences. Furthermore, the interview schedule paid attention to the participants' perceived interactions with the correctional staff as well as with other offenders as these perceptions may influence how the participant perceives himself/herself. In addition, the legal as well as the rehabilitation aspects were also covered.

However, as the interviews were semi-structured the interview schedule was used merely as a framework of questions during the interview.

The interviews were audio recorded. Notes were taken during the interview which consisted of demographic and charge information. Researcher observation-and reflexive- notes were taken when possible, but as note taking usually made the participants uncomfortable they were kept at a minimum. The interview recordings were then uploaded by the researcher(s) onto a shared password protected Google Drive folder which was managed by the Principle Researcher. All researchers involved had access to these audio recordings. In order to keep track of the data collected, the demographics and charge information was also shared on a Google Document spreadsheet. The audio recordings were then transcribed verbatim by the researcher(s). The transcripts were then uploaded into the same shared Google Drive folder.

As this research study is based on a social constructionist perspective the narratives that arose in the interview process was treated as contextually co-constructed by the participant and the researcher. As such, these subject positions constructed during the interview process should not be seen as a stable reality (Burr, 1995).

3.5. Data analysis

Upon the completion of the data collection, the tape-recorded interviews were transcribed verbatim. Interviews that were in IsiZulu were first transcribed in IsiZulu, then later translated into English by researcher(s) (Kwanele Masuku and Zama Khoza) who were fluent in both IsiZulu and English. Eight participants were selected based on age, gender (to allow for gender comparison), and nature of offence. These eight transcribed interviews formed the data corpus for Critical Discourse Analysis (CDA). Specifically, Parker's (1992; 2004) CDA was utilised to demonstrate how discourses construct objects of knowledge and subjects within the framework of power. The use of a critical discourse analysis was appropriate for this research study because not only does it examine the different discourses that play a role in the construction of the participants' self-perceptions, but it also analyses how "individuals creatively engage with those rules, what forms of power they reconstruct as they participate in them and what forms of resistance it is possible for them to display" (Parker, 2004, p. 311). In other words, beliefs on child perpetration arise through institutionalised and historicised discursive practices that provide parameters for normality. It is these parameters of normality which inform subjectivity (Kramer, 2010). As such, normative parameters of gender, violence and childhood construct subject positions for participants by providing sets of rules for their

violent behaviours. CDA aims to understand not only the macro-level¹¹ but the interaction between macro-level and micro-level¹² discourses (Van Dijk, 1993). As such, the analysis related the themes that were found in the data to the discursive patterns found within society.

The working definition of discourse is “a system of statements which constructs an object” (Parker, 1990, p. 191). Alongside this working definition, Parker (1992) proposes a version of Foucauldian discourse analysis based on his seven criteria for distinguishing discourses, as well as three auxiliary criteria, and outlines 20 ‘steps’ that frame his discourse analysis process. These principles and ‘steps’ informed the way data was selected, understood and interpreted. Parker’s (1992, p. 7-16) criteria is as follows: 1) a discourse is realised in texts, 2) a discourse is about objects, 3) a discourse contains subjects, 4) a discourse is a coherent system of meanings, 5) a discourse refers to other discourse, 6) a discourse reflects on its own way of speaking, 7) a discourse is historically located, 8) discourses support institutions, 9) discourses reproduce power relations, and 10) discourses have ideological effects. The process of analysis involved the reading of transcripts according to the above framework. The process that the researcher took to adopt Parker’s (1992) CDA will be illustrated below (examples from the data will be used).

The analytical process began by locating the objects being sought to study which were those that related to the identity construction of the participant (e.g. neglected/abandoned child). Each of these identity constructions has particular meaning depending on how it was used in the narrative. As such, the discursive objects were identified within the text as well as the meanings that were being evoked in and through the text (narrative). In addition, notes were made about how the objects (e.g. neglected/abandoned child) were being used within the narrative, and the social and behavioural effects thereof. For example, in relation to the present study, the participants’ violent behaviours were of interest, so when identifying various objects (e.g. neglected/abandoned child) and associated meanings (e.g. a neglected/abandoned child has grown up in an unhealthy environment and has to look after himself/herself), detailed notes were taken on how such meanings rationalised or explained violent behaviour (e.g. by being neglected/abandoned the child has to find ways to counter this neglect/abandonment i.e. joining a gang). Parker (1992, p. 9) refers to all of the previous steps as “talking about talk as if it were an object or discourse”. This process included identifying the specific discourses that framed

¹¹ Macro level: speak towards psychological, legal, religious discourse which are circulated on a public level that make it difficult to see children’s violent act as malicious because children are seen as innocent and vulnerable.

¹² Micro-level is when an individual takes on institutionalised discourses as self-knowledge.

the object (and subject) of talk. In relation to the present study, the specific words and statements that constructed the ‘neglected/abandoned child’ were identified as being located in the discourse of psychology, which constructs what it means to be a neglected/abandoned child in a particular way.

Discourses construct subject positions (Foucault, 1972). In turn, subject positions frame identities which dictate particular ways of thinking and speaking (McGannon & Spence, 2012). Subject positions (and the identity implications thereof) were identified by asking what role the participant adopted within a discourse, while simultaneously, identifying what rights of speaking these particular positions granted within a discourse (Parker, 1992). Locating the positioning in discourse was further accomplished by specifying the type of people talked about. By locating positioning, the researcher was able to investigate what the participant was able to say (e.g. this comprise of investigating what terms and concepts within the narrative were being used by the participant) when speaking from these socially constructed subject positions. Parker (1992, p. 10) refers to this as “what right to speak in that way of speaking”.

It is important to note how none of these criteria were used in a linear fashion. The identification and refinement of discourses was a continuous process that comprised of reading and rereading the transcripts (Parker, 1992). In addition, the refining and naming of discourses was achieved by investigating what a theme consisted of (e.g. the discourse of neglect in psychology constructed the subject position of the ‘neglected/abandoned child’, this same discourse constructed the identity of ‘parent’). This process in Parker’s (1992) criteria involved drawing out a possible ‘picture’ that the discourse painted. With regards to the present study, discourse of neglect maps out a worldview that the parent is the person responsible for taking care and socialising the child, and that the child is vulnerable and naïve and needs their parent in order to survive etc. The refinement and naming of discourses, by considering subject positions and the potential effects (behavioural and social), the researcher was aware that various ways of speaking about an identity are available for use by drawing on other discourses. As such, a participant was sometimes able to find another voice that was available (at that particular point in their narrative) with other discourses, which encouraged other behaviours and social practices. It was at this point where moments of resistance were identified. Lastly, the discourses identified and named were connected to power and ideology (regimes of ‘truth’) (Parker, 1992). This was achieved by identifying subject positions and how these subject positions afforded the participants to behave and speak in a particular way, as well as at the level of social understanding. This illustrated how institutionalised discourses feed into the

subjective experiences, identities, and perceptions of the participants, which further showed how disciplinary power is an instrument and consequence of the participants' discursive networks (Kramer, 2010). This allowed for the critical interpretation of the data, by continually locating subjectivity as socially constructed within power (Willig, 2000).

As such, the discursive overarching themes and subthemes that were found in the data were related back to "discursive patterns within the larger cultural context" (Kramer, 2014, p. 92). In addition, the coding of the words and phrases comprised of drawing out the themes across the dataset. After all of the themes were identified, themes that were similar to one another were then collapsed to form larger themes. In addition, other themes were organised hierarchically as subthemes within a larger theme (overarching theme) (Kramer, 2014). These themes were interpreted and analysed in relation to how language is implicated in the construction of subjectivities (Kramer, 2014; Van Nes et al., 2010). Overall, the coding of the data and the analysis were guided by the Foucauldian framework and Parker's (1992) 'steps'.

3.4. Self-reflexivity

According to Parker (2005), one's theoretical position and the research process must be clearly detailed to increase the accessibility of the research. Given the sensitive nature of the study, it is important to note my own subject positions. As such, I was cognisant that I may occupy two subject positions, that of the observing subject and the observing object (Pagis, 2009). It is necessary to continuously engage with the participants alongside our own theoretical understandings and biases. Reflexivity is a deconstructive process that locates the intersection between the researcher and the world (Macbeth, 2001), which as a result influences how the researcher collects his/her data and how the data will be analysed. As such, reflexivity required the researcher to explore her own contributions to the construction of meaning within the research process.

My reflexive process began prior to data collection where I noted my own biases and social position/identities in relation to my study. My area of interest as a researcher has always been in children and this influenced my topic choice. As this was my first time working from a social constructionist paradigm this proved to be difficult. As such, entering this research study, which was guided by my supervisor's larger study¹³, challenged my own social position of seeing children as vulnerable and innocent. I had to try and change my own way of thinking

¹³ Principal researcher on the larger project: Dr Sherianne Kramer

in order to be able to carry out my research study. The process of looking at a child as a social construct was challenging. As a researcher within the psychology profession, who had been immensely interested in developmental psychology and the developmental process of a child, I found it difficult to not look at a child as a naturally vulnerable and naïve individual. My interaction with children was thus explicitly reproducing normative constructions of childhood. Through this research I became aware of how I reproduced normative constructions of childhood. Being confronted with how the social body is regulated through years of knowledge, which is enforced through institutions like psychology, was very difficult for me. I felt like I had to completely disregard how I saw the social world. Macleod (2002) stresses how the researcher should not seek to minimise the researcher effect, instead the researcher should be reflexive when conducting a CDA. As such, I wrote reflexive notes which involved a process of continuously questioning my frame of thought throughout the data collection process and data analysis.

My race as a black researcher played an influential role in my interaction with the participants. As such, I shared the same race with all of the participants. Prior to data collection I suspected that getting information from the participants was going to be easy based on my race. I thought I would automatically gain ‘insider position’ because I shared the same race as all of the participants. However, my interactions with the participants proved to be more complex. With the first participant I felt like an outsider in the beginning irrespective of my race. The participant was giving me very short and clipped answers. It was only when I switched to speaking IsiZulu that the atmosphere during the interview changed and they saw me as having similarities with them. There may have been various reasons as to why the participants at first seemed reluctant to answer my questions such as being unable to understand the language I was using.

Once I was afforded the insider position, the participants were more open and comfortable with me to start sharing their personal stories. However, there were also disadvantages of being afforded this insider position. Firstly, I sometimes over-identified and over-sympathised with the participants, and this may have had an influence on my objectivity when I was analysing the data. Secondly, based on the participants’ assumptions that we shared the same race, a loss of data sometimes occurred. This was led by the assumption about who I was by virtue of my race, which led the participants to believe I knew the answer or what they were talking about. In order to prevent data from being lost in translation, I would ask for clarity on issues or

language usage that I did not understand. The issue of language was also important during the translation process. My location within the social world influences the way I see it (Temple & Young, 2004). As such, as a translator of my own data I acknowledge how I formed part of the knowledge production. I am cognisant of the fact that I did not translate from a neutral position. However, as this study followed a Foucauldian approach, the analysis was concerned with the implied meaning of language (Foucault, 1977; Foucault, 1980). As such, along with the notes taken during the interviews, great care was taken to find equivalent concepts in the English language that conveyed the original concepts articulated in IsiZulu.

My position as a black female may have played a further role in my interactions with both male and female participants. In relation to the male participants, I found myself being fearful of conducting interviews with them. This was evident with the first male participant where I felt vulnerable and fearful. I attempted to attribute this fear to their offences but I found that I felt comfortable with the female participants. I then realised that I am not outside the gender and violence constructions I am critiquing. The typical construction of violence is the black male perpetrator (Kramer, 2017). Growing up and living in a violent environment where I too have had moments of victimisation as a female, I had to be cognisant of how I identified with the female participants. While this identification with the female participants allowed for equal power dynamics (Kramer, 2015), these interviews were also characterised by remarks that I sometimes over-identified and over-sympathised with the female participants based on this shared identity of being female.

