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GENDERED DISCURSIVE PRACTICES OF THE SOUTH AFRICAN POLICE SERVICE TOWARDS SURVIVORS OF DOMESTIC VIOLENCE

By

Ingrid Maralene Sinclair

A thesis submitted to the Faculty of Humanities at the University of the Witwatersrand, Johannesburg in fulfilment of the requirements for the degree of Doctor of Philosophy

Supervisor: Professor Ingrid Palmary

Co-Supervisor: Professor Jo Vearey

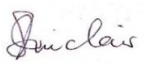
October 2024

DEDICATION

This study is dedicated to my mom, Jane Sinclair nee Mutrie, who told wonderful stories in the utmost dramatic ways. Listening to those mythical stories inspired me to imagine and dream of other worlds beyond the borders of the township. My mom was the first feminist I knew, but she would not agree with being labelled as such. She taught me resilience and how to overcome adversity.

DECLARATION

I, Ingrid Sinclair, declare that this thesis is my own unaided work. It is submitted for the degree of Doctor of Philosophy at the University of the Witwatersrand, Johannesburg. It has not been previously submitted for any other degree or examination at any other university.



I M Sinclair

ABSTRACT

This study explores the reproduction, maintenance and resistance of gendered subjectivities within the discursive practices employed in the policing of gender-based violence (GBV). It examines how historical and socio-political structures shaping asymmetric power relations in society are reproduced in the everyday interactions between police officers and survivors of GBV. The research adopts a socio-historical lens on gendered policing, using an African decolonial feminist intersectional perspective. This approach focuses on the analytical categories of gender, violence, power, and inequality.

This approach allowed me to situate the problem of GBV within the legacy of colonial and apartheid violence, where entrenched harmful gendered power dynamics have persisted and are reproduced in contemporary policing through the coloniality of power. By examining how police officials construct gendered power relations and how survivors experience these dynamics, I endeavour to illuminate how the gendered power relations are reproduced, resisted, and maintained in everyday policing in ways that reflect unequal power relations at the interpersonal, institutional, community, and societal levels.

This qualitative study uses a bricolage of theories and methodologies embedded in a transdisciplinary approach to design a mosaic of the experiences of police and survivors of the policing of GBV. Using an interpretive phenomenological approach, I conducted an ethnographic study that explored the experiences of survivors and victim advocates at a women's shelter as well as visible police officials at four police stations in the West Rand, Gauteng. Data collection methods included narrative interviews, informal conversations, participant observation and the analysis of police documents. The data was analysed using a decolonial intersectional narrative analysis and a critical Foucauldian discourse analysis to understand how discursive practices shape gendered subjectivities and power relations. The narratives of participants revealed and/or obscured how gendered subjectivities and intersectional inequalities are constructed, reproduced, resisted and maintained by police officials, survivors, and victim advocates.

This study contributes to the growing body of research on the policing of GBV by showing how inequitable gendered power relations are institutionalised and normalised in the police organisational culture and are reproduced through symbolic violence in the everyday discursive practices of the police. By grounding the analysis of policing GBV in an African feminist decolonial intersectional framework this study situates GBV within the context of

colonial/apartheid violence that normalised violence as a means of resolving disputes. A decolonial reading of the policing of GBV reveals how violence became deeply embedded in knowledge regimes that are perpetuated through racism, classism, sexism and other social markers of difference. Additionally, the study draws on the lived experiences of survivors to contribute empirically to the body of knowledge regarding the crafting of a gender-responsive, socially just, and humane policing of GBV.

Keywords: Discursive practices, South African Police Service, gender-based violence, gendered power relations, discourse analysis, intersectional, decolonial feminism.

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GLOSSARY OF ABBREVIATIONS AND ACRONYMS

AFDIP	African Feminist Decolonial Intersectional Perspective
CAN	Critical Narrative Analysis
CDA	Critical Discourse Analysis
CJS	Criminal Justice System
CSC	Community Service Centre
DFINA	Decolonial Feminist Intersectional Narrative Analysis
DV	Domestic Violence
DVA	Domestic Violence Act
DWYPD	Department of Women, Youth and Persons with Disabilities
GBV	Gender-based Violence
GBVF	Gender-based Violence and Femicide
IPV	Intimate Partner Violence
ISC	Interim Steering Committee
NSP	National Strategic Plan
SAP	South African Police
SAPS	South African Police Service
UN	United Nations
VAW	Violence Against Women
VEP	Victim Empowerment Programmes
VOC	Victim Empowerment Centre
WHO	World Health Organisation

TABLE OF CONTENTS

DEDICATION ..... **ii**
DECLARATION ..... **iii**
ABSTRACT ..... **iv**
ACKNOWLEDGEMENTS ..... **vi**
GLOSSARY OF ABBREVIATIONS AND ACRONYMS ..... **viii**
LIST OF FIGURES ..... **xiv**
1. CHAPTER ONE: INTRODUCTION AND PERSONAL LOCATIONS **1**
1.1 Introduction 1
1.1.1 Personal locations: Violent townships as in-between spaces 3
1.1.2 Violent criminal justice system 5
1.1.3 Witnessing violence 6
1.2 Professional locations: Violence and policing 7
1.3 Academic locations: Traversing outsider status 9
1.4 Discursively constructing gender and power 11
1.5 Contextualising this study 13
1.6 Rationale for this research 14
1.7 Research questions 16
1.8 Chapter outline 16
2. CHAPTER TWO: HISTORICISING POLICING: THE PAST IN THE PRESENT **18**
2.1 Introduction: Historicising policing 18
2.2 Policing: Indigenous justice 19
2.3 Colonial policing: 1652–1795 20
2.3.1 Criminalising indigenous populace 22
2.3.2 Racist, repressive, and partisan policing 22
2.3.3 Race and class ordering of the Cape Colony 23
2.3.4 Gendering violence in the Cape Colony 24
2.3.5 Legalising violent policing 25
2.4 Policing the British Colony: 1795–1890 26
2.4.1 Racialising the British Colony 27
2.5 Law enforcement in the Afrikaner (1850–1900) and British Colonies (1890–1948) 29
2.5.1 Policing the movement of black people 30
2.5.2 Founding the South African Police Force (SAP) 31
2.6 Looking back: Apartheid policing 1948 to 1994 32
2.6.1 Gendering police work 33

2.6.2 Embedding brutality in policing 33
2.7 The past in the present: Undemocratic policing 34
2.7.1 Transforming the SAP 35
2.7.2 Involving the police in domestic affairs 36
2.7.3 Untransformed police 37
2.8 Policing gender-based violence 38
2.8.1 Difficulties with implementing the Domestic Violence Act 39
2.9 Conclusion 41
3. CHAPTER THREE: AFRICAN FEMINIST DECOLONIAL INTERSECTIONAL FRAMEWORK 43
3.1 Introduction 43
3.2 Contextualising colonialism 43
3.3 Coloniality of power 44
3.3.1 Reproducing hierarchies of power 45
3.3.2 Constructing heteronormativity 46
3.3.3 Global coloniality 46
3.3.4 The effects of the coloniality of power 46
3.4 The coloniality of being 47
3.5 The coloniality of knowledge 48
3.5.1 Decolonising policing knowledge 49
3.6 The coloniality of gender 50
3.6.1 Oyěwumí constructing pre-colonial racialised gender order 52
3.6.2 Constructing gender in the colonies 53
3.6.3 Constructing contemporary gendered bodies 54
3.7 Decoloniality as a liberatory project 55
3.8 African feminist framework 57
3.8.1 Decolonial intersectional perspective 60
3.8.2 African feminist decolonial intersectional perspective 62
3.9 Conclusion 63
4. CHAPTER FOUR: DECOLONIAL FEMINIST ETHNOGRAPHIC PERSPECTIVE RESEARCH METHODOLOGY AND PROCEDURES 65
4.1 Introduction 65
4.2 Employing bricolage as a methodological strategy 66
4.3 Qualitative research approach 67
4.3.1 The critical social construction of gendered power relations 68

4.4 Reflexivity and researcher identity 69
4.5 Critical and interpretive paradigms 72
4.5.1 A critical ethnographic approach 72
4.5.2 The interpretive phenomenological approach 74
4.5.3 A decolonial feminist narrative inquiry 76
4.6 Research setting, process, and study population 78
4.6.1 Sampling procedures 79
4.6.2 Selecting and recruiting survivors: Stations one, two, three and four 79
4.7 Gaining access to the research site 81
4.7.1 Entering the field phase one: Station one 82
4.7.2 Negotiating access to participants via commanders 84
4.7.3 Gaining entry: Stations two, three and four 85
4.7.4 Gaining access to a domestic violence shelter 85
4.8 Data collection methods 85
4.8.1 Data gathering: Station one 86
4.8.1.1 Initiating the interview process 86
4.8.1.2 Conducting interviews at station one 88
4.8.1.3 Data gathering: Stations two, three and four 90
4.8.1.4 Interviews with survivors and victim advocates 92
4.8.1.5 Narrative interviews with shelter survivors 93
4.9 Data analysis methods 95
4.9.1 Critical discourse analysis (CDA) 96
4.9.2 Foucauldian Discourse Analysis (FDA) 96
4.9.2.1 Decolonial feminist intersectional narrative analysis 97
4.9.2.2 Procedures followed 99
4.10 Ethical rigour 99
4.10.1 Informed consent 100
4.10.2 Confidentiality and anonymity 101
4.10.3 Freedom from harm 101
4.11 Concluding thoughts 102
5. CHAPTER FIVE: THE DISCURSIVE CONSTRUCTION OF GENDER AND POWER IN POLICE DISCOURSE 103
5.1 Introduction 103
5.2 Gendering power and identities in discourse 104
5.2.1 Discourses on domination and subordination 104
5.2.2 Discourses on (un)deserving victims 106
5.2.3 Discourses on cunning victims 107

5.3 Discourses of hegemonic masculinities 110
5.3.1 Constructing heterosexuality 112
5.3.2 Constructing heteronormative families 113
5.3.3 Man as provider discourses 117
5.3.4 Discourses on sexual entitlement 120
5.3.5 Discourses of angry black men 122
5.4 Constructing intersectional gendered power relations 123
5.4.1 Gendering race and class in discourse 123
5.4.2 Race denial in discourse 125
5.4.3 Gendering culture in discourse 128
5.4.4 Constructing others in discourse 130
5.5 Gendering organisational procedures and practices 131
5.5.1 Gendering organisational spaces 131
5.5.2 Gendering the allocation of work 136
5.6 Resisting power strategically 140
5.6.1 Constructing boundaries 145
5.7 Concluding remarks 147
6. CHAPTER SIX: NARRATING VIOLENCE AND SURVIVAL 149
6.1 Introduction 149
6.2 Experiencing structural violence 150
6.2.1 Normalisation of structural inequality and injustice 150
6.2.2 Poverty, inequality, homelessness, and unemployment 152
6.2.3 Social marginalisation and exclusion 153
6.2.4 Child marginalisation and exploitation 154
6.3 Constructing gendered subjectivities and unequal power relations 155
6.3.1 Constructing binary gendered identities 155
6.3.2 Constructing heteronormativity 159
6.3.3 Constructing heteronormative families 161
6.3.4 Constructing race, sex, and power 163
6.3.5 Constructing others: Underserving victims 165
6.3.6 Analysing multiple intersections of power 171
6.4 Gendering organisational procedures and practices 176
6.4.1 Normalising the lack of privacy 176
6.4.2 Unresponsive and indifferent police 177
6.4.3 Reproducing violence through bureaucratic procedures 183

6.5 Gender responsive policing 186
6.6 Resistances and subversions in survivors' narratives 189
6.7 Conclusion 194
7. CHAPTER SEVEN: CONCLUSION: CRAFTING A PLURIVOCAL NARRATIVE OF GENDER (UN)RESPONSIVE POLICING 196
7.1 Introduction: Looking back 196
7.1.1 Policing the past in the present 197
7.2 The present: Reproducing gendered power in discourse 197
7.2.1 Reproducing gender and inequality in police discourse 198
7.2.2 Reproducing gender power in survivors' discourse 201
7.3 Racing others in discourse 202
7.4 The effect of gendered processes and procedures 205
7.5 The present: Implications of the findings 206
7.6 An African feminist decolonial intersectional perspective 209
7.7 Looking forward: Gender-sensitive policing of GBV 211
7.8 Directions for further research 212
7.9 Concluding comments 214
REFERENCES 215
APPENDIX A: POLICE PARTICIPANTS 243
APPENDIX B: SURVIVOR AND ADVOCATES PARTICIPANTS 244
APPENDIX C: INTERVIEW GUIDE POLICE OFFICIALS 245
APPENDIX D: INTERVIEW GUIDE SURVIVORS OF DOMESTIC VIOLENCE 246
APPENDIX E: PARTICIPANT CONSENT FORM ALL PARTICIPANTS 247
APPENDIX F: PARTICIPANT INFORMATION SHEET 248

LIST OF FIGURES

Figure 1.1: Mosaic of a mythical Akan Sankofa bird **1**
Figure 4.1: Negotiating ongoing access **84**
Figure 5.1: Community Service Centre **133**

CHAPTER ONE: INTRODUCTION AND PERSONAL LOCATIONS

> [A] mosaic is formed of small pieces, each maintaining its own integrity, form and shape so that the many small components create a picture. The pieces in the mosaic can be moved around to form a different pattern. ... [and] are contiguous without being submerged or blurred: each maintains a unique identity (Makhanya, 2012).

1.1 Introduction

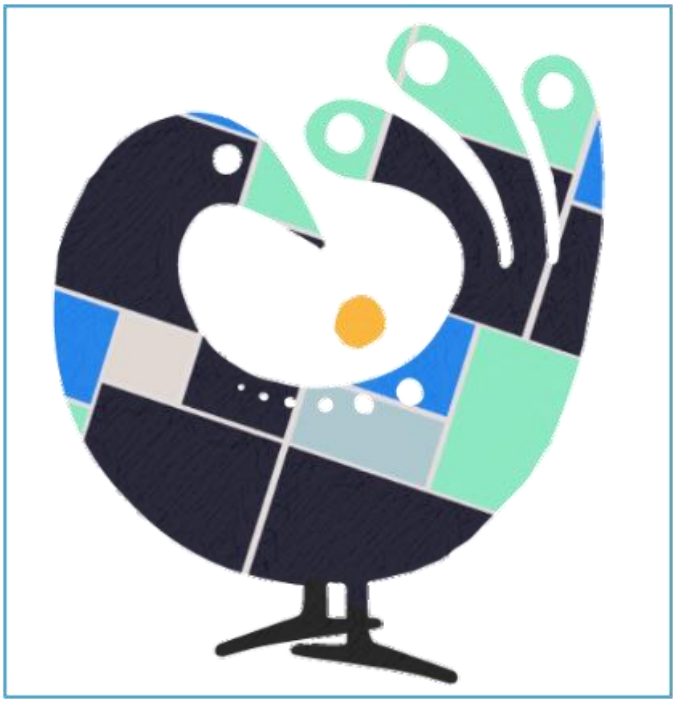

Figure 1.1: Mosaic of a mythical Akan Sankofa bird

In Ghana, the mythical Akan Sankofa bird symbolises the importance of using historical insights to inform the existing practices and contribute towards an improved future. The bird has its feet firmly planted forward, symbolising moving ahead, with its head turned backwards to take an egg containing wisdom from its back (symbolising the past) to create better a future. I use the symbolism of the Akan Sankofa bird to create a mosaic of historical gender power relations, joining it with contrasting aspects of contemporary unequal gendered power relations in policing to contribute towards a gender-sensitive approach to the policing of GBV. Like the description of a mosaic that opens this chapter, this mosaic is created from small

pieces of discourses[1] and experiences of gender and power of police officials, survivors, victim advocates and my own in narratives from the past and the present to create a mosaic of gender-sensitive policing for the future.

This study analyses how the discursive practices of the police[2] produce harmful gendered identities that are imbued with unequal power within a particular context. Despite a significant body of scholarship that highlights how gender-based violence (GBV)[3] is overwhelmingly perpetrated by men (Vetten, 2014), most studies conceal the gender of the perpetrators by discursively constructing the problem in gender-neutral language using discourse terms like "gender-based violence", "intimate partner violence" and "domestic violence". While I too use the terminology "gender-based violence" in this research, my focus is on the unequal gender-power dynamics in which violence is rooted. I begin to create the mosaic by sticking pieces of my lived personal, political, and academic experiences, to show how historical violence continues in the present, despite democratic change in South Africa. These experiences were the launchpad for this research.

In the sections that follow, I present my lived experiences of political, structural[4] and everyday violence and how they intersected with other vectors of power of race and class in my personal, professional and academic life. I highlight how these structures overlapped and consistently reproduced inequality that continues in the present study. Following this, I describe how gendered identities and unequal power relations are shaped by the violent socio-historical context that creates the conditions that enable violence to flourish. I then examine how the police as a gendered institution reproduce these coercive power relations found in the abusive relationship. This is followed by reviewing current literature on the policing of GBV to place this study alongside the findings of existing research and to motivate the need for research that takes a longer historical approach.

---

[1] I understand discourses as sets of practices that produce subject positions infused with differential access to power and privilege in a particular context.

[2] The SAPS employs diverse police officials that perform varied functions in different environments, through different divisions and ranks. The police in this study are limited to the visible police at two community service centres described in the methodology section.

[3] I describe GBV as violence directed at a person because of their gender. Gender denotes the socially constituted distinctions between femininities and masculinities. GBV is thus embedded in gender inequalities and power imbalances that result from interlinking forms of domination and power structures that marginalise, coerce, and oppress people with less power (hooks, 2000). As such, power is produced in the relations between people and in structures entrenched within the wider political, economic, social, and cultural contexts.

[4] I understand structural violence to mean the production, reproduction and maintenance of violence and social inequalities that are entrenched in the political, legal, religious, cultural and economic organisation of society and that cause harm to people (Farmer, Nizeye, Stulac & Keshavjee, 2006).

Using a decolonial feminist analytical framework to examine and make visible how harmful gendered power relations are reproduced in the policing of GBV, I place GBV in the colonial/ apartheid context, which created an environment in which violence was an accepted method of dealing with all types of disputes. I also show how violence continues through the coloniality of knowledge in the present context. These last discussions are followed up by the research questions developed for this study, and the chapter concludes by presenting an outline of the research report.

1.1.1 Personal locations: Violent townships as in-between spaces

Apartheid racial spatial planning created segregated residential areas that provided separate housing for the "white, african, indian and coloured"[5] communities.[6] The racial segregation of urban spaces (re)produced artificial hierarchical race, ethnic and class differences that entrenched hierarchical social and economic privileges. These differences were reflected in the type and quality of state housing, schools, infrastructure, and the lack of or access to recreational facilities.

My memory of structural violence relates to my upbringing in apartheid South Africa, in Noordgesig a "coloured" township created in terms of the Group Areas Act, No. 41 of 1950 (Republic of South Africa, 1950b). Noordgesig is located on the border of Orlando, an African township within the Soweto region. In my youth, a massive gold mine dump formed an artificial buffer zone between Noordgesig and the community of New Canada. Most residents living in New Canada were white working-class railway workers employed by the state through job reservation policies aimed at securing employment and eliminating white poverty (Morrell, 1995; Seekings & Nattrass, 2008). The spatial planning of Noordgesig, served to exclude, control, and contain its residents. With a single road leading into and out of Noordgesig, this architecture provided for easy monitoring and access by security forces to control and confine its residents in times of social unrest. Racialised spatial geographical fragmentation persists in contemporary South Africa (Seekings, 2011; Mpofu-Walsh, 2021).

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[5] I have used quotation marks around racial identity in this discussion the first time I mentioned them. I wrote race in lower-case letters in the study where I wanted to emphasise the contradictions with racial classifications. These racial identities were socially constructed following the apartheid ideology of difference and hierarchy. I use racial descriptions in this thesis to highlight how these constructions determined inclusions or exclusions from social and political power. A discussion on the racialisation of the population is presented in Chapter Two.

[6] The concept of "community" is ambiguous and contested. Commonly "community" assumes a homogenous and cohesive group of people who share similar interests, values, and beliefs. The communities discussed in this study are heterogeneous. The study instead adopts a broader conceptualisation of community that recognises the heterogenous nature of communities, including different genders, ages, sexualities, socio-economic classes, and different interests and beliefs in a highly unequal society.

Bozzoli (2000, p. 79) describes townships as places where “severe oppression and poverty were experienced on a racial and class basis” and spaces “where the black working-class was housed cheaply and controlled easily”. All races not classified as white were excluded from citizenship and basic rights. Black women and men were equally subjected to violence in townships. Women faced the daily threat of being violated, while young men faced the risk of being incarcerated or killed without reason. Ndlovu-Gatsheni (2011, p. 3) depicts black townships as sites of “hellish life” where systemic violence became a daily reality. The township served as a stark reminder of the “in-between spaces” that its occupants inhabited, always aspiring to escape from the poverty and the reality of “deathscapes”. Sithole (2014, p. vi) describes deathscapes as:

> …spaces where the life of those who are killed is meaningless and their death cannot be accounted for. Deathscapes are not only war zones … but the very existential locations where the everyday life is prone to death because of structural violence against those who have their humanity questioned.

I describe Noordgesig as a deathscape because violence, poverty and inequity pervaded every aspect of the residents’ existence and caused premature death. Furthermore, Noordgesig was located far from the economic hubs in the industrial nodes, resulting in the working class spending long hours commuting to and from work (see Terreblanche, 2002). They left for work at the crack of dawn and arrived home late at night, tired and frustrated from spending a day doing menial jobs. Their meagre earnings from factories, mines and offices were spent on transport, food, alcohol and just barely being able to survive. A lack of recreational facilities and the oversupply of cheap alcohol in beer halls and illegal shebeens[7] made drinking alcohol and playing or watching soccer matches were the only recreational activities available during weekends.

Substance abuse became a form of self-inflicted physical violence among the young and old and served to erase the pain of poverty and inhumane living conditions (Henkeman, 2018). It also numbed and helped people to escape from the daily realities of humiliation that they faced in their workplaces, where they endured slave-like working conditions and dehumanising treatment from their white bosses. It was unsurprising that the youth in the

[7] A shebeen is a home in a suburb, township, or informal settlement where liquor is sold.

townships during the June 1976 uprising destroyed beer halls because of the symbolic value that these structures occupied in the disintegration of black community life (Schãrf, 1984).

The spatialised relations of power produced through apartheid racial segregation and disenfranchisement functioned to stigmatise and shame coloured communities as lazy, habitually violent, and drunk (Van Niekerk, 2015; Peters, 2020). These stereotypes of coloured men were reproduced in public discourse and were internalised and reproduced by the police, as I report in this thesis. Boonzaier (2017) asserts that those classified as coloured carry much of this stigmatisation and shame in the present democratic context. Lugones (2010) ascribes this process, whereby communities carry shame for their exploitation and for the injustices committed against them during colonialism, to the continuity of coloniality[8] in the present context. Despite the social pathologies ascribed to marginalised communities, I argue that there was a great deal of community support amongst the residents, especially those who faced hardships in these locations.

1.1.2 Violent criminal justice system

The relationship between the police and the community was characterised by suspicion and fear. Large numbers of young black men were unemployed because of economic inequality and preferential racial employment policies (Seekings & Nattrass, 2008). The lack of recreational facilities in the township forced young men to gather in groups on street corners or at local shopping centres to pass time. These young men were routinely the targets of police brutality (Stuurman, 2021). Police swooped through the townships in their kwela-kwela's,[9] randomly arresting groups of young men for being idle (Seekings & Nattrass, 2008). Police actions criminalised young men, dehumanised them, and contributed to disrupting families.

The arrested young men were charged with loitering and subjected to corporal punishment. Alternatively, they served short prison sentences (resulting in mass incarceration of black men), or they were forcibly conscripted into the South African Defence Force. Equating black men's unemployment with criminality had the effect of pathologising poverty caused by racial oppression.

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[8] The description of coloniality by Maldonado-Torres (2007:243) as the power dynamics that were constructed during colonisation and "continue to define culture, labour, intersubjective relations, and knowledge production" long after colonisation ended is used in this study.

[9] A "kwela-kwela" refers to a police truck.

Angela Davis (2003, p. 84) suggests that imprisonment became a mechanism to deal with social problems faced by black men, which caused the growth of the correctional system into a “prison industrial complex”. The imprisonment of black men contributed to the development of harmful masculinities that valued toughness and the use of violence as “measures of manhood” (Ratele, 2022, p. 84). Gqola (2015) argue that violent masculinities are reproduced in the townships when men are released from prison. Bearing witness to the abuse of state power through the employment of brutal policing practices, thus laid the foundation from which I launched this study.

1.1.3 Witnessing violence

My childhood experiences of growing up in a violent society and witnessing the abuse of women and children added to the foundation for this study discussed in 1.1.2. Gangsterism, sexual and physical violence, and unnatural deaths were daily realities in the lives of the residents. My initial experiences of GBV involved witnessing the abuse of a neighbour over weekends. In addition to my observing the neighbour’s abuse, one incident that traumatised me and continued to haunt me was the gang rape and murder of an 11-year-old girl at the time as part of a gangster’s initiation ritual into gang life. I fully related to this incident because of my gender and age, as I was 11 at the time. Her body was severely mutilated, and this happened in one of the classrooms of the primary school that I attended. Although I never saw her body, graphic descriptions were part of the local township talk that left me with the fear of being raped right through my years of growing up and living in South Africa. Gqola (2015, p. 76) argues the fear of being sexually violated as a constant reminder to women that “they are not safe” and that they have no control over their bodies. Gqola (2015) describes this culture of fear as the female fear factory that functions to dominate and oppress women through the enduring unpredictability of the threat of sexual violation.

The June 1976 Soweto student uprising was my ultimate experience of death without reason as I observed how many unarmed school children, marching through Noordgesig were shot by heavily armed police officers from helicopters that hovered in the sky above Noordgesig. I was unable to understand how teenagers could pose any threat to armed adult policemen. These youths innocently marched through Noordgesig on their way to the Bantu administration offices in Johannesburg to deliver a memorandum denouncing the poor-quality education and the introduction of Afrikaans as a language of teaching in black schools. Afrikaans was an instrument used to drive the apartheid ideology. The rejection of Afrikaans was thus more than just a rejection of a language but entailed the rejection of racial

oppression, systemic inequalities, and the apartheid ideology. Even though at home both my parents spoke English to us, we were forced to learn an Afrikaans at the school we attended was the only primary school in the township. So, I could relate to the student uprising because I was subjected to the same epistemic violence embedded in Afrikaans and the apartheid education designed to miseducate the black child.

These observations of police brutality were a wake-up call from my deep political slumber as a teenager. I arose to politically grasp the disposability of black lives. These observations of police brutality motivated me to contemplate how I could advance social justice. My reflections led me to pursue a career in social work. I imagined that as a social worker, I would be able to enhance the living conditions of impoverished communities residing in the townships. As a university student, my political consciousness was raised, inducing me to become involved in resistance politics.

It was my lived experiences of political, structural, and everyday violence and its entanglements with other vectors of power like race and gender injustices that illuminated how these structures overlap and constantly reproduce inequality. Reflecting on these formative discriminatory experiences, raised my awareness that 'the personal' was always 'the political'. I am describing my experiences with complex multiple violence in detail to create an understanding of how my interest in the research topic was shaped. This study focuses on the construction of gendered power relations in policing GBV endeavours to understand how gendered power relationships manifest and are maintained over years at the micro-level of everyday interaction.

1.2 Professional locations: Violence and policing

Violence followed me into my professional career as a social worker, where I worked with women living in abusive relationships. These women were trapped in violent relationships, which made it difficult for them to engage actively in social and economic activities of society (Gqola, 2015). As a young social worker, I felt powerless to support these women because the communities I served were poor and under-resourced and there were no shelters for abused women.

My university curriculum had not prepared me to deal with the pain and destruction caused by the structural violence[10] that I was expected to deal with. Social workers were often

[10] Structural violence is reflected in the political, social, and economic hierarchical ordering of society. Structural violence is reproduced and maintained systematically and indirectly through interlinking, multiple and complex unequal power relations that cause harm to people.

accused of sticking plasters on festering wounds, an accusation that I began to understand because I could not deal with the structural causes of violence that were rooted in racial and gender oppression and required the political dismantling of the structures of domination. I recognised that transforming these structures could only be achieved outside of the bureaucracy of government. I consequently opted to work at a community advice centre where I drew on the political education that I acquired outside of the university lecture rooms to assist the community.

The police were the only organisation that poor black survivors[11] could call for assistance. However, the police were reluctant to become involved in domestic disputes because they regarded domestic violence (DV) as a personal issue (see Vetten, 2014). Police inaction inadvertently endorsed control and domination in intimate relationships. Sadly, as shown by the experiences of survivors in this study, not much has changed. Some police officials still regard DV as a personal matter. Despite being guaranteed constitutional rights to safety and security, these rights have not translated into changing discriminatory police practices.

I often accompanied girls who had been sexually violated to police stations to report the rape. Police officials questioned these girls in a crowded charge office within earshot of other residents. The girls experienced secondary victimisation and were traumatised by police conduct. The police were not trained in victim support, their training focused on physical and tactical training (see Rauch, 1992). My work included working with youth who were in conflict with the law, including those who were involved in gangsterism, drug abuse or were incarcerated for violent crime - youth who, because of the lack of opportunities, were scared to dream or imagine a different future beyond the violent township. In this study, I found that survivors were still being interviewed in community service centres (CSCs) filled with other community members.

My personal history and professional experiences, which were motivated by aspirational notions of social justice and gender equity, meant that I constantly reflected on why and how violence manifested in the lives of the marginalised communities where I lived and worked. These reflections prompted me to question why GBV persists and why people and communities turned violence inward as a weapon against themselves and their loved ones.

[11] I recognise that the term “survivor” is a contested term because it may imply that women who are still living in violent relations are not survivors. However, I use the term to emphasise how victims who have experienced abuse have through an ongoing complex process of self-awareness used resistance and coping strategies to survive victimisation and managed to take control of their lives.

I found Bulhan's (1985, p. 163) theorising of the "auto-destructive" nature of violence useful for thinking about a plausible explanation for the persistent GBV. Bulhan posits that ongoing violence is an expression of repressed feelings of rage and anger that people who have been subjected to physical, psychological, and structural violence carry. He claims that violence becomes auto-destructive when the oppressed turn the violence on themselves, their loved ones, family, and community.

The auto-destructive explanation of violence when divorced from understanding the structural drivers of violence is used to criminalise black bodies as inherently violent. I argue that violence must thus be analysed at the micro-level of interaction but also within institutions and structures in the broader socio-political environment that shape the gendered power dynamics that make women susceptible to GBV. Such an analysis also enables the illumination of the social and ideological consequences of GBV.

1.3 Academic locations: Traversing outsider status

After the democratic elections of 1994, I was employed at a higher education institution as a police lecturer. I carried my lived experiences of systemic violence and brutal policing, as well as my racial, gender and outsider status, into the academy. I was the first black woman employed in a police practice department dominated by white males and females who had previously been employed as apartheid police officials. The vantage point that I had as an outsider was gained through my lived experience of inequality and unjust policing. I was also able to be critical of the impact of discriminatory policing from the position of a black marginalised woman.

At the advent of democracy when I joined the policing faculty, the South African Police Service (SAPS) was grappling with embracing the democratic and human rights principles entrenched in the Constitution of the Republic of South Africa of 1996 (Republic of South Africa, 1996). The literature on police transformation suggests that struggling to change the masculinist nature and institutional culture of policing is a worldwide phenomenon that is not an exclusive feature of the SAPS (Marks, 2000, 2005). Recognising the potential effects of structural violence in the clinical medicine field, Farmer, Nizeye, Stulac and Keshavjee (2006, p. 1686) advise practitioners to conduct a social analysis of the social determinants such as racism, poor housing, and poverty as causes of medical problems.

Today, I have been involved in police education for more than three decades and have facilitated numerous workshops for police officials on implementing the Domestic Violence Act (DVA), No. 116 of 1998 (Republic of South Africa, 1998). I hoped that my experience of

structural violence, inequality and brutal policing, along with my advocacy for community justice as a professional social worker, could contribute to the analysis of all the social determinants that contribute to the construction of gendered power relations in policing. However, despite the ongoing training in the policing of DV by different academic institutions and non-governmental organisations, a significant body of research revealed the continued subjection of survivors to secondary victimisation when they report DV incidents (see Mathews & Abrahams, 2001, p. 26; Parenzee & Smythe, 2003, p. 6; Taranto, Ncube, Butterworth, Sajinovic, Massawe & Lopes, 2013, p. 5; Verwoerd & Lopes, 2015). The continued discriminatory police practices demonstrate the limited value of addressing transformation through policy changes without concurrently addressing the structures within the police environment and broader society that reproduce violence.

There are several reasons for the perceived ongoing discriminatory practices of the police, which I discuss throughout the thesis. Transforming the SAPS using Western[12] policing models, governance and structures nested in criminal justice frameworks that reflect Western cultural values faced police resistance for various reasons highlighted in this study. Western frames of policing were founded on universal human rights and normative frameworks. Resisting change in police organisations is not unique to South Africa, Reiner (1992 quoted in Marks, 2000) attributes this issue to the inherently conservative nature of the police forces globally.

In South Africa, an additional factor reinforcing resistance is the past discriminatory and authoritarian policing practices of the SAPS. Also, the contextual social reality that affects the inconsistent application of human rights principles by the SAPS is the fact that South Africa is marked by deep levels of inequality where women's human rights are still not fully realised. Gouws and van Zyl (cited in Engster & Hamington, 2015, p. 178) argue that the "individualistic and rational ontology" of the Northern human rights framework cannot address the relational needs of women arising from an unequal social order. Hornberger (2011) points out that when there is a mismatch between the intentions of progressive legislation and the police's ability to implement them, it results in police publicly claiming to comply with equality policies while privately violating victims' rights. Analysing the multiple structures that perpetuate unequal power relations in the police which harm survivors, could contribute to the creation

[12] In this study I acknowledge that the West is diverse and not a uniform entity comprising various countries with distinct cultures, political systems, and social norms. However, I use the terms "West/Western" as a singular phrase throughout the thesis as it relates to coloniality and for the ease of reading.

of a gender-just police organisation.

This thesis is a culmination of my personal and professional experiences. I provide these personal reflections as they have allowed me to make sense of the ongoing coloniality of power in society. I use these insights to inform an overall mosaic of gender-sensitive policing.

1.4 Discursively constructing gender and power

Despite the change to democracy in South Africa, the country continues to reflect racial and socio-economic inequalities crafted and entrenched during the colonial and apartheid dispossession and disenfranchisement (Mpofu-Walsh, 2021). Not only does structural inequality persist, but socio-economic inequalities have deepened during democracy. Reports by Statistics South Africa and the World Bank rank South Africa as one of most racially inequitable nations globally (StatsSA, 2019; Sulla & Zikhali, 2018). Poor black survivors in the study are situated at the lowest stratum of South African society.

While analysing survivors' narratives in this study, I was struck by the similarities between their experiences of structural violence and material deprivation in contemporary South Africa and my childhood experiences during the apartheid era. Despite policy changes to endorse equality and women's rights to safety, survivors' lives still reflect multiple intersecting inequalities that reflect colonial/apartheid dispossession. They are confined to living in poverty, on the margins of society, in informal settlements, unemployed or exploited in low-wage jobs. They endure pervasive structural, physical, psychological and symbolic violence daily, all of which render their existence unbearable. Besides the structural violence they must tolerate, they also live in fear of being violated in the overcrowded and under-resourced areas where they live (see Gqola, 2015).

Survivors, everyday experiences moreover render them non-citizens and dehumanised beings who are still entangled in "deathscapes" (Sithole, 2014, p vi). They live precarious lives where they are continuously subjected to death but are paradoxically promised life through a democratic constitution that entrenches human rights. Despite multiple forms of violence that survivors are subjected to, I contend that they demonstrated resilience and agency by finding creative ways of resisting and surviving violence in their lives.

I limit my study to focusing on poor black women for several reasons, which I explain here and in *CHAPTER THREE*. In this study, I understand the term black as a shared identity and aspirations of people who, by law, were politically, economically, and socially oppressed under apartheid in South Africa (see Biko, 2004, p. 52). It is an identity constructed through

agency, resistance and political consciousness. I acknowledge that focusing on race could result in reproducing similar inequitable power relationships, which is the central problematic of this research. It is for this reason that I narrow my discussion to the production of inequitable gender power relations within a policing institution in a particular historical context and structures. I engage with the participants from an ethical position of care and present their views as contributing to the scholarly debate on the policing of GBV.

My focus on poor black women is furthermore motivated by the socio-political context where violence is normalised as the way things are in the everyday life of these women. I align my views with African feminist scholars who assert that poor black women's experiences of violence are varied, and their identities are heterogeneous and complex, multiple, fluid and diverse (Mama, 2002; Lazar, 2007; Hill, Collins & Bilge, 2020). Consequently, this research explores and describes the meaning that poor black survivors give to their experiences of reporting GBV to the police within a particular setting and making their understandings of gendered asymmetrical power relations public.

Accordingly, my focus on black women is consistent with feminist intentions to move women's voices from the peripheries to the centre where their counter-narratives contribute to policing knowledge (Mama, 2002). In their counter-narrations, survivors challenged certain taken-for-granted regimes of truth about women as vulnerable victims of violence. Moreover, my focus on black women is motivated by evidence from the DV registers (SAP 508(b)) at selected police stations in the research area, on the West Rand, which showed that black women disproportionately reported GBV to the police. Poor black women depended on the police to protect them from abuse.

I conceptualise men's violence towards women as shaped by a violent historical context of domination and oppression that has resulted in unequal gender power relations (Kessi & Boonzaier, 2018). Like black women, black men were, likewise, adversely affected by "colonial structural violence and ongoing social and economic exclusions" that prevented them from living a life of dignity (Van Niekerk & Boonzaier, 2019a, p. 45). Structural violence disempowered and stripped black men of all authority in society. I contend that the violence of men towards women should be examined from the vantage point of violence as embedded within societal structures of inequality and oppression that reproduce patriarchal social relations. Boonzaier and Shefer (cited in Shefer et al., 2006) conclude that GBV cannot be contemplated without recognising male privilege and the historical and socially entrenched power dynamics.

In addition to my understanding of violence as an outcome of the socio-political historical context, I draw on feminist understandings of gender and power as a central feature of violent relationships. These coercive dynamics of control that are reflected in abusive relationships are reproduced by the police when survivors report GBV to them (Davies & True, 2015; Cuomo 2015). Schneider (1999), as cited in Sinclair, (2017) argues that the police, by virtue of their societal role, inherently engage in authoritative discourse with the public that is deeply entrenched within police culture.

In this study, I draw on Foucault's (1991) notion of power as discursive and embodied; this notion posits subjects as equally complicit in maintaining and resisting oppressive power relations. He states that resistance and power are intertwined and co-constitutive which imply that there is a dialectical relationship between power and resistance. Foucault contends that power is productive rather than repressive and is exercised in a set of complex relations where power produces reality (Foucault, 1991). I argue that harmful gender power relations are reproduced, resisted, and maintained by the police and survivors of GBV alike. It is within this understanding of power that I conceived "gendered discursive practice" as the ongoing social construction of hegemonic gendered identities infused with power within everyday talk, text, policies, symbols, organisational processes, and actions of the police in a specific socio-political context.

1.5 Contextualising this study

The police provide the gateway to the criminal justice system (CJS) for survivors of GBV (Verwoerd & Lopes, 2015). As such, the police reaction to the initial reporting of GBV influences the survivor's decision about whether to engage in criminal justice proceedings. Survivors of GBV are often treated in an inhumane and abusive manner when they report to the police. It is these gender power dynamics that this research is concerned with.

To inform this research, the study draws on a significant body of scholarship in understanding the persistent endemic nature of GBV and its policing, in South Africa. Most studies about the policing of GBV examine challenges encountered by the law enforcers in implementing the DVA (Retief, 2013); police perceptions of policing DV (Altbeker, 2005a); the evaluation of the DVA; and the (non)implementation of the DVA by the police (Artz & Smythe, 2005; Parenzee, Artz & Moult, 2001; Matthews 2012; Vetten, 2014). Studies have analysed loopholes in the DVA (Dissel & Ngubane, 2003; Vetten, 2014) and explored police accountability in implementing the DVA (Vetten, 2017). Researchers have yielded important insights into the intersection of vectors of power, such as race, sex and gender, that result in inequality and domination and cause GBV (Vetten, 2000; Boonzaaier & De la Rey, 2004).

This study critically engages with the policing of GBV as executed in an unequal society where violence and harmful gendered power relations are tolerated and normalised. The unequal power dynamics are entrenched in gendered stereotypes, beliefs, and expectations, placing value on masculinities above femininities, heterosexuality above homosexuality, and cisgender above trans-gender people (UN Women, 2013). Research illuminates that GBV disproportionately affects women (Ratele, 2022).

This study takes a longer socio-historical analytical view that considers how colonial violence shaped the gendered, bureaucratic, hierarchal, and masculinist nature of policing institutions. To this end, I problematise whether and to what extent police institutions, constructed as a colonial apparatus to criminalise black bodies and uphold an unequal social order, are complicit in reproducing harmful gendered power relations. As such, I question how gendered power relations in policing can be changed to become contextually relevant, embracing social justice principles and a gender-sensitive approach.

The study advances a decolonial understanding of policing GBV that delinks policing GBV from Western authoritarian policing that is antithetical to dealing with GBV, which requires a victim-centred approach. I contend that it is necessary to develop a nuanced understanding of the complexities of policing GBV, which considers the mechanisms that maintain GBV and the power dynamics embedded in unequal power relations. Policing was created to control and criminalise black bodies. Thus, by delinking policing from its pathologising understanding of survivors of GBV, this research challenges normative beliefs about survivors as vulnerable victims who are responsible for their victimisation and have no agency. Instead, it emphasises survivors' experiences, resistance, and agency in challenging hegemonic and institutional structures.

1.6 Rationale for this research

Given the persistence of GBV, this study was motivated by the need to explore the discursive production and maintenance of asymmetrical power relations in the everyday policing of GBV. I wanted to understand whether and to what extent the police are complicit in reproducing harmful gender relations in policing GBV. I explored the meanings that the police construct about gendered power relations and how their views shape the policing mandate of providing safety for survivors who report GBV to them.

I drew on and foregrounded the experiences that survivors related in their narratives of reporting DV incidents to the police in a specific context. By foregrounding survivors' voices,

I include their contributions to knowledge production that advances a gender-sensitive approach to policing GBV. Decontextualising knowledge production has the effect of excluding or ignoring survivors' voices, experiences, opinions, and ability to contribute to contextual knowledge production in policing. By researching both how police construct gendered power relations and how survivors experience these relations of power, I show how the coloniality of power continues to reproduce inequality and manifests at multiple interpersonal, institutional, community, societal, and global levels.

There is a dearth of research on how gendered power relations are discursively reproduced and enacted at the micro-level of everyday policing using a decolonial lens. To my knowledge, no research has been conducted that draws on the analytical decolonial framework to analyse the reproduction of harmful gendered power relations within the everyday policing of GBV. I thus employed an African feminist decolonial intersectional analytical perspective (AFDIP) to explore the reproduction of gender, violence, power, and inequality in contemporary policing.

The AFDIP examines the "…historical understandings of the effects of colonial power in contemporary society" (Cornell, Mkhize & Kessi, 2016, p. 62) from the position of marginalised African bodies. This approach opens a theoretical space to explore the oppressive/resistance relations that operate within the junction of multi-layered hierarchical structures of control (Lugones, 2010). The AFDIP also critiques the persistent colonial logic that maintains the gendered hierarchical relations of power that persist in the spatial, social, economic, and cultural inequalities despite political changes.

This research adds to a deeper analysis of how gender power relations are reproduced in the discourse practices of law enforcers in a micro-level interaction of everyday policing. The research connects the unequal power relations to the historical and political, economic, and social structures in society that shaped asymmetric power relations. It furthermore illuminates the ideological institutions that maintain unequal gender power relations.

Finally, the research adds a gender analysis to the developing corpus of knowledge about the policing of GBV by illuminating how the abuse suffered by survivors at the micro-level points to the continuity of colonial violence in the broader socio-political environment. Moreover, it contributes to the scholarship on decoloniality by exploring how racial and gender relations can be reshaped to craft a gender-responsive, socially just, humane policing institution.

1.7 Research questions

The following research questions were developed for the study:

i) How are gendered power relations constructed and/or silenced by the discursive practices of the South African Police Service?

ii) To what extent do gender power relations in the narratives of police and survivors reflect and/or challenge the gendered power relations that are present within the broader socio-cultural context?

iii) How do these discourses of gender and power reveal and hide, reproduce, and resist other forms of power that emerge from the personal accounts of police and survivors?

iv) To what extent do the gendered discourses serve ideological functions that reflect or challenge the prevailing conceptions of gender power relations within the broader social context?

v) How could the emerging themes in the research inform scholarship on a decolonial, gender-responsive approach to policing gender-based violence?

1.8 Chapter outline

CHAPTER TWO critically examines the body of scholarship on the historical evolution of policing. I trace the gendering and racialisation of policing as central to the functioning of policing from its violent colonial origins to contemporary policing. I unpack how policing was modelled on Western masculine and militaristic policing models that favoured coercive crime fighting. I highlight the political role of policing in ordering society and serving business and elite interests. This style of policing has maintained hegemonic gender, racial and class subjectivities. Generally, the literature review includes an analysis of the policing of GBV focusing on current research findings.

CHAPTER THREE provides the conceptual framework that guides the study. The framework is grounded in an AFDIP and provides a conceptual grounding for the study of the policing of GBV. The AFDIP conceptual framework opens a theoretical space in which to explore the continuous construction of harmful gendered power identities infused with power while policing GBV.

CHAPTER FOUR outlines the bricolage as a methodological strategy that employs multiple paradigms, approaches, methodologies, and analytical strategies. The study is located within a transdisciplinary research framework that goes beyond disciplinary boundaries to add to the complexity attached to understanding intersectional gendered power relations and violence. I describe how the research process unfolded and provide the epistemological underpinnings of the research, the research design, and the data collection methods and analysis.

CHAPTER FIVE presents the findings from the ethnographic study conducted with police participants. The chapter discusses the themes emerging from the data analysis that focused on ethnographic descriptions and critical discourse analysis (CDA) of police interviews, conversations, observations, and narratives. I pay attention to the discourses that the police draw on to construct gendered identities and power relations in their daily interactions with survivors of GBV.

CHAPTER SIX focuses on the research findings of the phenomenological research, employing narrative interviews with survivors of GBV. The findings report on how survivors experienced gendered power relations that emerged from their everyday lived experience of interacting with the police. Their narratives also highlight their complicity in reproducing gendered power relations and the ideological and social effects of these discourses on their lives.

CHAPTER SEVEN concludes the thesis by providing a summative account of the key conclusions and foregrounding the contributions of this research to knowledge in the domain of the policing of GBV.

CHAPTER TWO: HISTORICISING POLICING: THE PAST IN THE PRESENT

"The past and the present are inextricably entangled"
(van Vuuren, 2017, p. 252).

2.1 Introduction: Historicising policing

I contend that it is difficult to comprehend how violence and power relations shaped policing mandates without examining the change of gender power relations within the historical evolution of policing during the colonial and apartheid eras in South Africa. I argue that unjust policing in the present-day South African police organisation is reflective of the historical abuse of power by the police. In this chapter I situate policing in colonialism where it originated, and trace how the police became major role-players in shaping racialised gendered identities and asymmetrical social power relations within society. I examine how these relations are normalised in the present police environment.

There are contradictory accounts of the development of law enforcement in South Africa (Van der Spuy, 1989; Brogden, 1989). The development of policing did not follow a linear trajectory; thus, describing the history of policing chronologically in one chapter cannot do justice to what has become the shaping of a complex institution that developed over almost three decades. However, recovering historical records about pre-colonial policing is fraught with controversies because most accounts about the history of pre-colonial policing were produced and interpreted by Western scholars (Pelgrim, 2003). These interpretations have been critiqued by policing scholars because they failed to analyse the complexities and nuances of the "historical and social context" in South Africa where policing was operationalised (Hill, 2000, cited in Brogden, 2002, p. 176). The contemporary police institution had its origins in colonial and imperialist systems, structures, functioning and practices that were based on Western liberal thought (Muller, 2016). Since this thesis explores the gendered discursive practices of policing, I have limited the literature review to a partial exploration of the salient factors of the history of policing that contributed towards the construction and maintenance of gendered power relationships.

I start by giving a brief overview of how justice was exercised in pre-colonial indigenous communities. Following this, I focus on the violent, gendered, and racialised nature of colonial policing. I describe how the police organisation was shaped by unequal gender and racial

power relations that were central to shaping and upholding the gendered, racist, and unequal relations in society (Van der Spuy, 1989). I then discuss how the discriminatory type of policing that developed during colonialism and continued in the apartheid era was shaped by the socio-historical context in which the police operated. I conclude with a critical review of how contemporary policing has retained characteristics of colonial policing. Brewer (1994, p. v) contends that any discussion about the history of policing should be located within the historical background of colonialism where law enforcement originated because the contemporary South African Police Service is a “product of its past”.

2.2 Policing: Indigenous justice

Pelgrim (2003) notes that before the colonisation of southern Africa, the indigenous populations in the region had effective communal institutions for maintaining order, solving disputes, and punishing criminal behaviour. Criminal acts were perceived as acts directed at the community (Gordon, 2009). African policing was founded on diverse African societal traditions and customs, where dealing with crime and disorder was aligned with restorative principles centred on wholeness, collective healing, interconnectedness, and communal values of inclusivity (Nabudere, 2012). As such, indigenous justice was based on customary laws that resolved disputes through consensus and reconciliation according to relational principles of justice. The indigenous populations exercised social control through their clan and lineage structure, based on the closely connected relations of nuclear families, extended families, and communities that served as internal control mechanisms (Gordon, 2009). In the event of a dispute or crime, elders in the family used mediation to resolve disputes, which kept individuals within the clan accountable to their households and extended families (Sachs, 1973).

Sachs (1973) explains that the process of resolving disputes entailed reciprocal responsibilities that were intended to restore relations between rivalries and make amends to the person or community that had been wronged by crime. When the elders were unable to resolve disputes, such matters were referred to the chief, who would resolve matters with the help of the headman and councillors drawn from kraal or family heads (Sachs, 1973). This stage of the dispute-resolution process took place in the presence of the community, where all the parties involved were given an opportunity to state their cases. Generally, most disputes were resolved in traditional courts using restorative justice, where perpetrators had to make amends to the victim and the community (Sachs, 1973).

Despite the democratic processes followed in resolving disputes, these traditional courts[13] were dominated by males. Sachs (1973) explains that women and children were excluded from decision-making processes in traditional court cases and were only involved as witnesses. In a research report about the role of traditional leaders in crime prevention and safety promotion in contemporary South Africa, Palmary (2004) found that women and youth were still marginalised from participating in traditional courts. Explanations attribute youth's non-participation to their distrust of traditional leadership and women's non-participation was attributed to how traditional courts functioned. Excluding women and children from direct participation in decision-making illuminated the hierarchical gendered structuring characteristic of a patriarchal society shaped by prescriptive gender meanings (Himonga & Manjoo, 2009).

Despite the masculinist structure of traditional courts, feminist researchers point out that African societies were structured in diverse ways, which meant that women were not always passive observers of justice. An illustration of women's proactive involvement in judicial affairs is cited by Coillard (in Weir, 2007, p. 8), who explains that in Southern Africa "the Barotsi Mokwae (female relative to the king) sat in the lekgotla,[14] participating in state affairs and making judgements". Rodney (2012, p. 227) adds that in some African societies that were structured along matrilineal lines, women exercised political power and occupied positions as the "heads of states".

The European invasion of African societies disrupted the forms of social control exercised by indigenous populations to order society, consequently changing indigenous institutions (Gordon, 2009) and unsettling the local ways of performing justice. The introduction of Western policing into the colonies disregarded the local indigenous mechanisms for dispensing justice (Brewer, 1994; Brogden, 2002; Gordon, 2009; Pelgrim, 2003). Policing was repurposed to justify the superiority of colonial law.

2.3 Colonial policing: 1652–1795

There is extensive scholarship showing that colonial policing was characterised by its masculine, violent, and para-militaristic nature. The mandate of the police was to violently

[13] The concept "tradition" is complex and contested and is evoked in discourse to describe traditional African culture as homogenous, static, fixed, steeped in the past, unchangeable, and essential. Ratele (2022, pp. 243, 245) describes tradition as "the beliefs, values, customs practices and worldviews passed down from one generation to the next". In this study, "traditional courts" refer to indigenous structures constructed by pre-colonial African populations to deal with crime and disorder in their communities, which differed from colonial courts in the manner that justice was administered (see Sachs, 1973, p. 95).

[14] A lekgotla is a public gathering where people with similar interests collaborate to solve a problem (Pienaar, 2015).

enforce and uphold colonial authority and subjugate the indigenous population (Kynoch, 2008; Gordon, 2009; Lamb, 2017). This violent style of policing was implemented in Nigeria, Ghana, Kenya, and Southern Rhodesia, which became British colonies (Owen, 2016). These institutional practices have been sustained over centuries through Western canons of knowledge that became embedded in contemporary policing through the continuing "colonial matrix of power" (Mignolo, 2023, p. 43) that reproduces "injustice and inequality".

What started as a trade station in 1652 to replenish supplies of fresh water, fresh produce, and meat and to attend to the medical needs of sailors on passing Dutch East India Company (and Vereenigde Oostindische Compagnie, hereafter VOC) fleets on their voyages between the Netherlands and South-East Asia became a settler colony at the Cape of Good Hope. Given the profit-driven motive of the VOC, a lucrative private chartered company, policing was initially instituted to protect the company's commercial and political interests (Small & Hira, 2014). The first police body was established in 1652. Police officers reported to a fiscal tasked with maintaining law in the VOC's outpost in the Cape (Stuurman, 2021, p. 22). One of their tasks was controlling trade between the settlers and the Khoekhoe and preventing Khoekhoe communities from trading with shipping vessels docking at the Cape shores (Gordon, 2009). These restrictions on trade relations disregarded the established historical trade relations forged between Khoekhoe and Portuguese sailors before the Dutch settled in the Cape Colony in 1652 (Gordon, 2009; Pelgrim, 2003).

Curtailing the economic activity of the Khoekhoe institutionalised racial patterns of economic inequality and privilege and the politicising of policing. It was during these early stages of colonialism that hierarchical political identities of white superior and black inferior aligned to hierarchies of race, ethnicity, class, and gender were constituted and institutionalised. The colonial police were structured along these hierarchical racist power relations, and in turn, it shaped policing (Muller, 2016).

As the need for agricultural produce and meat increased, the VOC released company personnel from their contracts to become farmers (free burgers) and built an agricultural basis to provide the VOC with the necessary produce (Adhikari, 2010; Ross, 2017). The VOC legally registered title deeds of the farms they leased to the burgers (Adhikari, 2010). This private ownership of land was foreign to the indigenous population's worldviews, which were underpinned by their spiritual connections to the land and their beliefs about communal land use (Adhikari, 2010).

2.3.1 Criminalising indigenous populace

The encroachment of the settlers on the pastoral land of the indigenous Khoekhoe and San populations during the 18th century resulted in the gradual violent dispossession, displacement, and subjugation of these populations by settler farmers (Abrahams, 2000; Adhikari, 2010). Settlers rationalised the violent dispossession of indigenous land by criminalising the indigenous population. They morally justified the invasions of indigenous land, disguising their actions as part of their civilisation mission. They constructed indigenous populations as "non-human, savages, God-less, unfit and unworthy of European civilisation and religion, and quite expendable" (Adhikari, 2010, pp. 19–44). They justified the dispossession of San land by arguing that the San population were not making productive use of the land (Abrahams, 2000; Adhikari, 2010).

The Khoekhoe and San communities actively resisted the seizure of their pastoral lands through various forms of counter-resistance throughout the 18th and early 19th centuries (Adhikari, 2010). The San employed guerrilla warfare to decimate farmers' livestock, destroy crops, and burn farmsteads. Their persistent resistance to land encroachment led the VOC to sanction the extermination of the San people. This genocide (Adhikari, 2014) set a precedent for the violent extinction of groups deemed inferior. This approach was later applied in Namibia, in 1904, where the German Colonial Army perpetrated the genocide of the Herreros and Nama, who were labelled as "barbarous, cruel and inferior" (Hull, 2008, p. 15), thus justifying their killing.

2.3.2 Racist, repressive, and partisan policing

In response to the San resistance, the farmers retaliated by organising commandos and enlisting the Frontier and Mounted Police (FAMP), a paramilitary force equipped with advanced military technology sanctioned by the VOC to punish the San (Adhikari, 2010). The FAMP was made up of white adult male settlers with no policing experience. Women and children often became the unintended victims of these conflicts and were captured. They were forced to work as indentured labourers, servants, trackers, herders, and shepherds on the settler farms (Adhikari, 2010).

The paramilitary policing strategy led to a racially biased policing system that safeguarded the interest of the white minority farmers and the business class (VOC) while subjugating the indigenous population. These violent policing practices became deeply embedded in the colonial police organisation establishing the foundations for repressive policing that

reinforced white supremacist state power. The police institution was central in shaping public order, which in turn influenced their roles, functions, and practices, providing a framework through which the colonised society could be read (Owen, 2016). Fanon (2004, pp. 3, 4) provides succinct insights into the violent and repressive role of the police in the colonies:

> … in the colonies, it is the policeman and the soldiers who are the official, instituted go-betweens, the spokesmen of the settler and his rule of oppression … the policemen and the soldier, by their immediate presence and their frequent and direct action maintain contact with the native and advise him by means of rifle-butts and napalm not to budge. It is obvious here that the agents of government speak the language of pure force … he is the bringer of violence into the home and into the mind of the native.

Violence played multiple roles in shaping the dynamics between the colonisers and the colonised. It became the legitimate means of controlling populations and tied to resistance used by populations in the Cape Colony.

2.3.3 Race and class ordering of the Cape Colony

The expansion of the VOC operations required labour to develop the infrastructure for trading at the Cape harbour and work on the farms of the burgers. This need was labour was met by the importing slaves from 1658 until the abolition of slavery in 1807 (Magubane, 1983). Slaves came from regions such as Southeast Asia, Madagascar, Mauritius, Mozambique, India, Sri Lanka, and West Africa (Ross, 2017; Gqola, 2004; Worden, 2016). Slaves were employed without compensation by the VOC, on the farms and in the homes of the free burgers. The ownership of slaves introduced another layer of social stratification within the already complex racial and class hierarchical structure of the colonised society, centring labour and class relations on exploitation (Magubane, 1983). Slaves were treated as objects serving their colonial masters and were regarded as inferior to VOC personnel and settler farmers (Magubane, 1983).

During European expansion, the hierarchical coercive social ordering of slaveholding societies was structured using race as the central organising principle to position whites as superior and blacks as inferior (Adhikari, 1992). The slaves endured harsh working conditions and oppressive labour controls and faced severe punishment for minor wrongdoings (Mason, 2003). Violence was normalised as a method for exercising power and controlling people deemed as the other.

2.3.4 Gendering violence in the Cape Colony

The gender organisation of the colonial society placed female slaves at the lowest rung of the societal hierarchy. Western patriarchy created an environment for the subordination of women in a hierarchical gender order (Spivak, 1988). Because of their inferior status, female slaves were violently subjugated, dehumanised, and sexually exploited (Lugones, 2010). Female slaves owned by the farmers were employed in their households and constructed as objects in service of colonising men (Van der Spuy, 1996). Their subservient status within the farmers' households subjected enslaved women to sexual violation by their slave owners.

Most enslaved women owned by the VOC endured inhumane conditions in the slave lodge in the Cape Colony (Worden, 2016). Gqola (2021, p. 17) describes the slave lodge served as a prison for "enslaved women who escaped and were recaptured and were awaiting sale". She challenges Ross's (1979) assertion that the slave lodge operated as a brothel for passing European sailors, arguing this view obscures the widespread rape of the enslaved women by these sailors. Gqola contends that calling it a brothel would imply that enslaved women had "agency, choice and compensation", which was impossible because they were regarded as objects who were "unable to consent or resist" these sexual relations. Gqola (2015) concludes that the sexual violation of enslaved women resulted in the creation of new racialised identities.

However, Patricia van der Spuy (1996) states that despite unequal power dynamics, not all sexual relations between slave owners and enslaved women were coercive. She contends that some women exercised their agency to engage in contractual sexual relationships to negotiate their freedom from slavery. Additionally, there were instances where enslaved women and indentured Khoekhoe women married colonisers (Ross, 1983).

Despite the widespread sexual violence perpetrated against enslaved women, no men were convicted of rape throughout the colonial period (Ross, 1983, p. 114; Gqola, 2021). Violence shaped by racist beliefs became embedded in the social fabric of South Africa, with sexual violence still haunting contemporary society (Abrahams, 2000; Baderoon, 2018; Gqola, 2021). Overall, sexual violence became a feature of gender injustice embedded in the 176 years of slavery in the Cape Colony.

Enslaved women were active agents in resisting all forms of oppression and faced harsh repressive policing methods to suppress their resistance (Gasa, 2007; Gqola, 2021). The enslaved women actively resisted the repressive policing by employing several resistance

tactics. Feminist scholars emphasise that some enslaved women resorted to infanticide to prevent their children from being sold into slavery (Gqola, 2007; Abrahams, 2000). The complexities and nuances of slavery and violence extend beyond the scope of this chapter. However, I have attempted to show how violence became embedded in society and how the police played a central role in shaping, entrenching, and perpetuating unequal colonial power relations (Van der Spuy, 1996).

2.3.5 Legalising violent policing

Policing by the late 1830s was a disorganised business that consisted of a burger watch whose duties were to patrol, maintain order, enforce cleanliness in the city, and control the movement of sailors, slaves, and other indigenous people in town at night (Ross, 1983, 2017; Van der Spuy, 1989; Muller, 2016). The policing of urban areas was complemented by police made up of a white sergeant and black police constables who acted as the hangman's assistants. These police officials were under the supervision of the fiscal, who functioned as both the prosecutor and the head of the police (Ross, 1983).

The black constables were convicts banished from the East Indies by the VOC and exiled to the Cape Colony (Ross, 2017) and had no relations with the indigenous population. They were known for being drunk, incompetent, and ruthless (Muller, 2016). They were also employed by the VOC and farmers to flog and brand slaves with hot irons for petty crimes in full view of the public (Gordon, 2009). For more serious crimes, slaves were punished by hanging them or tearing off their skin (Ross, 1983).

These brutal police acts instituted the legalisation of violence as a mechanism to control slaves, instilling fear in them and maintaining settler control. It culminated in several discriminatory regulations and laws based on racist beliefs and class differences used as justifications for disowning, displacing, and oppressing the indigenous population (Gordon, 2009). The discriminatory legislation lasted for several decades to manage relations of power and was violently enforced by the police (Gordon, 2009).

Ironically, the violent and racist social structure allowed the settlers to commit offences such as the violent expropriation of native land, the genocide of the Khoekhoe and San populations, the raping of enslaved women, and the capturing of indigenous populations to work on their farms, without considering them to be crimes (Adhikari, 2010; Baderoon, 2018). Violence was institutionalised in the laws, through racist ideologies of superiority, and institutions created by settlers that gave them rights while criminalising slave resistance against oppressive laws and conditions. The discriminatory enforcement of laws was driven

by preconceived beliefs about indigenous people as inherently inferior, primitive, dangerous, and uncivilised, thus deserving punishment (Adhikari, 2010). Furthermore, beliefs about Africa as "…a place full of non-human monsters, idolatry, barbarism and unbridled sexuality" (Mama, 2002, p. 18) drove violent police enforcement.

2.4 Policing the British Colony: 1795–1890

The British occupied the Cape Colony during the Napoleonic wars in 1795 to secure Britain's trade with the East Indies. They handed the colony back to the Batavian Republic after the Peace of the Amiens in 1804, but because of hostilities with France, the British reoccupied the Cape in 1806 (Ross, 2017). During the first period of occupation, the British took over the police structures of the time and only made minor changes to the Burger Watch (Brogden, 1989). A characteristic of policing that remained unchanged during both Dutch and British occupations was the masculinist paramilitary model of policing, which was based on a hierarchical structure entrenched in racial and class differences between the colonisers and indigenous police (Brewer, 1994).

Klipin and Harisson (2003) contend that, like Dutch policing, British policing conflated military functions tainted with racist and abusive practices. In addition to the violent, masculinist and patriarchal policing model, the employment of strangers to police black communities was a hallmark of British colonial police across all British colonies (Brogden, 1989), a practice later adopted by the apartheid police. This approach was initially introduced by Dutch settlers, who employed banished convicts from the East Indies as constables in the police force.

The British control of the Cape Colony resulted in growing hostilities and conflict between the Dutch settlers and the British administration. The British administration instituted social reform policies to abolish slavery, giving equal rights to all and banning the inhumane forms of punishment of slaves (Gordon, 2009). The slave trade to the Cape Colony was outlawed in 1807. However, the importation of slaves continued under British rule until slavery was abolished in 1834. After the official ending of slavery, slaves remained apprenticed to their owners for another four years working on their farms without pay before being set free in 1838 (Ross, 2004).

The political changes in the administration of the Cape Colony resulted in the Dutch settlers, organising themselves in what became known as the great "trek" (movement) and moving from the Cape towards the Free State, Transvaal, and the Natal coastal areas (Gordon, 2009; Ross, 2004). There were several political, economic, and racist reasons for their move. Their

reasons were related to their disgruntlement with freed slaves and the indigenous population being granted the same rights as Christians, which they reasoned contradicted “the laws of God” (Müller, 2018, p. 69). Worden (2012, p. 16), however, argues that the real reasons for their move were their dissatisfaction with their inability to own land and the financial constraints imposed by land tenure contracts resulting in their over-indebtedness and subsequent impoverishment. As the trekboers migrated into the interior of South Africa from 1835 onwards, they encountered armed resistance from African communities and engaged in several frontier wars between 1779 and 1878. Their advanced weaponry assisted them in dispossessing the indigenous populations of their land and resources (Adhikari, 2010).

The equal rights rhetoric of the British administrators was short-lived as they perceived the growing slave population as a potential threat to their rule. The slave numbers steadily increased from 1658 to 1834 (Worden, 1985). From “1652 to 1808, 63,000 slaves were imported to the Cape” (Terreblanche, 2002, p. 157), with male slaves outnumbering the settler population in the Cape Colony (Ross, 2004; Gordon, 2009; Baderoon, 2018). The colonial society was a male-dominated society, with male settlers and male slaves outnumbering settler women and female slaves, and Khoekhoe and San females (Baderoon, 2018). As they were to the Dutch settlers, this large free slave population together with the San and Khoekhoe communities posed perceivable threats to the British settlers, who believed that, without the support of the trekboers, the large black population would rebel against their control (Ross, 1983). Notions of a “swart gevaar” or “black danger” began to surface and were perpetuated during apartheid rule.

Ironically, British fears motivated them to utilise the same violent repressive methods as their Dutch predecessors against the indigenous populations (Brogden, 1989). The British formed alliances with Dutch settlers who settled in the Cape Colony, notwithstanding the hostilities between them, and with the help of the police launched military attacks against what they perceived as common enemies, to invade the land of the African populace in the Eastern Cape (Van der Spuy, 1989; Sachs, 1973). These police actions exposed the contradictions of the British colonial administrators, whose intended liberal policies, on the one hand, promoted an equal rights rhetoric while, on the other, expressed racist beliefs about indigenous people as primitive, having no claims to land, no culture, and no religion. For them, this justified restricting their freedom with several oppressive laws (Adhikari, 2010).

2.4.1 Racialising the British Colony

The British annexed Natalia in 1845 and this area then witnessed a flooding of settlers from Britain, Germany, and Mauritius between 1849 and 1852 (Worden, 2012). From the 1870s,

the British expanded their control in Natal and, by the end of 1880, most African societies had been brought under British control (Worden, 2012). Throughout the 1800s and early 1900s the British instituted many racial segregation policies and measures to protect settler privileges and criminalise everyday black lives (Brogden, 1989; Gordon, 2009). One such policy was the Hottentot Code of 1809, which introduced the pass law, regulating the movement of Khoekhoe and free black men within and between provinces (Adhikari, 2010). The police were tasked with the responsibility of regulating the movement of black people.

Moreover, the racial reordering of society was facilitated by the introduction of a policy that resembled a system of indirect rule that imposed separate ethnic identities for indigenous populations according to perceived cultural differences (Mamdani, 2012). Mbembe (2017, p. 35) explains that the logic behind the "processes of racialisation" involved fixing specific racial identities to bodies and confining ethnic groups to particular geographical locations where their freedom of movement was regulated. Restructuring indigenous identities transformed relationality from "fluid, cultural identities into rigid singular political identities" (Ndlovu-Gatsheni, 2012, p. 7).

The construction of separate ethnic identities created the illusion of several minority groupings with no rights to land, political rights, or full citizenship (Adhikhari, 2010). Creating these new identities ignored the fact that simple shared ethnic identities did not exist before the arrival of the settlers (Worden, 2012; Small & Hira, 2014). These constructed ethnic differences ignored the complexity of new identities forged through intermarriages of indigenous populations and slaves and unions (forced or voluntary) between Khoekhoe and enslaved women with Dutch and British settlers (Adhikari, 1992). There were differences in language, spiritual practices, and customs in and between several indigenous communities that occupied and co-existed in the Cape Colony. These imposed identities were appropriated and reproduced through coloniality of power and are normalised in the present South African society (Mamdani, 2012).

In 1846, several other racial segregation measures, such as the establishment of reserves managed by superintendents, were established in the British Colony of Natal (Palmary, 2004). Besides imposing ethnic identities, segregated settlements were established for different ethnic groups (Mamdani, 2020; Gordon, 2009). These settlements later became known as "black reserves" and were replicated across South African cities between 1902 and 1904 (Gordon, 2009; Mamdani, 2020). The creation of reserves was used as a strategy to

divide and rule, exploit cultural differences between indigenous populations, polarise relations between them and maintain existing power relations (Small & Hira, 2014).

These settlements were managed by chiefs chosen, co-opted, and endorsed by the colonial administrators (Palmary, 2004; Sheik, 2012). The chiefs reported to the British governor (Brogden, 1989). The chosen chiefs were delegitimised in the eyes of their communities, which saw them as collaborators (Sachs, 1973). The chiefs were restricted to enforcing customary law in their respective ethnic communities (Gordon, 2009). The customary laws were based on the British understanding of diverse African customs and were reconstructed to serve settler needs. Customary laws were only accepted if they did not contradict British law, which consequently served to control ethnic groups (Mamdani, 2020).

The police were important intermediaries in facilitating almost every aspect of colonial life (Gordon, 2009) and played a central role in enforcing segregation policies, which ensured settler control (Van der Spuy, 1989; Brewer, 1994). Besides using the police to enforce unjust rules, the British administration used different political strategies to reorder society. They used the strategy of divide and rule to co-opt disenfranchised indigenous populations, missionaries, anthropologists, physicians, and journalists as agents of British social control to sustain the oppressive regime (see Worden, 2012; Bulhan, 2015). They also incorporated disenfranchised Khoekhoe men and headmen into the police force (Brogden, 1989). This brief historical background shows how social relationships in society were constructed using race as a mechanism to divide and rule. The divide-and-rule strategy caused animosity in and among the indigenous communities, which reproduced colonial violence.

2.5 Law enforcement in the Afrikaner (1850–1900) and British Colonies (1890–1948)

The movement of the settlers into the interior led to the establishment of two British and two Afrikaner republics. The two independent Afrikaner settlements were recognised by Britain in 1852, and this resulted in the creation of the Zuid Afrikaanse Republiek (ZAR), which required formal policing (Muller, 2016). The police in the different Afrikaner and British republics developed organically as colonialism became entrenched in South Africa (Van der Spuy, 1989). Policing in the Cape Colony was reformed in 1840 to emulate the Metropolitan Police in London, a model of policing that was adopted in all urban centres of the British colonies (Muller, 2016). These urban police were tasked with preventative patrolling, crime detection, and securing settler properties (Brewer, 1994).

The rural communities were policed by the Cape Mounted Riflemen and the Natal Mounted Police in the British colonies while the Afrikaner rural areas were policed by the South African

Constabulary (Hornberger, 2007). In the Orange Free State and the Natal region, more black policemen were employed to police black people; racism was institutionalised in policing as black policemen were not permitted to police white people (Brogden, 1989). Common to these colonial police forces was their militaristic and oppressive character, which they used to suppress internal and border conflicts between settlers and indigenous populations (Brewer, 1994).

Police regulation of interactions and the movement of indigenous communities in the colonies was linked to safeguarding mining elites' business interests. The development of the mining industry during 1886–1901 had an impact on the structure and functioning of the police, who were deployed to regulate the movement of men to the mines by ensuring a constant supply of cheap migrant labour from rural areas (Van der Spuy, 1989).

2.5.1 Policing the movement of black people

Several segregation laws and policies were developed to gradually dispossess black rural communities of their land. The Black Land Act of 1913 imposed the payment of different taxes, namely hut taxes, cattle taxes, and taxes on the people themselves. Indigenous men were forced to provide cheap labour on farms and in mines to pay these taxes and maintain the livelihoods of their families (Rodney, 2012; Essop Sheik, 2012, pp. 117–118). The police were tasked with arresting and incarcerating men who defaulted on paying their taxes (Van der Spuy, 1989). The criminalisation and mass incarceration of black men show how prisons were used as a mechanism to subjugate, control, and maintain racial hierarchies. The migrant labour system was maintained through the violent policing of migrant workers.

Migrant labour disrupted indigenous family structures by imposing heteronormative gendered norms based on Western family values (Vetten, 2014). The policing of sexual identities and sexual relations used the Christian ideal of the nuclear heterosexual family as a standard of human sexual relations (Lugones, 2010) that clearly defined the roles of females, males, and children. Men were constructed as heads of their households and were expected to provide for their families. Women were regarded as subordinate to men and constructed as caregivers confined to the domestic sphere (Vetten, 2014) and tied to reproductive functions within the household (Essop Sheik, 2012). These arrangements ignored the existing family structures of rural homesteads and the complementary roles that males and females performed in their communities (Mamdani, 2012). The meagre wages earned by indigenous men on the farms and in the mines were insufficient to provide for themselves and maintain

their families in the rural areas. These circumstances placed the burden of childcare and fending for their families on women. Women were left to perform productive and reproductive labour within their homesteads. The migrant labour system changed the family structure and power relations between males and females (Gouws & Van Zyl, cited in Engster & Hamington, 2015).

Influx control policies prohibited women from working in the cities, but the material conditions of rural households forced women to seek work in the cities. Women, however, resisted these influx prohibitions by moving to cities where they were forced to live a clandestine life by moving in with men who were housed in mine hostels or informal settlements (Hunter, 2010). They were often confronted by colonial police, who enforced influx control measures to keep them out of the cities (see Van Onselen, 2001, cited in Palmary, 2016). The structural violence that accompanied racial inequality, migrant labour and unfair labour practices, urbanisation, and the systemic breakdown of family and kinship ties caused the impoverishment of most of the black population, which was transmitted inter-generationally and is still prevalent in contemporary South Africa (Ramphele, 2000).

2.5.2 Founding the South African Police Force (SAP)

The rise of Afrikaner nationalism in the 1900s culminated in the institutionalisation of apartheid, with its widespread racialised and repressive legislation, in 1948 (Du Toit, 1993). In 1913, three years after the formation of the Union government in South Africa, the police forces from the Cape, Natal, Orange Free State, and Transvaal colonies were combined into a single South African police force (SAP) under one commissioner (Van der Spuy, 1989). The objectives of the Union police, like those of the former colonial police, were to enforce unjust laws and suppress opposition to the state (Marks, 1995, p. 3; Midgley, 1995, p. 3; Kynoch, 2016).

Steinberg (2001) emphasises that during most of the 20th century, the policing of black communities was a political activity that focused on policing the movement of indigenous populations and suppressing political opposition. Racism as an ideology became a central organising tool of colonialism and apartheid. The development of racist and gendered policing was tied to colonial expansion, where indigenous men were perceived as threatening, criminal, and violent. As allude to earlier these entrenched beliefs of the “swart gevaar” or “black threat” had their origins in colonialism (Baderoon, 2018), and still drive racial fear of crime in democratic South Africa.

In my investigation into colonial policing, I recovered from historical memory a miscellany of information about colonial policing to add to my mosaic of gendered policing. For this discussion, I selectively picked through the ruins of historical records on policing to select relevant details about how gendered power relations were constructed, and I stuck these pieces together to create this mosaic. I used this historical background to sketch how the history of policing was shaped by socio-political and contextual factors. I illuminated how the multiple entangled power differences laid the foundation for contemporary policing. Like all recoveries from selected memories, this account portrays only the partial details necessary to give credibility to the project at hand. The next section outlines how the police continued the trajectory of violent gendered policing in the apartheid era that followed colonial rule.

2.6 Looking back: Apartheid policing 1948 to 1994

The history of policing during colonialism discussed above illuminates how colonial policing was central to the social, economic, and political structuring of South African society. The patriarchal colonial society was marked by multiple hierarchical power relations based on race, ethnicity, and class differences. The police force that emerged from this patriarchal society reflected hegemonic racial and class relations. These social differences remained in place during the apartheid era despite the demise of colonialism.