Due to my status as a psychological researcher, some participants thought I might offer them psychological help. When this occurred I made the participants aware that the interview would have no benefit on their sentence, behaviour and psychological wellbeing. I ensured the participants that they had the necessary information for getting psychological help if they felt that they needed it. Foucault (1978) notes how the process of confession is one of the primary means of self-construction. The interview space can also be seen as a confessional site. Foucault (1978) sees power as a relational and productive force which constructs each individual to behave, think and interact with others in a particular way. For Foucault (1978) the process of confession, which is characterised by surveillance, is one of the primary means of self-construction. Foucault (1977) denotes the process of the confession as a historically located act which dates back to the shift from sovereign power to disciplinary power. Implicit in the method of the confession, is the belief that the truth is hidden, but desires to reveal itself only through being discovered and coaxed (Foucault, 1998; Mayes, 2009). This notion of

confession as means of truth production has become normalised in the present day (the confession is the modern day therapy session) (Kramer, 2010). The confession is seen as a space which is characterised by surveillance which is regulated by institutions like the law and psychology (Bowman, 2005; Foucault, 1998; Kramer 2010; Kramer, 2017). As a result this has invisibilised “the disciplinary obligation to confess and in turn, the invisibility of the role of [disciplinary] power in such obligations” (Foucault, 1978; Kramer, 2017, p. 88). The confessional is thus constitutive of subjectivities. As such, I was placed in a position of power at times because I came into the interview as a researcher within the profession of psychology. I was thus seen as an ‘expert’, which meant I often embodied the disciplinary power I aimed to critique.

An important aspect in this research study was to be continuously cognisant of the issue of construction. In other words, this study constructs the very sorts of discursive formations that it aims to investigate. I was aware that as a researcher, I played a role in the co-construction of the very subject positions I was critiquing. As a researcher, I acknowledged the unavoidable constructive nature and the circularity of the current study and the manner in which I addressed these issues was by being as transparent as possible during both the data collection process and the interpretation/data analysis.

3.5. Ethical considerations

It is crucial to consider ethical issues that may arise during the research process, especially when dealing with sensitive issues such as homicide as well as working with what society considers a vulnerable group. Ethical clearance was granted for this research study by the University of the Witwatersrand Non-Medical Human Research Ethics Committee (Protocol Number: H15/11/11) (see Appendix A). Thereafter, a research proposal and the ethics clearance certificate was submitted to the Research Office at the South African Department of Correction Services in order to obtain permission for access to the participants. As mentioned, this study was conducted under the broader study by Dr Kramer, titled *Cultural conditions for identity disruptions in violence: Possible perpetrators and worthy victims?*, therefore once access was granted, the Department of Correctional Services (DCS) agreement (see appendix B) was signed by Dr Kramer. This agreement stipulated the conditions that the research had to maintain at all times. These conditions that the researcher had to follow ranged from obtaining the written consent of participants, the handing in of interview questions to the department, and the assurance that the participants’ identities were protected at all times. This agreement was

followed during the entire research procedure to ensure that ethical principles were maintained. This also included the final research report being made available to the DCS. In addition, this agreement stipulated that the current study had to obtain permission from the DCS before it was able to publish its findings.

Once permission for access was obtained and the participants were made available (see section 3.3) to the researcher by the DCS, each research participant was given an information sheet (see appendix C) which stipulated the rationale and the aims of the research study. The information sheet was verbally explained to the participant by using simplified English and then explained in IsiZulu if the participant needed more clarity. In addition, the researchers as well as the researchers' supervisor's contact details were included in the information sheet should the participants need to follow up, as well to ensure the ability for the participant to withdraw at any point during and after data collection. Furthermore, the information sheet included details concerning the privacy of the participants during the write up of the research by using non-identifying participant labels (e.g. P1, P2...etc.). Care was taken to ensure anonymity of the participants such as the removal, or alteration of any names and identifiable information. However, participants were informed of the possibility of being identified should their stories have been in the media.

After the participants read the information sheet they were given the opportunity to decline or accept participation in the interview. None of the participants withdrew from the interview. If the participant agreed to participate, a consent form to be interviewed was given for him/her to sign (see Appendix D). This is in line with the Department of Correctional Services agreement (section 1.2 "participation in the research by members/offenders must be voluntary, and such willingness must be indicated in writing"). In addition to informed consent, the participants were also required to sign a consent form that allowed the researcher to record the interviews (see Appendix E). Some of the participants were reluctant to being recorded as they thought they could be identified. The researcher re-explained the audio consent form and emphasised that the recording would only be used for transcription and would only be heard by the researcher and the research team who were in the same committee as the researcher¹⁴. The participants were also made aware that the recorded interviews were going to be destroyed after the completion of the larger research project at the end of 2018.

¹⁴ The audio recorded interviews were shared on a password protected Google drive account which comprised of the researcher, Principle Researcher and research team.

Lastly, it was made clear to the participants that there were no personal advantages or disadvantages to their participation in the research study. Due to the sensitive nature of the research, participants were informed of the availability of psychological services. The participants were informed that should they need counselling, the correctional centre's social worker would be requested for them and a counselling session would be organised. Participants were asked if they needed such services and none of the participants conveyed that they needed any counselling. All the above mentioned ethical considerations aimed to ensure minimal harm/risk to the participants.

Chapter 4: Findings and Discussion

This research aimed to critically investigate and destabilise the normative constructions of childhood, violence, innocence and culpability. This was achieved by subjecting eight interview transcripts conducted with incarcerated juvenile offenders to Parker’s (1992, 2004) CDA. The study focused on investigating the narratives of incarcerated juvenile offenders from South African juvenile centres, with a particular focus on discourses used by the participants and the subject positions (victim or perpetrator) that the discourses enabled the participants to occupy. As such, this chapter will provide an in-depth discussion of the overarching discursive themes and discourses identified within the data.

Four overarching discursive themes emerged in the research: rationalising and justificatory discursive strategies, gendered discourses, normative constructions of childhood, and institutionalised discourse (such as law, religion and psychology). Within each theme, subthemes emerged which aided in constructing particular positions and subjectivities. For clarity purposes, the themes have been presented categorically (see table 1.), however, these themes should not be read as fixed nor separate.

Overarching Discursive Themes	Discursive Subthemes
Rationalising and justificatory discursive strategies	Blame attribution
	History of abandonment and neglect
	Violent South African context
Gendered Discourse	Vulnerability and femininity: history of abuse
	Gangsterism and masculinity
Normative constructions of childhood	Constructions of vulnerability
	Constructions of impressionability
	Constructions of childhood development
Institutionalised discourse	Childhood and religion discourse
	Childhood and psychological discourse

	Legal and correctional system discourse on childhood
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Table 1: Summary of Results.

4.1. Offenders' Profiles

Participant 1 (P1) is a 20 year old male offender serving a 10 year sentence for the murder of his mother. P1 maintains his innocence throughout his narrative and claims that he was possessed by a demon at the time of the murder. Participant 2 (P2) is a 19 year old male offender serving a 12 year sentence for the murder of his grandparents. P2's narrative centres on the corruption of the police and the legal system in order to maintain his subjective innocence. Participant 3 (P3) is a 19 year old male serving a 10 year sentence for attempted murder and murder. He talks about how he was initially attacked by the person he ultimately murdered. In so doing, P3 frames the altercation as unprovoked by him and thus portrays his actions as self-defence. Participant 4 (P4) is a 20 year old male serving a 12 year sentence for two separate murders. P4 rejects his perpetrator subject position by attributing his violent behaviour to his environment and his young age. He attributes his behaviour to being a consequence of moving from the suburbs to living in poverty in a township. He further removes his culpability by implicating an adult male friend. Participant 5 (P5) is a 21 year old female serving an eight year sentence for the murder of her baby. P5 justifies the killing of her baby by drawing on normative discourse on rape victimisation. Her narrative is built on her rape which she uses to portray herself as a victim with no emotional attachment to the baby.

Participant 6 (P6) is an 18 year old female serving an eight year sentence for the murder of her friend. P6 constructs herself as being a victim throughout her life. She explains how she was neglected by her mother and later abused by her aunt, reasons which she uses to justify why she joined a cult. P6 claims she was forced to kill her best friend in order to survive. Participant 7 (P7) is a 20 year old female serving a 12 year sentence for murdering her boyfriend. P7 builds her narrative on being a life-long victim of circumstance and having no choice but to try and survive, this being the main reason for dating her boyfriend. P7 claims that she was being attacked by her boyfriend and thus narrates the incident as self-defence. Participant 8 (P8) is a 21 year old female serving an eight year sentence for attempted murder. P8 crafts her narrative around having a strained relationship with her mother and how she was kicked out of the house

by her stepfather. Although her narrative is built on being a victim of circumstance she sometimes rejected her status of being a child.

4.2. Rationalising and justificatory discursive strategies

All of the participants drew on discursive strategies which either rationalised and/or justified their behaviours. They tended to draw on discourses of victimhood and blame attribution to justify their violent behaviours, thus asserting their innocence. The discursive strategies that these child perpetrators used are learnt and drawn upon from social or macro-level discourse. As such, child perpetrators drew on victim discourse, gendered discourse, psychological discourses and histories of substance and physical abuse to rationalise and/or justify their behaviours. The use of these rationalising discursive strategies afforded the participants a victim subject position even though they occupied the perpetrator subject position by virtue of their homicidal actions. By attributing their behaviours to ‘outside of their control’ through the use of discourses that remove their agency, they maintained an alignment with the normative construction of children as victims.

4.2.1. Blame attribution

Most of the participants in this study maintained their subjective innocence by attributing their own violent behaviour as a reaction to external factors beyond their control. These factors included their environment, substance abuse, and trauma. Participants drew on normative constructions of the child as vulnerable and innocent (Ariés, 1973; AuCoin, 2005; Moen & Norozi, 2016). By using these discursive strategies the participants removed their culpability and equated their violent actions as ‘beyond their control’ (McKelvey et al. (2011) and Lynch (2004) argue that children who are continuously exposed to violence learn to use violence and aggression as appropriate behaviours when reacting to situations. Violence exposure and the impact it has on children has been widely explored in psychological research and is often treated as inevitably ‘producing’ a violent child (see AuCoin, 2005; Guerra, Huesmann & Spindler, 2003; Kohl & Seay, 2013; Osofsky, 1999). This thus works at rationalising and justifying the child’s violent actions as an inevitable consequence of his/her violent environment.

Both male and female participants made use of their violent environments in their narratives to rationalise and justify how they ultimately became violent. Participants either spoke about their home environment as violent or the community in which they lived in as violent. As such,

participants located themselves within a violent context in which their offences occurred and so removed their accountability for their violent actions, and rather placed the blame on their violent context.

I started going out of the line, getting naughty and stuff like that. Because when I grew up I was grow up in in a suburb area...So then after that we moved, went to the location and that's where everything changed. My reputation changed. My attitude toward things did change. Coz you know in the location and in the suburbs you don't do things the same so, your life also change (P4).

When asked to describe his background P4 builds his entire narrative on the basis of his violent environment, to which he ascribes the change in his behaviour to being a consequence of moving to the location¹⁵. P4 draws on the construction of the township space as violent. This is in line with the widely circulated construction of the township as a space characterised by violence and criminality (Ellapen, 2007; Ndlovu-Gatsheni, 2012). In addition, P4 suggests that in order for one to survive the context of the township one is 'forced' to change.