The apartheid system in South Africa lasted from 1948 until 1994. Like the colonial police, the South African Police Force (SAP) was autocratic, repressive, militarised, and politicised. The policing of black communities was a political activity, with the police enforcing apartheid laws and suppressing opposition to apartheid (Marks, 2002; Rauch & Van der Spuy, 2006; Steinberg, 2011). The police officials who enforced these oppressive laws were themselves subjected to these unjust policies, thus suffering the same emotional trauma that they inflicted (Faull, 2013). Racism as an ideology became a legitimate mechanism of apartheid for constructing society. This was reflected in the racial hierarchical structuring of police organisational matters such as recruitment, training, and occupational status (Van der Spuy, 1989).

The patriarchal context where race was central to shaping power relations in society meant that, initially, the SAP was an exclusively male force. This was also because, globally, policing was traditionally considered men's work. The ethnic division of the South African black population that started during British occupation became legalised during apartheid, which saw the creation of ten different homelands (Rauch, 2000). Each homeland had a separate

police force that was constituted under the homeland's legislation (Brewer, 1994). Despite these ethnic homelands having political independence, their police forces were still controlled by the SAP (Rauch, 2000).

2.6.1 Gendering police work

The gendering of police work developed in a racially unequal society. The police service was (and is still) overwhelmingly occupied by male bodies who subscribe to patriarchal beliefs that remain central to maintaining the gendered nature of policing (Vetten, 2014; Viljoen, 2015). It was only in 1972 that the first two white female police officials were employed (Brewer, 1994). The employment of female police officials followed the racist trajectory that was characteristic of the police organisation. Initially, only white women were employed in the SAP, followed by coloured women in 1981, employed nine years after white women, then indian women in 1982, and african women in 1983.

The targets of policing were not only raced and classed but also gendered. Black men were mostly criminalised by policing and thus overpoliced (see Steinberg, 2008; Altbeker, 2005a), while black women were generally under-policed and under-protected (Gqola, 2015, p. 50). GBV was regarded as a private matter not requiring police attention (Vetten, 2014). The under-policing of black women illuminated the state's abdication of its responsibility then and now to provide safety and justice for survivors of GBV. This abdication of responsibility thus becomes a form of structural violence that serves to intensify and normalise GBV in South Africa. The police's abdication of the responsibility then and now to provide safety and justice for survivors of GBV became a form of structural violence that serves to intensify and normalise GBV in South Africa. Black women were and still are adversely affected by discriminatory policing as they continue to suffer secondary victimisation when reporting GBV to the police (Verwoerd & Lopes, 2015).

2.6.2 Embedding brutality in policing

In terms of the style of policing, Bruce (2002, p. 1), cited in Sinclair (2017), notes that the SAP had a reputation for relying on "the use of force and high levels of brutality … especially when dealing with black people". While this style of policing allowed some white South Africans to feel safe and protected, it encouraged police officials to view and treat most black South African citizens as enemies of the state. Lue-Dugmore (2003, p. 40) concurs that "white South Africans were insulated from crime by a policing system that prioritised their protection and were isolated from crime through physical, social and economic boundaries defined by

race". This racist style of policing resulted in deep-rooted animosity between the police and most black citizens in the country (Kynoch, 2016).

Furthermore, the brutal enforcement of unjust laws resulted in the police becoming detached from the communities that they served (Bruce, 2002) and their violent acts led to them being socially isolated from their communities. During the apartheid era, black police officials were forced to leave their homes in the townships to live in emergency camps or tents at the back of police stations for their safety (Brewer, 1994). Their brutal conduct raised questions about their legitimacy within the democratic dispensation that followed the apartheid rule.

Like its colonial counterparts, the apartheid police force was instrumental in keeping the apartheid government in power for nearly 50 years (Gastrow & Shaw, 2001). The police force that emerged from the apartheid era was engrossed in a gendered, racist, patriarchal, capitalist, and oppressive political order. I contend that contemporary police are unthinkingly perpetuating these hierarchical colonial structures of power in South Africa.

2.7 The past in the present: Undemocratic policing

In the context of undemocratic policing as described above, the new democratic dispensation in South Africa (Sinclair, 2017) aimed at depoliticising law enforcement by changing its focus from policing political activities to dealing with criminal activities (Bruce, 2002). The transformation of the police force required that the police become a professional service premised on notions of policing by consent and operating within a democratic constitutional framework (Bruce, 2002). The reality was that South Africa was a deeply racially, socially, and economically unequal country at the time, undergoing a political transition where the black population distrusted the police (Stuurman, 2021). All these changes within the police were taking place in a South African society where violent crime levels were high.

It was within the unequal socio-political context sketched above that the transformation of policing had to be executed. The new democratic nation-state transformed the police from a force to a more community-oriented service – evidenced by the change of name from the *South African Police Force* (SAP) to the *South African Police Service* (SAPS), which emphasised its service orientation (Rauch, 2000). This model was imported from established Western democracies which saw the change to community policing driven by the growing hostility between police and citizens that required an extension of their "bandit-fighting" policing model (Brogden, 2002, p. 163). While the community policing strategy in Western nations was implemented to forge partnerships between the police and societies that had lost

trust in the police (Marks, 2005), community policing in South Africa was implemented in a society that had a protracted history of brutal policing. This was not an easy task because, as Simpson (2001, p. 216) points out, the police force that the new democratic government inherited faced a legitimacy crisis. The rationale behind implementing the community policing approach in South Africa was to transform the SAP and adopt a consultative and problem-solving approach to policing (Brogden & Nijhar, 2005).

2.7.1 Transforming the SAP

The extensive transformational shift of the police force to a democratic service not only demanded that the police become involved in and accountable to their local communities in their operations but also that they undergo major internal changes (Rauch, 2000). Transforming the police involved integrating the police forces of the former "bantustans" into the democratic police service (Rauch, 2000), along with members of the former liberation armies. A major challenge posed by these changes was that they had to be implemented within a resource-constrained environment where the new government was faced with spreading scarce resources to improve previously under-resourced services related to social, health, and educational services (see Nattrass & Seekings, 2001; Gelb, 2003). In addition, the concept of *community* (my emphasis) in South Africa *(see Footnote 6 on p. 3*, in CHAPTER ONE) is a contested term because of racial fragmentation and socio-economic differences and because of apartheid spatial planning that impacted the unequal police resources and services. Also, the concept of community was ill-defined in the community policing policy, which complicated the delivery of policing services to the diverse population.

A further challenge involved training members to implement the human rights principles that were central to the community policing philosophy and were also entrenched in the Constitution of South Africa (Republic of South Africa, 1996). It was the apartheid police officials, trained in reactionary approaches to addressing crime problems and the main violators of human rights (Midgley, 1995, p. 17; Van der Spuy, 1995, p. 25), who were now tasked with being "guardians of the new constitution and bill of rights and as the primary guarantors of safety and security" (Simpson, 2000, p. 7). Understandably, many challenges arose from this situation, which meant that the police had to be retrained as advocates of human rights-based values and in how to deal with gender-based violence (GBV).

The adoption of a democratic ethos of policing required that police officials develop new skills. It required an ethic of care in dealing with survivors of GBV, which was contrary to the crime-combatting strategies that the police were accustomed to, which required that they displayed masculine ethics. The police were tasked with involving communities that did not trust them

to detect, prioritise, and address problems of crime and disorder in their communities. Bruce (2002, p. 8) emphasises that, apart from developing their capacity to deliver effective policing services to communities in cities, informal settlements and rural areas, the police also had to meet the diverse needs of all these constituencies. One of the constituencies was women, who comprised most of the South African population and who were required to be involved as equal partners and explore new ways of dealing with GBV (Bruce, 2002).

Initially, involving the public in police affairs proved difficult for both the police and the public with their clashing expectations and needs about security. While the police saw the role of the public as helping them to reduce crime by providing them with information about crime in communities, community groups believed that they must keep the police accountable. Currently, a return to the rhetoric of the use of force and tougher crime-reduction methods that contrast with crime-prevention methods is welcomed by the police and public, who imagine that tougher crime-control measures are the answer to addressing the violent crime rate.

2.7.2 Involving the police in domestic affairs

Involving women as equal partners proved challenging for the police in a South African society where gender inequality persists (Bruce, 2002). The new philosophy of policing presupposed that the police believed in gender equality and that they were convinced that intervening in domestic affairs constituted police work. In fact, intervening in domestic affairs was antithetical to the policing they were familiar with, rooted as they were in a masculine militaristic policing culture that disregarded women's rights.

Community policing was paradoxical to the policing that they were familiar with, which disregarded human rights and was rooted in a masculine militaristic policing culture. In fact, during the apartheid era, police viewed GBV as a personal issue that did not necessitate police involvement (Vetten, 2014). They believed that GBV should be solved "within the confines of the home" (Stone & Lopes, 2018, p. 1). The challenge presented by the community policing philosophy was that it demanded a changing of attitudes and values towards adopting gender equality, democratic policing principles, and the internalisation of social justice values.

Considering the secondary victimisation that women who report GBV to the police experience three decades after the dawn of democracy in South Africa, one may question whether the shift to community policing has been an effective strategy for addressing the policing of GBV.

Issues of gender and unequal power relations were not prioritised in the transformation of the police and were consequently relegated to the back burner. Lue-Dugmore (2003, p. 45) claims that community-policing initiatives were primarily essentially publicity relations exercises and not incorporated into the work of all police officials. Also, police and the public had different expectations of community policing. Artz and de Oliviera (2000, p. 177) explain that factors such as “the high levels of violent crime, the lack of organisational co-ordination and a dearth of human and fiscal resources obstructed the success of community policing to transform the police”. The increase in violent crime and the persistence of structural inequality resulted in police managers, politicians, and the public demanding that the police deal harshly with offenders. In 2010, this public pressure influenced police management to remilitarise the rank structure of the police. These changes demanded that the police balance police service delivery and coercive policing. A statement by a police official quoted in Chapter 5 succinctly equates this balancing of policing priorities to performing an acrobatic act of “walking on the fire line”.

2.7.3 Untransformed police

The struggle to transform policing highlights that police brutality and violence embedded in 450 years of apartheid and colonial policing practices still underlie how the police carry out their mandate in the new constitutional dispensation. As shown in my study, the discursive practices of the police illustrate how the police force, which was created as an imperial institution, did not delink itself from Western authoritarian policing practices and hierarchical power structures that are ineffective in dealing with GBV.

After nearly three decades of democratic rule, the police are still being accused of brutality, corruption, and dehumanising poor people (Kynoch, 2016). The massacre of the striking Lonmin mineworkers at Marikana in the North-West Province on 16 August 2012 points to ongoing police brutality (Saul & Bond, 2014; Palmary, Hamber & Núñez, 2015). These violent policing acts resemble colonial and apartheid policing strategies and create an environment where police abuse becomes normalised.

A more recent gauge of police violence can be found in the Independent Police Investigative Directorate’s (IPID) 2020/2021 annual report, which recorded 42,228 cases of assault, 217 cases of death in police custody, 353 deaths because of police action, 256 cases of police torture, 80 cases of rape by a police officer, and 15 cases of rape in police custody (IPID Annual Report, 2020/2021). This display of police brutality illustrates how the police are complicit in the maintenance of an unjust and unequal social order. Hamber (2000, p. 11), however, claims that the retention of the violent nature of policing is not an exclusively SAPS

characteristic, pointing out that police institutions in countries such as Brazil, Argentina, and Chile, which share similar violent histories of authoritarian policing, also experience ongoing "authoritarianism and resultant violations".

2.8 Policing gender-based violence

Post-apartheid South Africa witnessed an increased commitment by the state to remedy the historical lack of attention given by the state to the policing of GBV. The Domestic Violence Act (DVA) (No. 116 of 1998) was introduced to combat DV and afford victims of DV maximum protection against GBV (Vetten, 2014, 2017). The DVA, in its preamble, highlights the critical nature and extraordinary pervasiveness of DV within South African society. The DVA is described as a progressive law that aims to provide "the victims of domestic violence the maximum protection from domestic abuse that the law can provide" (Republic of South Africa, 1998). The DVA broadened the definition of DV by acknowledging that DV manifests in various ways. It also extended the definition of a "domestic relationship" to include people in wide-ranging relationships, from same-sex relationships to extended families.

It is this comprehensive understanding of DV that I draw on in the study because this description of DV provides the framework for affecting the DVA by the SAPS. Despite the progressive intentions of the DVA, a limitation of the DVA is the fact that DV is not a specific criminal act in criminal law. Incidents of DV are included under criminal acts, particularly common assault, attempted murder, assault with the intent to cause grievous bodily harm, and pointing a firearm (Vetten, 2014). Furthermore, the implementation of the Act is hampered by the underlying structural drivers of violence that create an enabling environment where GBV flourishes.

Many feminists and GBV advocates hoped that the DVA would change police officials' responses to DV by limiting their use of discretion in responding to complaints of DV (Parenzee, Artz & Moult, 2001; Vetten, 2017) and making them accountable for their actions (Mathews & Abrahams, 2001; Vetten, 2017). As such, the DVA outlined a variety of assistances that survivors of DV could expect from the police (Vetten, 2015). It imposed positive duties on police officials (Stone & Lopes, 2018). They could be charged with misconduct if they failed to follow the prescripts outlined in the DVA and the National Instruction 7/1999, which described all the administrative requirements that police had to adhere to when dealing with every aspect of policing GBV (Vetten, 2017).

These obligations placed on the police to intervene in the domestic sphere and the resultant threat of penalties for non-compliance had implications for rearranging police practice. It resulted in policing officials producing symbolic violence, as is evident from research reporting on police responses to DV (Paranzee et al., 2001; Mathews & Abrahams, 2001). The production of symbolic violence in everyday connections between the police and survivors of DV is evident in this research.

The DVA outlined accountability mechanisms within the government and the community to oversee police operations and the provision of policing services within the prescripts of the Bill of Rights (Simpson, 2000, p. 7). The extensive accountability framework created to monitor police compliance with the DVA and its regulations has since been found to be ineffective because of its emphasis on legislative accountability but its exclusion of political accountability mechanisms (Vetten, 2017). Despite the numerous parliamentary reports by the Independent Complaints Directorate (ICD) and the Civilian Secretariat of the Police (CSP) on police non-compliance with the DVA, both these bodies were unable to hold the police accountable for their misconduct because they could not compel the SAPS to enforce their recommendations.

These shortcomings in legislative accountability raise questions about whether a punitive approach to police accountability is useful in ensuring effective services to survivors of DV (Vetten, 2017). Vetten (2015) recommends that the SAPS should steer away from this punitive approach to non-compliance with the DVA and focus on institutional learning from its mistakes to enhance the services rendered to DV survivors.

2.8.1 Difficulties with implementing the Domestic Violence Act

Research evidence highlights several difficulties that account for the non-implementation of the DVA by police. These barriers are related to problems within the personal, organisational, and structural spheres that are interconnected and need to be addressed holistically at all levels. The organisational constraints include a lack of infrastructure and resources within the police; poor levels of training; and problems with demotivated, untrained, and frustrated police officials (Artz & Smythe, cited in Davis & Snyman, 2005, p. 141; Mathews & Abrahams, 2001). Often, survivors require interventions that go beyond the conceptualisation of DV in the DVA, consequently requiring assistance that falls outside the realm of police work. All these constraints shape how policing services are delivered to the complainants of GBV.

The public hearings conducted in 2009 by the Parliamentary Research Unit to monitor the implementation of the DVA by the police found that many police officials acted in an

unprofessional manner when dealing with victims of DV (Matthews, 2012, p. 8). Their unprofessionalism resulted in women being subjected to secondary victimisation when looking for help from the police, despite the increasing acknowledgement of GBV as a violation of human rights (Parenzee et al., 2000-2001, p. 106; Boonzaier, cited in Shefer et al., 2006, p. 135). These findings highlight the disjuncture between progressive legal and policy reforms enacted by the state and the practices of police officials who tasked with implementing laws to enhance victims' rights (Vetten, 2017). These results further highlight that policy changes may do little to transform entrenched gender biases and discriminatory practices that have become entrenched in colonial and apartheid policing organisations.

Moreover, research has highlighted several structural constraints that impact the policing of GBV in South Africa. These problems persist because of the historical context that created the social and cultural dimensions that support the normalisation of violence against women (Van Niekerk et al., 2015, p. 2). The remnants of a militarised, masculine police culture that supports masculine values and practices reinforce the discursive construction of gender in police work. Since GBV is lodged within inequitable gendered power relations within a patriarchal society, it poses challenges to the police service as an institution that subscribes to patriarchal notions of masculinity (Viljoen, 2015). These challenges are what Kronsell (2006, pp. 108–109), citing Connell (1995), as cited in Ackerly, Stern, and True, describes as the normalisation of hegemonic masculinities in "institutions of hegemonic masculinity" because of the domination of men, where "a particular form of masculinity has become the norm". Connell explains that when men dominate institutions, "men are the standards of normality, equated with what it is to be human, while this is not spelled out".

It follows that dealing with the problems of policing GBV will require major shifts away from the heteropatriarchal culture that is protective of male power and privileges and the underlying power imbalances that were a feature of our violent and racist past. Bruce (2002, p. 8) adds that change needs to go beyond developing the capacity or skills of the police, by also addressing the underlying attitudes that police have about GBV. He claims that many male police officials may view GBV from a perspective that partly sympathises with the perpetrators and that primarily "blames" female victims. Through their discourses of denying men's responsibility for the problem and placing the blame on women, they maintain the gendered power relations that are prevalent in society.

Research evidence shows that GBV is a gendered problem because it disproportionately impacts women and is mostly perpetrated by men (Hearn & McKie, 2008). However, the DVA

is written in gender-neutral language that does not account for men's violence towards women. Hearn and McKie (2008, p. 75) argue that when we analyse, especially, policies on violence, we should examine the underlying assumptions that maintain unequal gendered power relations and the "gendered hierarchical processes". Hearn and McKie (2008, p. 77) problematise the concept "domestic", which they argue is linked to privacy, which degenders the problem and consequently does not effectively focus on the enormity of the problem.

The neutral framing of victims in the DVA results in several problems. The preamble to the DVA states that "the victims of domestic violence are among the most vulnerable members of society" (see Republic of South Africa, 1998, p. 1). The discourse about the vulnerability of victims in the DVA results in reproducing understandings of victims as inherently fragile and powerless, with no agency. I contend that this discursive representation of vulnerable victims reproduces notions of masculine protection of victims whom police officials automatically assume to be women and children, while the DVA includes a wide range of domestic relations. The vulnerability discourse reinforces the patriarchal protection afforded to the state, which is rooted within coercive control tactics embedded in violent domestic relations (Cuomo, 2015). It is these understandings of the problem that shape the conceptualisation of GBV as a private matter by the police.

Furthermore, researchers have blamed the lack of implementation of the DVA on poor planning and co-ordination among government departments, along with resource (physical, human, and financial) and infrastructure constraints in the CJS (Usdin, Christofides, Malepe & Maker, 2000; Vetten, 2005). To deal with all of the outlined problems, feminist activists have advocated for the formation of a coordinating structure to develop a National Strategic Plan (NSP) on Gender-Based Violence and Femicide (South African Government, 2020) to develop a coordinated response to GBV. The NSP was conceptualised and developed by a partnership between feminist activists and the Department of Women, Youth and Persons with Disabilities (DWYPD) (South African Government, 2020). The NSP set out clear plans, budgets, and accountability measures to address the problem of GBV holistically. However, at a recent gender summit held in November 2022 similar criticisms as those initially lodged against the government and the CJS by researchers resurfaced. Feminist activists reiterated the general lack of accountability by the government to decisively deal with GBV in society and the impunity of the police to arrest GBV offenders (Ndashe, 2022).

2.9 Conclusion

This chapter presents a partial historical overview of the evolution of gendered policing during the colonial and apartheid eras. I contend that policing had its roots in colonialism, and was

reproduced during apartheid, and this history informs contemporary gendered policing in South Africa. The discussion traces how policing was central to ensuring colonial expansion and currently continues to reproduce unequal power relations through the coloniality of power.

The social stratification of society was linked to the political agenda of the colonial and apartheid states and closely linked to their capitalist interests, which thrived on unequal social relations. This unjust social order resulted in political, economic, and social inequality that has deepened over centuries in South Africa and is currently increasing through the implementation of neoliberal economic reforms. I argue that the police were active agents in the political ordering of society through their enforcement of unjust laws that disenfranchised and dispossessed most indigenous communities.

The police are products of this patriarchal order rooted in an unequal social order, which they routinely reproduce through their daily discursive practices when engaging with GBV survivors. Despite transformational changes to democratic policing, the SAPS has retained its gendered and authoritarian nature and the brutal policing methods of colonial and apartheid policing. These characteristics still shape contemporary understandings of policing gender-based violence.

CHAPTER THREE: AFRICAN FEMINIST DECOLONIAL INTERSECTIONAL FRAMEWORK

> One of the most powerful myths of the twentieth century was the notion that the elimination of colonial administrations amounted to the decolonisation of the world. This led to the myth of a 'postcolonial' world. The heterogeneous and multiple global structures put in place over a period of 450 years did not evaporate with the juridical-political decolonisation of the periphery over the past 50 years. We continue to live under the same 'colonial power matrix.' With juridical-political decolonisation we moved from a period of 'global colonialism' to the current period of 'global coloniality' (Grosfoguel, 2011, p. 7).

3.1 Introduction

In this chapter, I discuss the conceptual framework for the study. I draw on the perspectives provided by African feminist and decolonial intersectional perspectives as lenses to view the gendered discursive practices of the police. I combine these perspectives to create an African feminist decolonial intersectional perspective (AFDIP) as a conceptual framework to analyse and frame the findings of the research. This framework enabled me to explore the reproduction of harmful gendered identities and intersectional inequalities in a police organisation in a specific location.

In the next section, I describe the context of colonialism where coloniality emerged. I then explore the connections between colonialism and the continuity of coloniality in the present study. Understanding how coloniality continues to entrench itself in policing requires that I provide a historical context for the development of inequitable gendered power relations through the colonial matrix of power over centuries and how it continues to shape and maintain inequitable gendered relations of power in the present.

3.2 Contextualising colonialism

In *CHAPTER TWO*, I discussed how colonialism violently transformed the economic, social, cultural, and political landscape of South Africa using race and gender to define power differences. These racial and gender differences still exist albeit in new forms in the present. This background laid the foundation for the reading of the research findings of this study. In *CHAPTER TWO* I, moreover, discussed colonialism as the violent political and economic control of the South African nation to settler nations through exploitation and oppressing of the local population (Maldonado Torres, 2007). The process of colonialism was destructive and entailed what Cesaire (2000, p. 32, cited in Ndlovu-Gatsheni, 2020, p. 31), describes as

a violent, disruptive, dehumanising, exploitative, racist, covetous process, and a system of "thingification".

Besides the more visible structures of power that arose during colonialism, it also had lasting psychological and intellectual effects. Colonialism resulted in the negation of people's beliefs, knowledge systems, languages and being, resulting in stripping people of their humanity and dignity. Lugones (2010) explains that a consequence of colonialism for the colonised was that their subjectivity was denied to the point where they were regarded as non-human beings not entitled to any rights. The historical devaluing of black lives during colonialism and apartheid infused what Fanon (2008) referred to as an inferiority complex in the colonised. He argues that this complex produced self-hatred and promoted hatred between colonised subjects in unequal and racist societies. Fanon (2008, p. 4) asserts:

> It is because he lives in a society that makes his inferiority complex possible, in a society that derives its stability from this complex, in a society that proclaims superiority of one race…

Fanon (2008) links the internalisation of this inferiority complex to the socio-political and historical context that enabled such a complex. Biko (2004, p. 32) contextualises the visible effects of this inferiority complex on the assimilation of whiteness by the black subjects. He asserts: "So negative is the image presented to him that he tends to find solace only in close identification with white society". This development of inferiority and assimilation into whiteness needs to be understood in the ongoing cultural and structural violence against indigenous populations that resulted in the racial, cultural, and gendered reorganisation of society. Colonialism was a gendered and racialised undertaking.

3.3 Coloniality of power

The notion of coloniality is premised on key pillars of the coloniality of power, being, and knowledge (Ndlovu-Gatsheni, 2013), which I use as analytical tools to examine the reproduction of inequitable gendered power relations. These concepts are unpacked as diagnostic devices to enable, as Ndlovu-Gatsheni (2013, p. 7) argues, a multi-layered exploration of the causes of the current "political, social, ideological, economic and epistemological" problems in Africa.

The notion of coloniality of power is used to examine and account for the transformation of the global political order through European colonial expansion along multiple hierarchical axis of power that consisted of asymmetric hegemonic, gender, racial, patriarchal, capitalist,

heteronormative, Christian-centric and modern power structures (Grosfoguel, 2007). In *CHAPTER TWO*, I discussed how policing was constructed during colonialism and shaped by inequitable gender and racialised power dynamics. In addition, I employ the coloniality of power as an analytical frame to understand how dominant Western power structures and cultures continue to find expression in the unequal cultural, economic, social, and unequal political power relations (Grosfoguel, 2007; Quijano, 2007).

Maldonado-Torres (2007, p. 243) emphasise that the power structures constructed during colonialism "continue to define culture, labour, intersubjective relations, and knowledge production" long after colonisation ended. Maldonado-Torres upholds that "coloniality outlived colonialism". Sonn, Stevens and Duncan (2013) concur that despite colonialism being dismantled during the 20th century, its effects are still visible through the ongoing coloniality of power on a local and global scale. These structures of power like race, poverty and inequality are reflected in the ongoing violence that continues to devalue women's lives.

3.3.1 Reproducing hierarchies of power

The coloniality of power is reproduced in multiple ongoing entangled relations of power on a global and local scale. These global hierarchies of power provided the foundations for the production of the current multiple inequitable hierarchies of power (Grosfoguel, 2007; Quijano 2007). Grosfoguel (2011) refers to these multiple intersecting relations of power as "heterogenous global heterarchies", which include binary hierarchies of male/female, heterosexual/homosexual, social class, religious/spiritual divisions, epistemic/knowledge hierarchies, linguistic hierarchies and cultural differences. Racism, discrimination, cultural chauvinism, tribalism, ethnicities, multiple inequalities, police brutality, the continued abuse of women, and the discriminatory conduct of law enforcement officers towards survivors of GBV reflects the continuation of colonial hierarchies of power in contemporary policing in South Africa.

These power hierarchies also entrenched new modern social and geo-cultural identities within the modern/colonial world and identities such as, "Black, Indian and African" are colonial constructions (Quijano, 2000; Grosfoguel, 2009, p. 30). In contemporary South Africa, the apartheid racial classification of population groups in the Population Registration Act (No. 30 of 1950, Republic of South Africa, 1950a) as "white", "coloured", "indian" and "african" lingers on. Seedat, Van Niekerk, Jewkes, Suffla and Ratele (2009, p. 1012) concur that the racial classifications that were "created through [colonialism] and apartheid laws in South Africa" are still in operation and "they have social significance because of the profound effect of apartheid laws on the lives of South Africans". The racial and ethnic classification of

the South African population was used as a political ideology to normalise the hierarchical racial categorisation of white as superior and black as inferior.

3.3.2 Constructing heteronormativity

Coloniality imposed hierarchical sex and gender relations on a global scale that inscribed heteronormativity based on global Western- and Christian-centric norms. Heteronormativity constructs heterosexuality as the standard of doing sexuality and is invested with regimes of power to define all other expressions of sexuality. Heteronormativity privileges heterosexuals (over other forms of sexuality) and European Judeo-Christian heteropatriarchy over other forms of gender and sexual orientations (Spivak, 1988; Enloe, 1990, cited in Grosfoguel, 2011). These hierarchical sex and gender relations are still operative in the modern/colonial world (Grosfoguel, 2011) and became evident in this study.

3.3.3 Global coloniality

Grosfoguel (2011) in the quotation at the beginning of this chapter highlights that it is a misconception that the global hierarchies of power introduced over more than 450 years of colonialism ended with the demise of formal colonialism. Grosfoguel (2011, p. 12) refers to this misconception as “the myth of a ‘postcolonial’ world”. Instead, decolonisation proceeded from a period of “global colonialism” to the current period of “global coloniality”. Global coloniality continues through Western imperialism and is visible in the economic and political dominance of Western countries over countries in the global South (Quijano, 2007). Ndlovu-Gatsheni (2013), referring to Africa, agrees that coloniality was inscribed globally within different independent nation-states through imperialism and Western knowledge, where violence and authoritarianism became the normalised way of governing these states.

3.3.4 The effects of the coloniality of power

The effects of the coloniality of power are evident in ongoing violence that continues to devalue women’s lives, whose humanity was denied. This devaluing of black women’s lives is institutionalised in the police culture, through global policing knowledge (Hönke & Müller, 2016) and multiple forms of power embedded in police discourse that reflect sexism, heteronormativity, racism, and classism.

Ndlovu-Gatsheni (2011, p. 2) writing about the maintenance of coloniality in the African context, argue that “the technologies of imperialism and colonial matrices of power continue

to exist in the minds, lives, languages, dreams, imaginations, and epistemologies of modern subjects in Africa and the entire global South". He asserts that not only was race used to "inferiorize" black people into the "damnes [*referring to lives that were declared replaceable*], denying their humanity, but it was also used to justify different types of violence such as slavery, colonial conquest, dispossession, imprisonment, rape, *gendered violence [my emphasis]* and killing".

3.4 The coloniality of being

The coloniality of being relates to the lived manifestations of dehumanisation and subjugation as they relate to three dimensions: existence (the lived experience of colonisation), the body (new biological or social categories to classify bodies) and historically (the colonising process). Coloniality of being, thus foregrounds the impact of colonialism on the lived experience of race, ethnicity, sex and class differences on black bodies (Maldonado-Torres, 2007, p. 242).

The coloniality of being is a useful analytical lens to explore how the lived experiences of black women place them in positions where their humanity is questioned. Perceiving women as inferior sub-human species justified racism, the violent control of their bodies and the ongoing GBV that they experience. Gqola (2015) points out that race was used as an ordering system through the institutionalising of violence against black bodies, which continues unabatedly against black women in the present democratic context.

Fanon (2008) explains how the colonisation process condemned black bodies to the "damnes" or the wretched of the earth. This condemnation of black bodies illuminates how people are reduced to lesser or non-beings who endure a hellish existence where violence is normalised. Maldonado-Torres (2007, p. 257) argue that the damnes co-occur with death as their lives are continuously lived in "the company of death" and this is illustrative of the lived experiences of survivors in this study. The coloniality of being is reflected in how poor black women's experiences are shaped by ongoing multiple forms of structural, physical, psychological cultural violence, which I discussed in *CHAPTER TWO,* Sections 2.3 and 3.1.1.5.

Maldonado-Torres (2007) compares the lived experiences of black women to warlike situations where the non-ethics of war are naturalised and normalised. Moffet (2008, p. 155) agrees that the non-ethics of war are illuminated in the current unprecedented levels of GBV in South Africa, which are the "worst known figures" for a country not engaged in war. The exceptional levels of GBV and femicide are daily circulated in public discourse, which

develops a hyper-visibility of the problem and results in the construction of GBV as inevitable and normal. Thus, "'killability' and 'rapeability' are engraved into the images of the colonial bodies" (Maldonado-Torres, 2007, p. 255). The Rwanda genocide and the conflict in the Democratic Republic of the Congo are examples of wartime killing and raping of women illustrative of the non-ethics of war (Palmary, 2005; Mamdani, 2002; Baaz & Stern, 2013).

3.5 The coloniality of knowledge

The "coloniality of knowledge" refers to the impact of colonialism on the diverse domains of knowledge production that sustained unequal power structures through universalising Western perspectives. It examines how indigenous knowledge was replaced with Western epistemologies assumed to be objective, scientific, neutral, universal and the only true knowledge suitable for all contexts and situations globally (Escobar, 2007).

The coloniality of knowledge furthermore analyses epistemological questions related to how colonial modernity impeded African approaches to understanding, social significance, envisioning, perceiving and generation knowledge. In *CHAPTER TWO*, Section 2.2, I explained how Eurocentric retributive forms of justice replaced indigenous forms of restorative justice. The blending of Western thinking and modes of understanding with Eurocentric colonialism led to the imposition of distinct binary hierarchal systems (e.g., civilised/uncivilised; modern/primitive; expert knowledge/general knowledge; European/other; white/ other) that served the interests of Western thinkers (Reyes Cruz & Sonn, cited in Goodman & Gorski, 2015, p. 131), and such dualistic thinking became normative. Euro-American social science was constructed based on the Western hierarchical classification of the globe and has functioned to rationalise and endorse this global order as the natural state of affairs (Smith, 2008, 2021), rather than an outcome of the historical power dynamics (Quijano, 2000). Knowledge and power are constitutive of one another.

Grosfoguel (2007) characterises the process of excluding, inferiorising and marginalising knowledge as epistemic violence. Hegemonic Western epistemic canons of knowledge were produced about racialised/inferiorised subjects and were transferred and imposed globally, making these subjects the objects of study (Grosfoguel, Hernández & Velásquez, 2016). The colonial context became the laboratory of modernity (Hönke & Müller, 2016). These dominant knowledge systems emphasised Western, racialised, heteronormative and masculinist approaches to understanding, being and action that disregards alternative knowledge creation by the racialised/ inferiorised subjects (Kincheloe & Berry, 2004; Grosfoguel et al.,

2016). Such racial and cultural knowledge reproduced dominant heterosexual male norms that were regarded as objective and universal standards of knowledge production while women's knowledge and thinking were ignored or regarded as inferior and invalid.

3.5.1 Decolonising policing knowledge

Theories about the police as a gendered institution from a decolonial feminist viewpoint are generally lacking. The need to create decolonised knowledge that situates the insights and experiences of the marginalised women in the global South at the centre of decolonised knowledge production is thus an urgent task for African feminists. Placing women at the centre of theorising about the policing of GBV assists in illuminating the invisibility of survivors and the intersection of other social structures that shape their lives. Feminist scholars, Hill-Collins (1990) and Haraway (1988) remind us that we always speak from a specific position within many interlocking social structures and that our knowledge is always situated. Grosfoguel (2011, p. 5) affirms that no one "escapes the class, sexual, gender, spiritual, linguistic, geographical, and racial hierarchies of the modern/colonial capitalist/patriarchal world system".

It is thus important that knowledge production within the discipline of policing start by problematising the geopolitical (Maldonado-Torres, 2004) and body political location of knowledge production of policing (Grosfoguel, 2007) and how it influences our understanding of policing today. In decolonial thought, the "locus of enunciation" situates the person who speaks within a specific geopolitical and body-political location, making this person visible, while Western philosophy and science often obscure the position of the individual speaking (Grosfoguel, et al., 2016). Consequently, according to Grosfoguel (2007, p. 213), by detaching the ethnic, racial, gender, and sexual epistemological position of the individual that speaks, Euro-American knowledge systems construct an illusion myth about "truthful, universal, rational, objective and scientific knowledge".

This myth of universal knowledge conceals the geopolitical and body-political epistemological locations of individual discourses within colonial frameworks of power and knowledge. Walsh (2012, p. 12) observes that when we consider the "geopolitics and body political locations of critical thought", we need to admit that Western forms of thinking still dominate globally. Thus, it was important for this research to create a theoretical location, to centre the opinions of poor black women and contextualise policing knowledge within a specific geographical and political context. Biko (2004) proposed black consciousness as a decolonial praxis to engendering humanity through centring indigenous epistemologies that embrace African values of *ubuntu*.

Hönke and Müller (2016) argue that Western policing is based on knowledge and police practices that categorise people into “us versus an inferior other” with us being Western and the other being non-Western. It also defined who the targets of policing are and how they should be policed. The coloniality of knowledge thus highlights how global policing knowledge embeds colonial knowledge that pathologizes and criminalises black bodies as violent and the subjects of policing (Grosfoguel, Oso & Christou, 2014). These colonial notions of criminal black bodies continue despite the transformation of policing to democratic policing. Poor black women were categorised as dependent, conniving, deserving of violence and underserving of police intervention.

The analysis of how policing knowledge is rooted in colonial histories and entangled within global matrices of power that are Western, capitalist, racist, heteronormative, and patriarchal is imperative in understanding how unequal power relations are reproduced in policing. Brogden and Nijhar’s (1998) researched the policing qualifications offered at a university in South Africa and their findings showed how these qualifications reproduced racism at different levels. Racism was reproduced through the racist policing curriculum content, and preferential language policies (English and Afrikaans that excluded most black students), reproducing inequality within the police organisation where promotions were linked to qualifications. In addition, the content of a new community policing module was copied from American textbooks and not made applicable to the South African context.

The next section unpacks the coloniality of gender as a necessary step to providing the context for discussing decoloniality.

3.6 The coloniality of gender

In the following discussion, I engage with the work of Maria Lugones which I found instructive in this study on the discourse production of gendered power dynamics because Lugones emphasises the links between gender, race, and colonial power relations. Lugones (2010) argues that the coloniality of gender can be used as an analytic tool to highlight how global colonial understandings of gender power relationships have erased the understandings of gender relations that existed in colonial societies before the imposition of the Western modern/colonial gender system. In her theorising of gender, Lugones accepts, uses, extends, and complicates Quijano’s (2007) understanding of the coloniality of power by foregrounding the co-constitutive relationship between race and gender to illustrate her understanding of the coloniality of gender as the darker side of the modern/colonial structure

(Lugones, 2007). She describes the coloniality of gender as an “analysis of the racialised, capitalist gender system” (Lugones, 2010, p. 747) as central constructs of the modern/colonial system.

Lugones (2016) furthermore advocates for combining the analysis of the coloniality of power with an intersectional analysis of race, class, gender, and sexuality, which she argues will enable us to observe the destructiveness of the modern/colonial gender order imposed through global Eurocentric capitalist power. These categories, she claims, are impossible to separate from each other in understanding gender power relations (Lugones, 2007). Lugones argues that the analyses of the modern/colonial gender structure help to expose the social power inequalities that continue within our present context.

Lugones (2007, p. 187) argues that it is important to locate gender within its geo-historical, political, cultural, economic, epistemic, and body-political contexts of domination that were central features of colonialism. Lugones (2010) argues that by historicising gender, we avoid falling into the trap of centring our analysis of gender on patriarchy only which focuses on notions of male superiority. She underscores the importance of historicising gender to understand the relational process through which gender became a racialised mark of humanity and civilisation. Icaza and Vázquez (2016) state that by theorising gender as socially constructed sexual differences within a specific historical context, Lugones conceptualises gender as an apparatus of colonial domination over “non-Western” racialised bodies.