Ok let me say kids from the location they do their things ... in a location style, the style is not the same. So that's where I got introduced into the location and I got introduced to the things of the location, that's where everything changed...It's like you know you start you start how can I say gangsterism, start drinking at a young age, start smoking at a young age. You get introduced to all those kinda things...You know the, you know the location, in the location areas is is this rough living. Gangsters against other gangsters.

P4 further reiterates the construction of the township as a space characterised by poverty by stating how at times he would “go to bed hungry”. Poverty discourse has been used in child/juvenile¹⁶ offending to justify the child's violent action as being a 'means of survival' (see Benett-Johnson, 2004; Ncontsa & Shuba, 2013). By using the normative construction of the township in the beginning of his narrative, P4 immediately reiterates the construction of the child as vulnerable and as only 'deviating' from this construction because he had 'no choice'. This worked to remove his culpability and maintain his subjective innocence.

P5 drew on the social constructions of the inevitability of female victimisation within the South African context (Kramer, 2015). She starts by drawing on the discourse of South Africa being

¹⁵ Location is the slang word for Townships.

¹⁶ This will be used interchangeably as the legal system uses these terms interchangeably.

a violent context. *“I think...this place...Hillbrow was the the rough place”*, thereafter she says *“I was raped”*. By stating her victimisation she immediately situates herself as a victim which she uses as her backdrop when she is explaining and justifying her violent behaviour. P6 also draws on her violent home environment as the context in which she grew up in to justify and explain how she ended up killing her best friend. *“My mum and dad they are fighting... physically. Sometimes it’s verbally and stuff everything”*. IPV has been regarded as a type of trauma for a child and is purported to have devastating effects on the child’s wellbeing (Carpenter & Stacks, 2009). This theory thus works to maintain the construct of the child as vulnerable. As such, P6 draws on discourse around the damaging effects of witnessing violence and she uses this to justify why she joined a cult. P4, P5, and P6 thus blamed their violent contexts for their violent behaviours. Their behaviours were thus constructed as inevitable reactions caused by the violent environments they lived in.

Violence perpetrated by children is not limited to a single aetiology, but rather there are a number of conditions (such as social, economic and physical conditions) that are deployed to rationalise or justify the behaviour in relation to the normative construction of childhood. Substance use and abuse has been linked with being a victim of/ witnessing violence. Studies purport that children use substances to ‘escape’ any difficult circumstances they might be going through (Jarmal et al., 2013; Youth Justice Board, 2009) to which studies purport how the development of traumatic-stress often precedes the use of substances which are used to cope with the trauma (Back, Brady, Bros, Killen, & McCauley, 2012). As such, P3 and P7 made use of this construction to explain why they started using substances. P3 states how he started using drugs after the passing of his mother. *“After my mother passed away I start, in 2010, I started to some dagga¹⁷”*. P7 also stated how she drank with her friends because she had lost her parents and she felt like she had nothing.

Actually we were always drunk...everyday was drinking...I did not have a life. I was always drunk...because I have no parents, I have nothing. There is no one that is standing with me...

Studies have connected substance usage to children’s violent behaviour (see Bachman, Johnston, & O’Malley, 2006; Ford, 2005; Hamilton & Sullivan, 2007; Youth Justice Board, 2009). A number of participants linked their change in behaviour to their substance usage. This

¹⁷ Slang for marijuana (cannabis).

is in line with common explanations of the effects of substance use on behaviour (Perkins, 2002). P1 argues that the problem started when he started smoking marijuana. *“The problem maybe for [me] I was smoking ganja¹⁸”*. P4 also linked his change in behaviour to the use of substances. *“That’s where I started getting out of hand you know, coming late in the house, and partying, drinking, smoking, getting introduced to all this kind of bad things”*. Studies have linked substances like alcohol to having effects on physiology and behaviour (Fillmore, 2012; Fillmore & Weafer, 2004). Hofmann and Friese (2008) explain that impulsivity increases when under the influence of alcohol, to which impulsivity is characterised by the tendency to react without thinking (Dickman, 1990).

P7 used being inebriated as an explanation for her violent behaviour where she kept reiterating that she was always drunk. *“I do not know what happened because, I was drinking the whole day. I was drinking every day. I did not have a day where I did not drink”*. When she was narrating the actual incident of the murder she also maintained the narrative of her intoxicated state. *“On that day, I remember that him and I were both drunk”*. When explaining how she told her boyfriend to stop assaulting her she again points out how she was drunk. *“He does not listen. I was drunk to be fair, I had done an all-nighter that day”*. When P4 was asked by the researcher if he had the intention to kill the person he was robbing, he also used his intoxicated state to maintain his subjective innocence. *“My heart wasn’t there to do it honestly speaking, my heart, I was also scared myself, like I said I was under the influence of alcohol...”*. As such, participants kept reiterating throughout their narratives how they were under the influence of alcohol or drugs at the time of their offence. Thus, by making use of intoxication to displace blame, participants were able to acknowledge their violent behaviours while simultaneously negating elements of culpability.

As participants were found guilty and were currently serving their sentences in a correctional facility, participants had to negotiate this current subject position. Participants utilised discourse which displaced blame (violent environment and substance use) from them which worked at maintaining their subjective innocence while resisting culpability for their murder charges.

4.2.2. History of abandonment and neglect

¹⁸ Slang for marijuana (cannabis).

Institutions such as psychology and the legal system regulate the social body. The family thus becomes the mechanism that plays a dominant role in the surveillance and regulation of the child body. As such, the family is the primary space where normative constructions of gender, violence, and childhood are reinforced onto the child (Foucault, 1991; Kramer, 2017). Abandonment and neglect have been linked to child/juvenile delinquency (Gold, Lewis, & Sullivan, 2011), by child/juvenile delinquency being treated as a consequence of a family unit which has failed to provide a protective and healthy environment (Colvin, 2000; Stewart, Livingston, & Dennison, 2008). This then implicates parents/caregivers in rationalising and explanatory discourse on child offenders (Young, 1996), as it is through the failed family that the delinquent child is said to arise. In line with this argument, a number of participants drew on discourses of neglect and abandonment to rationalise and explain their actions leading up to their murder charges.

My sister (since) she left me, I was still young. She left me with her friends (P7).

Ah because in my house now, things change after my mother passed away. My father was always looking his wife, no longer care about me (P3).

P8 started her narrative by explaining how her sister had fallen pregnant. She goes on to explain how her stepfather kicked her younger sister out because of this. P8 explains to the researcher how she expected her mother to fight for her sister to stay.

I thought I could blackmail her so I told her that thinking maybe she will feel something as we are her kids. I told her that I am also leaving...The stepfather said okay leave. My mom just sat there...She sat and just cried (P8).

P3 refers to his family, specifically his father, as neglecting him after his mother died and not adequately taking care of him. P3 further presents joining a gang as a consequence of his mother passing away and the emotional and physical impact of his father's neglect.

The gang it was like my family because of after my mother passed away I feel like my family no longer care. So, I thought a gang is, they are the only people who care about me.

The gang is used as a replacement of his biological family. This is in line with Ruble and Turner's (2000) suggestion that gangs are structured so that they mimic family dynamics. P6 also makes use of discourse of neglect and abuse to justify joining a cult. She begins by explain

how after her father left she felt extremely lonely and neglected by her mother. “October my dad move out of the house...I was lonely shame”. She thereafter continues to reiterate how lonely she was and how she felt like the outsider. “I was lonely. I didn’t know where to turn to because my mum was close with my cousin ne. And I was the only one now left”. P6 then recounts how her mother abandoned her and sent her to go stay with her aunt who later abused her.

She didn’t even say goodbye, she didn’t ask me if I’m fine with going”. “I’m like ok, and my aunt is always shouting, always beating, noooo... every time it’s wrong its right it’s the same, coz she’s always drunk she’s always what.

P6 uses the discourse of abuse and neglect to rationalise and justify her reason for joining a cult. Similarly, P7 makes use of the discourse of abandonment to justify why she started drinking every day. She uses the discourse of abandonment to position herself as having nowhere else to go.

I started living this life, you see...So, it made me stay with these people. I joined them, since these people were the ones who raised me...It’s better I stick with them.....until I find a life. Cause there is no other [...].

This worked at placing her in the victim subject position. P8 similarly makes use of discourse of abandonment to justify why she joined a gang. However, P8’s reasoning for joining a gang was to look after her pregnant sister. P8 was the only female participant who rejected the normative construct of the female as vulnerable. She disrupts this normative construction of the female as vulnerable by joining a gang and taking on the masculine role.

4.2.3. Violent South African context

The violent context of South Africa has been used to explain and justify child delinquency. Parkes (2007) argues that children sometimes use violence to protect themselves from violence. As such, self-defence has been used to explain child delinquency where the use of violence is seen as protection. This works at explaining and justifying child delinquency by attributing the violent behaviour as the child ‘having no choice’ but to retaliate in order to survive. P3 justifies his violent behaviour as a form of retaliation to an unprovoked attack.

...when I come back I saw that guy fighting with my friend. I told my friend let’s go outside, when we go outside, eh, that guy who who was looking for me he told me that ai he was looking for me all these days now he get, he

got me. He was holding a bottle. While he was breaking the bottle, I I took out the knife.

P3 constructs his behaviour as being something he ‘had’ to do in order to protect himself from an attack he did not provoke. P3 thus rejects his violence as part of his habitus. This removes his agency and culpability and thus works to maintain his subjective innocence. Poverty and unemployment have often been used to rationalise and explain violence in South Africa (Du Toit, 2014; Madikizela-Madija & Mcube, 2014; Parkes, 2007). P8 relied on these stereotypical constructions of violence to rationalise and justify her offences. Her narrative is expertly crafted so that her gang affiliation and her violent behaviour is justified. She starts by rationalising her gang membership as necessary for survival. *“When [my sister] she went back to school you see I have to now sort things out [and take care of her] ...I joined this other group of boys who robbed [restaurants].* When the researcher asked her about her gang affiliation she starts her narrative by presenting the rejection of her feminine identity.

R: Were you the only girl in the gang?

P8: My friend was the other girl but she was with another gang...I was the only girl in this gang.

R: Why did you not join the same gang as your friend?

P8: I did not want to be seen in the same gang as my friend. I did not want to be seen as a young girl who needed to have her friend around

P8 presents the rejection of her feminine identity as a requirement of being part of a gang, which she needed to survive. She presents her masculine behaviour as necessary in order to stay an active member in the gang.

I was very active in the gang... When people were being drafted for a robbery job you could not even tell that I was young...I wanted to make sure that even amongst the older guys I was not seen as a young girl...I would make sure that I look for the next target to rob¹⁹.

This above excerpt further illustrates how P8 justifies the rejection of her feminine identity and child status as necessary in order to stay in the gang. P8 thus accepts her behaviour while rejecting her culpability by presenting her behaviour as a means for survival and not because she is necessarily violent. P8 is the only female participant that constructs her identity as being masculine. In line with Butler’s (1989; 1999; 2004) theory on performativity, P8 illustrates how

¹⁹ These were her exact words, the translation has been translated so it conveys the meaning as close as possible: Ukwabona, bengilomuntu man oactive...Noma ku’draftwa, nyeke uzuthi ngimuncane...Bengifuna ukuthi make sure phakathi kwalama doda amadala...kwabobuthi (...) noma kudraftwa, noma kusemkhukwini, make sure kuthi ngifuna itarget.

gendered behaviours are not natural internal qualities that are possessed by men and women but are rather a performance. As such, this finding is in line with Kiguwe and Langa's (2017, p. 56) findings, on how Butler's (1989; 1999; 2004) theory shows "the different ways that individuals may...resist" the normative constructions of violence and gender. By P8 making use of the violent masculine identity to justify her offence, she provides a discursive moment where gender discourse allows her to simultaneously be both child and homicidal perpetrator. As such, P8 offers points of resistance through her negotiation around gender and age thus making her a conceivable perpetrator.