Lugones opines that the modern/colonial gender system was used to construct hierarchical binary differences between humans and non-humans (2010, p. 742). Lugones explains that the hierarchical differences between human and non-human were imposed on the colonised populations to serve the interest of Western man (Lugones, 2010). She elucidates that in the colonial encounter, the other was seen as having sex but not gender because gender was a characteristic assigned to humans. The differences between human and non-human were based on binary sexual distinctions as the mark of civilisation. Lugones (2010, p. 743) asserts that “only the civilised are men or women”, which implies that only European white males and white females were human. The European man was used as a criterion for defining humanity and this became the norm against which civility was measured and displayed. European women were perceived as being submissive, sexually chaste, confined to the home and devoted to serving European men. Through the coloniality of gender, these racial gendered hierarchies remained in place after the withdrawal of the colonial administrations (Schiwy, 2007).

This analysis of the modern/gender is essential for understanding the persistent high levels of GBV in the present democratic context because it explains how violence became a normalised way of dealing with those that were considered to be non-human. However, some African scholars dispute Maria Lugones' theorising of gender as a hierarchical ordering of indigenous society imposed by the European modern/colonial gender system, arguing that pre-colonial societies were "deeply patriarchal societies" and this inequitable gender order was emphasised during colonialism (Adeleye-Fayemi, 2000, p. 6, McFadden, 2001a).

3.6.1 Oyěwumí constructing pre-colonial racialised gender order

Oyěwumí (1977) agrees with Lugones view that gender was an organising principle of power imposed on colonised societies. Oyěwumí argues that the gendered ordering of colonial societies relegated black women to the bottom of this new racial hierarchy, where they suffered intersectional forms of violence. Oyěwumí (1977) adds that colonisation involved the twin processes of racial inferiorisation and gendered subordination of the colonised. Oyewùmí (1997) assert that principles of seniority determined the source of dominance and control in pre-colonial Yorùbá societies. She argues that the histories of particular societies need to be considered when historicising gender.

Paredes (2008) and Segato (2001, cited in Mendoza, 2016, p. 117), challenge Oyewùmí's (1997) claims about the imposition of gender in pre-colonial Yorùbá societies. They argue that gender power relations existed in complex, multiple and diverse manners in pre-colonial societies and that these gender relations reflected a less intense form of patriarchy than European patriarchies but became exacerbated by colonisation. Amadiume (1997, p. 163) adds to the debate by arguing "that patriarchy and matriarchy have always been contesting systems which have been articulated and manipulated in the power struggles between interest groups in indigenous African societies". Adeleye-Fayemi (2000) and McFadden (2001a), add that African societies are heterogeneous societies consequently there were patriarchal societies where women did not have equal access to rights, power, and resources. Regardless of the historical facts of diverse pre-colonial societies, Lugones asserts that "the imposition of a European gender system" was a fundamental element of the colonising or "humanising" endeavour (Mendoza, 2016, p. 118). Mendoza (2016) concludes that despite criticisms lodged against Lugones' argument that gender is a colonial construction, most scholars agree that the introduction of the European gender structure had lasting consequences for gender relations in colonised countries.

Accordingly, colonialism introduced a sexual hierarchy that served to accentuate the gender differences in a society also exacerbating the existing power inequities that might have existed in pre-colonial society. Since women were confined to the domestic sphere through colonisation, they lost all the authority held in the community. Oyewùmí' and Segato (cited in Mendoza, 2016) agree that the outcome of Western gender arrangements disempowered women and men because it imposed artificial differences between the private and public spheres.

3.6.2 Constructing gender in the colonies

Mendoza (2016, p 118) asserts that "the question of whether gender is a colonial construct, or an ancestral practice may pose a false dilemma" if it is understood outside of the political struggles that were waged against gender oppression within a particular context. She points out that the usefulness of Lugones' model can be found in the way that she positions gender within the genocidal logic of coloniality (Mendoza, 2016).

Lugones' model thus provides a theoretical place from which to reflect on the dehumanising and racialising work that the construction of gender accomplished in the colonial context and its replication in post-colonial societies. This framework is essential for understanding the persistent high levels of GBV in the present democratic context because it makes connections between gender, race class, and deep-rooted social, and psychological factors and historical colonial power and violence. Lugones (2010) argues that an understanding of this gender framework enables researchers to create new knowledge and institutions that support just relations between different genders.

Vetten (2014, p. 2), writing about the impact of imposed gender hierarchies during colonialism in South Africa, argues that "imposing colonial gender norms onto [local] gender systems, coupled with the institutionalised racism of apartheid, ensured a qualitatively different experience of family life for black women in South Africa". Lugones argues that one needs to understand the complex link between gender and racial oppression to expose how this system functioned to unsettle and rupture connections of practical cohesion and resistance among the colonised (Walsh, 2016). Lugones assert that colonialism dismantled the peaceful social relations of the colonised by producing artificial differences between men and women and creating hostilities between them (Mendoza, 2016). These "opposing yet complementary constructs of Black sexuality are borne out in the South African historical context" (Coetzee & Du Toit, 2017, p. 8).

3.6.3 Constructing contemporary gendered bodies

The outcome of the fragmented social relations manifests in the normalisation of GBV and is exposed in the rape statistics of black women. Black women were historically constructed as "highly erotic beings, promiscuous, always sexually available to the raping gaze of the 'White men'" (Maldonado-Torres, 2010, p. 109). These stereotypes of sexual deviancy ascribed to black women implied that they were regarded as not deserving of legal protection (Maldonado-Torres, 2010, p. 109; Gqola, 2021). The black female body was viewed as always readily available to be violated while the black male body is depicted as the violator of women's bodies (Maldonado-Torres, 2007). Her primary role was to satisfy "sexual desire and reproduction" (Maldonado-Torres, 2010, p. 109) making her "unrapeable" under the law (Gqola, 2015, p. 50). Being unrapeable justified the violence black women experienced and it also produced permanent harmful consequences that are still present in South Africa today (Gqola, 2015, p. 50).

Black men were similarly demonised as being inherently threatening, dangerous, violent, criminal and ready to commit acts of sexual violence, especially towards white women (Maldonado-Torres, 2007; Walsh, 2016). Shefer (2013, pp. 171-172), writing in Stevens, Duncan and Hook (2013) about the intersections of race, sex and gender in narratives during apartheid, quotes Biko (2006) and Fanon (1967) in arguing that the "demonisation of [the] black man and the way in which this has been sexualised has been shown to be endemic in contexts of racist colonisation". Black men were stripped of real authority and feminised in the process of colonisation (Maldonado-Torres, 2007). The feminisation of men was used as a measure to humiliate, threaten them with rape and ascribe sexual submissiveness to them (Lugones, 2007). Lugones (2007), however, argues that despite black men being oppressed by the modern/ colonial gender system, they became complicit in this system by being indifferent towards the systemic violence suffered by black women.

The above discussions highlight why a historical understanding of the spatial and temporal context is important in the analysis of gender power relations. Schiwy (2007, p. 278) agrees that recognising the positioning of gender within structures of power in specific locations is important in an analysis of gender because "it frames the type of theorising we do". Connell (2014. p. 556) summarises the coloniality of gender by arguing:

> Gendered violence played a formative role in the shaping of colonial and postcolonial societies and thrived in post-colonial societies through the coloniality of gender. Colonisation itself was a gendered act, carried out by

> imperial workforces, overwhelmingly men, drawn from masculinised occupations such as soldiering and long-distance trade. The rape of women of colonised societies was a normal part of conquest. The colonial state was built as a power structure operated by men, based on continuing force. Brutality was built into colonial societies.

The contemporary problem of GBV in the South is intrinsically linked to the violence of colonialism and the production of asymmetrical gendered power relations that were central to colonialism. Apart from seeking to understand the influence of the modern/colonial system on current gender relations, it is important to find a useful perspective from which to analyse and understand the discussion of gender power relations within diverse African contexts. Lugones proposes "decolonial feminism" as a framework that will provide us with the necessary tools and strategies to conquer the coloniality of gender (Lugones, 2010, pp. 746, 747).

3.7 Decoloniality as a liberatory project

A critical epistemic decolonial perspective allowed me to begin with demystifying, resisting, and engaging in decoloniality. Decoloniality constitutes both an epistemic and a political endeavour aimed at disrupting and undoing the logic of colonialism. Decoloniality is not premised on a single theoretical paradigm but consists of "a family of diverse positions that share a view of coloniality as a fundamental problem in the modern age" (Maldonado-Torres, 2011, p. 2). Decoloniality thus provides a framework for exploring the damage caused by colonialism by exposing the ongoing effects of coloniality on power, knowledge, gender and being.

Maldonado-Torres (2011) asserts that decoloniality fundamentally constitutes a critique of Western modernist ideologies and associated practices, which include colonisation, capitalism, racism and the modern gender system. Ndlovu-Gatsheni (2013, p. 11) describes decoloniality as the (ongoing) "political-cum-epistemological liberatory project" that "remained unfinished" (Maldonado-Torres, 2011, p. 2). The project is concerned with liberating previously colonised populations from globalised manifestations of power (Ndlovu-Gatsheni, 2015).

To engage in decoloniality, we need to take a "decolonial turn" which Maldonado-Torres (2007, pp. 261-262) describes as "making visible the invisible and analysing the mechanisms that produce such invisibility or distorted visibility…" He opines that a decolonial turn "refers to shifts in knowledge production…and [the contributions of racialised and colonised subjectivities to knowledge production and critical thinking". To counter the labelling by

coloniality of African knowledge as unscientific, inferior, invalid, and irrational, and thus relegating them to the margins of society (Ndlovu-Gatsheni, 2013), decoloniality aims to shift knowledge production from Western rationality to local knowledge production by making visible the experiences and perspectives of the marginalised. Mignolo (2007, p. 503) emphasises that decoloniality aims to "unveil and undo the logic of coloniality" by delinking it from Western-imposed dichotomies such as knower/known, subject/object, theory/praxis.

The decolonial epistemic perspective advocates for an approach that disentangles the intertwined colonial matrix of power that persists in lived experiences, of colonial power, domination, and racialisation in the everyday lives of marginalised black women. I use a decolonial epistemic perspective as a methodical apparatus to explore how gender, power, and abuse interconnect in the everyday policing of GBV to reproduce unequal gendered power relations. Lugones (2010, p. 746) argues that decolonising gender is "… a praxical task. It is to enact a critique of racialised, colonial and heterosexist gender oppression as a lived social transformation". It follows that decoloniality seeks to recognise and undo the "hierarchical structures of race, class, gender and heteropatriarchy" that were created during colonialism and continue to sustain itself in the present democratic context through their entanglement in capitalism and modernity (Mignolo & Walsh, 2018, p. 17).

To unveil and undo the coloniality of power in policing, this thesis centres on survivors' voices, their experiences of the policing of GBV and their perspectives about the policing of GBV. Making audible the voices of survivors silenced or ignored in the police organisation required that I adopt what Maldonado-Torres (2008) refers to as a decolonial mindset. This meant that I foregrounded the multiple ways of knowing by black women excluded from knowledge production. Decolonial feminist thinkers such as Sylvia Wynter and Audre Lorde (cited in Mignolo & Walsh, 2018) suggest that a decolonial attitude requires employing relational ways of thinking and observing the world, including analysing relations of privilege and oppression. It follows that engaging a decolonial attitude enabled me to unveil and challenge injustices by illuminating the many intersecting forms of domination that impacted black women's lives. Also, it enabled the shifting of survivors' multiple ways of perceiving and comprehending the policing of GBV to the centre of knowledge production.

Decoloniality thus aims to overcome the coloniality of gender by taking an anti-racist, anti-sexist and anti-classist stand by listening to silenced voices and reviving subjugated identities (Walsh 2016). This perspective is relevant to a situated transdisciplinary study on gender,

power, and violence because decolonial thought recognises the pluriversal nature of knowledge production. Mbembe (2016, p. 37) describes pluriversal knowledge production as:

> a process that is open to epistemic diversity. It is a process that does not necessarily abandon the notion of universal knowledge for humanity, but which embraces it via a horizontal strategy of openness to dialogue among different epistemic traditions.

Pluriversal knowledge production within the realm of feminism's decolonial thought include the critical thinking and knowledge production from the lived reality of racialised and marginalised black female bodies. In addition to theorising from black bodies I also locate the study within the African context. In the next section I discuss how an African feminist decolonial intersectional framework is useful in exploring and accounting for the multiple and complex power relations experienced and resisted by black women.

3.8 African feminist framework

Lewis (2001, p. 5) asserts that African feminists have a "shared intellectual commitment to critiquing gender and imperialism coupled with a collective focus on a continental identity shaped by particular relations of subordination in the world economy and global social and cultural practices". Thus, framing gender within an African feminist framework challenges the structures that maintain the global and colonial legacies of racism, sexism and classism that are sustained through systematic inequalities entrenched in institutional cultures (Mohanty, 2003).

It thus becomes important for African feminism to reflect critically on the ongoing functioning of patriarchy, capitalism, racism, and Eurocentrism. In the process of such a critical reflection, African feminism challenges the coloniality of gender, by changing colonial understandings of gender relations and improving conditions for women in diverse African societies (Arndt, 2002). It changes colonial understandings of gender by confronting stereotypical depictions of black women as passive victims and black men as violent and, instead, recognises the multiple factors that shape gendered subjectivities and intersect with other power relations to normalise GBV.

The African feminist stance is broadly concerned with African women's experiences in the diverse African context, which are shaped by Africa's historical realities of marginalisation, colonisation, oppression, racism, economic exploitation, neo-colonialism, and globalisation (Adeleye-Fayemi, 2000, p. 6). The African feminist framework does not claim to be a universal framework for understanding gender in Africa. It considers how historical, social,

political, economic, and cultural contexts have shaped women's experiences of gender power relations (Kiguwa, 2006).

Feminist scholars have thus critiqued categories such as feminism, and women and women's experiences as essentialist and Eurocentric (Burman, 1998), thus dispelling the perception of the homogeneity of women and feminists as a unified collective. Ahmed (2000) emphasises that it is difficult to talk about black women as a cohesive group since black as a category is contested within feminism. These critiques have also highlighted why "fluidity, situatedness, locality, contingency and intersectionality" should be considered when theorising about women's multiple experiences (Rutherford, Capdevila, Undurti & Palmary, 2011, p. 3).

My African feminist stance is informed by my position as a black South African woman living on the African continent. I cannot stand or speak outside of these contextualised raced and gendered experiences. Guy-Sheftall (2003, p. 58, cites Davies & Graves, 1986, pp. 8-10) emphasises that context defines one's identity, when asserting that African feminism:

> …acknowledges its resemblance to international feminism but outlines a specific African feminism with specific needs and goals arising out of concrete realities of women's lives in African societies … [It] examines African societies for institutions which are of value to women and rejects those which work to their detriment … it understands the interconnectedness of race, class, and sex oppression.

Within an African feminist framework, theory is valuable when it addresses questions regarding the exercise of social power and the potential transformation of social relationships of gender, class and race. Lewis (2001) cites Gqola, who argues that African feminism envisions a new reading of African women's lives that enables scholars to make interconnections between theory and women's everyday lives. She calls for a rejection of the "cartesian dualism embedded in the artificial separation between theory and praxis" (Lewis, 2001, p. 7). Lewis (2001) reminds us that the African feminist perspective connects the personal to the political, thus connecting theory and praxis shaped by experiences of oppression and marginalisation within a specific historical context.

With black women being the focus of this study, I recognise black women's multiple understandings of abuse and pay attention to the warning by South African feminists about the need to be critical of scholarship that reproduces apartheid's racial categories (Salo, 2013; Posel, 2001). However, I use black in this study as a political category to describe black

women who share a common political identity and history of being oppressed during colonialism and apartheid. My choice of black women as the subjects of this study is inspired by African feminist interests that argue that even though “women” is not a universal category, the experiences of women are determined by their socio-historical realities, cultural and geopolitical locations (Mavuso, Chiwese & Macleod, 2019). I also focus on black women to highlight the ongoing coloniality of gender and how it impacts black women’s lives and keep them captive in conditions where violence flourishes.

I thus find poor black women a useful category for theorising from the position of marginalisation and how black women understand their oppressions and resistances at the intersection of complex systems of inequality. I not only highlight the focus on the victimisation of black women but also recognise the agency that they exercise in confronting the violence in their lives. A focus on the gendered, classed and racialised experience of survivors of GBV at the everyday level makes the analysis even more specific because it is at these embodied intersections of race, class, and gender that GBV is best understood. Situating African women’s experience in knowledge production within a specific geopolitical and body-political context is important because, as Kiguwa (2008, p. 279) cogently argues, “not all feminisms are equally responsive to the particular political and substantive issues facing African women”. It is through their everyday lived experiences that one begins to see the manifestation of the effects of the intersection of multiple social power relations on women.

Lugones (cited in Icaza & Vázquez, 2016) agrees that we should listen to indigenous women’s thinking as a thought of the communal – that is, not coming from subjugated beings but from the possibility of being women otherwise. Seeing and listening to black women produce an important epistemological shift. Their experiences not only bring into view the inseparability of gender, race and class but also reveal how they have been subjected to dehumanisation, and their sexuality animalised, while being denied the sources of communal and collective meaning (Lugones, cited in Icaza & Vázquez, 2016). The current problem of GBV in South Africa shows how the persistence of violence reflects the numerous structural inequalities that intersect with other vectors of power in the lives of black women.

While black women’s lived experience is the focus of the study, I agree with African feminists that men should be included in challenging unequal power relations that impact them. I thus include an analysis of black men’s positions in society by emphasising that they were themselves victims of historical and political marginalisation and adversely suffered dehumanisation, on the one hand, while paradoxically benefitting from patriarchal domination, on the other. As with black women, I acknowledge that black men do not form a

homogenous category. The African feminist perspective undertakes to change institutions and structures within society that maintain asymmetrical gender power relations.

The next section advances decolonial intersectionality as an African feminist analytical tool for unpacking gender, power and inequality within the context of this study.

3.8.1 Decolonial intersectional perspective

Besides theorising gender from an African feminist stance, we also need conceptual tools to analyse the multiple intersections of power that affect women's lives. A decolonial feminist intersectional approach that is grounded in people's subjectivities, realities, histories, and struggles can be employed as an analytical theoretical apparatus to explore how the various intersections of power in the social, economic, and political context affect the lives of black women. By analysing the context where gendered power is exercised and how different systems of power intersect, I highlight how the political and structural categories of social inequality are entangled and difficult to disentangle or explain by using simple reductionist explanations.

An intersectional analysis is thus a political analysis that is inherently linked to the examination of interconnected systems of control and domination. However, intersectionality is critiqued for its alleged emphasis on categories of social identity versus structures of inequality. The intersectional analysis grounded here emphasises the entanglement of multiple political, economic, and structural inequalities interacting with each other to produce complex realities for poor black women. Lykke (2010, p. 51) describes intersectionality as:

> …[a] theoretical and methodological tool to analyse how historically specific power differentials and/or constraining normativity's based on discursively, institutionally and/or structurally constructed socio-cultural categorisations such as gender, ethnicity, race, class, sexuality, age/generation, dis/ability, nationality, mother tongue and so on, interact, and in so doing produce different kinds of societal inequalities and unjust social relations.

Lykke (2010, p. 51) expands on the description of intersectionality by asserting that intersectionality not only examines oppressive relations but also analyses how individuals negotiate the "power-laden social relations and conditions in which they are embedded". Intersectionality has become the predominant way of conceptualising the relationships between systems of oppression, which inevitably results in different forms of unjust relations. Intersectionality has its roots in black feminist thinking. Kimberlé Crenshaw (1991) initially

introduced the term “intersectionality” into the feminist debate as a conceptual tool in response to feminist claims that women constituted a universal category. She developed the concept of intersectionality to engage the multiple axes of differences that black women occupy and how their identities and experiences intersect to create different realities that are multiple and complex. She argued that interlocking forms of structural domination such as race, class and gender intersect to affect African American women’s experience with poverty, employment and violence in ways that are different from white women and men of colour. Emphasising the magnitude of GBV against women globally the (WHO, 2021) states that more than one-third of women worldwide have experienced GBV in their lifetime.

While Crenshaw (1991) focused on African American women, her theorising on intersectionality holds for black women in this study because intersectionality advances the argument that different social identities such as, but not limited to, race, gender, class, and sexuality are entangled and mutually inform each other and are intertwined within the context of structural power relations which applies to this study. Patricia Hill Collins (1993) refers to these power relations as “interlocking systems of oppression” that produce certain realities for black women. Feminists such as Salem (2016) and Gouws (2017) hold that black feminists developed intersectionality as a “radical critique of liberal feminist” assumptions of a universal feminism that prioritises gender to the exclusion of other identity categories. For African feminists, the analysis of gender roles at the intersections of oppressive mechanisms of power should be expanded to include macro-power mechanisms such as “racism, neo-colonialism, imperialism, socio-economic exclusion and exploitation …” (Arndt, 2002, p. 32).

Linking intersections at the micro and macro levels of analysis helps us to avoid false divisions between multi-layered identities and social locations in hierarchies of power and privilege and different types of oppression that women occupy (Sullivan & Stevens, 2013). Such a relational model rejects the notion of forms of difference as additive but emphasises difference, inclusivity, and power relations within and between the intersections. The model also pays attention to the structural, historical, and contextual differences of each category. Intersectional theory thus creates the space to explore the different and concurrent subject locations from which women speak.

An intersectional lens employed relationally will expose the race, ethnicity, gender, and class of the socially marginalised people who are exposed to GBV, also who the perpetrators are, and the institutional and structural drivers that sustain unequal power relations in the everyday policing of GBV. Boonzaier and de la Rey (2004) agree that an analysis of GBV in South Africa should recognise its gendered dynamics and the multiple contexts in which violence takes place. A critical intersectional analysis of the lived experiences of survivors

can be used as a tool to help the police to make sense of the impact of these intersectional experiences and develop clear strategies rooted in social justice.

3.8.2 African feminist decolonial intersectional perspective

I combine an African feminist approach with a decolonial intersectional perspective to understand and expose the coloniality of power from the position of marginalised African bodies and spaces. I call this conceptual framework an African Feminist Decolonial Intersectional perspective (AFDIP). The AFDIP framework chosen for this study is transdisciplinary grounded in critical theory and methods, and "rooted in historical understandings of the effects of colonial power in contemporary society" (Cornell, Mkhize & Kessi, 2016, p. 62). The AFDIP recognises that colonisation was concurrently a process of gendered subjectification and the racialisation of society (Boonzaier & Van Niekerk, 2020). Such an understanding implies that the decolonisation of gender cannot be achieved without paying attention to racial, class and other inequalities (Lugones, 2010).

This framework uses broad issues of gender, inequality, power, and violence as analytical categories to emphasise the extent to which gendered subjectivities are produced in police discourse. I draw on AFDIP to facilitate the analysis, reimagining, and restoration of women's dignity by upsetting the existing matrix of power relations. As such, the AFDIP helps to contribute towards an understanding of the gendered discursive practices of police officials that reproduce problematic gender power relations that are harmful to survivors of violence. It follows that the AFDIP framework aims to name and disrupt colonised notions of gender power and to facilitate a decolonised understanding of gender power relations in policing.

Making public women's experiences and actions in *CHAPTER SIX* is a way of subverting the discursive practices that have been normalised in police discourse. Telling survivors' stories demonstrates how through paying attention to their agency about reporting and withdrawing DV complaints, they use tools within the CJS, to reclaim their rights and restore their dignity. I show how survivors use their agency to make decisions about how best to manage the abuse with limited resources and options that they find suitable based on their contextual situation.

I find the AFDIP focus especially useful as it situates the analysis of men's violence against women in a context of gendered power relations that shape black men's complicity in perpetrating violence against women. The framework does not excuse individual men from perpetrating violent acts but recognises that black men's violence against black women is

shaped by historical systems of domination and dispossession that dehumanised and denigrated them through ongoing coloniality and still deny their masculinity in the present democratic context (Suttner, 2007). With the growing problem of femicide in South Africa, the voices of men and organising by men against GBV are growing, consequently subverting public discourse about black men as inherently violent.

Considering perspectives from the lived experiences of those who have endured domination entails recognising that they produce a "grounded/place-based/embodied view" (Icaza & Vázquez 2016, p. 69) that demonstrates numerous ways of occupying bodies and the world. It also acknowledges that the modern/colonial system is not a historical entity, but rather a "centre of power that has always been surrounded by what it sought to deny; long traditions of resistance" (Icaza & Vázquez, 2016, p. 69). Icaza and Vázquez (2016, p. 63) see decolonial feminism as "an invitation to thinking/being/doing/sensing that exceeds the dominant discourses about women, men, gender, sexuality and the body".

The understanding from the embodied subjectivity of those who have been previously racially oppressed, dispossessed and dehumanised has the possibility of considering the modern/colonial gender system not in universal terms but as a concrete historical experience of domination (Icaza & Vázquez, 2016). Thinking about the embodied experience of gender defies generalised thinking that turns the world into systems and moves from abstract thinking into concrete embodied experiences (Lugones, 2016).

3.9 Conclusion

This chapter discusses the concepts of colonialism and coloniality of power to create the foundation for the decolonisation of gender power relations in the police organisation. I have claimed that it is critical to unpack how the coloniality of power continues to define gender power relations in contemporary society and how these power relations manifest in the police organisation. I outline how centuries of European colonial expansion set up patterns of power through apparatuses of control, manipulation and brutality shaped by race which reorganised the political, social, and economic relations in colonised societies through the coloniality of power. I emphasise how the coloniality of power imposed Eurocentric patterns of power on a global scale that defined binary relations between people, based on racial, class, sexual, linguistic, cultural, religious, and aesthetic differences locally. I also discuss how the Eurocentric patriarchal social order shaped heteronormative relations for ordering gender in society, systematically privileging men, and disempowering women as social groups.

I employed an African feminist decolonial intersectional perspective (AFDIP) to disentangle the multiple complex forms of power and domination that are reflected in the narratives of the survivors. A feminist decolonial intersectional perspective places the analysis of gender power relations within a political historical context where these racialised gender subjectivities are produced. The analytical framework of AFDIP was employed to interpret women's narration of their experiences and illuminate how they resisted the construction of harmful gendered power relations. By making visible survivor's experiences with the policing of GBV, women are centred as active agents in contributing to comprehending multiple types of abuse in their lives and their ways of addressing the abuse.

CHAPTER FOUR: DECOLONIAL FEMINIST ETHNOGRAPHIC PERSPECTIVE RESEARCH METHODOLOGY AND PROCEDURES

> Critical research designs …explore more interactive, dialogical, and reciprocal research methods that work towards transformative action and egalitarian participation; they connect meaning to broader structures of social power, control and history; they work towards open, flexible theory building grounded in both confrontation with and respect for the experiences of people in their daily lives and profound scepticism regarding appearances and common sense (Lather, 2004).

4.1 Introduction

This chapter outlines and justifies the research methodology employed in this study. The methodology was underpinned by the African feminist decolonial intersectional conceptual framework discussed in *CHAPTER THREE,* Section 3.3. I discuss how I use this framework to reveal the discursive production of gendered power relations in participants' narratives. With gender power relations serving as an important object of study in feminist research, the research questions centred on how power is mobilised in police discursive practices to construct harmful gendered power relations that are reproduced, maintained, and contested in the everyday policing environment.

I begin by describing my struggles in finding the appropriate conceptual framework, which resulted in the adoption of the bricolage methodological strategy that uses multiple theoretical perspectives and methodological eclecticism to answer the research questions. I then describe how a qualitative research approach employed several interpretive practices and social constructionism to explore how participants constructed gendered subjectivities, make meaning thereof and interpret their lived experiences of policing GBV in a particular social context. I continue by discussing how I used ethnographic and phenomenological methodological approaches, to reveal the workings of power and oppression that are concealed in participants narratives. I furthermore explain the application of critical discourse and narrative analysis to reveal the links between multiple intersectional power hierarchies and structural inequalities.

The next section outlines the bricolage methodological strategy that I employed to answer the research questions.

4.2 Employing bricolage as a methodological strategy

The quotation by Lather (2004) that begins the chapter outlines how I framed the research using multiple theories and methodologies to answer the research questions. Lather's argument clarified my initial struggle to fit my study into a tidy conceptual framework that would allow me to plan and conduct my research and discuss its findings. Since my research is located within multiple disciplines, I struggled with finding a single theoretical framework that would encapsulate this research and help me to "transform collected materials into vivid, detailed accounts of lived experience that aim to show how lives are lived, understood and experienced" (Kiesinger, 1998, p. 129, cited in Dillow, 2009 p. 1341).

Like Kiesinger (cited in Dillow, 2009, p. 1341), I was troubled by "the impossibility of producing an objective, neutral view of lived experiences". I acknowledge that the research cannot be completely detached from value judgements because all the participants and I, brought our own and distinct experiences of race, ethnicity, class, nationality, and sexual identity into the research process. As such, our experiences were informed by the geopolitical and body political locations from where we spoke. I am persuaded by Morawski's (1997) argument (cited in Kincheloe, 2011, p.180) that:

> any social, cultural, psychological, or pedagogical object of inquiry is inseparable from its context, the language used to describe it, its historical situatedness in a larger ongoing process, and the socially and culturally constructed interpretations of its meaning(s) as an entity in the world.

In my search for a suitable research framework, I employed what Berry (2006, p. 90), citing Gergen (1999, p 167), describes as a "profusion of practices". These practices include employing "multiple theories and methodologies: multiple ways of collecting, describing, constructing and analysing the object of the research study, and lastly multiple ways of narrating relationships, struggles, conflicts and complex worlds of the study that maintains the integrity and reality of the subjects" (Helms, Irby, Guerrero-Valecillos & Cox, 2009, p. 6). It follows, that I employed multiple theoretical perspectives and utilised a methodological eclecticism. The bricolage strategy followed entailed thoughtful and reflexive practices that typify critical, feminist, knowledge production and praxis (Nagar & Swarr, 2010).

My research approach endeavoured to investigate the complex interconnectedness between numerous discourses and their interrelations within police discourse and in the lived experience of survivors of GBV. To connect the multiple discourses, I engaged a

transdisciplinary strategy to connect knowledge from multiple disciplines of policing, criminology, political studies, discursive psychology, sociology, social work, criminology, gender, and discourse studies. I followed an emergent and flexible research design (Merriam & Tisdell, 2016). I added "new methods, tools and techniques of representation and interpretation" (Denzin & Lincoln, 2018, p. 45) as and when they were needed. Using a bricolage methodological strategy meant that the choice of interpretive practices evolved during the research process through reflective processes that were responsive to the research process.

Researchers as bricoleurs fulfil different methodological, theoretical, interpretive, critical, political, gendered, and narrative roles (Denzin & Lincoln, 2018; Kincheloe & McLaren, 2005). In this research, I embrace all these roles at different stages of the research process.

4.3 Qualitative research approach

The qualitative research approach in this study is used to explore the "quality and texture" of lived experience explained in participants own words rather than the "identification of cause-and-effect relationships" (Willig, 2013, p. 52). Thus, I found Denzin and Lincoln's (2018, p. 47) description of qualitative research to be congruent with my research aims: "interdisciplinary approach employs multiple interpretive practices to understand human life and interpret real-life experiences". My choice of qualitative inquiry assumed that questions of meaning and understanding could not be fully explained within positivist epistemological social science since meaning is shaped by how participants interpret events in the discursive context in which they occur. Conducting qualitative research implied that I decide which knowledge to include or exclude in this thesis. This, I make explicit in Section 4.4, where I reflect on my location in the study.

Gender dynamics and power relations are infused in complex ways in masculine institutions such as policing, which reproduce colonially imposed police hierarchical protocols, roles, and responsibilities. Therefore, a qualitative research approach was regarded as appropriate to explore how gendered power relations are simultaneously made visible and at times hidden in discourses. Also, to analyse, interpret and describe the invisible working of power in the discursive practices of participants within a specific institutional context where these experiences are shaped and enacted. Furthermore, qualitative methodologies were employed to highlight how discursive practices are deployed to normalise harmful power relations in everyday policing.

4.3.1 The critical social construction of gendered power relations

Qualitative methods deploying social constructionism were used to understand how individual's understandings, experiences and meanings are socially constructed. Willig (2013) argues that human experiences are shaped through linguistic practices as well as historical and cultural contexts. In this study, I drew on critical social constructionism to analyse how participants constructed violence, gender, and intersectional power relations within a police organisation in a specific historical socio-political context.

I used Burr's (2015, pp. 4-5) four main assumptions about social constructionism to provide a rich understanding of the research data. The first assumption is that social constructionism adopts "a critical stance and sceptical attitude towards taken-for-granted knowledge". Examining and revealing how gendered subjectivities are normalised, reproduced and bestowed with power in the everyday discursive practices of the police made up the first step towards illuminating how harmful gendered power relations become normalised, accepted as real and natural.

Secondly, a critical social constructionism perspective situates power relations within contemporary socio-historical, political, economic, and cultural contexts. It traces how these power relations are connected to specific cultural contexts through historical processes (Burr, 2015). Using critical feminist decolonial lenses enabled me to link individual experiences of gendered power with the structural violence located in the broader historical and political processes and context that enabled these inequitable relations.

Thirdly, social constructionism asserts that knowledge is developed and refined within social interactions with others, using language as a central mechanism (Kiguwa, cited in Ratele, 2006). I argue in this thesis that gender is not a predetermined attribute of people but rather gender is discursively constructed, negotiated, contested, and resisted continually in social interaction through language (Burr, 2015). This continuous interaction within the social context creates the possibility that certain gendered identities can, for example, be re-constituted and changed within relations of power (Hook, 2007).

Fourthly, social constructionism maintains that "knowledge and social action mutually reinforce each other" (Burr, 2015:5) and that knowledge is imbued with power and ideology that serve specific interests. A social constructionist analysis highlights how Eurocentric epistemologies of policing produced knowledge regarded as neutral, objective and universally applicable to all contexts despite geopolitical inequalities (Grosfoguel, Oso &

Christou, 2014).

I used the five phases of Denzin and Lincoln (2018, p. 53) which are the researcher's identity, major paradigms and perspectives, research strategies, data collection and analysis methods, and the interpretation and presentation of the data, to structure the following sections.

4.4 Reflexivity and researcher identity

Ramazanoğlu and Holland (2002, p. 158) describe reflexivity, firstly, as "making explicit the play of power relations in your research process" and, secondly, as "reflecting critically on the consequences of your presence in the research process". It follows that decolonial feminist researchers should be explicit about discussions on power, politics, and representation and through critical reflexivity consider the effects of participants' positionality in their research (Kessi & Boonzaier, 2018, p. 8). Feminist reflexivity required that I critically reflect on the power disparities between the participants and me and I problematise these power relations. I acknowledge that my positionality shaped the examination and exposition of the phenomena that I present in this study. I recognise that the analysis was influenced by my ideological views and shaped the final conclusions presented in this study.

Willig (2013, p. 55) states that reflexivity requires researchers to critically consider how the research that we undertake is affected and shaped by "our own values, experiences, interests, beliefs, political commitments, wider aims in life and social identities". My perceptions of the policing of GBV were shaped by my experiences of assisting survivors to lay complaints about GBV which I discussed in *CHAPTER ONE*. In addition, my views were also shaped by experiences that I gained during workshops I conducted with the police where some male police officials openly expressed sexist and misogynistic views about women.

It is from this subjective position as a researcher conducting research from a feminist standpoint that privileges women's experiences that I engaged with the police officials' experiences and understandings of gendered power relations. I clarified my choice of researching poor black women as a political act in *CHAPTER ONE,* Section 1.3, *CHAPTER TWO,* Section 2.3 and *CHAPTER THREE,* Section 3.3, to avoid representing survivors as an essentialised other. This awareness assisted me to stay mindful of centring survivors' voices, and not being complicit in muting or subjugating their insights and opinions (see Jack & Westwood, 2006, cited in Seedat et al., 2017).

Haraway (1988) affirms that our knowledge is always situated as we always speak from

specific positions within the power structure. Thus, I reflected on my location and interests in conducting the research and how I engaged with the participants throughout the research inquiry process (see Cunliffe & Karunanayake, 2013). I assert that the research act was gendered, thus shaped by my gender, and other intersecting relations such as my social class, sexuality, race and social biography (Denzin & Lincoln, 2018). I entered the research terrain from a relatively privileged class position as a black middle-class academic. I cannot distance myself from the research process as a neutral observer.

Despite these differences, there were points of convergence that as a black woman I shared with survivors through our common experience of historical systemic violence and racialised police violence. I used these experiences as a discursive resource to facilitate a safe space for the sharing of sensitive feelings about the pain and humiliation of the policing of GBV. In *CHAPTER ONE,* Section 1.3, I accounted for how the research was shaped by my experiences of marginalisation, disempowerment, and structural and political violence in this study. I highlighted the commonalities between my lived reality of violence to the survivor's experiences of violence in this study. However, I concede that my social location within the research process influenced the type of stories that the participants shared with me (see Eagle, Hayes & Sibanda, 2006).

I mitigated my biases by taking copious notes of my observations, which I recorded in my research journal during the research process and integrated these reflections in the process of data analysis. I employed discourse analysis to situate myself politically as a "social critic" rather than a "social observer" (Whetherell, 2001, p. 384). The critical reflection throughout the research process helped me to stay critical of the harmful discursive practices of police officials but also paying attention to the multiple factors that shaped their experiences of policing GBV. Being reflexive enabled me to empathetically listen attentively to police narratives. Research has found that listening to the painful traumatic experiences of survivors daily without regular debriefing causes compassionate fatigue [understood as over exposure to traumatised people] violence (Johnson, Russo & Papazoglou, 2019) result in police becoming unresponsive to survivors of GBV.

I continuously reflected on the intersections of my voice, place and privilege in the research process following (Cunliffe, 2003; Ozkazanc-Pan, 2012). I practiced self-censorship to constrain the relative position of power that I occupied as a researcher by positioning police officials as experts in policing GBV. This positioning meant that I often sat through detailed explanations about how the police implement the DVA. The police participants used these

opportunities to criticise academics [myself] for not understanding the practical situation on the ground that they dealt with. I interpreted their criticism as them challenging the asymmetric power dynamics in the research process where they were instructed by police management to participate despite my providing them the choice to participate voluntarily in the research process.

Concerning the survivors, I positioned myself as a researcher interested in the policing of GBV without mentioning my social work background to the participants because I wanted to minimise the influence of this positioning on the outcome of the research. However, the police and shelter managers introduced me as a social worker. Notwithstanding, the differential access to power that my identity as a middle-class black academic afforded me, this positionality had the advantage of assisting me to build rapport that facilitated the sharing of information by survivors about their experiences of the policing of GBV. It also assisted in facilitating dialogue about the criminal justice processes and procedures related to GBV while conducting the interviews with all the participants.