4.3. Gendered Discourse

Subject positions in violence encounters are made conceivable (or inconceivable) by the discourses which frame them. As such, children and women are more prone to victimhood and men to transgression (Kramer, 2017). Institutions like psychology, the media and the legal system draw on discourses which justify and explain the child's violent actions by attributing the child's violent behaviour to external threats and/or influences (See Cantwell, 1988; Johnson, 1988; Ewing, 1990). Such discourses enabled the participants to justify their actions as necessary rather than as a product of criminal intent. Female participants further drew on victim and female discourses to construct their narratives and rationalise and justify their offences. Male perpetrators struggled to fully maintain their victim subject positions during their narratives which was due to their use of gendered discourses. As such, male participants offered moments of discursive possibility for the child perpetrator.

4.3.1. Vulnerability and femininity

Typically the social construction of victimhood speaks towards the male-perpetrator female-victim dichotomy (Kramer, 2015, 2017). Three of the four female participants in the study relied on the normative construction of a female as passive and vulnerable (Moore, 1994) to reject their criminal status. As such, the participants' self-knowledge systems were thus constructed according to the female subject positions made available by broader discursive practices (Kramer, 2010). Each of the three female participants mentioned a male aggressor in her narrative which worked to maintain the normative constructions of violence. P5 and P6 both spoke about their sexual abuse at the hands of a man.

P5 is able to reject her current subject position by making use of normative constructions of gender. P5 briefly explains how the child that she murdered was conceived from rape. As such, P5's narrative is inexplicitly constructed around her being raped. *"Then I fell pregnant...from the rape"*. For Foucault (1979, 1980), modern power produces and normalises the social body. As such, sexual perpetration typically constructs the male as the perpetrator and the female as a victim. The female body is thus readily constructed as vulnerable (Kramer, 2010). P5 relies heavily on this construction through her simple statement of *"I was raped"*. By constructing herself as a victim of sexual violence her narrative is inexplicitly foreshadowed by this construction. Within psychological discourse, sexual victimisation is regarded as damaging to mental health (Josse, 2010). P5's narrative thus relies on both gender discourse and psychological discourse in order to rationalise and justify her violent offence. Although P6 does not explicitly say that she was raped, she refers to sexual and physical violence throughout her narrative. P6 started her narrative by speaking about the physical abuse she sustained from her aunt. *"I told [my boyfriend] him everything, how my aunt is abusing me"*, *"Yoh my aunt did beat me to hell...Beat me to hell"*. P6 further goes on to talk about her older abusive boyfriend throughout her narrative. She talks about how her boyfriend punished her for failing to kill her best friend.

Now I must sleep, I don't even know this guy. And or I'm gonna get killed ... he said go and lay down on the bed ... That day ne, I did sleep with [Peter²⁰]. Yooo, then, I didn't even want to talk ... It was kak²¹ disgusting, just lying there and just watching what he was doing...Since that day I never mentioned anything about how he did it to me or how I felt about anything, I kept quiet. I went home. My poes²² was kak sore ... [my aunt] she thought I did sleep with the guy because I wanted. She didn't know what happened. She beat me on top of that. And I must fill it up with my blood. And I thought, ai God. It's fine, its fine. [No] I don't want, but yoh, because the punishment man, I didn't kill my friend.

P6's entire narrative is expertly crafted around her being a victim her entire life. P6 uses this experience of multiple victimisation to rationalise and justify murdering her best friend. When she talks about the days leading up to the murder she further constructs the act as being inescapable.

²⁰ Name has been changed.

²¹ Vulgar term derived from the Afrikaans language which means faeces, but has come to mean slang for 'awful'.

²² Derogatory term for female genitals.

But you know what that made me to realise – I had to kill my friend. No matter what, I had to.

And I thought ...I'm gonna kill her, but I have to do it sorry shame... I thought nai I won't let that what happen to me happen.

By P6 eluding to not wanting to be raped again, she presents her crime as a protective mechanism. She further emphasises the inescapability of her actions by continuously reiterating how much she loved her best friend. P6 thus constructs the murder as her only way of escaping this cycle of abuse.

Though in my head I was like, I love this – yoh I love my friend. But how can I? If I love her how can I kill her?”, “No. But now, what pained me, now I had to kill the only person that's there now for me.

When explaining her actions, P7 begins by crafting herself as a vulnerable female. “*When I got this boyfriend, this person was older than me...Like, I thought that this person would give me a life*”. This is in line with Kramer’s (2010) observations of gendered perceptions. P7 relied on normative gendered discourses which implies male dominance as natural. P7 further states how her boyfriend had started physically assaulting her without provocation from her part. P7 further emphasises how inescapable her actions were by reiterating how the boyfriend continued to assault her. “*He had been hitting me a lot*”. Child delinquency has been justified and explained as being a consequence of the child offender’s own victimisation. Self-defence in the face of abuse has been widely used to justify child (and especially female child) delinquency, (see Cantwell, 1988; Ewing, 1990; Heide, 1992; Heide, 1995; Johnson, 1988). P7 constructs her violent behaviour as necessary in the face of her boyfriend’s continuous physical abuse.

When he follows me, I ask him where is he going. You still want to hit me? By that time I was carrying the knife... I still thought... he would leave me alone...I then push him. When I push him, we go back down the steps. When we get down the steps, he slaps me again. When he slaps me, I pull the knife on him.

P7 constructs her violent behaviour as required for her self-preservation. As such, P7 draws on the discourse of self-defence to explain and justify her violent actions. P7 maintains her subjective innocence by presenting her crime as inescapable and she uses self-defence to justify her use of violence as necessary and as a form of retaliation to a violence she did not instigate.

4.3.2. Gangsterism and masculinity

The male participants drew on resistance discourse when they made use of gendered constructions in their narratives. This particular resistance to childhood constructions of innocence emerged as the male participants negotiate their gender and age in their constructions of their crimes. As such, discursive possibilities for criminal culpability occurred when participants sought to explain and justify their gang involvements through constructions of masculinity. In essence, by drawing on discourses that amplify manhood, the participants invisibilise those that point to childhood, and are thus able to take up the criminal subject position.

The construct of the township is framed by discourses on violence and poverty. Ndlovu-Gatsheni (2012) proposes that the township is a space that poses physical threat to a person as it is characterised by violence, tension, and criminality. Parkes (2007) argues how children sometimes view violence as a form of social capital that counters vulnerability and enables social status. As such, child delinquency has been rationalised as a consequence of children adapting to their environments in order to survive. Several male participants justified their gang affiliations as useful for protection and/or social status. For example, P4 justifies his change in behaviour as being an inevitable consequence of moving to the location (township).

How can I say in a suburb area, it's like you won't do things like that, you'll be, you'll be, you'll be, you'll be surrounded with friends, but these friends will be good friends.

Let me say kids from the location they do their things in a loc in a location style, the style is not the same.

P4 constructs his narrative by constantly comparing his childhood in the suburb and his childhood in the location. He presents his change in behaviour as necessary as the suburb and the location are different and need one to act in a particular way.

When I grew up I was grow up in in a suburb area...So then after that we moved, went to the location and that's where everything changed ... It's like you know you start you start how can I say gangsterism ... the location areas is this rough living. Gangsters against other gangsters.

He further notes how within the location, violence and crime are used as a symbol of power: “in the location style, if you do things like that you are cool... I'm the man, I'm the person”. This is in line with Ratele's (2008) notion of how the performance of violence is used to prove and/or maintain one's masculine identity in the township. As such, P4 ascribes to this township

masculine identity to which he uses violence to prove and/or maintain his criminal culpability. As a result, by P4 constructing himself as ‘a man’, he inadvertently resists his childhood identity in order to reinforce and maintain his adult masculine identity. It is through the negotiation around gender and age that P4 constructs himself as a conceivable child perpetrator.

P3 also made use of discourses of poverty and neglect to justify his behaviour. P3 starts his narrative by talking about his father and how he started neglecting him after the death of his mother.

...in my house now, things change after my mother passed away. My father was always looking [after] his wife, no longer care about me.

He thus uses his childhood status to construct himself as a neglected child who is ‘forced’ to provide for himself. “*So, while I was in the gang, things just happen. If you we we have money we buy now shoes, if you want shoes we buy, clothes we buy, everything we buy*”. As such, P3 rationalises his gang affiliation as being a consequence of his need to survive. In addition, through this focus on gang affiliation, P3 maintains his masculine identity throughout his narrative. As such, P3 and the other male participants used violence in order to emphasise their masculinities. This is in line with Morrell (1998) and Ratele’s (2006, 2008) identification of a masculinity which is maintained by the use of violence within the township context. For example, P3 points out how a fight ensued after the 26 gang sat on their chairs.

So, there is chairs that we call our chairs, where we supposed to stay, so that day the 26²³ they sitted where we always sit. So, they wanted to see what we gonna do. So, when, when I got there, they were eating. Then I took a juice, I put it in their food. And then they started to stand up. While they are fighting, we started to break windows, and then I stab other boy there.

The above excerpt from P3’s interview is indicative of how violence is used to assert masculinity in the correctional centre. In addition, the use of violence to attack other gangs is in line with Ratele (2008) and le Roux’s (2004) observations on how gang-on-gang violence is not only used to maintain ‘toughness’, but is also used to maintain their material and discursive environments. As such, P3’s use of violence is to assert his masculine identity. P2 also reiterates this concept of gangs using violence to emphasise their masculinities.

²³ 26 is the name of a gang according to the numbered gang system

In the beginning it was actually because I'm not actually one of the gang members here [so] dit²⁴, was hard because I cannot do what I just wanted to because they always protect the things with force

P3 further talks about how being part of the gang meant that one had to be violent. “So, prison, always you will fight even if you like it or not. Once you take a gangster, you must know you will fight”. Although P3 used this to justify his violence as inescapable, this excerpt is also indicative of how bio-power and disciplinary power operate. As there are limited resources within the context of the correctional centre, violent behaviour becomes one of the few ways that these participants can perform and thus maintain their masculine identities. P3 further illustrates the maintenance of his masculine identity and how it has prevented him from practicing what he has learnt from the programmes provided by the correctional centre.

... I can[not] practice what I'm learning but coz of its hard because of I am a gangster so it's hard to practice, like to avoid someone. If you avoid him like the other, my group will look at me and say what is going on you can't leave this guy you see.

This extract from P3's interview is further indicative of how disciplinary power and bio-power work to regulate the body. The gang's masculine identity is characterised by violence. As such, P3 is being disciplined by adhering to the rules and norms of this violent masculine identity of gangsterism (see Duffy, 2011; Lawler, 2008). The maintenance of a masculine identity within the correctional centre was further indicated by P3 when he was asked if he would ever leave the gang. He talks about rape within the correctional centre to answer this question.

R: Have you thought about leaving them?

P3: Ah many times, you see. Many times. It's like there is other guy you see, he he's there, he's staying in a isolation, is no longer want, is no longer part of gang. So, when he was in the shower, they got in the shower, like they rape him, all of them. So, everyone now when is look at him is look like that guy is a moffie²⁵ or something you see...Because of they raped him...so everyone is taking advantage since he was get raped. So, me I don't want things like that to me, like if I take it out²⁶ now they come after me they want to stab²⁷ me you see.

²⁴ Afrikaans word for 'this'

²⁵ Derogatory word used to label homosexuals.

²⁶ P3 is referring to leaving the gang. So when he is talking about 'taking out' he is making reference to removing the number tattoo which represents the gang he is affiliated to.

²⁷ P3 is using the word stab in relation to being raped.

P3's reluctance to leave the gang is not just about being raped but more about what the action of rape does to his masculinity. This is in line with Gear (2005) who illustrates how rape is used as a performance of feminising the one who is being 'penetrated'. Being raped within the correctional centre is thus seen as confirmation of 'manhood' for the one 'penetrating' and 'womanhood' for the one being 'penetrated' (see Gear, 2005). P3's reluctance for leaving the gang is based on him avoiding feminisation. As such, P3 only constructed himself as vulnerable insofar as it did not work to de-masculinise him.

Overall, P3 and P4 drew on the discourses of violence and poverty to highlight the context in which their crimes occurred and thus in order to justify their behaviours (See Connell, 2014; Ndlovu-Gatsheni, 2012; Ndlovu-Gatsheni, 2013). As such, this aimed to reify their childhood identities and thus remove their culpabilities. However, because violence constructs the victim as powerless and vulnerable (to which these attributes are reserved for women and children) (Kramer, 2015), P3 and P4 resisted overtly constructing themselves as victims in order to maintain their masculine identities that came with being part of a gang. As a result, by P3 and P4 drawing on masculine discourse which worked at situating them in an adult subject position, they inadvertently resisted their childhood subject positions. It is thus through the negotiation around gender (maintaining their masculinities) and age (childhood contradicts the masculine identity) that the male child offender offers points of resistance and can be seen as conceivable perpetrators. In line with Kramer's (2015; 2017) observations, the gendered construction of violence works to invisibilise the *female* child criminal, however, the gendered construction of violence may simultaneously serve to visibilise the conceivability of *male* child-perpetrated violence.

4.4. Normative constructions of childhood

A Foucauldian understanding of subjectivity would argue that victimhood does not pre-exist language and power. Instead it exists to the extent as it is constructed by psychological, social and scientific paradigms as an object of knowledge (Butchart, 1777; Kramer, 2017). Most of the participants recounted events that occurred in their childhoods. The participants presented themselves as 'young', 'naïve', and/or vulnerable. In addition, most of the participants made use of the construction of age to emphasise their child status. These discursive strategies drew

on normative constructions of childhood which allowed participants the ability to reject their statuses as offenders which in turn maintained the inconceivability of the child perpetrator.

4.4.1. Constructions of impressionability

The child is constructed as innocent and naïve (Ariés, 1973; AuCoin, 2005) and in need of protection (Sternberg et al., 1993). Child perpetrated crime disrupts this construction and thus seeks to explain and/or justify the child's violent behaviour by using discursive strategies in order to maintain the normative construction of childhood. As such, the child's vulnerability has been used to justify criminal behaviour by explaining the child as impressionable and thus susceptible to external negative influences (see Boothby & Knudsen, 2000; Faulkner, 2001; Fox, 1996; Grossman, 2000; Sacks, 2010; Sigler, 1995; Somasundaram, 2002). Participants made use of the construction of age to emphasise their child statuses.

Doing things at a young age... You see meeting friends getting introduced to these things, now you start getting addictive to it, now it also becomes part of your lifestyle. Because you know like how can I say when you get used to doing something you also you also come attractive to this thing and you also start doing it (P4).

P4 makes use of his child status to point out that as a child one is impressionable. He explains his changed behaviour as being a consequence of him 'not knowing better'. P3 also implicates an older male friend who he states 'made' him violent.

He's the one that came with the ideas and stuff like that and me not knowing still young, I'm younger than him... it wasn't his first time doing something like this... I also got introduced in this things, robbing people, murdering...

P3 first presents his older male friend as the one who initiates this violent behaviour. He also then produces himself as a young impressionable child who 'does not know better'. P3 further strengthens his justification by emphasising how his male friend had been involved in these activity before he was which worked at strengthening his construction as a vulnerable impressionable child who was influenced by an older experienced friend. P3 maintains his subjective innocence by producing himself as a young, innocent and thus an impressionable child who has been corrupted by his older male friend.

P2 is the only participant that denied his crime (killing his grandparents). He maintained his innocence throughout his narrative by drawing on normative constructions of violence. P2, who was one of only two white participants in the entire data corpus, implicates older coloured male

friends in the murder of his grandparents. *“Uh I was like 14, 15... I was having other coloured friends... they were 17, 18 years old all of them”*. P2 maintains his subjective innocence by not only producing himself as young and impressionable but also by producing a more credible scapegoat. P2 removes his culpability by displacing blame onto friends who fit the typical construction of a perpetrator – adult, black/coloured and male.

P7 narrates how, in retrospect, if she had had adults to show her the correct way to live, she would not have behaved or lived the way she did. *“I needed adults that would sit down with me and show me life”*. This works to show how a child is impressionable and vulnerable and cannot tell right from wrong. This is in line with discursive practices that explain a child’s delinquent behaviour as ‘they did not know better’ which alleviates the child’s accountability. The construction of the child as impressionable works to remove the child’s agency during a violent encounter, by locating a scapegoat who is a more believable criminal. As a result, this maintains an alignment with the normative construction of children as victims.

4.4.2. Constructions of vulnerability

The child is normatively constructed as innocent and vulnerable (Ariés, 1973; AuCoin, 2005), thus rendering the child that transgresses these normative constructions as inconceivable.

For example, P6 indicates how no one would believe that her aunt was abusing her if it came from her. *“...how [is the family] they gonna believe me. I’m not even fifteen years old yet”*. This is in line with McElvaney, Greene, and Holgan’s (2014) findings on abused children. McElvaney et al. (2014, p. 3) purport that various factors influence children’s disclosure of abuse, such as “shame, fear of bringing trouble onto the family, and fear of not being believed”. As such, P6 expertly presents herself as having no one to trust and thus no one to help her escape the abuse. P6 reifies her vulnerability by constructing herself as a powerless child who cannot escape her aunt’s abuse.

Typically, violence constructs the victim as powerless and innocent, attributes that are reserved for women and children rather than men. As such, the construction of a legitimate perpetrator is heavily dependent on ‘who’ the victim is rather than the violent act itself (Kramer, 2015; May, 1999; Richardson & May, 1999). This normative construction which situates the child as a victim was implicitly assumed by participants by virtue of their ages. P8, in the beginning of her interview, tells the researcher that when she was arrested she thought they would let her go. *“You see when you get arrested you think they will let you go because you are young, you see”*.

P5 also builds on this notion of the child being too young to be arrested “*But me I thought I’m gonna maybe do community*”. P5 and P8 evidently expected to be treated leniently because they were children. This is in line with how institutions such as the legal system, the media, and psychology, treat children as victims and consequently treats child offenders leniently (Kramer, 2017). This was also evident when the participants were asked about the adult correctional facilities and when they would be moved into these. Here, P7 reiterated the normative construction of the child as vulnerable, based on her age.

...in the juvenile section, we are still too young, we should not mix with the adults... Because they are rough...Because we are still young, we are not meant to mix with the older people. We will end up doing bad things.

P7’s statement implies that only adults ‘do bad things’ and that children only ‘do bad things’ if they have been influenced by adults. This is in line with how child delinquency is explained and justified as being a consequence of a corrupt adult who has influenced the impressionable and vulnerable child. As such, despite being incarcerated as an offender, P7 continued to rely on childhood discourses which undermined her criminality.

4.5. Institutionalised Discourse

All the participants’ self-knowledges derived from subject positions which have been “made available in prevailing discourses and regulated by disciplinary power” (Foucault, 1978; Foucault, 1980; Kramer, 2015, p. 12). As such, “institutionalised discourses emanating from legal, [psychological and religious] domains influence and mould the self-knowledge” of the participants’ (Kramer, 2015, p. 111). Child murderers “provide evidence for an entrenched ontology of [childhood] because these events obviously oppose those [childhood] constructions declared by discourse as ‘real’”. This illustrates how victimhood and criminality, is “not about objectivity, but rather about [the] discourse[s]” that are available to these subject positions (Kramer, 2017, p. 87). Some of the participant’s narratives explained how their age was met with disbelief by the legal and correctional system which further worked to recast their perpetrator subject position. In addition, the police officials’, magistrates, and the correctional staff continued to view the participants’ crimes in relation to their age and child status, thus further reinforcing normative constructions that situate children in the victim subject position.

4.5.1. Childhood and Religion

Childhood still reproduced today as a time of purity (see Ariés, 1973; Bowman; 2005). Similar to how participants implicated the corrupt adult in their narratives as a means to displace blame, some participants made use of religious (spiritual) discourses to attribute their actions to forces beyond their control. This worked to remove their culpability and maintained their subjective innocence. For example, P1 rationalises his behaviour as a consequence of being possessed by demons. “...didn't see myself, maybe is a demon controlling me”. He continuously reiterates how he was possessed during the incident by narrating how “...the demon you see is evil thing” which worked to remove his culpability, thus attributing his behaviour as ‘beyond his control’. P1 thus maintains his subjective innocence by making use of religious discourses to explain his actions. When asked about his violent behaviour, P1 then rationalises it as a consequence of him ignoring his calling to become a sangoma²⁸.

P1: ...because me when when my things... my things is going to make me crazy is ancestors, ancestors want to taking me to be a traji trad tradition doctor or what.

R: The ancestors are calling you?...To be a sangoma?

P1: Yes

R: Do you think that's why you killed your mother?

P1: Yes

R: Because of that calling?

P1: Yes

P1 resists accountability by removing his agency through his claims of having been possessed during the killing of his mother. Likewise, in addition to explaining and rationalising her behaviour as being a result of her inebriated and sleep deprived state, P7 also uses the devil to account for her behaviour. “I don't know the devil, because the devil is around in our lives...I believe that... The devil came to me”. Although she acknowledges her offence, P7 removes her culpability by displacing blame to an external cause (the devil) which she had ‘no control over’. Some participants made use of religious discourse to suggest that their violent behaviour was ‘God's plan’.

I had no intention to kill that man. But, it was God's time. But I thank God for putting me in here. Maybe, I would have died outside (P7).

P7's use of religious discourse further serves to construct the violent behaviour as an action she could not escape, which also worked to remove her culpability. P4 maintains his subjective innocence throughout his narrative by using discursive strategies that displaced his culpability.

²⁸ Sangoma is a South African traditional healer.

P4 similarly used religious discourse to suggest a divine plan that he would not have been able to escape. *“I’ve came in prison I gave my life to God...it’s according to how god wants things to happen”*. By making use of religious discourse, P4 resists accountability thus crafting the incident as ‘God’s plan’ and ‘beyond his control’.

4.5.2. Childhood and psychological discourse

Children are normatively constructed as naïve, pure, and innocent (Ariés, 1973; AuCoin, 2005). Psychology is one of the key institutions of knowledge which constructs the perimeters of the ‘normal child’ and the ‘pathologised child’. As such, psychological discourses aim to explain and justify children who disrupt this normative construction by either accounting for their behaviour as pathological or as a reaction to negative external factors. Participants made use of discourses on mental illness to explain and justify their criminal offences. For example, P1 constructs himself as mentally unwell in the beginning of his narrative. *“...I’m be sad, they say ah you are crazy... you are kill your mother...”*. P1 uses the discourse of pathology to maintain his subjective innocence by locating blame on his mental illness. By doing so, P1 removes his culpability and attributes his violent behaviour to being a consequence of being mentally unwell.