Being cast in the expert position of a social worker raised expectations that I should counsel children who had witnessed domestic abuse and assist survivors in dealing with other social issues and bureaucrats in different government departments. Participants expectations allowed me to reciprocate goodwill towards those who required my assistance. I made appointments and transported survivors and their children for counselling at the victim empowerment centres. I could not accompany survivors to the different government departments, but I supported them by writing letters to different bureaucrats in these departments. I discuss my doubts about this intervention in Section 4.8.2.1. I was honest about my role as a policing educator and thus my interest in researching the policing of GBV to improve my qualifications. This role clarification resulted in survivors offering me practical advice about how to teach police to deal with people who report GBV to police which I include in *CHAPTER 6.*

Owing to the critique of the police by the public and politicians, the police participants were very suspicious of the research and used several forms of resistance not to participate or undermine the research process which I document throughout this research. At times I found myself frustrated, but I was reminded that research is an ongoing negotiation of access to the research site, which I explain in Section 4.7.1. I used these examples of resistance to understand the gendered structuring of policing.

4.5 Critical and interpretive paradigms

I gathered data in three distinct stages. In stage one I conducted research with police officials only, and in stage two I conducted research with police officials (all were african except one coloured see p. 248), survivors and victim advocates attached to police stations. In stage three I conducted research at the DV shelter with survivors and shelter victim advocates. I employed a critical ethnographic study with the police participants and an interpretive phenomenological approach with survivors and victim advocates.

4.5.1 A critical ethnographic approach

In this section, I highlight how I employed a critical decolonial feminist ethnographic approach to make sense of how police participants constructed harmful gendered identities in their everyday interactions with survivors of GBV. These constructions reproduced inequitable gender power relations. The African decolonial feminist approach, which I discussed in *CHAPTER THREE,* Section 3.3, framed the critical ethnographic approach that I used to conduct research with the police participants. Working within the critical paradigm of the decolonial feminist ethnographic approach, meant that I focused on the historical, political, cultural, and social contexts where policing was developed and operated from. The decolonial feminist lens draws attention to how policing serves to both reproduce the hierarchical relations of power reflected in society as well as provide space for those relations to be challenged (Kincheloe, McLaren, Steinberg & Monzo, cited in Denzin & Lincoln, 2018).

Employing a critical feminist ethnographic approach, using gender lenses, enabled me to understand the complex and everyday taken-for-granted routine activities of a culture-sharing group (*visible police*) in their everyday setting. Craven and Davis (2016) describe ethnography as a qualitative research approach that uses participant observation to study the everyday life of social actors (in this study the police) within a specific social setting. Manning (2014, p. 519) adds that an ethnographic study is a “close-up study of culture and how meanings are reproduced, distributed, and understood…” By using critical ethnographic lenses, I was able to go beyond “surface appearances” to unsettle both “neutrality and taken-for-granted assumptions by highlighting underlying and obscure operations of power and control” (Madison, 2012, p. 5) in the discursive practices of the police. Within this critical focus, a more general concern with gender as the social construction of femininities and masculinities, including non-binary genders, rather than just women, arose.

During the ethnographic stage of the study conducted within the police setting, I drew on a

critical focus on gender which involved questioning common sense stereotypes and the constructions of gendered differences. I also questioned binary constructions of masculinities and femininities that result in the harmful constructions of gendered power relations that are derived from these constructions. Since a central premise of feminist research is concerned with crafting spaces for the silenced voices of women to become audible and heard (Lugones, 2010), I used ethnographic research with the police to highlight how women's voices were excluded from knowledge about policing GBV. Making women's voices audible as contesting evidence in unmasking police discursive practices is central to contributing to knowledge about the processes of undoing the hegemonic masculinist norms embedded in policing.

I employed an ethnography of a limited nature which is described by Bryman (2012, p. 433) as a "micro-ethnography" that is conducted over a shorter time, in contrast to a "full-scale ethnography" where a researcher spends long periods in a specific social setting. Despite doing an ethnography of a limited nature at all these stations, my observations of the policing of GBV had also been informed by more than three decades of teaching police students; attending and participating in policing seminars, talks and conferences; facilitating workshops for police officials on implementing the DVA; and engaging with other academics, non-governmental organisations and stakeholders involved in advocacy to end violence against women.

Cunliffe (2010) observes that whilst studying a cultural group, the ethnographer interacts with people in the setting, builds relationships with them and participates in their activities. All these activities are described in accessing the research site and conducting the research in Sections 4.7 and 4.7.1. Central to the ethnographic process was making sense of the way that the police constructed gendered subjectivities, power, and violence in their everyday micro-interactions with survivors who laid complaints of DV.

The critical ethnographic focus provided me with insights into not only the multiple facets of police work but also the mundaneness of everyday police work. My observation was informed by an analysis of the wider socio-political context where policing is performed. I concede that only observing the police without the latter analysis would lack a political understanding of the policing of GBV. If I had conducted interviews only, it would have been impossible to generate rich accounts from the field, grasp the complexities that shape the everyday policing of GBV and understand how different forms of power intersect in everyday policing, all of which were important for answering the research questions.

As a decolonial feminist ethnographer, I applied feminist ethics of care to guide me in engaging respectfully with the police participants, also taking care not to 'other' them in the

process (Fine, 1994). I did this by practising self-censorship to ensure that the participants felt free to express their views and not give me the answers that they believed I wanted to hear. I critically reflected on my relationship with them throughout the research process and made sure that I checked my notes and transcripts to ensure true representations of their views. To this end, Noblit (2004, p. 185) cautions “critical ethnographers [to] consider how their acts of researching and representing people and situations can be acts of domination even as critical ethnographers reveal the same in what they study”. Noblit (2004) suggests that critical ethnographers should analyse how structures of power routinely position participants in subordinate roles as opposed to the all-knowing research expert.

I made a concerted effort not to position myself as an expert on the policing of GBV. Yet I remained acutely aware that as an academic I was inevitably viewed as knowledgeable and critical of police practice. However, I committed myself to learn from and respect the experiences and views of all the participants. In my conversations with the police officials, they expressed their understanding of organisational life in stories, using metaphors, analogies and ethnographic insights. From these stories, I produced “detailed and thick descriptions of the micro-interactions in the field” (Cunliffe, 2010, p. 231).

In this thesis, I retell the police officials’ stories using their own words and incorporate my field observations and analysis of police culture and practice into an ethnographic text. An ethnographic story is often not a neat linear account of observations and participants’ experiences but rather a messy account that Marcus (2007, cited in Cunliffe, 2010, p. 231) suggests “brings out the experiential, interpretive, dialogical and polyphonic process at work in any ethnography”.

4.5.2 The interpretive phenomenological approach

Weedon (1997:8) argues that for a theoretical perspective to be politically useful for feminists, it needs to recognise the importance of “subjective” lived experience in constituting meaning of women’s lived reality. As such, the phenomenological interpretive approach was applied to capture the lived experiences of the survivors because of its focus on the “quality and texture” of the subjective embodied life worlds of survivors in this study. It also captured how survivors made sense of their experiences of reporting GBV complaints to the police within a specific “social and cultural context” (Willig, 2013, p. 74).

Moreover, the phenomenological interpretive approach recognises that participants often give multiple and competing meanings to the same phenomena but that their subjective

experiences should still be taken seriously. This research did not require that I establish the truthfulness of the participants' narratives. Instead, I acknowledged the importance that they attached to their subjective understandings and assumed that the claims they made were valid and contributed to knowledge production (Willig, 2013). Given the value placed on subjective experiences, the interpretive approach posits that participants' meanings are not fixed but are fluid and continuously reproduced in everyday life interactions between different participants in a specific social, political, and historical milieu. Their meanings are furthermore shaped by their experiences within the research context (Stevens, 2008, p. 164).

Terre Blanche and Durrheim (1999, p. 123) explain that we can understand participants' "experiences by interacting with them and listening to what they tell us". As such, I focused on to the verbal expression and interpretations that survivors attached to their experiences. Through narrating their stories, I connect a face and a body to their narratives of oppression, survival and resistance. By interpreting and retelling survivors' stories, I crafted a space for women's voices to become audible. I acknowledge that the retelling and interpretation of survivors' narratives are shaped by my subject location in the study and the analytic frame that I applied to analyse their stories. By accounting for my location in the study I am providing the context for my interpretations.

I concede that the research process is an interactive process that is value-laden and filled with unequal expressions of power between and among the participants and myself. I thus use my subjective interpretation of the data, but I thoughtfully reflect and report on the values, biases, and past experiences that I brought to this research. My feminist methodological orientation required that I reveal my positionality. These experiences I share throughout the thesis. I constantly grappled with the question of how to present the knowledge of the participants without unwittingly reproducing and maintaining any existing inequalities.

To overcome the paralysis created by the fear of reproducing the social hierarchy, I use a method proposed by Lather (2007, p. 4) that suggests "getting lost as a way of knowing" as a research method that rejects the authoritative voice of the researcher by using continuous self-critique and reflection. Being self-reflexive helped me to question my subjective position and interpretations within the research. Concerning my interpretation of participants' meaning, I am conscious that I am "embedded in the very same context and can only render interpretations based on [my own] position within fields of interaction and socio-historical contexts" (Stevens, 2008, p. 167).

Analysing the individual subjective meanings of the participants only, without a critical understanding of the broader societal context where these meanings are constructed, would

amount to pathologising individual behaviour and essentialising social inequity, resulting in the reproduction and maintenance of marginalisation. My act of interpretation thus served to place the everyday experiences of the survivors within the broader social, economic, and political structures of society to make the police discursive practices visible. The interpretive approach is critical as it connects individual experiences of inequality to structural inequalities within the socio-political context. As such, the interpretive inquiry is essentially a political act shaped by “ethical and political” interests.

4.5.3 A decolonial feminist narrative inquiry

A decolonial feminist narrative inquiry was used as a methodological research tool within the interpretive paradigm to account for “how gendered practices are carried out and how gendered identities are constructed and contested within institutions” (Kronsell, cited in Ackerly, Stern & True, 2006, p. 121). Narrative approaches to researching and understanding social reality have become integral to research in various disciplines, resulting in the “narrative turn” in research that focuses on subjectivity and experience (De Fina & Johnstone, 2015, p 160). Because narratives are used across various disciplines, it is not surprising that there is no single definition that describes what narratives are. However, as Gergen and Gergen (2010, p. 728) postulate, convergence is found where several approaches to studying narratives share a common concern with “stories as vehicles for rendering the self and the world intelligible”.

I found the broad description of narrative research by Lieblich, Tuval-Mashiach and Zibler (1998, p. 2) as “any study that uses or analyses narrative data which can be found in the stories and conversations gathered during the research process or in field notes” applicable to this study. It follows that participants’ perspectives and interpretations of their experiences are “constituted and gain meaning” within their narrative accounts (Somers, 1994, cited in Holstein & Gubrium, 2008, p. 296) within specific contexts. In the process of telling stories, meaning is constructed out of apparently difficult and troubling life adversities (Zingaro, 2009), like participants making sense of the abuse of power in their lives.

Narrative interviews enabled the survivors to speak about their experiences of violence on their terms, selecting experiences and shaping their accounts with minimal influence from the interviewer (Riessman, 2008; Squire, 2008). Survivors, however, found it difficult to name the symbolic violence that they experienced during their interactions with the police because of its subtleness, which is concealed and entangled in everyday discursive practices where

“hierarchal power hides violence for the purposes of domination” (Gqola, 2021, p. 13). The interpretation of how these discursive power structures are reproduced and maintained in discourse thus became a necessary starting point of analysis to reveal the mechanism through which power is reproduced. Unveiling these apparatuses that enable unequal power relations is a starting point in disrupting the taken-for-granted power relationships inherent in the policing of GBV in a particular social context.

By paying attention to the stories participants told, and the way that they positioned themselves in the study, I was able to understand how they constructed gendered identities and interpreted their experiences in the process of retelling their stories (Riessman, 1993; Hatch & Cunliffe, 2006). The survivors’ narratives of experiencing secondary victimisation when laying complaints of GBV with the police, revealed the significance that they attributed to their experiences of violence, oppression, and survival. Their stories illuminated their experiences of shame and humiliation when they reported GBV to the police. As such, narrative inquiry engaged participants in making sense of their everyday reality and the forms of power and subordination that disempowered them within the institutional context (Riessman, 2008). Survivors’ storytelling thus created a space for examining and challenging the mundane ways in which invisible symbolic violence (Dutta, Sonn & Lykes, 2016; Sonn, Stevens & Duncan, 2013) is normalised and challenged in everyday policing. Kessi (2018, p. 103) emphasises that through the lens of everyday conversations, interactions, and affective experiences about institutions by participants can assist us in understanding the history, culture, and social context of an institution and the values, beliefs, and principles that guide them. This understanding could reveal the micro and macro changes that need to take place, within the institutional practices.

Not only did survivors’ narratives highlight the unjust treatment that they experienced but it also exposed how they employed forms of agency, resistance, and control to reclaim their dignity and voices that were silenced by the inhumane treatment of unjust police officials when they reported GBV. Willig (2013, p. 73) argues that the meanings participants ascribe to understanding their experiences in their life world should be critically interpreted by going beyond their individual experiences of victimhood to reflect “on the wider social, cultural and psychological meanings” attached to these experiences. By attentively and respectfully listening to survivors’ stories, I foreground marginalised women’s stories, recognising that they are knowledgeable about how best to secure their safety thus validating their knowledge about the policing of GBV.

The participants’ narratives thus became a valuable resource for disrupting the complex nuances of hierarchal power relations inherent in the policing of GBV. This study also focused

on the ideological underpinnings of gendered discourses within the narrative frame, which views discursive practices as embedded within a personal and socio-historical context and sees social power as inextricably linked to issues of domination, power, and control.

4.6 Research setting, process, and study population

The research was conducted at four CSCs at police stations in Johannesburg on the West Rand (referred to below as stations one, two, three and four) and at a DV shelter in the same area. The police stations were selected because of their accessibility and proximity to the university where I worked. Other considerations were funding, the research timeframe and the varied socio-demographic factors regarding race, ethnicity, socio-economic status, and housing in the area. The chosen police stations included two large suburban stations and two smaller township stations. The suburban police stations served diverse racial groups with varied socio-economic statuses ranging from upper-middle-class to working-class communities. The smaller stations served townships and informal settlements, inhabited by people of different socioeconomic statuses, but mostly populated by people racially classified as coloureds and africans.

The research process was divided into three distinct stages. In the first stage, I conducted research at station one. Stage two of the research was conducted at stations two, three and four, and phase three was at a DV shelter. An ethnographic approach was used in the first and second stages of the research. I spent two months at the first station and five months at the other three stations. I sat in the CSCs of stations two, three and four to observe the routine everyday policing operations, which were made up of the repetitive tasks of “dishing out forms”, filling in forms (see *CHAPTER FIVE*), and taking down statements, writing affidavits and certifying documents. In the time that I spent at these stations, no “serious” crime was reported. Stage three entailed a phenomenological study using a narrative inquiry with survivors of GBV from the communities surrounding the police stations and at the women’s shelter.

The study population included visible police officials employed working in the CSCs in the selected police stations on the West Rand who were the first responders when GBV incidents were reported. It also included survivors of GBV, victim advocates providing victims support in victim support centres attached to police stations, and DV shelter advocates.

4.6.1 Sampling procedures

Purposive sampling was employed to choose police officials, at station one, relying on convenience and the availability of potential participants. Police who were employed for more than five years and who had experience dealing with GBV were chosen to form part of the study sample.

Patton (2015) explains that purposive sampling is an acceptable method of sampling for exploratory research where the researcher wishes to conduct a thorough exploration of specific cases to acquire more profound insights into the problem under study. Purposeful sampling assumes that the researcher's understanding of the population can guide the deliberate selection of cases to be included in the sample (Creswell & Poth, 2018). The use of purposive sampling facilitated the selection of a small sample enabling a comprehensive and interpretive analysis of the phenomenon (Sinclair, 2017).

The method was purposive because I asked a senior manager (MPP) at station one to select police officials who met the criteria of the research. I also asked him to select an equal number of females and males. My second request could not be met because of the gender-skewed nature of the police organisation, where more males than females are employed. I was given a list of police officials by the senior manager, from which I selected available police officials. He organised these officials to meet with me. A list of all the police participants with pseudonyms is attached as Appendix A. I decided to exclude the ranks and ages from Appendix A of police participants to ensure the anonymity of the participants. This sampling strategy was only followed at station one.

I used convenience sampling of police officials who were available and agreed to participate in the study at stations two, three and four, where I conducted the ethnographic study. Convenience sampling focuses on the availability of selected participants (Creswell & Poth, 2018) and was based on the convenience and availability of police officials who had experience in dealing with GBV and were willing to participate in my study. I interviewed 10 police officials.

4.6.2 Selecting and recruiting survivors: Stations one, two, three and four

I initially asked the senior manager to select black women survivors from the DV register. I requested him to choose women who were unemployed, self-employed, or employed in low-skilled or low-wage jobs as domestic workers, cleaners, or shop assistants and who lived in informal settlements, backyard dwellings, shacks, or government-subsidised social housing

(also known as RDP homes). My reasons for choosing black women from working-class areas are discussed in *CHAPTER ONE,* Section 1.3 but are worth restating here. My first reason was that black women as a group were disproportionately overrepresented as complainants in the DV registers at the selected police stations. However, it must be noted that black women make up more than fifty-one percent of the South African population and are a diverse group of women. According to Statistics South Africa, in 2015 more than 40% of black women lived below the "lower bound poverty line"[15] (StatsSA, 2022, p. 53). In *CHAPTER TWO*, I highlight that racialised poverty levels shape GBV in unequal ways in South Africa (Helman & Ratele, 2016, p. 2). Secondly, my choice of black women was motivated by historical factors such as their disposability under apartheid; their under-policing; and their experience of multiple levels of inequalities and complex entanglements of oppression; which resulted in their exclusion from most areas of public life.

The senior police manager (MPP8) arranged for a civilian police member to call survivors who met the research criteria. After the survivors agreed to participate in the research, I called them to arrange a meeting. I received permission from the senior manager and the victim advocates to conduct interviews in a private office at the police station and at the victim support centres. However, the research was conducted at venues where the participants felt comfortable meeting me. I interviewed eight survivors in this phase and observed how a police official interviewed a survivor, which I report on in *CHAPTER FIVE*.

Recruiting survivors in this way was a slow process, and I abandoned the process after one of the participants recruited in this manner raised a concern about the ethicality of the police giving her contact details to me. I discuss this ethical dilemma under informed consent in Section 4.11.1.

Six women agreed to be interviewed from the telephonic recruitment by the police-civilian administrator. Two additional participants who were reporting their GBV complaints to the police were recruited by a key police informant at station two while I was conducting the ethnographic study. One of these participants happened to be a police official's wife. I first established whether they would like to participate, and, after providing verbal consent, both survivors were interviewed.

[15] A poverty line is a national statistical measure that defines the threshold below which an individual or household will be categorized as poor. The lower-bound poverty line describes that choice individuals and households must make between food and non-food items.

At station three, I had one self-referral when a complainant found me alone in the CSC and enquired whether I was a new police official because she had seen me on a previous occasion when she reported a crime to the police. After informing her that I was researching GBV, she asked if I could interview her because she was experiencing ongoing GBV and was unhappy with the police response. This interview, which I report on in *CHAPTER SIX*, provided me with valuable information not only about her experience with the police but also about how the police officials diverted a GBV complaint (involving her family member) to the Victim Empowerment (VEP) centre attached to the police station when on one occasion I walked into the CSC to avoid my observing the police official dealing with the case. Marks (2005) reporting about her research on the Public Order Police in Durban, explains that being granted permission to do research from the SAPS National Research Office did not automatically guarantee that all members would be willing to participate in the research. I include a discussion of how police used avoidance strategies to avoid participating in the study in *CHAPTER FIVE*. I interviewed three victim advocates attached to these three stations.

At the DV shelter, I interviewed survivors who had reported GBV to the police. I also interviewed the shelter directors, a social worker, and the auxiliary social worker. See Appendix B for the list of survivors and victim advocates.

4.7 Gaining access to the research site

Negotiating access to the police service was an ongoing process. Permission to interview the police participants was sought from the SAPS National Research Office; the Gauteng provincial office; the station management of the different police stations and individual police officials at the four police stations on the West Rand where the research was conducted. Negotiations were undertaken with various gatekeepers within the management of all the police stations where the research was conducted.

Permission was sought from survivors at one of the police stations (station two) and the victim advocates at three stations. Permission to interview the women at the women's shelter was given by the shelter directors, the social worker, the auxiliary social worker, and the women who participated in the study. Research permission was retrospectively sought and granted by the Humanity Ethics Committee of the University of Witwatersrand.[16]

[16] Ethics clearance for this research was received from the University of the Witwatersrand Human Research Ethics Committee (Non-Medical), Protocol Number H18/0633.

4.7.1 Entering the field phase one: Station one

Before commencing my research at station one, I called several times to secure an appointment to meet with the management at the station, but they always seemed to be too busy to see me. Through persistent calling, I eventually managed to secure an appointment with the station management. This was only the first hurdle that I needed to overcome in my research journey. I relay my experience of gaining access to officials at station one in detail to illustrate how "techniques of power" (Foucault, 1983) are embedded in long-drawn-out bureaucratic processes of official procedures and different hierarchies of authority.

When I arrived for my appointment at the station, I was directed to the police managers' offices, which were spacious, well-furnished, and neatly organised. Two senior police managers shared this office. Power was visibly displayed in the well-furnished offices of these managers, distinguishing them from ordinary rank-and-file police officials. I had a professional working relationship with one of these police managers, forged through industry liaison between stakeholders in the police and the policing faculty where I worked. I thought this relationship would provide me with the necessary social capital to navigate the police research site as Karjalainen*,* Niemistö and Hearn (2015) suggest that personal contact may facilitate access to the research site. In my case, this did not assist me with any leverage. The police manager whom I knew drew on the official police procedures and displayed his masculinist power by insisting that I supply him with my approval letter before I could conduct my research. I was puzzled by this request because I was aware that the permission letter emailed to me was copied to the station management.

At this first meeting, I went through a verbal approval process where these police managers, who acted as gatekeepers at the police station level, thoroughly interrogated my proposed research. I provided copies of the permission letter to them that they closely inspected. I was asked to explain in detail why I wanted to do the research at their station, how I was going to do it and how my research would be published. All these details were in the permission letter. After an interview that lasted about an hour, they formally approved my research. I interpreted these procedures followed by the managers as appealing to the bureaucracy of official procedures by insisting on inspecting a copy of the permission letter and interrogating me on the research as "techniques of power" (Foucault, 1983, p 223, cited in Keevy, 2005) and demonstrating their authority. Their actions demonstrated how the reproduction of power relations is normalised in the police organisational culture.

After this hour-long meeting with the station management in what I perceived as a hostile environment, I was introduced to the senior manager (MPP1[17]) responsible for managing the visible policing component of the police station. I was assigned to him as the contact person during my research period at the station. After once again explaining my research project and the type of assistance I needed with selecting participants, I was introduced to yet another middle manager at the station. At this point, I had first-hand experience of another way power is embedded in the hierarchical chain of command as I was introduced to the different layers of management at the station. This structure subtly reminded me to recognise, respect and understand my position as an outsider.

What was noticeable at this stage was how the gendered division of labour still reflects, that the top management positions of the police are overly occupied by masculine bodies despite the commitment of the police organisation to gender transformation. The SAPS 2021/2022 annual report shows that most personnel employed by the police by 31 March 2022 are mostly males, out of a total of 176,180 police personnel there are 83,816 males and 53,764 females (SAPS, 2021/2022).

The middle manager (FPP1[18]) to whom I was introduced for my orientation to the policing of GBV was a senior female police officer. She used the opportunity to inform me about the DVA and the procedures that the police followed when a complaint about GBV was reported to them in detail. She sketched a picture of police officials at the station following the correct procedures when implementing the DVA (Republic of South Africa, 1998). Contrary to her explanation, research findings showed police not effectively implementing the DVA. I recalled the views of Taylor, Bogdan and De Vault's (2016) that participants often share information that portrays what they do in a positive light and downplays negative aspects.

After this orientation, I went back to the senior manager to plan the data-gathering process. He agreed to select police officials who met my sample criteria. I enquired whether I could start the research the following day, to which he agreed. Because he was not going to be there the next day, he gave me his cell number. He explained that he would leave the names of the participants with the commander in charge of the CSC. This commander would introduce me to the participants. I emphasised that they should participate voluntarily. I silently wondered whether they would be given a choice given the hierarchal nature of policing, which is based on a command-and-control structure that involves commanders

[17] MPP refer to male police participant.

[18] FPP refer to female police participant.

giving orders and subordinates carrying out the orders (Marks, 2005).

I narrate this entry at length as it demonstrates the laborious process of entering a police organisation and its bureaucracy and how the police are inherently suspicious of outsiders. The first step in gaining access emphasised the importance of ongoing negotiation with different people in the top-down chain of command in the police organisation.

Figure 4.1 shows the process of gaining and negotiating ongoing access to a research site as identified by Karjalainen et al. (2015), adapted to reflect my experience with the SAPS.



Figure 4.1: Negotiating ongoing access

(Figure adapted from a diagram by Karjalainen et al., 2015)

4.7.2 Negotiating access to participants via commanders

The next stage of gaining entry was through the commander in charge of the CSC (MPP2), who functioned as a gatekeeper to police participants. During this phase, I found that I had to negotiate with the MPP2 to conduct the interviews despite being permitted to conduct my interviews that day. He claimed to be unaware of my research. When I asked for his permission to observe the police at work in the CSC, he attempted to discourage me by stating that no domestic complaints are reported on weekdays. I persuaded him that I would simply sit in the CSC and observe the police at work, to which he reluctantly agreed. I provide a detailed account of this experience in the data gathering at station one (see Section 4.8.1).

4.7.3 Gaining entry: Stations two, three and four

Gaining permission to access stations two, three and four was a smoother process. Having learnt from conducting interviews at station one, at these stations, I used the DV register and other official documents to engage in conversations with police officials concerning the recorded cases. I asked questions about their nature, details about the survivors and perpetrators, their employment status, race, and location. I constructed field notes at the end of each day. Before engaging in the conversations, I explained who I was and the purpose of my research to the police officials and asked for their permission to speak to them about my research.

The only problem that I experienced at station two was that the police manager for visible policing obstructed me from accompanying police officials on patrols to observe the policing of GBV incidents. While I received permission to do so from the provincial office, I decided to abandon this idea. I relay this experience in *CHAPTER FIVE*.

4.7.4 Gaining access to a domestic violence shelter

Lastly, I sought permission to interview survivors of GBV. Once the shelter management was satisfied with the purpose of my study and permitted me to do the research, I sought permission from survivors to participate in the study.

4.8 Data collection methods

As a bricoleur sensitive to complexity (Kincheloe, 2004), I collected data from multiple sources of evidence to gain new understandings and reconsider accepted interpretations of the phenomena. As such, I employed multiple methods of gathering data, such as participant observation of naturally occurring interactions, victim advocates, survivors and occasionally members of the public who came to the CSC. I built rapport, conducted semi-structured interviews and conversational narrative interviews, and participated in the police officials' daily activities. Extensive field notes and observational notes formed part of the data-gathering process. Most of the semi-structured interviews were audio-recorded and transcribed.

I conducted a discourse analysis of documents related to DV such as the DVA (Republic of South Africa, 1998); the Domestic Violence National Instructions (7/1999) (SAPS, 1999) regarding DV; the DV incident form (SAPS 508(a)); the DV register (SAPS 508(b)), and closed court dockets. I used all these methods to document, analyse, interpret, and report these multiple constructed realities of the participants.

4.8.1 Data gathering: Station one

I initially planned to conduct extensive fieldwork over a lengthy period at station one. I planned to conduct in-depth interviews with police officials; observe their daily operations in the CSC; sit in on interviews conducted with complainants of GBV; and attend complaints with police officials who were called out to GBV incidents. However, the process at this station did not progress as planned. I give a detailed description of my experience in the next section.

4.8.1.1 Initiating the interview process

I had a bumpy start to initiating the interviews at station one, discussed in Section 4.7.2, which necessitated a change in strategy. I ended up interviewing police officials and observing their functioning in the CSC of the police station. These changes were aligned with the emergent and flexible research design I followed, as discussed in Section 4.2, which allowed me to make changes and adaptations in response to the research process.

After my altercation with the MPP2 in the CSC (see Section 4.7.2), I sat in the very busy CSC observing the policed operations and writing field notes about my experience. After an hour, I decided to call the senior manager to reschedule the interviews. This call enabled me to conduct the first interview. MPP1 informed me that he had arranged interviews and told me who I was supposed to interview. I repeated the police official's name and explained that I would go back to MPP2 with this name. To my surprise, after repeating the name, the police official (MPP3) sitting at the desk opposite me indicated with a hand gesture that he was the person I must speak to.

After I ended my phone call with MPP1, MPP3 told me that he would be available for the interview once he had finished consulting with the client. He mentioned that he was aware of the interview but had not realised that I was the person who would be interviewing him because he was expecting a "*white*" person. He told me this while completing an accident report from a "*white*" male client. Reflecting on this experience, I realised how violence is discursively performed and enacted towards black women who appear in spaces from which they were historically and socially excluded (Puwar, 2004). When a black woman turns up in these spaces it disrupts the taken-for-granted gender and race identities when they perform tasks they were excluded from. Puwar (2004) explains that while black women are now included in spaces from which they were previously excluded, they still have no right to occupy these spaces. I also realised how the issue of race enters and overshadows all spheres of public life and is normalised in daily discourse as the way things are. I nevertheless

indicated that I would wait for him to complete his work before we held the interview.

Not wanting to offend MPP2, while I waited, I approached him and informed him about my telephone conversation with MPP1. I realised that I had to tread carefully in this environment to build rapport with the key gatekeepers. So, to save face, I proposed to wait around until the CSC was not so busy and when MPP3 became available. My intentions to keep the communication lines open with MPP2 were contrary to my intentions, he did not like being 'caught out' as I continue to explain how MPP2 kept disrupting the interview. He did not care to offer me an apology for his unethical behaviour of lying about not being aware of my research.

On reflecting on this incident, I realised that what I considered at the time as saving face might have been perceived by this MPP2 as challenging his authority. His body language and actions thereafter showed that he was not happy with my proposal, but he agreed that we could go ahead with the interview as the CSC was not as busy as when I had approached him earlier. This claim was unfounded because the CSC was just as busy as when I had initially approached him. His comment was a clear demonstration of his assertion of exercising his masculinist power. His actions demonstrated how police officials used their legitimate discretionary powers to abuse their authority. The conversation furthermore illuminated how harmful power relations are discursively reproduced, enacted, and normalised in the everyday interactions of the police organisation. On reflecting on this experience, I realised that this was a practical example of how discourse in the police function to reproduce race, gender and power relations.

After attending to the complainant, MPP3 took me to a 'vacant' office where we attempted to have an interview. There were not many 'vacant' offices in the police station; in fact, it seemed as if there was not enough space for all the activities taking place at the police station. I use quotation marks to highlight that the office was not 'vacant'. The office was used for multiple purposes, in this case, it functioned as a storage space fo official police forms and documents.

The sharing of this office space meant that the interview was frequently interrupted by other police officials who entered the room without knocking to collect forms. At the time, I wondered whether they might have been sent into the office by MPP2 to disrupt the interview. When police officials entered the room, they invariably engaged in lengthy conversations with the participant I was interviewing until he politely informed them that we were busy with an interview. MPP2 also frequently came into the office unannounced to collect police documents. This lack of space for conducting interviews in a dignified manner contrasted with

the space occupied by the senior managers that I described in Section 4.7.1.

Because of the frequent interruptions, I decided to focus our conversation on the DV register and the cases recorded by the MPP3 to get an overview of the cases he dealt with. The conversation with MPP3 made me realise that he had been selected by the senior manager because of his seniority and vast experience in dealing with GBV complaints. I also understood why the CSC commander would not want such an experienced official to be away from the busy CSC. The embarrassment caused by how the situation had been managed earlier worked in my favour because I received valuable information from this interview. I conducted a follow-up interview with MPP3 in the senior managers office where we were able to speak privately.

The chaos I witnessed earlier was reflected in this office and other spaces. It illustrated how police accepted and normalised chaos and interruptions as the way things are. The way the office space and furniture were allocated and arranged demonstrated how different forms of power become attached to spaces and police hierarchies. During my observations at all the stations, I noticed that it was standard practice for police officials to engage in conversations with other colleagues while assisting complainants. I report about my experience at station three where I shared an office space with two civilians and a police official who interviewed a domestic survivor. One of the survivors (SP3[19]) similarly expressed how irritated she was while waiting for a police vehicle to take her to a shelter. She reported that all the police who came into the CSC asked her what she was doing in the CSC. I discuss this experience in *CHAPTER FIVE*.

4.8.1.2 Conducting interviews at station one

From the range of participants that MPP1 selected, I chose police officials available on the days I visited the police station. I conducted nine interviews and conversations in the first phase of the research. At the outset of the interviews, I introduced myself as a researcher interested in the policing of GBV, which I was pursuing for study purposes, and followed the informed consent procedures set out in Section 4.11.1. While all the participants consented to be interviewed, they were reluctant to sign the informed consent form despite my reassurance of anonymity. They were suspicious of my reasons for choosing their police station and being selected by the station management to participate in the study. I abandoned

[19] SP refer to survivor participant.

the practice of asking police officials to sign the consent forms and settled on getting their verbal consent instead. I recorded all the semi-structured interviews that I conducted and transcribed them verbatim. I started each interview by getting to know the participant and finding out about their experience of policing GBV.

I initially conducted semi-structured interviews with police officials at station one using an interview guide. Kronsell (2006, p. 121) states that interviews "…provide an in-depth, detailed account of how gendered practices are carried out in institutions as well as how gendered identities are constructed and contested". I used a semi-structured interview "as an interview with the purpose of obtaining descriptions of the life world of the interviewee in order to interpret the meaning of the described phenomena" (Brinkmann & Kvale, 2015, p. 15). With this type of interview, "… certain types of information are desired from all respondents, but the particular phrasing of the questions and their order is redefined to fit the characteristics of each respondent" (Denzin, 1997, p.125; Willig, 2013). Questions were rephrased and reconsidered for each participant. The semi-structured interview allowed the participants to relate their experiences in a way that they felt comfortable. During these interviews, I explored how police participants constructed gendered power relations and the policing of GBV.

I entered the research field amidst increased rates of GBV and an explosion of public criticism about police brutality, corruption, and the secondary victimisation of survivors of GBV. After conducting semi-structured interviews with a few police officials at station one I observed that the participants were positive self-reporting by relating the official version of how they were supposed to do their work according to the National Instruction (7/1999) on DV, which they were quoting verbatim. I was reminded of Hornberger's (2007) observation that police officials normally say one thing but do something completely different. She explains that because of the public gaze on police work, police officials are always careful about saying anything that may implicate them in wrongdoing.

The above observation resulted in me realising that by asking the police questions about the gender and race of people reporting GBV, I was reproducing the same gendered power relations which I sought to problematise. I changed my research strategy to engage police officials in conversations about power and gender by indirectly questioning them on the specific recorded DV incidents in the SAPS 508(b) DV register where the participant I interviewed dealt with the complaint. Jewkes et al. (2015) advise that to counter resistance in discussing gendered power an indirect approach should be used in such discussions. In these conversations, I covered the major themes of the research, relating to the extent of GBV, the race as presented in the DV register, socio-economic status, where the complainants resided, and their views about the causes of GBV and its policing. I also allowed

the participants to question me and determine the direction of the conversation. The change of strategy yielded rich contextualised data that was relevant to answering the research questions. I include an interview guide (Appendix C) that assisted me to cover the different themes in the research.

At the office I was assigned to for the interviews did not provide the necessary privacy, so I decided to conduct the interviews in my vehicle with permission from the participants. This location was not ideal for the audio recording of the conversations, but I managed to retrieve most of the information captured when I personally transcribed it.

4.8.1.3 Data gathering: Stations two, three and four

I drew on the ethnographic approach at stations two, three and four. The ethnographic research approach entailed that I become immersed in the day-to-day life of police at selected police stations over a prolonged period, to examine, document and explain the "events, languages, institutions, rituals, [symbols], artefacts and behaviours" (Cunliffe, 2010, p. 227) of the police. Since the police organisation is a complex organisation consisting of many sub-divisions, I only focused on the visible police officials within the CSCs at four police stations on the West Rand. I also recruited police officials as key informants at the different police stations.

I combined semi-structured interviews, conversations, and narrative interviews to solicit information from both police officials and survivors about their experiences of the policing of GBV. I also spent time in the CSCs of stations three and four, where I observed police interactions with the community. Participant observation was a fundamental aspect of my ethnographic research with the police. I observed their daily routines, their behaviour and how they engaged with the public. I participated in activities like a discussion about procedures related to the completion of the DV register, filed documents, and made photocopies of documents when requested to do so by the police informant, at station two.

Flick (2014) asserts that participant observation is valuable when conducting an in-depth study of a limited number of cases, in this case, visible police officials dealing with GBV complaints. By engaging in conversations with police officials in these police stations, I came to understand their underlying beliefs and assumptions about GBV. I continually negotiated my position as both an outsider (as not being one of them) and an insider as a lecturer of policing.

I maintained a research diary throughout the research process. During these visits to the police stations, I wrote extensive reflective fieldnotes in the diary about my conversations with the participants; my observations of each setting; police officials' conversations that I witnessed and participated in; semi-structured interviews that I conducted; police social interactions with community members; the physical surroundings; and my analysis of police documents. I also made notes of non-verbal messages and what was not said. I recorded my feelings as well as those of the participants, especially the intensity with which they expressed certain views. These observations provided me with information about institutional practices that were relevant to my research. I conducted conversations with ten police officials at these three police stations. Probes reflecting key theoretical themes were explored. I reflect on these observations in my findings of the research. During the research process, I paid attention to how the police participants spoke about GBV and, generally, what their views were about differential social and power relations embedded in their organisational practices that shaped the policing of GBV. Through their articulations and actions, I sought to understand whether and to what extent harmful gendered power relations were reproduced through their discursive practices.

During my visits to station two, I was initially allocated space in the station senior manager's office, which was ideal for examining the DV documents to gain a comprehensive understanding of the scope and magnitude of the phenomenon. This office was, however, not ideal for interfacing with other staff members. I thus moved to another office, which I shared with a police official and two civilians. To build rapport with the personnel, I helped the police official who became a key informant at this station to file the SAPS 508(a) forms, which I was allowed to examine; I made copies of other documents for her and examined the DV registers and closed dockets related to DV.

I spent time conversing with the police official with whom I developed this rapport and other police officials who occasionally dropped into the office. From these conversations, I gathered significant data related to my research topic. During this period, I was able to observe how a police official interviewed a GBV complainant. I report on this observation in *CHAPTER FIVE*. In stations three and four, I was allocated space in the CSC where I was able to observe the frontline activities of the police directly. At stations three and four I had conversations with four police officials. I also occasionally engaged with members of the public who sometimes mistook me for a police official.

While conducting the research I observed that some police officials deployed subtle strategies to limit me from observing how they dealt with GBV complaints. I discuss some of these strategies in my findings in *CHAPTER FIVE*.

4.8.1.4 Interviews with survivors and victim advocates

The interviews with the survivors recruited by telephone were held at places where the survivors felt comfortable. As with the police participants, I used an unstructured interview schedule as a guide to cover all the themes in the research in the interviews with these survivors. I encouraged the survivors to tell their stories in their own words focusing on the information that they decided to share about their experiences of reporting GBV to the police. Three interviews were conducted in my vehicle because the participants felt uncomfortable with sharing their stories in the police stations because of privacy concerns. Their concerns of not wanting to tell their narratives in the community service centre reveal how this public space is experienced as being unsafe for women who are supposed to feel protected by the police.

One of the interviews was held in a police official's vehicle who accompanied me to an informal settlement because the official felt that it was not safe for me to go to the informal settlement by myself. While I had no problem of going to the informal settlement because I worked in other informal settlements before, the police official on the other hand believed that I might not be safe there. I suspected it could have been because of my gender and race. The people of the settlement continued with their business and only one resident came to query later if the participant was in trouble. She explained that the police officer was a family member, and they were discussing family matters. This encounter made me think about how certain people were associated with crime when they interface with police. This particular participant was happy to be interviewed because the police had told her to find the perpetrator because they could not deliver the interim protection order to him see p.180.

Other interviews were conducted at a police station in a private office and another at a VEP office. One of the interviews was conducted at a survivor's workplace during her lunch hour and another in a backyard shack in a township. While conducting these interviews, one of the survivors who showed emotional distress was referred to the VEP centre (victim empowerment office attached to a police station), I called to make an appointment and accompanied her to the VEP centre the next day. I arranged a follow-up interview with the survivor.

While conducting the interviews, I found that most survivors agreed to participate in the interviews because they needed assistance with other social issues. Most of the participants wanted to get assistance for their children who witnessed the abuse. I referred, made

appointments, and accompanied participants with their children who needed counselling to the VEP offices. They also asked me to write letters to the municipality to follow up on applications for public housing and to the home affairs department to query about birth certificates for children.

In most of these cases, I assisted in writing referral letters for participants to the relevant government departments. Having experienced the bureaucracy followed in state departments, I imagined that they would most probably ignore any letter even if it was on an official letterhead. I also doubted whether these letters would be of any help at the local government department because of the massive backlog in housing. I explained my reservations to the survivors, but they insisted that when these officials became aware that people outside the organisation were watching them, they might become more accountable. I wrote these letters because the survivors felt it empowered them to tackle these departments. I realised that these were resistance tactics employed by marginalised women to challenge hegemonic power.

I interviewed victim advocates at the VEP centres attached to police stations two, three and four. At the VEP centre of station three, I observed and felt uncomfortable with how a survivor's privacy was compromised. She was given advice on her complaint in an office crowded with community members. I report on this incident in *CHAPTER SIX*. When I conducted my research, the advocates employed at these VEP offices were voluntary community members who were recruited and trained by social activists dealing with victim empowerment issues.

4.8.1.5 Narrative interviews with shelter survivors

I was given access to a private office at the shelter to interview participants who met the criterion of reporting GBV to the police. I provided the shelter management with a copy of the consent form and the interview schedule. The shelter manager selected the participants.

I conducted narrative interviews with eight participants, five of whom were migrants from neighbouring African countries. I made sure that the participants who presented themselves to be interviewed had not been coerced into participating in the research. I am aware that, in a shelter, participants can easily be coerced into taking part in activities, given their relatively vulnerable status in the shelter. Thus, before I began the interviews, I explained the research aims to the participants and allowed them to ask questions for clarification, which I addressed. I followed the informed consent procedures outlined in Section 4.11.1 and obtained written permission from them to conduct and record the interviews. I also had conversations with the

shelter manager, the social worker, and the auxiliary social worker.

Before interviewing the participants, I introduced myself and explained the purpose of the research. I then asked the participants to tell me about themselves. This information invariably led to participants telling me about the GBV that resulted in them finding themselves in the shelter. This information then resulted in me asking the participants to tell me in as much detail as possible about their experience of reporting their domestic complaints to the police. I explained that they did not have to tell me about the GBV incident/s that resulted in the reporting of the abuse but that they should only relate their experience of reporting the abuse to the police. I reasoned that since my study focused more on how gendered power relations were reproduced in police/survivor interactions, focusing on the abuse that related to their experience of reporting GBV to the police would risk fetishising participants' experiences and would obscure the focus of my research. However, in all interviews participants narrated the GBV incident/s that resulted in them being housed in the shelter. An interview guide included as (Appendix D) provided me with guidelines to probe different themes.

These conversations created a safe space for the participants to retrospectively reflect on their experiences and give meaning to their painful experiences of abuse and betrayal by an intimate partner. I observed that they needed someone to listen to their stories and believe their accounts of the story. I referred one of the survivors who became distressed during the interview to a social worker at the DV shelter. The social worker was able to debrief the survivor after the interview.

Showing respect to survivors by empathetic listening and providing them the space to offload their painful experiences of being dehumanised and shamed in an uncaring CJS was already the first step of facilitating their defiance in speaking back to power and reclaiming their dignity. The opposite is also true: where police officials treated a survivor humanely and trusting her to make decisions contributed to her making decisions which were suited in her situation.

Each interview lasted between an hour and an hour and a half and took the form of conversations that allowed survivors to relate their narratives in manners ways that they wished to relate them, emphasising what they felt was important, with few interruptions from my side. I allowed them, as part of feminist reflexive practice, to direct the interview proceedings in a manner that they felt was relevant to the topic, ask questions and clarify any

uncertainty. The aim of these narrative interviews was to generate detailed accounts (Riesmann, 2008) of the survivors' experiences. I used open-ended questions to encourage maximum participation. The questions focused on the dialogue and actions of the police officials when they reported GBV incidents. I used empathic skills to facilitate the sharing of sensitive information during these conversations. Riesmann (2008) emphasises that how participants convey information is as important as what is said. I paid attention to the non-verbal communication and the silence about issues like race and class during the interviews. I permitted the participants to ask me questions and clarify issues relating to the criminal justice processes related to the working of the DVA and the Responsibilities of police officials in addressing GBV.

I underestimated the amount of emotional distress that I would be exposed to in the research process from listening to the various types of violence and pain that survivors were subjected to in their intimate relationships. The dehumanisation and shame that survivors experienced while reporting GBV to the police triggered painful memories of violent unjust apartheid policing. Their multiple experiences of structural, symbolic and GBV left me feeling enraged, overwhelmed, and ashamed about how coloniality continues to impact survivors' lives.

Scholars found that researchers conducting research on sensitive issues such as GBV were often not aware about the emotional work involved in GBV research and how it caused burn-out amongst researchers (Ellsberg & Heise, 2002). I had to balance my role between remaining sensitive toward the survivors and simultaneously acknowledge my need to manage my own emotional distress by reflecting and recording my emotional responses in my research diary using descriptive field notes at the end of each interview. I furthermore used peer debriefing, informal support networks, friends, and family as support mechanisms to prevent me from burning out.

4.9 Data analysis methods

The data was collected and simultaneously analysed during the three phases of data collection as discussed in this chapter under Section 4.6. Drawing on the methodological bricolage framework, this study used a hybrid of data analysis methods that contained elements of Foucauldian discourse analysis and of critical narrative analysis to analyse how gendered power relations are reproduced. These analytical approaches were aligned with the decolonial feminist intersectional perspective described in *CHAPTER THREE,* Section 3.4. These approaches are explained in more detail below.

4.9.1 Critical discourse analysis (CDA)

I employed CDA as the overarching framework in analysing the data. CDA is not a specific research method but instead integrates a variety of methodologies and analytical practices that adopt a critical perspective of the social analysis of discourse (Wodak & Meyer, 2016; Van Dijk, 2009). In this study, CDA as informed by critical feminist thought was employed to highlight the relationship between discourse and "other social elements such as power, ideologies, institutions, etc." and its connections to social reality (Fairclough, 2018, p. 13). Through its critical focus on gender power relations, CDA analyses how power relations are enacted, legitimised, reproduced, and challenged (Van Dijk, 2015) in the discursive practices of the police within a specific institutional context. Generally, CDA can be described as an interdisciplinary approach to the study of discourse and as a form of social practice (Fairclough, 2003).

This study draws its theory and methodology from disciplines such as policing, anthropology, criminology, psychology, and sociology among others. This method is suitable for this research with its transdisciplinary focus on the social and political issues it sought to investigate, the different theoretical and methodological approaches that underpin the research, and the several disciplines that the study draws on (Lazar, 2007). As an analytical tool, CDA aims at unveiling the functions of discursive practices in the reproduction and maintenance of unequal power relations (Jorgensen & Phillips, 2002), which is the focus of this study.

I furthermore employed CDA to analyse interview transcripts, observational field notes and policing documents to reveal the construction of multiple intersectional gendered power relations. In these documents I also analysed how language is deployed to construct harmful gender power relations and violence that reproduce gender inequality. Stevens (2008) argues that everyday language practices legitimise and reproduce social inequality, domination, and exploitation. Thus, by analysing language as a discursive practice, I revealed aspects of the socio-historical context that emphasised the dialectical relationship between discourses and contexts (see Stevens, 2008).

4.9.2 Foucauldian Discourse Analysis (FDA)

Within the critical discourse framework, I employed FDA which provided me with analytical tools to analyse and code the narrative transcripts to reveal how gendered subjectivities and power relations are constructed by the police and how these understandings shape their

policing of GBV. FDA focuses on how subject positions are historically shaped and how social context shapes the discourses (Willig, 2013). FDA furthermore pays attention to the relationship between a specific discursive event and the institutions and structures that frame it (Willig, 2013; Wodak & Meyer, 2016). Moreover, FDA considers the power of discourse to construct objects and subjects and examines the effects of the exercise of power in the institutional context where it is reproduced.

For Foucault (1991), relations of power are established within social relations through the construction, dissemination, and operation of a discourse. As such, FDA provides complex and nuanced insights into how gender, power and violence are institutionalised in the policing organisation in a specific context. I considered the different discourses that participants drew on to reproduce and challenge gendered power relations within the policing organisation.

Willig (2013, p. 384) puts forward six stages of FDA as exploring discursive constructions, showing how these discourses relate to broader macro-level discourses, identifying the functions of these discourses and discursive constructions, identifying subject positions made possible by these discourses, and lastly examining the relationship between discourses and practice. I only used these five stages, as the sixth stage deals with how discourses influence thoughts and emotions, which fell outside of the scope of this research. I adapted these five stages to make sense of the data in my study.

I started by analysing how gendered subjectivities were constructed in police discourse by examining the implicit and explicit ways in which gender was referred to. In the second stage, I located the various discursive constructions of gender subjectivities within wider social discourses. I examined why gendered subjectivities were constructed in particular ways in the discourses. In the third stage, I examined the "discursive context within which the different constructions of the object were deployed". To achieve the latter, I asked: "What is gained from constructing the object in this particular way within the text?" (Willig, 2013, p. 386), to reflect on the socio-political implications of these discourses. In the fourth stage, I identified the subject positions within discourses and what subject positions were made possible by these constructions. In Stage 5, I examined how these discourses reproduced existing gendered power relations and how these constructions were resisted. In the final stage, I identified the wider societal discourses and the institutional context where these discourses were situated.

4.9.2.1 Decolonial feminist intersectional narrative analysis

I combined the macro-analytic perspective of CDA with a micro-decolonial feminist

intersectional narrative analysis (DFINA) to make connections between macro-level power relations and everyday micro-level interactions to make sense of how survivors experienced the working of power in police discursive practices. Combining a macro- and micro-analysis of power in discourse addresses the theoretical and methodological shortcomings of CDA. CDA has been criticised for its abstract engagement with the relationship between language, power, and social structure to make sense of people's experiences (Souto-Manning, 2014). Also, CDA is criticised for its exclusion of how individuals make meaning of their personal experiences, which results in the subject being lost in the analysis (Crossley in Lyons & Coyle, 2007:4).

When narrative analysis is combined with CDA, these methods inform each other to provide a holistic analysis that overcomes CDA's structural shortcomings by responding to the need for engaging with the individual experience and subjectivity through narrative analysis (Goodley, 2012). Within a decolonial intersectional narrative approach, the analytical process draws on the theoretical perspectives within which personal narratives are constructed and how their stories are linked to the specific socio-structural context in which they are situated (Souto-Manning, 2014).

I specifically drew on the critical narrative approach (CNA) proposed by Souto-Manning (2014), which does not focus on the structure and form of the story but instead concerns itself with the meanings that are embedded in the everyday stories as narrated by the storytellers (Souto-Manning, 2014). Used as an analytical tool, intersectionality facilitates an understanding of and makes meaning of gendered lives by connecting individual and political understandings of gender power relations that shape women's lives. This analysis enabled me to move beyond understanding the lived individual experiences of violence by connecting it with violence that operates at a systemic level. These connections place the analysis of intersecting powers within a political historical context and within the policing organisation where gendered subjectivities are reproduced.

By analysing narratives critically, I was able to highlight how stories are reflective of the wider social, historical, ideological, and discursive practices that were constituted during colonialism and persist in the contemporary policing context. In this study, a focus on the intersections served to expose and disrupt hierarchies of oppression that obscure inequalities within and between categories. Violence becomes visible at the intersections in participants' narratives, but it is not limited to race, class, sex, and gender it also includes notions of structural violence.

Recognising the socially constructed nature and location of stories requires the close analysis of issues of power and/or macro social discourses and the examination of the complex ways that language and the broader social world are entangled (see Souto-Manning, 2014). A decolonial intersectional narrative analysis facilitated such a critical analysis of the everyday stories people tell about the policing of GBV within the policing institutional context and connected experiences to the historicity of power relations and within the tension between oppression and resistance (Fine, 2016).

A decolonial intersectional narrative analysis (Boonzaier, 2019) illuminated survivors' experiences of accessing the CJS to claim rights that were previously denied to them. Their narratives also made visible how they experienced being dehumanised in the CJS, which suggests that the retelling of their stories is a political action. Revealing the social construction of gendered power relations in the discursive practices of the police to expose the reproduction of harmful gendered subjectivities is a form of resistance toward dominant everyday accepted practices.

4.9.2.2 Procedures followed

The analysis of the corpus of text consisted of interview transcripts, observational field notes and police documents related to DV. In analysing the corpus of texts, I immersed myself in the transcripts by reading through each one several times, keeping the aim of the study and the research questions in mind. The reading was undertaken to get a holistic sense of the data. In my descriptions, I include reflections on the research process and insights I gained while conducting the research and interpreting the data. I paid particular attention to the metaphors, idioms, wording, and expressions used by the participants to make meaning of their experiences.

While I was aware that the stories that the police and survivors told were only partial representations of their actual experiences, I recognised that their interpretations of reality were central to determining the manner they perceived reality and how social relations were shaped (see Sonn, Stevens & Duncan, 2013). All the data was sanitised to remove identifying details about the research sites and participants.

4.10 Ethical rigour

Strict ethical principles and procedures were adhered to during the research as outlined below.

4.10.1 Informed consent

Approval to conduct the study was secured from multiple levels in the police service as discussed in Section 4.10 above. All the participants were advised about the objectives of the study. The participants were assured that there were no unforeseen risks associated with participating in the study (see Brinkmann & Kvale, 2015). I ensured that they understood that their participation was voluntary and that they could withdraw from the interview at any point with no consequence to them. Initially, the participants were asked to sign a consent form (Appendix E) and were issued with an Information sheet detailing the aims of the study (Appendix F). Where police participants preferred not to sign the consent form, I obtained verbal consent from them. I related their reluctance to give written context to a claim made by Hornberger's (2007) statement that generally police officials do not trust any outsider, and this can be ascribed to the secrecy inherent in police work. The participants permitted me to record the interviews.

Despite following the above protocols an ethical dilemma arose during the interview process. A survivor who was recruited by the civilian in the police assigned by the senior manager questioned the ethicality of the police in allowing the civilian and me to have her contact details. She stressed that she provided her information to the police believing that they would not give her information to anyone. I reassured her that only her phone number was given to the civilian who is bound by the code of ethics to keep information about the public confidential I explained that I only got her number once she agreed to participate in the study and I had no other information about her complaint to the police. I apologised for the anxiety we caused her and informed her that this incident was important because these are the issues that my study was interested in. I then invited her to participate in the research project and explained the research aims to her which she agreed to.

Mama (2011) emphasises that feminist researchers in Africa need to be sensitive to multiple and complex power relations in societies stemming from imperial histories. The history of police abuse of people's rights and the shame attached to GBV made me responsive to the impact of reproducing asymmetrical power relations through the choice of research methodology I employed. I asked the police civilian to stop the recruitment of survivors from the list provided to her by the senior manager. The change in the recruitment strategy of survivors resulted in me asking the police informant at station two to recruit survivors who laid complaints of DV on the days that I was conducting my research at the police station. The survivors recruited by the police contact were then asked to voluntarily participate in the

study.

I was referred to a shelter for abused women by a victim advocate. From the outset, I ascertained that the survivors in the shelter understood that their participation was voluntary.

4.10.2 Confidentiality and anonymity

Several procedures were instituted to maintain confidentiality and anonymity throughout the study (Hollway & Jefferson, 2000). Confidentiality was adhered to by not reporting on the findings in a manner that allowed the participants to be identified (Brinkmann & Kvale, 2015). Participants were assured that the data collected would only be discussed with my academic supervisor.

Anonymity was assured by using pseudonyms and removing any identifying information from interview transcripts. Also, the names of the police stations where the research was conducted were not disclosed. The police participants' ranks were only mentioned where they contributed to emphasise the reproduction of gendered power relationships. While the names of the police stations where I conducted the research were known to the national and provincial police management, they were not aware of the participants chosen in the research.

4.10.3 Freedom from harm

Where I had control over the space where I conducted the interviews, I tried to ensure the environment was conducive to interviewing. Where the space was not conducive to conducting interviews as discussed in Section 4.8.1.1. I changed the interview set-up to my vehicle with the permission of the police participants. I conducted the inquiry in an accountable and non-exploitative manner by employing principles such as honesty, empathy, respect, and an ethic of care and created a safe space to encourage full participation (Hollway & Jefferson, 2000). Similar protocols for conducting interviews with survivors in an environment that they chose were followed. Where survivors felt uncomfortable with being interviewed in the police station or the VEP centre, I conducted the interviews in my vehicle. I ensured that the highest ethical standards were observed throughout the research process, and survivors were informed about available support services at the beginning of the interview. During the interview process, I assessed the participants' discomfort and referred two participants to a victim advocate at a victim support centre and the social worker of the shelter respectively for professional intervention see Section 4.8.2.1.

4.11 Concluding thoughts

In this chapter, I reflect on the research design and methodological choices I made and explain the reasons for my choices. Following a bricolage methodology, I explained how I used qualitative design consisting of multiple theoretical perspectives, methodologies, and analytical methods to answer the research questions. In this chapter, I provided my rationale for using interpretive and critical approaches to analyse the reproduction of intersectional gendered power relations in the everyday discursive practices of the police. Narrative discourse analysis provided me with the analytical tools to make connections between subjectivities and the context to visibilise the hidden relations of power in the discursive practices of the police. I draw on the literature to explain key concepts and their meanings as they emerged from the discourses in this chapter.

CHAPTER FIVE: THE DISCURSIVE CONSTRUCTION OF GENDER AND POWER IN POLICE DISCOURSE

> *You know what a policeman is like a man who walks on top of the wire if you go this side,* ***you are in for it*** *and if you go this side* ***you are in for it****, so you better stand in the middle or go backwards – it is like walking on the fire line. If you make a mistake in the domestic violence, it is either you get fired or go to the cell* (MPP3).

5.1 Introduction

This chapter presents the findings of the research conducted with police officials from the visible police division. The findings represent the experiences of visible police officials participants and do not reflect the experiences of all police officials in South Africa (see footnote on p.3). The words of a police participant at the start of the chapter demonstrate the emotional violence police officials experience when implementing the DVA. The police participant (MPP3) compares the implementation of the DVA to a police official performing acrobatic acts on a high wire. He compares these acts to "*walking on the fire line"*, by which he illustrates how he lives in constant fear of making a mistake. By employing a strategy to play safe he recommends that *"you better stand in the middle or go backward*" denoting emotionally disconnecting from dealing with GBV.

This background of in-betweenness, being hesitant, resigned and resisting became apparent in my analysis of the data that I present in this chapter. In this chapter, I describe how police officials' discourses reflect, the construction, resistance and maintenance of gendered power dynamics in the process of discoursal production. I highlight how these identities are accorded with power and reflect power relations in the wider socio-political setting within which the discourses are produced. I explain how these constructions shape the policing of GBV. The discussion is divided into several broad thematic areas, with several subsections that address the questions of the study. I end the chapter by discussing how social power is strategically resisted by the police participants. While most emerging discourses cannot be separated because they are entangled and co-constitutive, I discuss them separately for clarity in this study.

I use extracts from participants' narratives to illustrate the emergent themes and subthemes. In presenting my findings, I use abbreviations to refer to the participants. I described the anonymous identifying markers "MPP1" or "FPP1" in *CHAPTER 4.* I use the numbers to note the sequence in which the participants were interviewed. For example, "1" indicates the first

participant interviewed. When referring to survivors, I use the marker “SP1”. The chapter is structured according to the themes set out below.

5.2 Gendering power and identities in discourse

Participants’ layered stories reflected their social locations within the socio-historical context. It showed how the working of power in discourse constructs gendered subjectivities and unequal power relations that reflect social relations in the broader socio-political context. The gendered discourses revealed how police participants’ beliefs acquired through socialisation in the policing subculture had become legitimised, normalised, and accepted as common sense and functioned to justify women’s subordination.

Police participants furthermore used rhetorical strategies to construct binary masculine and feminine identities that are fluid, multiple and contested. Their constructions created a dichotomy between men and women without considering complementary gender possibilities (Kramer, cited in Laher, Fynn & Kramer, 2019). Participants constructed hegemonic masculinities that placed men in dominant positions in opposition to female subservience. These firmly ingrained views, perceptions and gendered discursive constructions surrounding masculinities and femininities were reproduced by male and female police officials. Under this theme, certain sub-themes were identified and are outlined below.

5.2.1 Discourses on domination and subordination

Police participants used discourses on binary gender roles and differences between females and males to justify masculine domination and the subjugation of women. They explained that policemen were excluded from certain duties regarded as female duties. MPP6 explained how fellow male police officials positioned women as subordinate to men and framed women as men’s property. MPP6 explained:

> “*We do have instances where some police officials’ mindset is still that of patriarchy/traditional nature, still believing that a woman is a property of the man…Because even today the men is still denying they still say the* ***women are less****”*.

MPP6 distanced himself from police officials who held views of women as subservient. He blames patriarchy and tradition for men’s sexist beliefs. Gqola (2021, p. 57) agree that sex differences were created in patriarchy using biological sex differences to overemphasise gender differences. Ascribing men’s beliefs about women’s subservient position in society to

patriarchy alone has the effect of minimising men's responsibility, normalising their violence and sustaining unequal gender relations. These gendered ways of framing women in subservient positions shaped how the police responded to survivors of GBV.

Moreover, these discourses of women's subservient positions, illuminate how equality legislation that held emancipatory possibilities for women, was not able to change the deeply ingrained beliefs held by police officials about gender equality. In fact, the views of women's subservience are reinforced during police training. MPP12 claimed that during their DV training, they were taught that GBV stemmed from women's beliefs in their equality with men. MPP12 re-counts that at a domestic training workshop, "*they tell us that it* [domestic violence] *is because most women* ***think*** *they are equal* [emphasis added] *and* ***it*** *causes domestic violence".* These hidden messages conveyed to police officials are that women are abused when their behaviour deviates from expected societal norms (Buzawa & Buzawa, 2017). These messages consequently shift the responsibility of the abuse from the perpetrators to the survivors (Thapar-Bjokert & Morgan, 2010). It also sends a message to women that they should behave in ways dictated by men to prevent men from abusing them (Ratele, 2022). In addition, it facilitates an understanding of the acceptance of male dominance and control in intimate relationships.

Prokos and Padavic (2002, p. 454) similarly found in an ethnographic study of police at a United States training college that while the college professed to teach a gender-neutral curriculum, it, in fact, taught the police recruits a gendered "hidden curriculum" that exaggerated gender differences that reinforced male dominance and devalued women. These hidden messages, for example, taught the recruits that "it was acceptable to exclude, denigrate and objectify women and to disregard women in authority".

The discourses about women's equality were extended to discussions on how gender equality disempowered men. MPP3 explained:

> *In the olden day's men were the alpha and omega in the family. The new law* ***disarmed*** *men because they are not allowed power to do how they like. Men were exercising power for a long time so they can't change overnight. If you can open this file is women are abused, children are abused, and nothing is mentioned about men.*

In the above excerpt, MPP3 uses a war metaphor to illustrate how equality legislation disempowered men, by curtailing the patriarchal masculine privileges men enjoyed for decades. He elaborated that these new laws (the Constitution and the DVA) undermined men's authority in the household "*because they are not allowed power to do how they like"*.

MPP3 suggested that the gender equality discourses socially disempowered and dehumanised men when asserting: "*Yes, and* ***where are we as men? We are also human beings****"* [emphasis added]. These views about the impact of equality legislation as biased against men are consistent with Walker's (2005) findings in a study conducted with young men in Alexandra township, who claimed that the acceleration of women's rights resulted in unfairly advantaging women and disempowering men. Hamber (2006) concurred that several South African men, both black and white, held similar perceptions to the participants in this study who believed that the equality law favours women. Research evidence shows that the women's rights agenda paradoxically resulted in resistance from men wanting to restore their masculinist control in intimate relationships resulting in increasing levels of GBV (Ratele, 2008; Shefer et al., 2008; Hamber, 2010).

Alongside the view of men feeling disempowered by equal rights legislation, there was, an acknowledgement by a police official that men need to embrace gender equality in relationships. MPP6 metaphorically highlight how men in public discourse are compared to a tiger that is seen as strong and fearless, saying, "*You will find that we think this is a man he is a tiger",* but he concedes, "*We must change those perceptions*. *So firstly, I think we must acknowledge that we are equal*" (MPP6). He added the last part of the sentence as an afterthought which I interpreted as him hastily self-presenting as a person who understands the need to publicly acknowledge gender equality.

5.2.2 Discourses on (un)deserving victims

Discourses about the appropriate gender-stereotypical behaviours were used to discern deserving victims of GBV. Police participants constructed "deservedness" through what Loftus (2009, pp. 130-132) describes as "gendered principles of respectability". Women who were perceived as immoral were seen as contributing to their victimisation and were less likely to receive adequate responses from the police. These views are reflected in the following excerpts:

> *...if you look at* ***the suburbs*** *you find that a lady cannot afford rent there and they just get involved in the relationship just for convenience and not for love* (MPP3).

> *…you find that other women from here in South Africa are staying in these complexes* [in the suburbs] *and they cannot afford those complexes so these Nigerians paying rent for them, and they just come here to do this and that* (MPP5).

In the excerpts, the police participants drew on the normative frame of an ideal relationship based on romantic love, which they claimed was absent from the cohabiting relationships of women in the suburbs. They stereotyped women cohabiting in the suburbs as immoral and conveniently engaging in cohabiting relationships to embrace lifestyles that they could not afford. Implicit in these discourses, moral judgements are made about survivors' lifestyle choices which police claimed contributed to survivors' victimisation, thus making them deserving victims of abuse. The meanings that police officials attach to these constructions of immoral survivors who are undeserving of police services become institutionalised in police discourse and shape how police officials respond to survivors who cohabit with migrants.

What is also present in the above quotations is how gender intersects with nationality and class, with the second quotation presenting stereotypical beliefs about migrant men who use their economic power to fund survivors' ways of living. These migrant men then misuse this power to dominate and control their partners. The discourses about migrant men can be linked to the internalisation of stereotypical beliefs circulating in public discourses of migrant men marrying South African women to acquire citizenship, These discourses about immoral victims who cohabit with migrants deflect attention away from men's responsibility for abuse.

In contradiction to the reasons for cohabiting proffered by the police participants, research conducted by Kiwanuka (2010) exploring the connections between migration and incidents of intimate partner abuse found that migrant women mainly lived in cohabiting relationships as a survival strategy. However, Kiwanuka (2010) cites research findings by Hunter (2002), Luke (2003), Longfield et al. (2002) and Chatterji et al. (2003) that corroborate the views expressed by the police officials in this research that women's social status was enhanced because of their engagement in transactional relationships.

5.2.3 Discourses on cunning victims

In addition to discourses on deserving and undeserving victims, police officials employed discourses about moral deficiency to construct female complainants of GBV as untrustworthy, cunning, and dishonest thus not worthy of being taken seriously by the police. Faul (2015. p. 60 quotes Rainer 2010, pp. 122-31) to explain that police organisations globally share traits like cynicism and suspicion that enable them to characterise the public as suspicious and untrustworthy. Faull (2015) notes that police are especially suspicious of victimisation claims made by the public. This has become apparent in how police constructed survivors as cunning when they withdrew their cases of DV or did not finalise their applications for protection orders. Participants MPP7 and MPP3 explained:

> *Sometimes they even try to cancel the case even in front of the magistrate. After 3 hours you will see that lady at the police station with the brothers or whoever and say I want to cancel the case. Then tomorrow she comes with the family or whoever and say I have spoken with my family, and they have advised me to cancel the case* (MPP7).

> *We don't take these cases seriously because today she makes a case and tomorrow, she says the family came to talk with us to say we must talk and not run to the police because this is not how things are done in our culture* (MPP3).

In the second excerpt, MPP3 draws on discourses of culture to explicate how DV ought to be dealt with to rationalise why police do not take survivors cases seriously. In the first excerpt, the police official sketches a picture of cunning survivors using different strategies to withdraw cases, implying that they are wasting police time. What these quotes of MPP7 and MPP3 highlight is that family members are key to influencing decisions by women to withdraw GBV. These findings mirror similar findings by Artz and Jefthas (2011) that family members are often involved in coercing survivors to withdraw their cases. The cultural and contextual reasons that impact the withdrawal of cases are under-researched and need further exploration to understand how these factors influence localised responses to the policing of DV.

This last excerpt is like research findings by Mogstad, Dryding and Fiorotto (2016) and Vetten (2016), who found that police believed that women were wasting their time and resources when they withdrew criminal charges against the perpetrators. The rhetoric about the withdrawal of cases from the CJS by female complainants reinforces police officials' views of women as untrustworthy, thus trivialising their reports of GBV. It also reproduces the view that the administrative and investigative work attached to the policing of protection orders is a favour that the police render to complainants rather than appreciating that complainants have the right to protection from abuse when using the CJS. Framing women as unreliable shows a lack of understanding of the multiple and complex, social, economic, political, and cultural structures that influence women to withdraw from the criminal justice process (Artz, 2011).

While the reasons for DV are varied, the police officials believed that there were racial differences in the reasons why women applied for protection orders. However, the way they framed these racial and class differences painted a picture of perceived manipulative tactics employed by all women when applying for protection orders. They framed white women as immoral while they were going through a divorce process, suggesting that they applied for

protection orders because they were having affairs. MPP3 said that white women used the protection order "*to chase the old men* [husbands] *away*".

> *That is why somehow this woman are abusing this protection orders. Just imagine if they open a protection because they don't want a man to call her because she has a new boyfriend* (MPP3).

> *Some of them are abusing this Act. We had a case whereby this lady, they are in a process of divorce, she come to the police station crying my husband assaulted me and took my car* (FPP1).

> *It won't stop another day the lady will come again, and she is no longer saying is assault she says my husband does not give me money* (MPP4).

These quotations illustrate how police officials constructed women as cunning resulting in police disbelieving the reasons given by women who applied for protection orders. The police believed that women were misusing the DVA. As much as women were blamed for abusing the DVA, the reasons brought forth by the police in the above quotes to motivate why they believed women are "cunning" are reasons described in the DVA for applying for a protection order. Hornberger (2007) points out that the reason why women apply for protection is to recover their dignity and material resources. The DVA protection order serves to limit or prevent contact between abusers and survivors. It also makes provision for the application of financial assistance towards household expenses.

The meanings that police participants attached to constructing gender identities based on race and class differences reproduce inequitable race and class differences between black and white survivors which served to maintain and normalise racial and class hierarchies and differences. Their understanding drew on idealised understandings of heterosexual marriage as the only respectable marital relation where two adults engage in an exclusive monogamous relationship. In heterosexual marriages, notions of womanhood were based on characteristics of dependency and domesticity. These constructions served to justify why women who found themselves in the situations described above were seen as undeserving of police help.

At the same time, attention was deflected away from the violence of men towards these women, who it was suggested falsely reported abuse. These views are found in the following quotation by MPP4:

> *They may think today let me not say it is assault, so let me say maybe is the money or he locked the gates. When we went there some days, we find that*

> *the husband is sleeping. Even the doors are open and he is drunk. When we ask him what happened? He may say we had an argument over the money.*

Beyond all these explanations is the belief that women are dishonest and that their stories should not be believed. In the above quotation, the police official constructs women as using manipulative strategies to falsely accuse their partners of abuse. This discourse of women misusing the law implies that legal processes are instituted as a favour to women and not as a legitimate right.

Because police officials believed that women misused the Act, they often advised a man "*to go to court and challenge this order if he does not agree with some aspects in it*", telling him that "*the ball is in his hand is up to him he can score it or play with it"* (MPP3). Advising men to make cross-applications for protection orders shows police complicity in establishing a supportive context for the maintenance of gendered power relations.

Police officials conceded that women were not always passive victims but used the DVA in their favour to subvert oppressive gendered power relations. What the discourse on the (mis)use of the DVA illustrates is how women employ the law to resist power in their relationships. Hornberger (2007), writing about the policing of DV in another context, agrees that *women* [emphasis added] perceive the police as a power source that can be used to threaten, use force against and arrest offenders.

5.3 Discourses of hegemonic masculinities

The positioning of masculinities and femininities in binary relationships as discussed above, moreover, became evident in how hegemonic[20] masculine identities were discursively constructed by police participants. These dominant scripts assumed that by virtue of their masculine identity, men should protect women, exercise control in their intimate relationships and defend themselves against abuse. Those men who did not subscribe to hegemonic masculinity are consigned to subordinate masculine roles through processes that are "symbolically assimilated to femininity" (Connell, 2009, p. 31; Ratele, 2022) when they report domestic abuse to the police. These dominant masculine attributes were present throughout

[20] The research recognises that there are multiple masculinities. In this study, hegemonic masculinity pertains to the ongoing construction of gender inequalities and the exercise of gender power across various tiers in the police organisation (Jewkes et al., 2015).

the findings. What becomes visible in the excerpts are the effects of such gendering on men who attempt to go to the police to report DV incidents. MPP6 claimed that:

> *When a man complains about a DV case in our station it becomes a surprise to us and normally we even shout at him and say **you are not a man**. Even other police officials in the CSC will ask and say what does that man say, and we say he says he have been assaulted by a wife and they will start asking: 'How can you be assaulted by a woman?' Others will say 'You must chase her away'.*
>
> *Ja, there are men in those kinds of situations **but** what I know I think maybe it is because men are more powerful than women. Even in the police, they treat men not the same as women. I mean a man is no less danger than woman. And men are still afraid* [to report] *that maybe the police may laugh at me.*

In the first excerpt, MPP6 explained how men who reported DV are ridiculed at the CSC. These men were perceived as transgressing established heterosexual expectations and were marginalised. Thus, men who did not fit in with the hegemonic standard of manhood defined by society (Ratele, 2022) and who did not display qualities of toughness, strength and control were constructed as effeminate men. These constructions enable the reproduction of binary gendered differences and normalise GBV. By advising men at the CSC to enforce control in their relationships, police participants reproduce conceptions of hegemonic masculinity that support the unequal gender order (Ratele, 2022).

In the second excerpt, MPP6 admitted that despite men being abused they do not report these crimes. He ascribed the non-reporting of GBV to reasons, such as the perceived persistent inequality between genders in society and the ridiculing of men who report these crimes to the police. To illuminate the continuation of gender inequality in society, he gives an example of the unequal treatment of women in the police. These utterances by MPP6 illustrate that there is a gender system at work in the broader socio-political context that maintains gender inequality. The reliance on a gender system that defines acceptable ways of being a man and woman is rooted in binary conceptions of masculinity and femininity (Ratele, 2022) and these binary conceptions were evident in most of the police narratives.

This gender system creates a gender hierarchy that embeds hierarchical gendered power relations which are reflective of prevalent unequal gendered power relations in the broader socio-cultural context. It furthermore naturalises, institutionalises, and maintains these dominant masculine identities in the police organisation. The binary positioning of males and females in discourse shows police acceptance of hegemonic masculinity (Ratele, 2022).

Notions of hegemonic masculinities were reflected in the ongoing complex and contradictory productions of discourses of heteronormativity, male virility, men as providers, sexual entitlement and the displaying of the dominant masculine traits of toughness and strength.

5.3.1 Constructing heterosexuality

Like hierarchical discourses on hegemonic masculinity, clear normative heterosexuality was maintained in the participants' narratives as the ideal way to perceive sexual relations relative to other non-heterosexual sexualities. The experience of SP1, a self-identified lesbian who reported a DV complaint to the police demonstrates this marginalisation at work, as shown in the following statement. She stated:

> *Toe vra hy my ja of kan hy nie vir my kan sien, maar nadat hy weet ja ek het 'n verhouding met 'n vroumens, dat ek les is en so. Ek het hom gesê ek is 'n lesbian en so, want die docket het ook gestaan lesbian relationship en alles en so. Hy wil nog altyd aangekom it na my wanner kan hy my sien*.
>
> *He asked me if he could see me* [visit] *but he knew that I am in a relationship with a woman, that I am a les and so. I told him I am a lesbian and so, because the docket also stated lesbian relationship and everything and so Despite this, he still made advances at me* [asking] *when can he see me*.

The police official, despite knowing the survivor's sexual orientation, made unwanted sexual advances toward her, as reported in the above excerpt. Cock (cited in Ratele, 2011, p. 406) explains that the harassment that lesbian women experience is employed to reorientate their sexual orientation because their sexual orientation unsettles patriarchy. The police official referred to in this excerpt transgresses the ethical and professional code of conduct of policing by sexually harassing the survivor. His behaviour subjects the survivor, who has suffered abuse in her intimate relationship, to secondary victimisation. He furthermore trivialises the seriousness of the abuse she has suffered, leaving her doubting whether she would go to the police if violence were to reoccur in the future. SP1 empathically states that she would never go back to the police to report violence, she notes:

> *Weer terug kom, ek sal nooit terug kom nie. Die polsie stasie in die plek, sien my nie weer nie.*
>
> *Coming back, I will never come back. This police station in this place, won't see me again*.