P1 additionally refers to a psychologist in his narrative in order to validate his mental status. *“...and the psychologist did say I’m not a fine in my mind”*. By P1 presenting an ‘expert’ (a psychologist), he implies that this diagnosis must be true and accurate given the source. This illustrates how psychology has been the main means by which individuals are studied, surveilled, and diagnosed. Psychologist thus have come to be seen as experts (Hook, 2002). In addition, this is indicative of how a subject position is constituted and constructed “by language at the nexus of power and knowledge” (Kramer, 2015, p. 361). As such, notions of victimhood exist to the extent to which it is constructed by psychological paradigms as an object of scientific knowledge (Butchart, 1997; Kramer, 2017). P1 is thus able to occupy the subject position of a victim by explaining his behaviour as being ‘outside of his control’ through the use of psychological discourse. *“They say I’m crazy I kill my mother... me I was... you know because they say I’m kill my mother, me I don’t feel fine”*. Although P1 admits to his crime, he continuously constructs himself as being mentally unwell which works to remove his culpability.

Psychological discourse is currently used to provide explanatory reasons for children that offend. For example, the discourse of damage -which draws on histories of abuse- characterises the abused child as being negatively affected by the abuse (Heide, 1995). The violent behaviour is thus rationalised and explained as being a consequence of this abuse. As such, this works at constructing the abused child offender as a victim (Heide, 1995; Kramer, 2017). P6 speaks about the abuse she has sustained over the years to construct herself as ‘damaged’, which works to reify P6 as a vulnerable child.

...I've realise it all of us we were yoh got problems. We did try to meet each other and ...be there for one another but for the wrong reasons...But it's all of us we hurt. Each and one of us has problems, but no one understand that. And when people try to push us away, we became more rebellious and think nee it's us against the world.

P6 maintains her victim subject position throughout her narrative by constantly drawing on the ‘discourse of damage’ which allows her to occupy the victim position.

Some participants, like P8, treated the interview as a therapy session. This was strongly attached to the researcher’s affiliation with the psychology profession. Psychology is treated as a profession that has a healing effect and this was reiterated by the participant’s perceptions of both the interview and the researcher (Kramer, 2010). “*I feel better talking to you*”. P8’s perceptions of the researcher reflect Kramer’s (2010) results, which illustrated how participants saw psychologists as helpful. P7 similarly reflects these sentiments that a psychologist is helpful.

I am very happy I told you the things I told you. That you were with me, that I shared my life with you. Because I needed someone that is like you, to talk to someone, you understand. When I talk to someone, this thing.

The interview being shaped by participants as a therapy session is significant as it relates back to discourse and self-regulation. In line with Foucault’s (1978) suggestion, since the researcher was aligned with the psychology profession, she was seen as an ‘expert’ other. The interview was thus a confessional space which allowed for the process of self-construction and self-regulation. In other words, the participant was co-constituted by the interview space (Kramer, 2017). As this interaction occurred between the participant and the researcher (‘expert’ other), it allowed the participant “an opportunity to persuade the [researcher] that he/she is self-regulated, psychologically healthy and socially acceptable” (Kramer, 2010, p. 36). Some participants illustrated this notion of being self-regulated and psychologically healthy by talking

about what they were planning to do when they got released from the correctional centre. P2 talks about wanting to help other people. *“I can be a social worker”*. P4 talks about wanting to be a pastor. *“I wanna be a pastor”*. Some participants, like P6, highlighted how being in the correctional centre has rehabilitated them:

And get rehabilitated. If you don't then, sorry. These walls will rehabilitate you.

This notion of being ‘psychologised’ is in line with Foucault’s (1977) writings in *Discipline and Punish: The Birth of the Prison* where he conceptualises the prison (correctional centre) as being a disciplinary institution (Hook, 2001). Foucault (1977, P. 303) concludes how “the power to punish is not essentially different from that of curing or educating”. The correctional centre “functions as a normative power... [where] the judges of normality are present... [the] individual, wherever he may find himself, subjects to it his body, his gestures, his behaviour...” (Foucault, 1977, p. 304). As such, the correctional centre aims to normalise the ‘deviant’ child.

Further in line with Foucault’s (1978) concept of the confessional space, some participants talked about feelings of remorse/regret. P7 notes how she immediately felt regret after murdering her boyfriend. *“What do I call what I have done”*. P7 further points out how she testified in court. *“I apologise in court...I said I had no intention to do what I did...”*. Similarly, P3 talks about how he regrets everything that he has done. *“...you are arrested, you start to feel the pain... I started to regret everything that I done”*. P4 also notes his feelings of regret and remorse during his narrative.

When I was in court, even started crying check because it was pain the things that I done...Realizing when your eyes become open you just see that, how you hurted people, what you have done.

The above statements reflect the regulatory nature of disciplinary power. By expressing remorse, participants construct themselves as socially acceptable and self-regulated. These above statements thus illustrate the regulatory nature of disciplinary power, in light of the institution of psychology, as it is embedded in the correctional facility.

4.5.3. Legal and correctional system discourse on childhood

The legal system is a powerful institution which surveys and regulates the social body through its laws and practices. Foucault (1977) regards the offender’s body as the site on which institutional power is relayed through the production and reproduction of criminal knowledge.

Within the context of the correctional centres, the body is objectified through surveillance which aims to observe, treat and discipline the offender's body so that they become regulated objects again (Foucault, 1978; Kramer, 2010; Kramer, 2017). Offender bodies are thus a target of disciplinary power, where they are regulated and surveilled to become self-regulated and socially acceptable (Foucault, 1978). The legal system thus regulates and limits behaviours to match what is socially constructed as "acceptable, expected and desirable" (Kramer, 2017, p. 91). The manner in which the participants were treated by the police, the legal system and the correctional staff worked to strengthen the construction of the child as innocent and vulnerable and thus incompatible with criminality.

For example, when P5 explains her case proceedings she talks about how the magistrate treated her. *"That this child, it's not good for her to go to prison"*. P5 further explains how the magistrate reacted to the suggested sentence of 15 years. *"They must sentence her 15 years... the magistrate said oh no, it's too much for her"*. The explicit use of the words like "child" and "too much for her" is indicative of how the delinquent child is still treated leniently even though the crime is acknowledged. In addition, P5 notes how the correctional staff treated her and other offenders. *"They don't they don't treat us as offenders... They treat us as like their (child), their kids"*. This further reifies the normative construction of childhood. Similarly, P7 noted how she was treated by the magistrate during her case proceedings.

*So, the magistrate said I was very young... And they told me about your life.
That you do not have parents. She said I need people that will show me life.
People that will stand by you...*

The magistrate draws on normative constructions of a child as innocent, vulnerable and naïve (impressionable) through making reference to her age as 'young', her childhood, and the death of her parents (and thus the need for adult supervision). This is in line with how the legal system continues to perpetuate normative constructions of childhood, which maintains the child perpetrator as discursively inconceivable. Age as a demarcation of childhood was further implicated in P4's narrative. When asked about his sentence, P4 explains how the magistrate decided his sentence. *"...ok, according to what the magistrate said in the court it's like he said...I was still a young age when I committed the crime"*. P4 further points out how their (the participant and his friend) sentencing was postponed.

*...and then when I went back to trial when they reminded us because they
were supposed to sentence us but then there's like no I was still young, we*

were still young so they have to involve social workers and stuff like that to go and search how was our backgrounds, how we grew up.

This is indicative of how child perpetrators are still seen as inconceivable within society because of these normative constructions of childhood and violence. For example, because P4 and his friend were seen as children, social workers were involved. This involvement of social workers thus illustrates how the need to ‘protect’ P4 and his friend stems from children being seen as vulnerable, innocent, and in need of protection (Ariés, 1973). In addition, the perpetuation of these normative constructions is further illustrated by the need for the social workers to check their backgrounds and how they grew up. This implies that there must be an external ‘reason’ for their violent behaviour which is indicative of how child violence is justified and rationalised, thus making child perpetrators inconceivable. P6 also spoke about the manner in which the police reacted to her offence.

They som say, haaaaai these children they are small, fifteen years, I think [Sarah] was seventeen or sixteen, fifteen years, naaaai take these children out - they didn't do nothing.

As such, before even looking at the evidence, the police officers automatically believed that P6 had not murdered her friend because P6 was deemed as ‘young’. The police officers’ reactions are indicative of how child perpetrators are still met with disbelief because of these normative constructions of the child as innocent, which thus maintains the inconceivability of child perpetrators. As such, it is through normative constructions of childhood, circulated and maintained by institutions like the law, that the delinquent child is made discursively inconceivable. The CJA (2010) stipulates that child offenders should be kept separate from adult offenders. This is based on the assumption that child offenders are in need of additional protection. As such, the separation from adults reproduces the construct of the child as innocent, vulnerable and in need of protection (Ariés, 1973; AuCoin, 2005). This assumption was reiterated by P8. *“I think they check you see older people have an advantage”*.

4.6. Summary of key findings

The normative constructions of childhood and violence, which are produced and reproduced through institutions of knowledge production like psychology and the law, continue to invisibilise the child perpetrator. This was evident in the findings as incarcerated children continued to resist their culpability by drawing from normative constructions of the vulnerability of the child (Ariés, 1973) which functioned to maintain their subjective innocence.

In addition, participants also used gendered discourses, religion and psychology to further resist culpability and maintain their subjective innocence.

However, resistance is a feature of every power relationship (Foucault, 1982). As such, through the use of particular masculinity (gendered) discourses, the male participants offered discursive possibilities for the child perpetrator. This occurred when the gang affiliated male participants tried to negotiate gender and age in their narratives. During their narratives the male participants spoke about using violence in order to assert and maintain their masculine identities. As such, because masculinity is the discursive space of adult men, the male participants inadvertently rejected their child subject positions (vulnerable and powerless) for the adult subject position in order to maintain their masculine identities. It was thus through the negotiation around gender and age that the male child offenders resisted childhood innocence and constructed themselves as conceivable perpetrators.

Chapter 5

Implications, Limitations, Recommendations and Conclusion

5.1. Theoretical and Practical Implications

The objective of this research was to investigate those discourses that make child perpetrators conceivable or inconceivable within normative constructions of violence. This was achieved through critically engaging with child/juvenile offenders who have been incarcerated for murder. The critical Foucauldian approach suggested by Parker (1992; 2004) revealed how participants made use of discourses that resisted their current subject position of perpetrator. In line with Butler's (2004) aims, this study utilised moments of child 'deviance' to demonstrate that a particular ontology of childhood exists, and that this ontological framework is open to change (Kramer, 2017). This approach revealed how discourses on childhood and violence constrain the subject position of perpetrator while simultaneously revealing how gender constructions offered discursive possibilities as these both informed and constrained the position of child perpetrator.

In addition, this study aimed to illustrate how normative discourses maintain the child perpetrator as inconceivable by investigating how child offenders drew on constructions of childhood and violence to resist their culpability and criminality. This draws attention to how the child perpetrator is still seen as inconceivable because it lacks a discursive space. This has implications for how child violence and child criminality is treated in South Africa and globally. The issues around age were further illustrated in this study. The intention of this research was to include participants that fell into the legal definition of 'child'. According to the CJA (2010, p.2), "a child is someone who is under the age of 18". However, when the researcher(s) arrived for data collection, the correctional centres mainly comprised of offenders between the ages of 19 to 23. This not only illustrates how arbitrary the construction of age is but also how there is a discrepancy between the law and the practice of the law. This implies that even though there has been an acknowledgement of child offenders between 14 and 19 years old, they are rarely incarcerated. As a result, child offenders continue to be invisibilised in research because access to incarcerated populations is one of the only ways to study offenders. In addition, this is even more problematic with child offenders who are younger than 14 whose culpability is not recognised at all.

By exposing how power/knowledge operates to produce subjectivities (Burr, 1995; Foucault, 1982) this research provides an argument for rethinking the role of age and gender in outlining “the parameters of ‘truth’ for [criminality and] victimhood” during a violent encounter (Kramer, 2017, p. 176). The current study presented moments when the child perpetrator was produced as conceivable regardless of age and gender. This invites a re-articulation of the child offender as an object and subject of psychological research, as well as within the legal system (see Kramer, 2017). The current study thus creates awareness on the way legal, medical and psychological knowledge produces and reproduces the marginalisation of ‘atypical’ forms of violence.