Many research studies, conducted in Wales, Minnesota, Northern Ireland, and Australia, among other countries, have similarly found that non-heteronormative people experienced

discrimination in their interactions with police officials (see Dwyer, 2008). Matebeni (2011) states that having to negotiate and manage public spaces is a problem that most lesbians must deal with. Matebeni adds that in cases where lesbians do not successfully negotiate the presentation of their lesbian identities in public spaces, this may have detrimental effects in a climate where anti-lesbian attitudes are common. In the above case, the police official's sexist behaviour towards the survivor is concerning in a country plagued with widespread homophobic violence directed at women transgressing compulsory heterosexuality (Matebeni, 2011).

When dealing with gay men who reported DV, MPP9 mentioned the difficulties that he experienced with completing the different forms. He elaborated by saying:

> *What am I going to write if I fill in the forms, is it a man or a woman?*
> *Also, if we arrest a gay person which toilet will he go to?*

The above excerpt shows how MPP9 employed discursive strategies to frame his concerns with sexually diverse people recognised in the Constitution and the DVA. The Bill of Rights in the Constitution (Republic of South Africa, 1996) directs the police not to discriminate against anyone based on gender, sex, and sexual orientation. The DVA, furthermore, recognises a broad range of domestic relations, which include same-sex relations. Form 2 (Application for a protection order) requires the police to fill in the sex of complainants and respondents. MPP9 expresses a limitation with the forms that they must complete that only state sex and leave no options for different gender identities. Underlying his uncertainty of how to record the gender identity of a gay person he frames using traditional gender norms, thus blurring the difference between gender and sexuality. The views expressed highlight the reproductive working of power in discourse to exclude non-heteronormative bodies. This discourse about non-heteronormative bodies highlights how policy changes have not been filtered down to visible police. Since these officials are the public face of the SAPS they should trained in the police policy on diversity.

5.3.2 Constructing heteronormative families

Constructions of families in police discourse were based on ideological constructions imposed by colonialism regarding the heterosexual nuclear family as the primary household unit in society. These heteronormative family relations continue to be accepted and legitimised as morally superior to other types of family relations in police discourse practice (Helman, Malherbe & Kaminer, 2019). The participants accepted the Eurocentric notions of a heterosexual nuclear family including a biological mother, father and children that are

reinforced by religious ideologies about marriage as preferred above any other forms of unions. These views consequently determined how policing services were delivered to relationships that challenged the conventional monogamous marriage. For example, MPP5 stated that "*my principle is that I cannot go there and bless a 'vat and sit' relation*".[21] He believed that he could not render services to women living in cohabiting relationships because it would indicate that he was sanctioning their immoral behaviour. MPP5 would rather accept GBV than deal with the problem because he disapproves of a cohabiting relationship.

Notably, the so-called *vat 'n sit* (cohabiting) relations discussed above were a direct outcome of the colonial and apartheid discriminatory racial spatial policies (discussed in *CHAPTER TWO*). The Black Urban Areas Consolidation Act (Republic of South Africa, 1945) imposed influx control on black men which allowed only men who were employed to stay in the cities. Black women were legally forbidden from living and working in urban areas which implied that African families could not live with their families in urban areas. Women often resisted these restrictions and moved to cities where they lived clandestine lives in urban areas with men who had access to accommodation (Unterhalter, cited in Stasiulis & Yuval-Davis, 1995). While democratic changes have enabled rural families to move to the cities, the situation for many households has not changed. There are still large numbers of men and women who live without their families in urban areas for extended periods, for economic reasons such as being employed to support their rural households and for political reasons such as the historical lack of employment opportunities and the underdevelopment of rural areas (Rose & Charlton, 2003).

While the police do not have a choice about which cases to prioritise, they use their discretionary powers to determine what counts as deserving cases worthy of their attention. Police discretionary decisions are supposed to be based on the merits of a case but also must be done within the limits of the laws, policies and regulations of the police organisation which outline how they must apply discretion. However, researchers found that police officials base many of their decisions on informal rules and beliefs by "enacting street justice" (Westmarland & Conway, 2020, p. 379).

The conceptions of what constitutes policeable domestic relationships are redefined in the broadened definition of a domestic relationship in the DVA, which includes cohabiting

[21] A 'vat 'n sit' relationship is a cohabiting relationship where a couple lives together in an intimate relationship.

relationships. However, what is highlighted here is how participants drew on several mutually reinforcing gendered productions to warrant non-responsiveness to women in cohabiting relationships who reported DV. What also becomes clear in this discussion is how police used their discretionary authority to subvert the law when it went against what they perceived as cases that deserved police attention. It follows that in this study, police reactions to DV are understood to function generally to endorse or disapprove of the nature of the relationship and its societal sanction.

Police officials expressed contrasting views in favour or against cohabiting relationships that were shaped by their beliefs of heteronormativity. The view of women who engage in cohabiting relationships as immoral is framed within a colonial discourse of monogamous heterosexual relationships. These views are inconsistent with the fact that polygamous marriages (see Recognition of Customary Marriages Act, Republic of South Africa, 1998) and same-sex marriages (see The Civil Union Act, Republic of South Africa, 2006) are recognised in South Africa.

MPP5 applies double standards by discursively framing survivors who cohabit as immoral but rationalises that men must engage in cohabiting relationships to satisfy their need for intimacy. He argues that cohabiting would prevent men from perpetrating acts of rape. In contrast to MPP5 not recognising women's cohabiting relationships, MPP3 pointed out that legislation in South Africa recognises other forms of domestic relationships. He explained that "*according to the new SA law they say if I can stay with a woman for maybe three weeks or three months then she is your wife*". Despite the latter understanding of some police officials, we see how a lot of value is still placed on civil marriages. FPP2 explains: "*I cannot understand* ***why the man is not marrying the woman****, they have been staying together for so long"*.

The DVA (Republic of South Africa, 1998) has broadened the definition of the domestic relationship in section one of the DVA to include but not be limited to the relationship between a complainant and a respondent who are or were married according to any law, custom or religion; they are in a same-sex relationship and also in a dating or customary relationships, including an actual or perceived romantic, intimate, or sexual relationship of any duration. The DVA compels the police to pay attention to these different types of domestic relationships. However, beneath all this talk about the legal changes were the unspoken frustrations about how all policy processes and requirements wasted police resources and complicated the policing of GBV.

These narrow conceptions of acceptable family units create several challenges for cohabiting relationships in present-day South Africa. Despite the realities of the changing household structures in South Africa for various political, economic and social reasons, which ranged from factors such as migrancy, and single-parent households to child-headed households, police still held on to views of the ideal colonial heteronormative family structures that deserved policing attention. Privileging nuclear family unions implies that poor black women living in cohabiting relations face difficulties when trying to get help from the police. The reality was that most survivors who reported DV were living in cohabiting relations. MPP5 reports: "…*Ja, from the complaints we receive most of them are people that are not legally married that is the first problem*". Ignoring the reality of diverse types of family relations and the dynamics within the present socio-political context where these relations are constructed has the effect of denying women access to justice to deal with the violence in their lives. These views also deflected attention away from men's accountability for the violence.

Police officials, however, apportioned blame for DV on these cohabiting relationships. In contrast to the views of the police participants, who blamed DV on cohabiting relations, Boonzaier and de la Rey (2004), in their research on DV found that DV was common in heterosexual relationships. They found that GBV was caused by men's need to control and subordinate family members. Police officials justified why they considered cohabiting as the cause of DV when explaining:

> *The root of this problem is vat 'n sit coz* ***most of them are not married*** *and they got children. I think maybe* ***true is african****:* ***if you don't work hard for a thing you end up abusing it*** [emphasis added]*. After giving* ***this girl*** *3 children I saw a nice one outside and I don't care coz I did not even pop out money or marry her and now she is giving me problems* (MPP4).

In Section 5.2.3, discourses of culture were drawn on the justify not taking DV cases seriously. In the above excerpt, culture is used to justify men's abuse of their partners in co-habiting relationships that were not formalised by cultural practices of *lobola*. While the responses given by the participant were framed as a characteristic of African culture, what underlies these responses were perceptions about women becoming the property of men.

MPP4 characterised heterosexual marriage as a normative institution for african men, suggesting that men value women more if they pay *lobola*[22] for them, which gives them a sense of entitlement to control their partners. MPP4 ascribed GBV and men's promiscuity in cohabiting relationships to the notion that men did not earn their cohabiting partners. Kim and Motsei (2002) found in their research on GBV in a South African rural community that women believed being perceived as men's property could prevent abuse in their relationships. Contrary to women's expressed beliefs, the researchers found that the increase in abusive behaviour towards women emanated from the payment of lobola.

MPP4's views are ahistorical because during colonialism the cultural practice of lobola was altered to suit the needs of the colonialists (see Mamdani, 2020). Contrary to MPP4 views of heterosexual marriages as an African institution, Essop Sheik (2014, p. 80), in an article on "African marriage regulation in colonial Natal", emphasises that polygyny was an accepted African customary practice. She explains that this custom was changed by the Natal colonial administration through "the legal codification of African customs" and "replaced by rigid procedures". These changes altered the gendered social order of "African customary authority". The colonial administrations furthermore introduced a new marriage tax on indigenous marriages to discourage discretion (Essop Sheik, 2014). This discussion is not intended to provide a comprehensive account of how the colonial administration altered customary marital practices but to emphasise that culture is fluid and dynamic. The police's official statement about lobola being an African practice should be understood in this context.

The reluctance of the police to provide police services to women living in cohabiting relations highlights deeply embedded gender and social inequalities in society. This reluctance of police support for victims leads to secondary victimisation and underreporting of GBV. The lack of police intervention emboldens perpetrators who know that they will not be kept accountable for perpetuating violence, and it can result in femicide. All these factors collectively sustain the cycle of GBV.

5.3.3 Man as provider discourses

Men being positioned in domineering positions was a theme that ran throughout the discussions. It resurfaced in the discursive construction of men as being responsible for providing material and financial resources to women. This dependence on men for their survival resulted in survivors being abused. MPP3 claimed that men used their financial

[22] The term *"lobola"* translates as bride wealth. Currently, *lobola* remains an important aspect of customary marriage and is given by a man to his prospective bride's family. The act serves as compensation to thank her family for raising her and to cement relations between the two families.

resources to dominate and economically abuse their partners. He explained: "...*others* ***depend*** *on their husband that is why at the end of the day she must compromise* ***whatever the husband is doing*** *because of shelter and food*". Simply describing women as dependent on their partners ignores the impact of structural violence and gender inequality that limit their ability to provide for themselves.

There were similarities between how the perpetrators misused their masculine and financial power, and how the police participants abused official power as protectors granted by the state. They used their power to position survivors in vulnerable positions to rationalise why they discouraged survivors from laying criminal charges. As explained by two of the participants:

> *Is all about financial issues because you find in the squatter camps the man is working and the woman is not working, or the man owns the shack and the woman has nothing.* ***So, if you proceed with the case*** *then you are going to lose the accommodation or financial support* (MPP4).
>
> *Bear in mind* ***your husband will be arrested****, and you won't have food or a place to stay. Obviously, when he comes back, he will chase you away* (MPP3).

Police officials used survivors' lack of economic and material social resources to convince survivors not to pursue criminal charges. MPP4's advice seems reasonable given the reality of gendered economic inequalities rooted in unemployment, poverty and the lack of state housing adversely affecting black women. In these quotations, MPP3 and MPP4 highlight how the lack of basic social rights to housing and economic rights, intersected with gendered and racial inequalities of survivors living in informal settlements that create conditions for violent crime and GBV to flourish. These views, furthermore, shift the responsibility for violence away from men to survivors (Mathews, Abrahams, Martin & Vetten, 2004). Given the growing levels of gender-based violence and femicide (GBVF), advising survivors not to lay criminal charges has several consequences, such as compromising their safety, condoning GBV, silencing and sustaining survivors' subordination and justifying the lack of police responsiveness towards GBV.

Furthermore, the extract illuminates the continuity of structural violence that intersects with race, class and GBV, which is illustrative in the statement of MPP4 that "*the man owns the shack, and the woman has nothing"*. This finding is identical with findings in the report of Statistics South Africa that highlight the racialised and gendered nature of poverty showing

that black women make up the largest proportion of poor people in the country (StatsSA, 2019). In *CHAPTER THREE,* I discussed how racial and structural violence disproportionately affected black women. Women's restricted access to economic and material resources consequently impacts their ability to improve their social conditions. Their poverty should be understood because of the historical racialised and structural inequality of the colonial and apartheid systems that continue through coloniality in contemporary society. Several research studies have shown how women, despite having no material resources, use different strategies to survive oppressive conditions (Bozaleck, 2006).

Men's waged income is linked to hegemonic patriarchal values that emphasise men's roles as financial providers which was an important characteristic linked to men's masculine identity. Providing household finances gave men the authority to dominate and control their partners (Ratele, 2022). The participants conceded that DV occurred when men failed to fulfil the patriarchal social requirements to provide financially for their households. Men turned to violence to claim the masculinity that was stripped from them through poverty (Hunter, 2010). Not being able to live up to social expectations to financially support their urban households reveals several contradictions. The following quotation shows these contradictory positions that men occupy:

> *Yes, there are other issues like you have been staying with me since January and now it is December time, we must share our bonuses and you find that the husband wants to take the money home to his* [wife in the rural area] *whereas here* [urban areas] *he is in a 'vat 'n sit relationship' and this other woman does not want that and the problem starts there*.

In the excerpt above MPP4 states that GBV arises from a man's financial inability to support a co-habiting relationship in the city and a rural household to which he returns at the end of the year. These discourses about the lack of financial capital reveal the ongoing coloniality in black men's lives that show how they are also subjected to structural violence and economic exclusion. The discussion illuminates how the historical disenfranchisement and current socio-economic and political realities impact men's ability to sustain their livelihoods, chosen lifestyle and their capability to assert their perceived ideals of successful masculinity through providing financially for the household (Boonzaier, 2005). Their inability to financially provide for two households causes them to experience a crisis with their masculine identity, resulting in the assertion of their masculine power through the perpetration of violence (Ratele, 2008; Shefer et al., 2008; Van Niekerk & Boonzaier, 2014). These findings show how when social conditions make it impossible for men to fulfil their pre-conceived masculine roles of providing economically for two households, it results in them becoming perpetrators

of GBV while women's lack of financial resources results in them becoming victims of men's violence.

Moreover, this study highlights how structural violence and the hierarchical gendered organisation of society crafted during colonialism and apartheid continue to create the conditions that reproduce unequal gendered power relations in the contemporary period for men who are denied access to the benefits of the capitalist economy (Henkeman, 2013). The reality was that they could not financially support their families and pointing out that they only owned a shack which illuminates the continuation of dispossession, displacement and ongoing poverty. The following theme expands on how police in the study drew on discourses of morality to justify why men cohabit.

5.3.4 Discourses on sexual entitlement

In addition to constructing poor women as depending on men consequently legitimising explanations of why GBV occur, the police participants morally justified men's involvement in cohabiting relationships as good for them to prevent sexual abuse. Gqola (2015, pp. 93-94) in her book on rape provides several examples that illuminate how police views about rape shape their insensitive responses to GBV. MPP5 opines that if men lived alone, they would be tempted to become perpetrators of rape, which he perceived as an inevitable outcome for men who were denied sexual intimacy. He explained:

> *In terms of morals, I can differ and say I think is better to have another woman here with you* ***or else that will cause rape****. Because there is more temptation if I am alone unlike if I have someone close to me who can share this thing with me* (MPP5).

In this discourse, male sexuality is constructed as physically determined and women's bodies are regarded as the objects of the male sexual drive (Hollway, 2001; Gqola, 2015). Research by Wood and Jewkes (2001), Shefer and Foster (2001), Shefer and Mankayi (2007), and Mankayi and Naidoo (2011) similarly found that participants drew on the male sexual drive discourse as uncontrollable to justify promiscuity and to accomplish successful masculinity. MPP5 opines that to prevent rape, men should be encouraged to cohabit. He argues that the sexual satisfaction of men is arguably the main reason why men cohabit. His lack of understanding of rape as an expression of power relations shows how he reduces rape to sex and explains why survivors who report rape to the police are often disbelieved.

Black men in Uganda were similarly framed by British colonialists as promiscuous and as having an uncontrolled sex drive. In an article on the production of reproduction in Uganda from (1907 to 1925), Summers (1991) describes how missionaries in Uganda linked the decline of population rates to high maternal and child mortality rates resulting from sexually transmitted diseases spread by hyper-sexed black men involved in polygamous marriages. As such, they sought to civilise black men by changing their sexual values by teaching them responsible sexual behaviour, self-control and social purity grounded on moral principles fashioned on European standards.

MPP5 expressed more understanding of men's reason for engaging in cohabiting relationships to satisfy their need for intimacy. However, there were financial conditions attached to engaging in cohabiting relationships implying that men were still expected to be the providers in these relationships. MPP5 pointed out that men without finances could not engage in cohabiting relationships because their lack of financial resources resulted in DV. He explained:

> *…because for a man it is difficult to stay here for six months (from rural areas) without having that intimacy so we are forced to go there (create those 'vat en sit' families) and* ***we cannot go there without any financial support and that is what causes the problem*** [my emphasis].

The above excerpt highlights how the cohabiting relationship becomes a transactional function. MPP5 is of the view that women's bodies should be readily available to sexually satisfy heterosexual men. As discussed in Section 5.2.3, women who move from rural areas to cities use several strategies to survive the harsh conditions in the cities. Research illuminates how these unequal relations, where women become financial benefactors of cohabiting men result in women being regarded as men's property and as objects of the male sexual drive (Hamber, 2010). The centrality of financial sustenance attached to cohabiting relationships shows how poverty and inequality contribute to women's material conditions and make them vulnerable to abuse.

The participant constructs men as victims who are forced into living in cohabiting relationships because of their need for intimacy. However, when men lack finances and are not able to measure up to societal expectations of financially providing for their household/s, which are the generally accepted measure for successful manhood, it then becomes a justification for men's abusive behaviour. Several South African studies (Wood & Jewkes, 2001; Boonzaier, 2005) found that men linked the achievement of successful masculinity to having multiple sexual partners and providing financially for their families. Kim and Motsei (2002) found in their study on beliefs and attitudes about GBV among PHC nurses in rural areas that the

infidelity of men was accepted and supported. Moreover, research reports also confirmed that there was a link between masculinity, economic (in)security and violence (Boonzaier, 2005; Hamber, 2010; Langa & Kiguwa, 2013).

This notion of men needing finances to engage in cohabiting relationships is consistent with the earlier discussion about the provider discourse (see Section 5.2.4 above), which pointed out that the lack of finances creates conditions that contribute to GBV. What this discussion adds to the provider discourse is the contradiction in how, men's lack of finances, creates conditions that contribute to GBV, while patriarchal masculine privilege, enables them to engage in multiple sexual relations despite their lack of money. Moreover, the study findings highlight that violence is not only a result of the lack of finances but is linked to issues of men's sexual entitlement to women's bodies and the demonstration of masculinity through the exercise of domination and coercion control in intimate relationships (Ratele, 2022). Furthermore, the discussion illuminates how the broader discursive systems of power and inequality are entrenched in gendered social relationships (Connell, 2009) emanating from historical colonial and apartheid power structures.

5.3.5 Discourses of angry black men

Along with the discourses discussed above the participants deployed dominant masculine attributes of power, strength, and toughness to construct men. In one instance, MPP3 drew on masculine imagery that depicted a black man in a boxing ring where he must defend himself against his partner, who was positioned as his opponent. The man was described as finding himself trapped and forced to fight back by also applying for a protection order. Using this image, MPP3 explained:

> *For a black man he goes and open his protection order and **for a man is not protection it is an anger** (my emphasis). The anger of the man… he will go to court; he will say this woman now have cornered me in such a way that I don't have a chance.*

The construction of an angry black man cornered into applying for a protection order underpins discourses of aggression as a legitimate masculine response used by black men who must defend their honour when suffering public humiliation after being served with a protection order. It also frames the man's response to his partner's actions as a rational response for a person who feels powerless. hooks (2004, p. 90) agrees that the "rage" of black men is often viewed as an appropriate reaction to injustice and therefore encouraged.

The rage of black men can put them at risk of police violence as has been demonstrated by the police killing of a black man in the United States (Ratele 2022:200). Research abounds In South Africa about police violence targeting poor young black men (Stuurman, 2021). Additionally, the majority of those killed every year are poor black men from impoverished townships (Ratele, 2022).

The way the police narrate men's reasons for applying for a protection order can be interpreted as police officials siding with men. In this case, they do not mention that men are wasting their time when applying for protection orders. We, however, see how counter-protection orders are used by men to "…reinforce their power and level the playing fields" (Artz & Smythe, 2005, p. 204) rather than gaining protection from perceived violence in the relationship. Paradoxically, when women exercised their rights by obtaining a protection order, they were seen to be abusing the legal system (see Section 5.2.8). The constructions of men's aggression normalise male violence as a central characteristic of manhood and have the effect of minimising men's accountability for their criminal actions.

5.4 Constructing intersectional gendered power relations

Hearn and Parkin (2001) argue that gender power relations are embedded in all organisations, which accordingly implies that policing becomes a site where gender relations are reproduced and maintained. In keeping with the Foucauldian discourse analysis approach, I paid attention to how participants accounted for the intersectional power relations of race, gender, class, culture, nationality, and sexuality, amongst other differences, in their narratives. When analysing the everyday interactions of police with survivors, these entanglements become visible, and I illuminate how these unequal relations become institutionalised within the police organisation. What needs to be noted is that these relations of power are structured within a specific socio-political context in South Africa in multiple and complex ways and this reality cannot be divorced from the factors that facilitate such unequal relations in the broader socio-historical environment.

5.4.1 Gendering race and class in discourse

To illustrate how discourses around race and class are intertwined in the discursive practices of the police, I offer an ethnographic view of a brief conversation I had with a senior police official. While familiarising myself with police records at station two, I noticed that the police manager for visible policing whom I had asked whether I could accompany police detectives on their investigation of DV complaints was reluctant for me to accompany police officials on patrols. After making several requests, I finally abandoned the idea of accompanying police

officials investigating DV complaints on patrol. I understood the reluctance of the police manager to mean that he was not comfortable with permitting an outsider to observe police investigations.

However, when I asked him about his reluctance to allow me to accompany the police officials on their patrols, MPP8 explained:

> *I don't think you will be able to deal with 'that community'* [referring to the coloured community in a specific township] … *because those people are mostly drunk, are very violent and use vile language*.

It was in informal conversations such as this one that I observed how power relations such as race, class, and gender are perceived, spoken about, normalised and institutionalised in police organisational discourse. MPP8 decided that I needed to be protected from the community in question. My educational credentials as a black middle-class professional served as a marker of class differences to exclude me from entering a specific space. What was, however, more concerning was his essentialist description that reproduces what Boonzaier (2017, p. 474) calls "a colonialist anthropological gaze" that makes stereotypical representations of a specific group (in this case people classified as coloured) as the "other" characterised by social problems.

From the manager's comments, I realised that the stereotypical beliefs about race, gender and class that informed the apartheid ideology still inform beliefs about race and class privilege. These beliefs have been internalised and appropriated by MPP8 as illustrated in this short description and show how it is normalised in police talk and informs police practice. This police station served different racial and ethnic populations. The police manager was a black person but used moral judgements to stereotype people living in townships as "immoral others" who are "used to [living with] violence".

I reflected on the paternalistic views expressed by the manager, who without consulting me had decided to protect me from the racial group in question, drawing on apartheid stereotypes of the "dangerous drunken" population group. His utterances exposed his internalised racist stereotypes that constructed coloured men as naturally violent (Posel, 2005; Boonzaier, 2017). These beliefs about race and social class differences have become institutionalised in police organisational practices thus normalised and expressed in racist stereotypes about black bodies. These racist and class differences were not unique to the SAPS because Hall, Critcher, Jefferson, Clarke & Roberts (1978) show how similar perceptions of young black

men as dangerous muggers thus deserving of police violence were held by British police. I argue that when police define people as the other, it shapes their decisions to over- or under-police

these people regarding them as undeserving of justice. I contend that these views shape police engagements with certain groups of people tending to shame them, thus shaping and constraining responses to GBV complaints (Sinclair, 2017).

5.4.2 Race denial in discourse

Not only were anti-black stereotypes evident in police discourse but the denial of race was also present. Despite the salience of race in police talk, my analysis of police records revealed that race was conspicuously absent from the DV incident register (SAP 508(b)) and the report of DV incident form (SAP 508(a)) that the police had to complete. What was notable, however, was apartheid's racial geography which confined certain racial populations to certain areas, and made it easy to establish complainants' racial identities from the addresses in the DV incident form (SAP 508(a)). My interest in understanding the race of the complainants was to investigate the relation between several vectors of power and violence in particular socio-political contexts that shape men's violence towards women. The long history of racial oppression in South Africa resulted in blackness being criminalised and black men stereotypically labelled as inherently violent. It follows that racialised shaming became tantamount to black identity (Boonzaier, 2017).

I argue that the absence of racial identities in police documents is reflective of avoiding wider entrenched stereotypes in the socio-political context where black men were historically and in the present are still depicted as inherently violent. Research has shown that racist colonial rhetoric of black-on-black violence reproduced racial representations of violence as normative behaviour of black people (Palmary, 2016). Indeed, during police officials' interviews, the participants avoided labelling specific racial groups as mostly reporting DV, as is evident in the following quotations:

> *The most are whites and indians that report DV almost every day especially after hours, after 17 hours they experience DV at home. Also, the black people report DV and also the whites. …when we are doing night shift mostly whites report* (FPP3).

In contrast to all the racial groups mentioned by FPP3, MPP4 at the same station noted that "*there are maybe indians and no whites, but the majority is the africans who report this violence*". MPP5 went as far as saying:

> *all races report domestic violence equally you cannot say it is this one or that one*.

When I probed whether such cases reported by other races were registered in the DV register, FPP3 explained:

> *Ja, we make an entry in the occurrence book and then we register it if maybe we can see…we open the case sometimes and then we complete the forms and others we refer to the court*.

When I explained that in my perusal of the DV register, I observed no whites or indians were recorded in the register and that I was curious about what this meant. FPP3 explained: "*[I] don't know why the whites are not recorded*". Bonilla-Silva (2018) argues that avoiding talking about race is symptomatic of living in a colourblind society that minimises or denies racial differences. Yet, given the history of criminalisation of black men in South Africa, for police officials to admit that black women are numerically overrepresented in DV registers may be seen as endorsing racial beliefs of black men as violent.

Thus, throughout the interviews, there were opposing messages. On the one hand, was the insistence that DV cuts across racial groups. On the other hand, just below the surface of this construction lays an interpretation of the reasons for DV which were significantly produced by race and its intersections with social class. While the official records were silent about race, the police officials had no problem with discursively constructing race and class in their descriptions of who mostly reported DV to them. For example, FPP2 reported that it was "*especially the* ***blacks*** [my emphasis] *living at…* [name of informal settlement]*"* that tended to report DV. I contend that these expressed views about people living in informal settlements reflect racial microaggressions which can be seen as symbolic violence that produces internalised feelings of superiority and inferiority and consequently causes trauma transmitted intergenerationally (Henkeman, 2016).

This normative construction of race is simultaneously interwoven with the discursive construction of class and structural violence that links particular places and racialised black bodies with violence. The representation of residents living in informal settlements as the *other* tends to normalise racialised stereotypes of violent residents. It shows how violence intersects with racialised poverty and is embedded in persisting forms of structural inequalities created by historical legacies of colonial and apartheid systems of exploitation and dispossession. Within the racialised representation of DV, no acknowledgement is made

of how DV is complicated by structural causes such as racial inequality, poverty, marginalisation, and access to resources (Boonzaier, 2006, cited in Shefer et al., 2006, pp. 139-140).

In the context of different racial dynamics in the United States, Bonilla-Silva (2018) describes the denial of explaining the racial differences of inequality as a “colorblind” stage of racism, where ongoing racialised inequities are explained as cultural differences. The denial of racism has the effect of denying the ongoing forms of structural racism that have historical roots and have enduring effects on black lives in the present, consequently creating an environment within which racism deepens. It also prevents the police from dealing with institutionalised racism. However, as the above discussion shows, race as a construct is deeply embedded in the spoken discourse of the police.

Not only does race feature in police talk but it is also visible in national discourses, such as those about the racial policing of student protests on different university campuses in South Africa during the Marikana strike in 2012, when police employed brutal apartheid strategies to police black people. Media coverage of student protests showed how white students were employed as shields to protect black students from police violence (Knusden & Andersen, 2019). These examples reflect how internalised anti-black beliefs of police officials shape the services delivered to black people. Moreover, it highlights how transformation in the police was not able to change the cultural knowledge embedded in the police subculture that formed its foundation. What also becomes visible is that the socio-political and economic structures in the sociocultural context where the police functioned have largely remained unchanged thus creating an environment where violence is normalised.

As I have alluded to earlier, apartheid’s racial classifications and its hidden curricula that tainted black people as inferior and violent have resulted in cautiousness in the present about when and how race is used in explaining crime. However, the absence of race in the police records despite its saliency in public and police discourses has the opposite effect of illuminating how race unofficially shapes and constrains responses towards black women who experience GBV. Thus, we see a tension between the expectations of the community policing model based on a politically neutral stance and professionalism alongside intensely entrenched racialised biased notions of race, gender, and violence. And yet race intersects with other identities to shape the rendering of police services to black women.

Sokoloff and du Pont (2005, p. 47) argue that we need to understand violence against black women within “the context of White supremacy, patriarchy, colonialism and economic exploitation of marginalised communities, and not as if such violence is inherent in the

culture". In the study, one of how the reactions to GBV were racialised despite official endorsements of racial neutrality was via appeals to culture that often functioned as markers of race.

5.4.3 Gendering culture in discourse

Cultural constructions of feminine and masculine roles were often drawn upon to justify gender power relations as natural. Certain gendered practices were presented as "unAfrican" and used to explain why certain actions were Western and not legitimate. The following excerpts of MPP12 provide evidence of this:

> *According to DV Act, she is 100% right but according to culture, she is wrong. Because she is supposed to sit down and resolve this matter, before going to court...Because in African culture we have our own way to solve this DV but in Western culture, they prefer to go to court. The community must speak for themselves; let them speak for themselves because if you say you are from America and I learned from America then I want to implement this in our society is fine, but how are you going to implement that in a cultural society? In Western* [culture] *they prefer to solve their matters via the law* ***and the Africans go through the elders*** *before they go to court because if I say I come from America I might implement that in a wrong way and not include our culture*.
>
> *…these people make a serious mistake.* ***Africans we live like this*** [emphasis added]*. This is an old culture… women especially in the African culture are still dependent on their men*.

These excerpts reveal two important points. Firstly, culture is perceived as something unique to African society. Juxtaposed against African cultural practices that resolve DV in the community with elders, the West is rendered acultural (Spivak, 1988; Mohanty, 1988), because they use legal processes to resolve DV. Paradoxically police invocation of culture assumes African culture as homogenous, static, steeped in the past and unchangeable, as opposed to practices in the West that are perceived as universal and thus normalised (Palmary, 2005). In reality, the notion of African cultural practices is contested because what is accepted as cultural practices in many African societies has been redefined by colonial administrations over time (Mamdani, 2020).

Secondly, and connected to this, culture stands in for the race, thus maintaining racial binaries. These understandings of African culture connected to race deploy colonial constructions of race and gendered power relations favouring African men. Ratele (1998, p.

63) contends that race was socially constructed during colonialism because "…indeed all black people got their colour when white colonialists conquered and defined them". In the above quotations, MPP12 argues that the DVA is framed within a Western legal framework that disregards African cultural dispute resolution to deal with DV disputes of African women. Within this cultural discourse, black women are discursively constructed as a homogenous group and in an essentialised subservient position that suggests what is expected from them in this role.

McFadden (2001b, p. 67) explains that what was regarded as "conventions and cultural practices" were "legalised and enforced by chiefs and headmen" to ensure that "Black women remained in the backwards, privatised realities of ancient patriarchal social existence". The police official's knowledge of African culture is ironically drawn from racist colonial logics of African culture that misrepresented and tarnished the history of black people (Biko, 2004). The homogenous subservient constructions of women in African cultural discourse are disputed by Rodney (2012), who provides evidence of influential political positions held by women in African societies in precolonial society. These essentialist arguments about culture and women's subservient position may serve to excuse GBV, reproduce inequality and justify the (non)implementation of the DVA.

What these constructions of culture are silent about is that historically unequal gender power relations devalued and subjected women and men to the colonial patriarchal reorganisation of society, making black women subordinate to all men and black men the subordinates of white men and women (Lugones, 2010). Appealing to a return to cultural solutions for dealing with DV could be a call to "entrenching and legitimising gender inequality" (Palmary, 2006, p. 53) entrenched during colonial and apartheid rule. Reasoning that the problem should be solved outside of the criminal justice process normalises violence and implies that legal responses are denied to black women.

Historically and in contemporary South Africa, there is an ongoing contestation between customary and common law. In the quotation, customary law is juxtaposed against Western law which is conventional and accepted while implying that customary law is ignored. What is not considered, though, is what has become accepted as customary law was created by and resulted from the civil law statutes of the colonial administration (Mamdani, 2020). McFadden (2001b, p. 67) illuminates the contradiction with this dual system of laws which she argues only affected black women since white women were not subjected to customary law. Legalising customs and conventions into customary law was part of colonisation's civilising mission. In the recent past notions of customary law have been subjected to ongoing legal disputes to secure the rights of black women (Albertyn, 2009; Ubink & Weeks, 2017).

5.4.4 Constructing others in discourse

Police narratives used race and class to construct others by using “us” and “them” in binary opposition. It was in the repeated reference to informal settlements that race and social class came together to construct black people living in informal settlements as people who were inherently violent, technically illiterate, and inevitably unable to navigate the CJS. The following statements bear witness to these views held by the participants:

> *When you look at the squatter camps the place is overcrowded and there is what we call vat ’n sit and there are no strong ties… These people* [referring to people from squatter areas] *are used to this life of being assaulted and fighting...* (FPP3).

> *They need help mostly because maybe they are not used to filling such forms... Our problem is that the majority of South African citizens are still uneducated and that results in a lot of misunderstanding on the side of the community... Up to so far to be honest the police are doing their best hence the community are dropping us* (MPP10).

Participants’ discourses framed informal settlements as predominant sites of violence and socially stigmatised people residing there as immoral and inherently prone to violence (Fanon, 2008). Such othering has the effect of dehumanising poor people and normalising violence in informal settlements, consequently, violence becomes racialised. Also, not being able to fill in forms was framed as the problem of an uneducated homogenised other in contrast to a more knowledgeable police official with superior knowledge. These pathologising discourses regarding poor populations living in informal settlements have the effect of humiliating and shaming poor communities and partly blaming them for the violence they experience (Van Niekerk & Boonzaier, 2019b).

When participants commented that the people were not able to fill in forms, referring to the application for a protection order, they did not mention that these forms were available in English only and that the communities referred to in the excerpts spoke other indigenous languages. From these discussions one can deduce that language becomes a form of cultural violence used to exclude marginalised communities from access to certain services and public documents in the CJS, thus maintaining class and racial differences. Police discourses that frame the problems using deficiency discourses concerning marginalised communities disregard the historical factors that have contributed to the criminalisation and marginalisation of black communities and that continue today. An effective recording of the race of

complainants of DV could assist the police in understanding how the persistence of structural, racial, and economic inequality creates the context for GBV in different environments.

From these accounts, I conclude that the stereotypical beliefs about gender, race, culture, and class privilege that informed the apartheid ideology have been internalised as a conceptual frame for evaluating race, gender, and class differences in police discourse. Their understanding of all these differences informed the type of services delivered to people living in informal settlements.

5.5 Gendering organisational procedures and practices

The fourth theme that emerged concerned the gendering of organisational spaces, procedures, and practices. Not only were gendered power relations reproduced through discursive constructions of gendered identities and multiple power relations in police discourse, but these power relations were maintained in the police organisation through formal and informal rules that were embedded in spaces, policies, everyday practices, and bureaucratic procedures. This ongoing reproduction of gender within organisations is described by feminist sociologists as gendering processes (Acker ,1992).

In the police institution, power is reflected in structural and symbolic violence that is encapsulated in its bureaucratic masculinist structure, gendered organisational procedures, masculine police culture and the embodied actions of individuals that become legitimised as unquestioned truths and practices. The way that gender is manifested and maintained in the organisational discourse is illustrated in the following themes and quotations.

5.5.1 Gendering organisational spaces

Describing how space within the community service centre (CSC) is organised reflects how inequitable gendered power relations and subjectivities are reproduced in the police organisation. In this section, I revisit my experience of entering the research setting to conduct the interviews. This experience provided me with an example of how discursive practices are exercised to produce a gendered space from which certain gendered bodies are excluded because of their race, class, and sexual orientation. It is within this space that women's humanity is questioned, and harmful gendered identities are constructed. Lefebvre (1991) argues that it is in gendered organisational spaces that gendered identities and relations of control, domination, power, and agency are constructed and negotiated. In the discussion of the reproduction of heteronormativity in Section 5.3.5, I give an example of how space is used to exclude people that do not conform to normative identities.

When I first arrived at station one to conduct the interviews, which had been pre-arranged with the station commissioner, I was taken aback to find out from the commander of the CSC on duty that he was not aware of and hadn't been informed about any arranged interviews. MPP1 had referred me to him. I explained the purpose of my visit and research to him, showed him my permission letter from the National Research Office of the police to conduct research and asked his permission to interview police officials that met my criteria. The commander then showed me the very busy CSC, saying:

> *Can you see how busy we are and how full this place is? I can't afford to have any of my members away from here to be interviewed for an hour.* (MPP2).

This was a reasonable explanation, which made me respond that I understood his dilemma and that I would remain at the station to observe police operations and be present in case someone came to report DV. To this, MPP2 responded, "*I don't think anyone will report domestic violence in the middle of the week*" – it was a Wednesday – "*Most of the cases are reported from Friday to Sunday*". From this, I got the impression that he wanted to get rid of me. I calmly assured him that in that case, I would just wait anyway until the station commissioner returned. I don't think he liked this idea but, with a shrug of his shoulders, he agreed that I could do this. I recorded this observation as soon as I found a place to sit in the CSC. I found a chair in the CSC opposite a police official's desk, where I decided that if I was not able to hold interviews, I would observe the functioning of the police within the CSC and take down field notes. I silently hoped that someone might come to report DV. In the remainder of this section, I describe what I noted in my research diary.

Police stations during the colonial and apartheid administrations were not designed to provide private spaces where police officials could interview complainants in private and humanely serve people. Police stations were designed to process criminals, mostly black, seen as enemies of the state while protecting the rights of the minority white population. Consequently, the police stations were designed in such a way that the architecture and layout were created to keep the distance between the police and the public. Most spaces in police stations have not changed despite the transformation towards a service delivery ethos of the police.