5.2. Limitations

This study consisted of incarcerated child/juvenile offenders who had been convicted for murder or attempted murder. Due to the way violent children are generally treated by the legal system, the majority of these children are sent to youth care centres rather than to correctional centres. As such, only drawing on a population of incarcerated offenders is limiting as it excludes child offenders who have not been charged and child offenders who are younger. In addition, the data corpus was mostly made up of black males with only one white participant (see Appendix G). The participants also all came from low socio-economic backgrounds which thus limited the analysis as the intersection of race, class and gender have implications on how the child offender constructs himself/herself. As such, youth care centres may offer a more diverse population which will allow for a more nuanced analysis of child perpetrated crimes as they intersect with race, gender and class. The absence of other racial groups as well as the small number of female child offenders may illustrate how specific types of child-offenders are more visible than others. In this instance, the data corpus was made up of mostly black male child offenders. This may suggest how victimhood and criminality within child/juvenile offending is affected by the normative construction of the perpetrator as aggressive, black and male.

Overall, this study is cognisant of the limits of using a Foucauldian/Parker approach as this study constructs the very sorts of discursive formations that it seeks to investigate and critique. In addition, the very subject positions that are being critiqued are in part co-constructed by the researcher, this in turn limiting the constructs that could possibly arise from the data. As such, this researcher is aware of the circularity inherent in social constructionist research as well as the subjectivity inherent in the analytic design. Accordingly, understandings of childhood, victimhood, violence and criminality in this study could be interpreted in various other ways.

5.3. Future Recommendations

In terms of the limitations outlined above, future studies are recommended to target additional populations in order to broaden the understanding of how discourses are utilised under different material conditions. For example, it may be beneficial to include children from youth care centres to see if similar findings will be obtained. Additionally, future South African studies should attempt to include children from a range of race and socio-economic backgrounds to allow for comparisons of race, gender and class. This study further recommends that future studies locate younger children in order to see if the discursive patterns are similar. In addition, future studies should attempt to locate children that are invisibilised by the law -such as those that are found in youth care centres. As it was difficult to access children between the ages of 11-14, locating children that fall within this bracket is important in order to destabilise the normative perceptions of children as incapable of intentional violence. Future studies should pay attention to the very institutions that influence self-knowledge. For example, by interviewing medical, legal and academic practitioners, a more detailed investigation may bring the process of disciplinary power to light.

5.4. Conclusion

This research aimed to explore those discourses that make child perpetrators conceivable or inconceivable. This was achieved by investigating the discursive coordinates drawn upon by child offenders during their interviews. In addition, this research aimed to illustrate how normative constructions of violence and childhood constrain ways of speaking and thinking (Hook, 2007) through identifying instances where normative discourses were drawn upon by the participants and critically engaging with what the implications for self-identification as a perpetrator were. This was achieved through interviewing child perpetrators and then subjecting the transcripts of interviews to a critical Foucauldian approach suggested by Parker (1992, 2004). Through looking at normative constructions of childhood, this study has illustrated how children who transgress the normative construction are rendered discursively inconceivable, as the conditions of 'truth' are contingent on current forms of discourse.

Participants maintained their subjective innocence by discursively negotiating their subject position of perpetrator. Although the participants acknowledged their actions (barring one), participants readily occupied the subject position of childhood which is characterised as a period of innocence and vulnerability. As such, participants were able to resist culpability and

sometimes their criminality by drawing on normative constructions of childhood and victimhood. Participants were thus able to acknowledge their actions while resisting accountability through their self-identifications as children. However, participants also sometimes occupied the perpetrator subject position through the use of gendered discourses. This occurred with the gang affiliated male participants as they tried to negotiate age and gender. It was through being affiliated with gangs that the male participants were able to reject their childhood subject positions and maintain their masculine identities. As masculinity worked to surface adulthood, it was at these moments that the male child became a conceivable perpetrator. As such, the resistance of normative constructions of childhood arose through the use of gendered masculinity discourses.

This study was located in a social constructionist paradigm that emphasised the constructed nature of categories such as ‘child’. As such, it illustrated how ‘the child’ is historical and malleable (Kramer, 2017). By doing so, it has destabilised commonly held truths about childhood, victimhood and criminality, thus creating possibility for the conceivability of the child perpetrator. As such, this study provides a foundation for a more nuanced understanding of childhood, criminality and child perpetrated crimes.

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Appendix A: University of the Witwatersrand Ethical Clearance

INVESTIGATOR(S) Dr S Ntsheni
SCHOOL/DEPARTMENT Human & Community Development/
DATE CONSIDERED 23 October 2015
DECISION OF THE COMMITTEE Approved unconditionally

EXPIRY DATE 19 January 2019

DATE 20 January 2016

CHAIRPERSON


(Professor J Knight)

cc: Supervisor : N/A

DECLARATION OF INVESTIGATOR(S)

To be completed in duplicate and **ONE COPY** returned to the Secretary at Room 10005, 10th Floor, Senate House, University.

I/We fully understand the conditions under which I am/we are authorized to carry out the abovementioned research and I/we guarantee to ensure compliance with these conditions. Should any departure to be contemplated from the research procedure as approved I/we undertake to resubmit the protocol to the Committee. **I agree to completion of a yearly progress report.**

Signature

____/____/_____
Date

PLEASE QUOTE THE PROTOCOL NUMBER ON ALL ENQUIRIES

Appendix B: DCS Ethical Clearance



correctional services

Department:
Correctional Services
REPUBLIC OF SOUTH AFRICA

Private Bag X136, PRETORIA, 0001 Poyntons Building, C/O WF Nkomo and Sophie De Bruyn Street, PRETORIA
Tel (012) 307 2770, Fax 086 539 2693

Dr S Kramer
PO Box 650367
Benmore
2010

Dear Dr S Kramer and the research team

RE: APPLICATION TO CONDUCT RESEARCH IN THE DEPARTMENT OF CORRECTIONAL SERVICES ON: "CULTURAL CONDITIONS FOR IDENTITY DISRUPTION IN VIOLENCE: POSSIBLE PERPETRATORS AND WORTHY VICTIMS"

It is with pleasure to inform you that your request to conduct research in the Department of Correctional Services on the above topic has been approved.

Your attention is drawn to the following:

- The relevant Regional and Area Commissioners where the research will be conducted will be informed of your proposed research project.
- Your internal guide will be **Deputy Director: Social Work Services, Dr Z Mosoma, Head Office.**
- You are requested to contact her at telephone number (012) 305 8638 before the commencement of your research.
- It is your responsibility to make arrangements for your interviewing times.
- Your identity document and this approval letter should be in your possession when visiting.
- You are required to use the terminology used in the White Paper on Corrections in South Africa (February 2005) e.g. "Offenders" not "Prisoners" and "Correctional Centres" not "Prisons".
- You are not allowed to use photographic or video equipment during your visits, however the audio recorder is allowed.
- You are required to submit your final report to the Department for approval by the Commissioner of Correctional Services before publication (including presentation at workshops, conferences, seminars, etc) of the report.
- Should you have any enquiries regarding this process, please contact the Directorate Research for assistance at telephone number (012) 307 2770 / (012) 305 8554.

Thank you for your application and interest to conduct research in the Department of Correctional Services.

Yours faithfully


ND SIHLEZANA

DC: POLICY COORDINATION & RESEARCH

DATE: 15/09/2016

Appendix C



PSYCHOLOGY
THE SCHOOL OF HUMAN AND COMMUNITY DEVELOPMENT (SHCD)



Private Bag 3, Wits, 2050 • Tel: 011 717 4541 • Fax: 011 717 4559 • E-mail: psych.SHCD@wits.ac.za

Dear Potential Participant,

My name is Kwanele Masuku and I am a researcher at the University of the Witwatersrand. The aim of my work is to try and understand different kinds of violence. Usual understandings of violence focus on adult male perpetrators and child victims. This work will therefore give child perpetrators an opportunity to tell their story in their own words. The outcome of my work, or research, will allow for a better understanding of violence committed by children in South Africa. I would like to invite you to participate in this research.

Participation will involve being interviewed or questioned by myself, at a time and place that best suits you and the correctional centre. The interview will last about two to three hours. With your agreement this interview will be recorded in order to make sure that whatever you tell me can be analysed and understood correctly. I will also read and analyse the legal, correctional and psychological documents relating to your case and made available by the Department of Correctional Services. Participation is voluntary – you may choose to participate or not to participate - and you will not be advantaged or disadvantaged in any way for choosing to participate or not to participate in the study. Everything that you tell me will be kept confidential, and no information that could identify you will be included in the final research reports and publication outputs. However, if at any point your story was public knowledge or appeared in the media, you may be identifiable. This said, I will do whatever I can to make sure that it remains unlikely that anything written in the final reports point toward your identification. Also, the interview questions and research process attempt to present little risk or harm to you as a participant. The questions asked during your time with the researcher may sometimes be difficult to answer or you may find that your discussions with the researcher may upset you and remind you of hard times. If you feel sad or troubled after the interview, you will be given counselling or psychological services, free of charge. You may also find that the discussions with the researcher help you to understand your situation better and allow you to know more about children that commit violent acts.

The interview material (case file documents, audio files and transcripts) will not be seen or heard by any person in this organisation at any time, and will only be seen and studied by myself and my student research assistants. All audio recordings will be destroyed immediately after they have been transcribed and these anonymous transcriptions will be kept in a secure place by the University of the Witwatersrand throughout the research. You may refuse to answer any questions you would prefer not to, and you may choose to leave the study at any point.

If you choose to participate in the study please fill in your details on the form below. For any further information I can be contacted via e-mail at kbmasuku@gmail.com. The principal investigator, Dr. Sherianne Kramer can be contacted on (011) 7178325 or via e-mail at

sherianne.kramer@wits.ac.za. The chairperson of the Human Research Ethics Committee (non-medical), Tommaso Milani, can be contacted telephonically on (011) 7174262 or via email at Tommaso.Milani@wits.ac.za should you want to discuss anything with him.

This research will contribute both to a larger body of knowledge on violence committed by children, as well as to your own understanding of your circumstances. A one-page summary of the research results will be made available on request.

Sincerely,

Kwanele Masuku

I have read and understood the Information Sheet

Signed _____

Date _____

Appendix D



PSYCHOLOGY
THE SCHOOL OF HUMAN AND COMMUNITY DEVELOPMENT (SHCD)



Private Bag 3, Wits, 2050 • Tel: 011 717 4541 • Fax: 011 717 4559 • E-mail: psych.SHCD@wits.ac.za

Informed consent to be interviewed

I _____ hereby consent to being interviewed by Kwanele Masuku for her study on child offenders

I understand that:

- Participation in this interview is voluntary.
- I may refuse to answer any questions I would prefer not to.
- I may withdraw from the study at any time.
- No information that may identify me will be included in the research report, and my responses will remain confidential.
- Direct quotes from this interview may be used in the research report.
- There are no direct risks or benefits involved in my participation.

Signed _____

Date _____

Appendix E



PSYCHOLOGY
THE SCHOOL OF HUMAN AND COMMUNITY DEVELOPMENT (SHCD)



Private Bag 3, Wits, 2050 • Tel: 011 717 4541 • Fax: 011 717 4559 • E-mail: psych.SHCD@wits.ac.za

Informed consent to be audio-recorded

I _____ hereby consent to my interview with Kwanele Masuku for her study on child offenders being audio recorded.

I understand that:

- The audio recordings and transcripts will not be seen or heard by any person in this organisation at any time, and will only be processed by the researcher.
- All audio recordings will be destroyed after the research is complete (2018/19).
- No identifying information will be used in the transcripts or the research report.
- The transcripts will be kept in a safe place throughout the research process.
- Direct quotes from the interview may be used in the research report.

Signed _____

Date _____

INTERVIEW SCHEDULE: CHILD OFFENDERS

INTRODUCTION

Thank you for agreeing to participate in my study. The main aim of this interview process is to allow you the space to tell your story in your own words. We will talk about your experience and how you have dealt with it. Additionally, there will be questions concerning any effects that the incarceration has had on your life. Finally, we will cover your background life, relationships and your own understandings and ideas about perpetration (*and specifically the particular type of perpetration as indicated by the correctional facility*).

I would also like to assure you that all of the information that you give me during the interview will be kept anonymous and your identity will remain confidential. When I transcribe this interview, no identifying details concerning you, your family or others involved in your story will appear in the document. As soon as I have completed the transcription, the digital recordings will be deleted. Do you understand this?

If you are happy to proceed, please read the consent forms for your participation as well as for the digital recording and then sign them as an indication that you both understand these forms and accept what is written on them. Please feel free to ask me anything concerning these forms, the information sheet and your interview.

I know that some of the questions I am going to ask you may be difficult for you to answer. Please take your time and feel free to indicate any discomfort that you may have. You are also free to refuse to answer any of my questions. I assure you that I will conduct the interviews with respect for both you and your circumstances and I will attempt to make you feel as relaxed as possible. Should you feel that you would like to speak to a counsellor after the interview, I will make provision for that. At the end of the interview I will ask you if you need a counsellor and we can set up a meeting for you if need be.

I will now switch on the recorder.

QUESTIONS*

- Please describe your background life history.
- What offence(s) were you charged with? What were you found guilty of? What sentence(s) were you given?

- Do you believe this finding is an adequate description of your actions? Explain your answer.
- How would you personally describe your actions, which resulted in your incarceration?
- Do you think it is fair to label your actions as a “crime”? Explain your answer.
- Describe life inside a juvenile correctional centre.
- How do you think the correctional staff perceive you?
- How do you think the other offenders perceive you?
- Describe your experiences in the courtroom. How do you think the legal system views you? Do you think your case was handled adequately by your legal representatives? Did you have your own lawyer or was one appointed for you? How do you think he/she perceived you? Did you have any public, family or community support during the trial?
- Is there rehabilitation available to you in the correctional service for your offence? If so, describe the rehabilitation treatment procedure. Do you believe this treatment is necessary? How do you think the available mental health professionals perceive you? Did you ever draw on any kind of counselling or psychological support before your incarceration? If so, tell me a bit about this. What kind of support would you like to have during this time and why?
- Have you ever seen media coverage on similar crimes to the one you have been charged with? Describe your feelings when experiencing these.
- Did you see any media coverage of your story? If so, tell me a bit about what you saw and how it made you feel?
- How do you perceive children? How do you think children perceive you?
- Is there anything else you would like to add about your experiences relating to your charge, your sentence and your incarceration?

TERMINATION

Thank you for sharing your story with me. I really appreciate your honesty and the fact that you trusted me enough to talk to me. I know how difficult it must have been to talk about this. Is there anything else you would like to share with me? How did you feel during the interview? How do you feel now that we have come to the end of the interview? Do you feel that you require counselling as a result of the interview process?

*** The questions in this schedule are to be treated as guidelines and the order and content do not necessarily need to be followed rigidly. Some of the questions can simply be used as prompt questions where the respondent has left out detail. The questions outlined in the schedule serve as ideal points to be covered in the interview.**

Appendix G: Participant Demographics and Charges Summary

Original Participant ID	Gender	Race	Centre	Offences	Weapon	Victim	Interviewer	Transcripts translated if applicable
<i>Participants 1 to 6: Adult Female Offenders – N/A to this study</i>								
7	Female	Coloured	Pollsmoor	Domestic violence; attempted murder; armed robbery; human and drug trafficking; assault	Screwdriver; fists	Mother, neighbour, others in community	Dr. Sherianne Kramer (P.R)	N/A
*8(P6)	Female	Black	Pollsmoor	Murder	Knife	Best Friend	Dr. Sherianne Kramer (P.R)	N/A
9	Male	Black	Pollsmoor	Rape (undisclosed: murder; robbery; gangsterism; drug trafficking; kidnapping)	Guns, Knife	Woman (Many in community and other gangs)	Dr. Sherianne Kramer (P.R)	N/A
10	Male	Black	Pollsmoor	Attempted murder, prison escape; shootings; robberies, assault	Guns		Dr. Sherianne Kramer (P.R)	N/A
11	Male	Coloured	Pollsmoor	statutory rape (Undisclosed: gangsterism, kidnapping, hijacking, murder)	Not stated	Underage girlfriend	Dr. Sherianne Kramer (P.R)	N/A
12	Male	Coloured	Pollsmoor	Rape; Drug Trafficking; shoplifting			Dr. Sherianne Kramer (P.R)	N/A
13	Male	Coloured	Pollsmoor	Armed robberies; gangsterism; drug	Guns, Fists	Ex-girlfriend (Many in community)	Dr. Sherianne Kramer (P.R)	N/A

				trafficking; assault; attempted murder; murder		and other gangs)		
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Participants 14 to 18: Adult Female Offenders – N/A to this study

19	Female	Black	Jhb Female Centre of Excellence Juvenile	Murder	Gun	Boyfriend	Zama Khoza	Translated
20	Female	Black	Jhb Female Centre of Excellence Juvenile	Murder	Knives	Boyfriend	Zama Khoza	Translated
21	Female	Black	Jhb Female Centre of Excellence Juvenile	Murder	Axe	Boyfriend's other girlfriend	Zama Khoza	Translated
*22(5)	Femal e	Black	Jhb Female Centre of Excellence Juvenile	Murder	Knife	Own Baby	Kwanele Masuku	Translated
*23(7)	Femal e	Black	Jhb Female Centre of Excellence Juvenile	Murder	Knife	Boyfriend	Kwanele Masuku	Translated
*24(8)	Femal e	Black	Jhb Female Centre of Excellence Juvenile	Attempted Murder	Gun	Shop owner	Kwanele Masuku	Translated

Participants 25 to 28: Adult Female Offenders – N/A to this study

29	Male	Black	Leeuwkop Juvenile Correctional Centre	Attempted Murder	Knife	Friend	Alexa Mostert	
30	Male	Black	Leeuwkop Juvenile Correctional Centre	Rape		Unknown underage girl	Alexa Mostert	
31	Male	White	Leeuwkop Juvenile Correctional Centre	Assault	Fists	Brother's friend	Alexa Mostert	
32	Male	Black	Leeuwkop Juvenile	Murder	Stones, Car Oil and Fists	Stranger	Alexa Mostert	

			Correctional Centre					
33	Male	Black	Leeuwkop Juvenile Correctional Centre	Current Conviction: Housebreaking and Theft - Repeat Offender	Iron (during one of the housebreakings)	Use of iron on domestic worker in 2013	Alexa Mostert	
34	Male	Coloured	Leeuwkop Juvenile Correctional Centre	Drug Possession with intent to distribute			Alexa Mostert	
35	Male	Coloured	Baviaanspoort - Emthonjeni Juvenile Correctional Centre	Armed Robbery; Five previous charges of assault, rape, robbery x3 -- all dropped	Gun	Friend's girlfriend	Alexa Mostert	
36	Male	Coloured	Baviaanspoort - Emthonjeni Juvenile Correctional Centre	Murder	Knife	Estranged friend	Alexa Mostert	
37	Male	Coloured	Baviaanspoort - Emthonjeni Juvenile Correctional Centre	Rape	N/A	Two other gang members - claims only witnessed	Alexa Mostert	
38	Male	Black	Baviaanspoort - Emthonjeni Juvenile Correctional Centre	Armed Robbery	Knife	Highschool boy from Turfontein	Alexa Mostert	
*39(3)	Male	Black	Baviaanspoort – Emthonjeni Juvenile Correctional Centre	Murder and Attempted Murder	Knife	Friend	Alexa Mostert	
40	Male	Black	Baviaanspoort – Emthonjeni Juvenile Correctional Centre	Attempted Murder	Knife	Foreman at work	Alexa Mostert	
*41(1)	Male	Black	Baviaanspoort – Emthonjeni Juvenile	Murder	Paraffin and matches	His mother	Alexa Mostert	

			Correctional Centre					
42	Male	Black	Baviaanspoort – Emthonjeni Juvenile Correctional Centre	Robbery- Aggressive Assault (repeat offender)	Gun	A Hawker	Zama Khoza	Translated
43	Male	Black	Baviaanspoort – Emthonjeni Juvenile Correctional Centre	Robbery	Not stated	A woman	Zama Khoza	Translated
44	Male	Black	Baviaanspoort – Emthonjeni Juvenile Correctional Centre	Rape		Supposed Girlfriend	Zama Khoza	Translated
45	Male	Black	Baviaanspoort – Emthonjeni Juvenile Correctional Centre	Current Conviction: Murder & possession of a firearm. Previous: Attempted murder & Robbery (repeat offender)	Gun	A guy from his neighbourhood	Zama Khoza	Translated
46	Male	Black	Baviaanspoort – Emthonjeni Juvenile Correctional Centre	Rape	N/A	A friend's friend	Zama Khoza	Translated
47	Male	Black	Baviaanspoort – Emthonjeni Juvenile Correctional Centre	Murder and Robbery	Knife	A stranger (female)	Zama Khoza	Translated
*48(4)	Male	Coloured	Boksburg Juvenile Correctional Centre	2x Murder and 2x Robbery	Knife	Two strangers (both male)	Alexa Mostert	
49	Male	Black	Boksburg Juvenile Correctional Centre	Murder, Robbery, gun possession with ammunition	Gun	A police officer (male)	Alexa Mostert	
*50(2)	Male	Black	Boksburg Juvenile Correctional Centre	2 x Murder	Gun	His grandparents	Alexa Mostert	

51	Male	White	Boksburg Juvenile Correctional Centre	Murder and Robbery	Knife; Kicking	A stranger (male)	Alexa Mostert	
52	Male	Black	Boksburg Juvenile Correctional Centre	Rape	N/A	A friend's friend (assuming female, sex unclear)	Alexa Mostert	
53	Male	Coloured	Boksburg Juvenile Correctional Centre	Murder	Not stated	His son	Kwanele Masuku	Translated
54	Male	Black	Boksburg Juvenile Correctional Centre	Attempted Murder, Kidnapping and Rape	N/A	Ex-girlfriend	Kwanele Masuku	Translated
55	Male	Black	Boksburg Juvenile Correctional Centre	Robbery and Rape	Not stated	Stranger	Kwanele Masuku	Translated
56	Male	Coloured	Boksburg Juvenile Correctional Centre	Murder	Fists	Talks about mob justice (unclear)	Kwanele Masuku	Translated
57	Male	Black	Boksburg Juvenile Correctional Centre	Current Conviction: Rape. Previous conviction: drug possession & robbery		A girl they grabbed on the street	Zama Khoza	Translated
58	Male	Black	Boksburg Juvenile Correctional Centre	Current conviction: Murder & Attempted Murder. Previous: Robbery	Knife	A stranger (male)	Zama Khoza	Translated
59	Male	Black	Boksburg Juvenile Correctional Centre	Current Conviction: robbery, possession of a firearm and ammunition (and a forgotten charge).		A girl from school	Zama Khoza	Translated

				Previous: Rape				
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***Final data corpus with their rearranged numbers in brackets**