The service counters in the CSC are the first interface that creates this social distance, it is high and long and there are sometimes six police officials behind the counter. These counters ensure that people who come to the police station immediately understand the superior status

of the police and know their place in this space. I observed that behind these counters, different police officials simultaneously competed in speaking and listening to members of the public filing complaints. For an outsider, this environment appeared to be a chaotic and uncomfortable space to work in, but somehow members of the public and most of the officials made do with these shortcomings, not being bothered by police who spoke loudly to be heard.

The following drawing depicts a CSC within a police station to give the reader a glimpse of how space is organised. I describe the setup of the CSC in the paragraphs that follow the drawing.

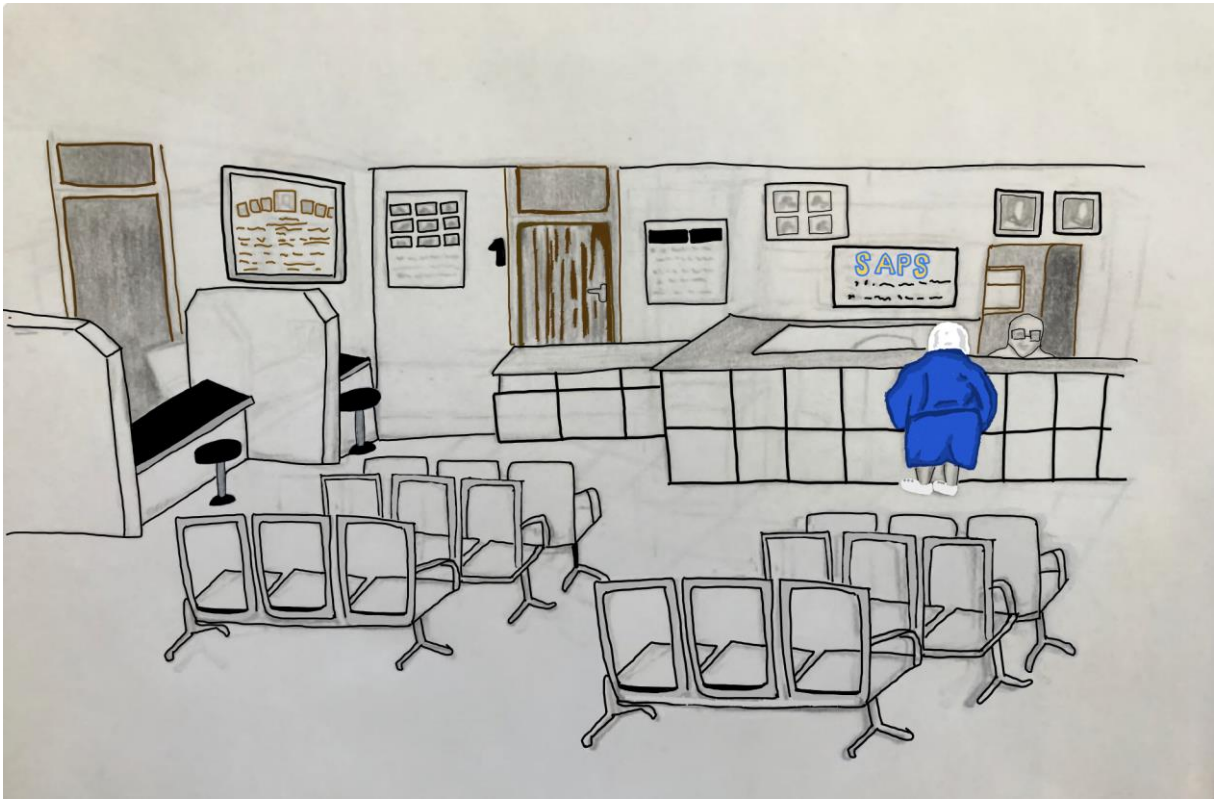

Figure 5.1: Community Service Centre[23]

In addition to the high service desks shown in the picture, there were several loose office desks (not shown in the picture) arranged disorderly all over the CSC, with a police official directing the public to different police officials sitting at these desks. There were also steel chairs organised in parallel rows (typical of how chairs are organised in most government departments), where people waited for services to be rendered to them. These spaces are reflective of the continuity of coloniality in the present, where people are still dehumanised.

[23] Picture sketched by Dr R. Helman and adapted by Janelle and Jody Swartz.

Given my past experiences with police stations as unwelcoming to the public, I had imagined that CSCs would become a community-friendly space where people are served with dignity, especially communities excluded from a dignified quality professional policing service.

People generally seemed to become accustomed and resigned themselves to these chaotic inhumane circumstances in which the delivery of poor-quality services was the order of the day. I contend that it was because the public had no choice and most poor people depended on the police to deal with their crime problems. This setup was contradictory to the caring environment required to support victims who came to the police when they were violated and needed the police to display a caring attitude and empathetic listening skills. This normalisation of inhumane organisational arrangements served to illustrate how social power can become embedded and accepted as normal in specific organisational spaces.

The ethnographic description of police station one that I provide in detail here made me reflect on how notions of space are infused with social power to reproduce inequality. Puwar (2004) agrees that gendered spaces are socially produced by marking certain bodies as the norm and others as invaders. During the research process, I encountered several incidents where I was made to feel that I did not belong because of my race and outsider status. Space and the social power attached to it became entangled and became a salient theme prevalent in this thesis. Space in this study is theorised at the levels of the body, institutions and structures.

The bodies of women are violated within the micro-spaces of their homes, in organisational spaces through micro-interactions, by police discursive practices where symbolic violence is enacted, and at meso-level in violent community contexts also within broader macro-spaces on the societal level through multiple structural and systemic drivers that reproduce gender inequality. This violence includes but is not limited to GBV, poverty, unemployment, and homelessness. It is in all these spaces that power works in a way to reproduce and perpetuate unequal gender power relations. It is also in these spaces that women resist, challenge and change these power relations and structures. In this study police stations generally represented social spaces where subtle symbolic acts of violence undermined the dignity and the sense of self-worth of black women. Most women were denied privacy when they reported DV to the police. There is a general lack of boundaries between the public in the CSC and survivors reporting GBV.

The police opined that many individuals who laid DV complaints lived in informal settlements. I perceive these settlements as in-between spaces of "not belonging". People in these areas live in appalling overcrowded conditions, in temporary structures on the margins of society. They are forced to live as dehumanised beings facing several risks such as no electricity, no clean running water, and limited access to health and educational facilities. They do not belong because they have migrated from rural areas and from neighbouring countries where they lived in disenfranchised circumstances. They do not belong because they are poor, unemployed, and live in urban spaces where violence and death are normal features of their existence. These spaces are imbued with social power that is transferred from and between the micro- and macro-spaces.

I have been to the same police station recently and its organisational arrangement has changed substantially. It still has a service desk where most document certifications are carried out but also a few cubicles, that still do not provide much privacy but is an improvement from my initial description of this space.

In a conversation with MPP1, I was reminded how certain spaces reserved to provide privacy to survivors were not always guaranteed because of resource constraints and unequal distribution of resources in the past. The manager confessed they did not have dedicated spaces to conduct interviews. MPP1 indicated:

> *We don't have a special office. That is the problem here in our station unlike other police stations; we don't have a private office for dealing with such cases other than the general offices.*

This lack of privacy impacts on people's sense of dignity and renders their experiences worthless. Besides the lack of private space, I observed that all these police stations needed physical maintenance such as refurbishment, and general maintenance of their buildings and of their gardens. Mmamabolo, Schwartz and Vuma (2020) agree that "…the whole police station…needs to be clean and inviting as a place where victims can feel safe to report their incidents." This general lack of care in the spaces where policing is performed seems to be extended to the uncaring and inhumane service rendered to women who report DV.

In a report by the expert panel researching the violent civil unrest in July 2021 in KwaZulu and Gauteng in July 2021 in South Africa (Africa, Sokupa and Gumbi, 2021, p. 134), the panel noted that the "conditions in many police stations …are not conducive to the police providing a productive and professional service". I draw parallels between the neglect of caring for the physical appearance of police stations and the uncaring attitudes of police officials towards women who report GBV. However, some police officials often used

innovative ways to obtain some form of privacy to interview survivors by asking senior police officials to vacate their offices to enable them to conduct these interviews in a private space.

In my research diary, I noted my observation of an interview conducted by FPP4 in my presence, which demonstrates how the lack of space becomes accepted as the norm of how things are done by police officials and accepted by survivors who lay complaints. I obtained permission from the survivor to sit in on the interview. The interview was conducted in an office shared by the police official and two civilian staff members, who continued with their work while the interview was being conducted. Whilst this interview was being conducted, one of the civilian members attended to members of the public who were collecting the personal belongings of a family member who had been involved in a car accident. While waiting for the civilian member to complete forms to release the property of their family member, these community members were within earshot of the complainant relating her story.

The interview was further interrupted by a salesperson selling bed linen who strolled into the office and marketed her goods to the civilian members who seemed not to be disturbed by this practice. Furthermore, there was an unanswered phone ringing incessantly in the background. Besides all the interruptions, the CSC manager who referred the complainant to this office interrupted the interview to find out from the complainant whether she was OK. Once again, I argue that this lack of space and the frequent interruptions deny survivors their rights to privacy and dignity. This resource-restrained environment produces symbolic violence and normalises the degrading treatment of women who report GBV to the police.

This lack of respect for the privacy of survivors suffering made me question whether the values of human dignity and equality were the only missing parts of the puzzle of delivering a more humane service when the internal environment of the police organisation militated against these values. I observed that complainants were desperate to get help, and privacy was not their immediate concern, but I contend that they too had internalised and accepted the unprofessional manners that they were dealt with as the way things are.

5.5.2 Gendering the allocation of work

Gendered discourses were employed by the participants to construct binary gendered identities to informally allocate work to either policewomen or men. The police narratives drew on gender essentialist traits of policewomen as being naturally inclined to perform emotionally supportive tasks and having the effective communication skills supposed to make them better

suited to deal with survivors of GBV, as opposed to policemen who were deemed to be crime fighters.

Heidensohn (cited in Newburn, 2008, pp. 662-663), comments that policewomen were initially employed with a "protective mission" in mind and that this mission has not changed in the 21st century because women are still deployed to deal with children and domestic and sexual violence. The gendered division of labour reflects the masculine ideals and values of the police institution. The gendered allocation of complaints was explained by FPP8 as follows:

> *Women who come crying in the charge office, is where maybe we can feel that maybe a woman can handle this case … and how to communicate with victimised children – especially because the children usually bond very well with women...*

The above excerpt shows how essentialist gender dichotomies were created between policemen and women and how these dichotomies determine the gendered divisions of labour that influenced how complaints were allocated to the different genders. Acker (2006) argues that the gendered division of labour emphasises the gender hierarchy and contributes to an inequality regime in policing. This gendered division of work positions policemen in the physical realm, where men are envisioned as engaging with physically tough police work, such as taking control of possibly risky situations (Westmarland, 2001). Chan, Doran and Marel (2010) agree that policing emphasises crime-fighting and the use of coercive force in police work, equating police work with the quality of physicality, creating the impression that policing is a masculine profession requiring physical strength and force.

MPP9 affirm the preference for using force stating, "*the skill is lacking on the male police officials* [soft skills to work with victims] *our duty is seen as that of power-investigating and arresting criminals",* suggesting that male police officials preferred combatting crime and using force to arrest perpetrators above supporting victims of GBV. Constructing policemen as crime fighters has the effect of affirming the masculine nature of policing that emphasises authoritarian policing (Heidensohn, 1992). Working with victims, however, requires soft skills that are underemphasised in a masculine police organisation, where coercive crime control is emphasised.

Research affirms that contrary to beliefs that crime-fighting is central to police work, most police work entails routine and service-oriented duties mostly involving administrative procedures (Foster, 2003; Brodeur, 2010). However, the myth of the police as crime fighters has been circulated in police discourse and kept alive in the masculine police culture through

"oral tradition" (see Waddington, 1999, p. 298). These discourses shape police practice (Marks, 2005).

Policewomen, on the other hand, are described in essentialist terms as being emotionally sensitive and able to effectively communicate with people, thus limiting their role in or excluding them from policing operations associated with physicality. Retief and Green (2015), in a study on the implementation of the DVA by police officials in the Western Cape, found similar essentialist assumptions about female police officials as being more empathic and sensitive to the needs of women and children. A female police official's perceived maternal responsibility in the domestic sphere was automatically assumed to extend to caring responsibilities in the police organisation. Yet, in contrast to views about women's natural maternal instincts, MPP6 suggested that women were not naturally empathetic and responsive towards other women because, in his experience, "*policewomen deal tougher with other women*" who were complainants of DV.

Women police officials were allocated complaints of sexual violence or where survivors displayed their emotions, while policemen were excluded from dealing with sexual violence or survivors who displayed emotions. Whilst gender matching can be seen as a positive response, the problem is that gender differences are linked to power and become the norm. The converse of the essentialist portrayals of gender presupposes that woman because of their gender are naturally capable of dealing with sexual violence, while men are constructed as lacking empathy and thus absolving them from emotionally supportive and caring roles. FPP8 illustrate this view asserting "*men don't deal with rape cases it is only women who deal with it*" (FPP8). In this excerpt, women are assumed to be 'gendered experts' on sexual violence (Westmarland, 2001, p. 181). Westmarland (2001, pp. 180-181, & p. 183; 2017), in ethnographic studies of British police forces, observed similar trends in the gendered division of work, where women were automatically assumed to be gendered experts on sexual violence, while men chose not to do what they considered as nurturing and care work. These gendered divisions of work become institutionalised in the police organisation and accepted as the way things are.

Besides constructing female and male-gendered identities in essentialised gender dichotomies in the police organisation, participants also constructed 'hierarchies of violence' (Palmary, 2016, p. 40, & 44) that determined the gender allocation of complaints. They constructed some cases as serious and others as normal cases of violence. These constructions were shaped against the backdrop of unprecedented high levels of GBV and

femicide in South African (see Abrahams et al., 2012, 2013). When juxtaposed against the extreme levels of femicide, being slapped is accepted by FPP7 as a less serious criminal offense and normalised as the way things are. FPP7 reports that sometimes you find "*when a woman is* ***not injured, she was just slapped*** [emphasis added] *a male official can deal with her"*. Her view shows how the absence of visible injuries results in hierarchising, institutionalising and sustaining violence in everyday police discourse practice.

Prasad (1999), in her study of violence against women in India, similarly found that only women who were visibly and seriously injured were perceived as deserving of police services. This hierarchical categorisation of violence into (un)deserving victims results in minimising and normalising women's everyday experience of violence and deflects attention away from cases categorised as less serious. Furthermore, FPP7 differentiated serious from normal cases, saying "*but if it's just a normal case, maybe she is not crying she can open up or speak to anyone, it is then that a men can handle the case"*. Displaying emotions thus served as a criterion for categorising the seriousness of the violence reported.

One participant drew on the construction of heroic masculinist, humanistic and protective positions to describe how police performed humanitarian functions towards vulnerable women and children. These heroic constructions involved, for example, collecting money amongst themselves to buy milk for babies and raising money to assist survivors with money for transport.

MPP4 claimed:

> *You find that is during the night and she is having a three-month old child and she has no milk for the child. As police we collect money for milk so that the child can eat.*

MPP4 elaborated that in the case of women who came from a rural area:

> *We collect money from* ***other people*** [police official's emphasis added] *to give her so she can go back home*.

In addition to providing physical protection, MPP4 used his discretion to open a case to arrest an abusive father who beat his three-year-old son with a garden hosepipe. MPP4 recalled in detail that the case was reported by a neighbour because the child's mother was too scared to open a case. In another instance, the same participant commented on how he had used his discretion to protect an undocumented migrant woman from deportation by not reporting her to the immigration officials at the Department of Home Affairs. He explained that he could

not be party to the inhumane treatment that undocumented[24] immigrants were subjected to at the deportation centre, which he believed was not suitable for women with young children. To justify his decision, he described the appalling situation at the deportation centre, where he alleged people starved to death. MPP4 elaborated:

> *Yes,* ***coz I must protect*** [emphasis added] *her even if she is illegal does not means she must be abused. I tried to help her. Sometimes I check the situation, if I see that she can go back to her country. I help them but sometimes she got small children and to send them … with small children at …eish coz I know at …most people are dying there. Did you go there? People are dying there, there is no food, people are dying. So, if you send small children there and the whole week she is there with no food. Coz maybe they can stay there for a week because in my understanding the train comes once a week, I think on Wednesday and if I arrest a woman maybe on Wednesday, she must go back to her country next week Wednesday. The whole week she must stay there with the children without food.*

The excerpt demonstrates the fluid identities that participants constructed of themselves as heroic, caring and empathetic which were significantly different from the narratives told of uncaring and unsympathetic police officials. These heroic discourses had the effect of reinforcing policemen's views of their masculine protective power over weaker others such as 'vulnerable' women and children. It also demonstrated how police used their discretion to subvert some aspects of the law to justify their protection of women and children. These discourses on the protection of migrant women obscure how police officials often perpetrate symbolic violence in their everyday interactions with migrant survivors (Palmary, Burman, Chantler & Kiguwa, 2010). The way the problem of DV is discursively constructed in policy and practice determines what becomes visible about the problem and what is silenced, and how the problem is dealt with.

5.6 Resisting power strategically

Lastly, I analysed the strategies that the police employed to circumvent the power embedded in the duties imposed by the DVA. Hearn and Parkin (2001) argue that not only are gendered power relations constructed in organisations, but gender and dominant gender relations are also subverted in organisations. The punitive duties placed on the police by the DVA challenged their authority and limited their power to decide on how best to deal with GBV

[24] Undocumented immigrants in this study refer to migrants with irregular immigration status who have entered the country by irregular means.

complaints. To overcome their feelings of powerlessness and regain a sense of power, police officials tactfully employed several strategies to resist these imposed duties. Police resistances are revealed in discouraging survivors from laying criminal charges, not recording complaints and furthermore encouraging women to withdraw complaints (Faull, 2010; Bruce, 2011). An important rationale for discouraging women from laying criminal complaints is that the effective implementation of the DVA is measured by a reduction in DV rates and "the total number of charges referred to court, plus charges withdrawn before court and charges closed as unfounded" (Bruce, 2011).

The reduction of DV drives police to divert complaints away from the CJS, thus avoiding the recording of DV complaints, which consequently impact the crime statistics that are based on reported crimes. Police believed that survivors would anyhow withdraw their complaints thus not resulting in a successful conviction. In their study with police officials in the Western Cape, Retief and Green (2015) similarly found that CSC commanders discouraged survivors from laying criminal charges to avoid completing all the forms required as instructed in the DVA. My study revealed similar findings, as discussed in Section 5.2.4 above.

In addition, police officials in my study were not always able to refer cases to court successfully and this further frustrated them. MPP4 explained:

> *I think that also the responsibilities that are put to the police are causing a lot of problems. That is why you find that in a month you find that there are 25 cases of DV reported and you find that only 4 or 5 cases go to the court and others are withdrawn.*

Measuring police performance by the number of successful arrests was a form of symbolic violence that created conditions for the police to do what Vearey (2020, p. 107) in his police memoir terms "creative accounting". Vearey (2020, p. 107) explains that police officials employed "creative accounting" to "edit reported crimes" to create the impression that crime rates were reducing in their areas. The consequence of increasing crime rates in specific clusters led to the production of symbolic violence against the police managers who were publicly shamed at Provincial Crime Combatting Meetings headed by the Provincial Commissioner. He concludes that their strategies of resistance, unfortunately, resulted in devaluing and reducing victims of crime to numbers.

Most male police officials were frustrated with the administrative duties imposed by the DVA. MPP4 commented: "*I can say it is difficult coz there are a lot of paperwork, there are many books that we must fill in and protection orders that must be served and the court proceedings*". Notions of the excessive amounts of paperwork attached to the policing of DV

reappeared at different junctions in their narratives. To further demonstrate how all this paperwork was an administrative burden, a participant expressed his frustration at the amount of time he invested in opening cases and doing the paperwork and other tasks required for these cases. MPP4 illustrated this fact in the following excerpt:

> *Ja, there are shelters but they take a long process before they can be admitted and there are some procedures and you must call the social workers, and* ***there is some paperwork that must be done before they can be admitted to that shelter*** [emphasis added]*. No, you must follow the procedure and sometimes it is during the night you can't find the responsible people for those shelters when you phone.*

In the above excerpts, MPP4 lamented about the time spent on a single case, the procedures that he had to follow and the amount of paperwork he needed to do. Police complaints about the time-consuming processes and procedures can be related to the fact that police are trained to deal with isolated incidents, take control of situations and direct the decisions of survivors. This type of behaviour is not possible in DV incidents where there is a protracted history of violence that consists of multiple incidents that are complex and messy and not solved by a single intervention. The police found it difficult to intervene in DV complaints, where they were required to provide additional psycho-social support and care for which they received limited training.

FPP7 added that after she devoted so much time following the correct procedures, the survivor might decide not to proceed with the case. She emphasised that regardless of the nature of the offence she had to prioritise these cases, saying: "*Even* ***if they have scratches or blue eyes*** [emphasis added]*, I have to take her to the hospital and find her a safe place for that night and the following day she is not interested to go on with the case"*. [I found little evidence in the police records that many victims were taken for medical examinations]. Her utterances suggest that less extreme forms of physical violence DV render the administrative and care work devoted to minor incidents of domestic abuse a waste of police resources. In research on monitoring the implementation of the DVA (Parenzee et al., 2001; Artz & Smythe, 2005) police similarly reported that victims were wasting their time.

The repercussions of the survivors' perceived unreliable behaviour resulted in some police officials detaching themselves and being reluctant to provide professional services to survivors of DV incidents. Police officials' actions amounted to going through the motions of ticking the necessary boxes and completing the necessary forms to avoid being penalised for non-compliance with the DVA. This aspect is captured in the following statement by MPP3

who states: "***We*** [emphasis added] *have to shelve our feelings to do the job"*. In addition to disliking the administrative and care work attached to implementing the DVA, police officials also disliked the time-consuming aspect of the range of services rendered to complainants. Foster (2003) argues that, despite understanding the importance of taking down accurate statements for securing successful prosecutions, police officials disliked paperwork because administrative work is generally regarded as a feminine task within the police organisation.

Police resistance to administrative work became visible in the incomplete DV register (SAP 508(b)) and the inconsistencies I noticed in the incomplete DV incident forms (SAP 508(a)). These observations were confirmed by a manager, who described how during his inspection of the registers and forms he found that police officials repeatedly made the same mistakes. MPP10 elaborated:

> *It is my responsibility to peruse all the books at CSC and sometimes you find that the forms are not properly completed and you find that the very same mistake is carried over and over and* ***this one blames this one and that one blames that one*** [emphasis added]*…If you are taking responsibility* [for correcting these mistakes] *it seems as if you are making things worse because now if you say let me rectify this tomorrow you will find the same mistakes. They are just filling these books not thinking because they have to do this. They do not take this thing seriously.*

In the above excerpt, MPP10 explains that there is a lack of accountability among police officials as they tend to blame one another for administrative mistakes made. MPP10 concludes that the police officials simply perform their tasks because they are compelled to do so and are not serious about doing the work effectively. Throughout the thesis this lack of taking responsibility extended to police officials denying that men were responsible for the violence toward women. They blamed a multitude of reasons such as poverty, gender equality legislation, immoral women and cunning victims for the violence perpetrated by men. These bureaucratic workplace procedures involving the monitoring of police records seemed to be a burden to the managers and the police officials alike as both devalued the paperwork required when policing DV. Reducing DV to an administrative burden implied that police avoided grappling with the complexities and messiness of how gender, violence, and lack of access to power intersected in the everyday lives of survivors to enable the perpetuation of their oppression. Focusing on filling in forms also avoids the emotional work required for care work when dealing with survivors of DV.

Generally, most police functions entail paperwork. All police activities are recorded in for example completing pocketbooks, certifying documents, writing affidavits, recording every

bullet shot and many other administrative procedures are performed daily. Yet, it was the paperwork that lent itself to making them accountable through the close scrutiny and criticism by the public that the police resented the most. In addition to their resentment of the administrative work was the ever-present threat of a penalty that would follow for non-compliance should they fail to keep effective records of DV complaints.

The DVA gives the survivor power to decide whether to proceed or withdraw from the CJS while limiting police discretion by being prescriptive regarding how they should exercise their discretionary powers when implementing the DVA. Gillespie (2002) researched Lavender Hill, a township on the Cape Flats where violence is embedded in everyday life. She found that residents used protection orders as a strategy to address domestic violence. Protection orders can significantly change or harm domestic relationships. They shift the power dynamics in intimate relationships and require police accountability for victims of DV. The protection order gives victims, who previously lacked police protection in DV disputes, access to police assistance. These protection orders include prescriptions on how abusers should treat victims and how the police should deal with perpetrators who violate the terms stipulated in the order. However, these restrictions can unintentionally disempower police officials, leading to misconduct that reproduces violence and inequality.

Gillespie (2022) attributes the police's resistance to the prescriptions in the protection order to feminists political efforts, which she terms "a politics of anti-privatization" of violence, aimed at advocating for effective state intervention in the high levels of DV. However, engaging the police in addressing GBV has led to increased legislation and an authoritarian approach to GBV contradicts the goal of supporting victims of GBV. Gillespie suggests that feminist organising should critically examine autocratic and criminalising approaches to DV and adopt strategies and approaches that align with social transformation efforts promoting healing and focusing on disrupting violence. The complex environment in which the police operate makes it challenging for them to balance their roles of crime control with victim support.

When the police did follow the prescriptions of completing the necessary paperwork it demonstrated that giving out forms without recording the information in the necessary registers could be regarded as a form of resistance by police officials to what they regarded as the added administrative duties placed on them by the DVA. In the following next section, I discuss how I observed how MPP11 despite not having solicited the information from the complainant that he needed to complete this form, completed the report of DV incident form (SAP 508(a)) form. This form is used as a checklist to identify the nature of the problem and

provides evidence of the discussion that occurred between the police official and the complainant. These actions of MPP11 demonstrated his lack of knowledge of the DVA. MPP11's actions demonstrated that prioritising the administrative duties related to the problem diverted his attention away from paying attention to theseriousness of the problem of DV. It also reflects how policing becomes an exercise of avoiding the punitive measures of the DVA rather than dealing with the complexity of DV that equally demands complex solutions.

5.6.1 Constructing boundaries

In this section, I offer examples from my field observations to show how the police create boundaries between them and anyone who is seen as an outsider and intruding on the police space. These boundaries are a result of unequal power relations that are reproduced in subtle ways and become normalised in everyday police discourse. I encountered this othering at the beginning of my research at station two, when one of the senior male police officials (MPP6) asked me if I was interested in the topic ***"because of my own experience with abuse"*** [emphasis added]. MPP6 furthermore suggested that I might want to ***"spend a night in the cells"*** [emphasis added] to give me a richer experience of the experiences of perpetrators of DV. Despite knowing about the overcrowding and inhumane conditions in police cells, he suggested that experiencing violence first hand through incarceration would be an appropriate manner for me to experience violence. These comments by MPP6 assumed that my interest in the topic of DV was related to my femininity and victimhood to my gendered subject position as a woman.

Through this short conversation between us, I realised how the violence is accepted and normalised as an expression of power but also how it reproduced through symbolic violence in language. Despite being offended by his suggestion of incarceration and the conduct of the police official in the above scenario, I found that my reaction paralleled the reactions of survivors who used diplomacy as a strategy to subvert police authority. I was forced to diplomatically present myself in a modest manner, which is an important strategy in negotiating ongoing access to the research site.

In station three, I experienced another example being othered, when the police officials at station three where I was observing their conduct in the CSC displayed solidarity through their actions by positioning me as an outsider in the CSC. MPP11, a young police constable, whom I had not seen before at the police station reported late on duty. He found me sitting at a desk behind the high reception counter, he greeted me politely and immediately attended to a complainant. MPP12 was assisting another complainant at the same desk.

The complainant served by MPP11 requested a protection order form and explained the reason for his request over the counter in front of the other complainants in the CSC. Without explaining the process to follow in acquiring a protection order, MPP11 whipped out the form from underneath the counter and told the complainant to return a duplicate of the form to the CSC when he returned from court. His actions prompted me to start recording my observations immediately. While I was writing, both officials suddenly disappeared into an unused office at the police station, without excusing themselves from their clients in the CSC. There must have been a non-verbal exchange between MMP11 and MMP12 that I did not notice because I was writing my observation notes.

On their return, MPP11 turned his attention to me. He started to interrogate me, in full view of the complainants in the CSC observing this spectacle. He asked, *"So who are you and what are you doing here, because we do not allow anyone to sit behind these counters for their own safety"*. These counters or service desks that the police official was referring to became symbolic markers for creating boundaries between "the police and others", excluding bodies that were not allowed to occupy specific spaces. I was caught off-guard by this display of machismo and unprofessional conduct, but I politely introduced myself and explained that I was conducting research with permission from the station commander. I offered to call the station commissioner so that he could verify my presence there. I know how police officials respect authority and did this to stop being interrogated in front of members of the public.

My evoking the insider status of having access to the station manager settled the confrontation and illustrated how power and authority are embedded in the unquestioning deference to the hierarchal chain of command in the police. MPP12 who was complicit in provoking the questioning by MPP11 continued with the complainant as if nothing happened and without an apology to his client. When I was made aware later in the research process how MPP11 had on a previous occasion diverted a DV complainant to the victim empowerment office when I arrived at the CSC, I realised how I was also tolerated but not fully accepted within this space. When reflecting on that particular day, I noted in my field diary that I found a man with visible facial injuries sitting in the CSC, who was whisked out of the CSC and taken to the victim empowerment centre after my arrival. When I, later that same day asked MPP11 about what happened to the man he told me that he was assaulted during a drunken brawl over the weekend.

I discuss this incident in *CHAPTER 6*. This show of power nevertheless illustrated how police officials draw on peer solidarity to support one another against an outsider. I assumed that

when they left the CSC and MPP11 might have warned MPP12 about the research that I was conducting. Besides confirming my suspicion that the police had not followed the National Instruction 7/1999 regarding the DVA to the letter, this behaviour of flaunting authority also demonstrated police subculture at work (Reiner 2010).

After this brief display of machismo, the police official changed the way that he dealt with the complainant at the desk. He changed his tone in speaking to the complainant and asked the complainant why he wanted to apply for a protection order. He then told the complainant to tell his wife also to come to get a protection order form. The husband had earlier mentioned that his wife had been arrested the previous evening, which shows that the police official was not paying attention to the what the complainant said. Hearing the complainant's story this time, the police official provided unsolicited advice to the complainant to move out of the flat that he shared with his ex-wife without asking why they were still living in the same flat. MPP11 was so focused on sending the complainant to court to avoid recording the case as a DV complaint. This behaviour of MPP11 demonstrates how police discretion is used daily to direct DV cases away from the police station.

MPP11 did not explain the purposes or consequences of obtaining a protection order to the complainant, who in this case wanted to apply for a protection order on behalf of his girlfriend and not for himself. The purpose of the protection order is to seek relief from the violence of people involved in a domestic relationship and, in this case, the husband wanted to apply for a protection order on behalf of his girlfriend. This action of MPP11 showed that he did not understand the DVA.

I decided not to question MPP11 about how he had dealt with the case as it might have jeopardised further observations at this station. This incident showed how the police use their discretion in deciding what gets recorded as DV and the kind of advice that they give to the public. Also, it shows how police officials engage with the public according to the prescripts of the National Instruction 7/1999 on DV when they are aware that they are being observed.

5.7 Concluding remarks

In this chapter, I have argued that discriminatory norms are embedded in the deep structures of police organisational culture and are reproduced in the discursive practices of the police where power is enacted and gendered power relations are constructed and contested through gendering processes. These ongoing gendering processes are institutionalised within the police organisation and create an environment where GBV is normalised and

sustained. Gendering processes also shape police identities, practices, and knowledge about the policing of DV.

The analyses of power exercised at the micro-level of the everyday interaction between police and survivors allowed me to link participants' everyday experiences to the structural and systemic apparatuses of inequality and the gender power arrangements that keep them in place. The analysis showed how gender power relations based on race, sex, nationality, age, culture and class intersect in police discourse to produce binary hierarchical feminine and masculine identities imbued with differential access to power. I argued that these gendered power relations are socially constructed and shaped by historical structural factors and multiple forms of discrimination that are reflective of broader inequitable relations of power in society.

CHAPTER SIX: NARRATING VIOLENCE AND SURVIVAL

> Although the unequal power relations that perpetuate violence against women… manifest interpersonally (i.e., between individual women and men), they stem from power relations embedded and accepted within the local community and broader society. Analysis of these power dynamics is necessary, not only within individual relationships but within the systemic structures that sustain these inequalities (Michau, Horn, Bank, Dutt & Zimmerman, 2015, p,1674).

6.1 Introduction

This chapter presents the findings of the research conducted with survivors on their experiences of the reporting and the investigation of their domestic violence complaints by the police. By presenting the stories of the survivors I foreground their narratives and the meanings that they attach to their experiences of reporting domestic violence incidents to the police. I describe how their narratives reflect, reproduce, contest and challenge gendered power relations within the context of discourse production. I also highlight the impact of the intersecting vectors of power and the ideological effects of these power relations on the survivors. Furthermore, this chapter reports on discussions held with victim advocates about their experiences with the police and survivors of domestic violence.

The findings report on two stages of research conducted with survivors as discussed in *CHAPTER FOUR*. The discussion is divided into several broad thematic areas, with several subsections that address the questions of the study. The themes were like the themes derived from the police interviews but with the findings derived from survivors I focused on the impact of the gendered power relations in their daily interactions with police officials that reflected the unequal power relations within the socio-political context.

I start by showing how violence on the macro level intersects with micro-level discourses to create an environment that reproduces and maintains GBV, the violence of domination daily determines their understanding of violence. I argue that it is imperative to understand the environment in which the everyday interaction between police officials and the survivors takes place. I go on to describe how survivors were often complicit in constructing harmful gendered discourses but also how they resisted and survived these subjective discursive constructions of harmful gender power relations. The next section unpacks the complex interplay between the multiple acts of violence embedded in the present socio-political, cultural, and economic context perpetuating harm and suffering among survivors who report GBV to the police.

6.2 Experiencing structural violence

Auyero, Bourgois and Scheper-Hughes (2015) argue that if we want to deal with GBV holistically, it is imperative to recognise the multifaceted interconnected displays of violence and the historical, socio-political, economic, and institutional factors that enable violence. To this end, I emphasise how survivors continue to dwell on the fringes of society and show how they experience multiple and complex forms of violence on the structural, interpersonal, and institutional levels that cause harm to them. I agree with Auyero et al., (2015) that survivors' experiences cannot be analysed outside of the present socio-historical and geopolitical context. The violence on the macro and meso levels is compounded by its intersection with gender and other vectors of power to intensify their daily suffering to reproduce unequal gendered power relations. These violences intersect thus complicating the analyses of each category independently but I present them separately in this chapter for the sake of clarity. I discuss the different forms of structural violence that caused harm to the survivor under different sub-themes which I discuss in the next section.

6.2.1 Normalisation of structural inequality and injustice

The effects of the continuing intersecting systemic inequalities, exclusion and injustices were interwoven in survivors' narratives that reflect their social suffering and marginalisation. Their narratives provided an account of the context where the participants came from and presently lived and showed how structural violence shaped and defined survivors' experiences of gendered power relations. These structural inequalities were normalised in unequal social structures and power relations (Farmer et al., 2006). The following extracts attest to the social and economic violence experienced by the survivors:

> *I come from a rural area in Natal*. *I had a room. I was renting a room that I gave up when I moved in with my boyfriend. I am not working, and I have two children. The older one is getting a grant*[25] (SP7).

> *So, I was coming from Cape Town, I was coming here* [to Johannesburg] *to my boyfriend. I didn't even have any place to go to* (SP9).

[25] A child support grant is financial assistance given by government to a child's primary caregiver such as parents or guardians.

> *Ek is oorspronklik van Kimberley. Ek het nie blyplek nie as my tyd oor is hierso, wantoe gaan ek?*
>
> *I am originally from Kimberley. I don't have a home. If my time is over here* [at the shelter] *where do I go?* (SP8).
>
> *Actually, I wanted to go to Botswana because here* (Johannesburg) *is far and Botswana is much closer (*to Zimbabwe*). I don't know what brought me here in South Africa, I just saw myself jumping the border with others to South Africa* (SP13).

The above excerpts sketched a picture of survivors migrating from rural areas in different provinces in South Africa, and a sub-Saharan country in search of better livelihood opportunities. Their extracts confirm the assertions made by MPP4 in *CHAPTER FOUR* about the precarious position that the survivors found themselves in. Apartheid's spatial segregation policies resulted in uneven development that became more pronounced in and between rural and urban, townships, suburbs, and informal settlements and have not changed in contemporary South Africa (see Rose & Charlton, 2003). These circumstances forced participants to migrate to the urban areas of Gauteng to survive the poverty in rural and countries of origin.

However, the realities of unemployment and the lack of affordable housing that women were confronted with in the cities forced them to live with partners in informal settlements and/or backyard dwellings in townships on the fringes of the urban areas. The informal settlements are characterised by poor living conditions, sub-standard housing, high levels of poverty, lack of basic services, crime, and low levels of employment (Makwarela & Ebrahim, 2018). In most cases, the informal settlements are located far from employment opportunities, keeping the residents entrapped in a cycle of poverty. In these areas, survivors experienced ongoing intersecting of intimate, community and structural violence.

Undocumented migrant women, in this study, who lived in the townships and informal settlements were in considerable danger of police and personal violence because of their social isolation from supportive social networks thus compounding their vulnerable position (Kiwanuka, 2010). The DV incident form (SAP 508(a)) at all the research police stations showed the disproportionate representation of complainants from informal settlements in shacks, RDP[26] low-cost housing in townships, in backyard dwellings or government subsidised housing. Besides experiencing violence in their intimate relationships,

[26] The reconstruction and development plan (RDP) was a socio-economic policy program of the new democratic government that sought to redress among other the massive housing backlog in South Africa.

undocumented migrant women were subjected to violence by corrupt police officials who extorted bribes from them under the pretext of preventing them from being arrested. Research abounds about police officials soliciting bribes from migrants without the necessary legal documents (Kihato, 2010; Kiwanuka, 2010; Walker & Clacherty, 2015).

All the survivors mentioned in the extracts were housed in the shelter for abused women at the time of the interviews. All of them were homeless and were the primary carers of their children. The shelter provided a short-term solution to their situation but given the socio-political realities, in South Africa, it meant that they had to face ongoing structural violence once they left the shelter. In the absence of constructive alternatives, they are often forced to return to their abusive relationships to provide shelter and food for their children. Survivors demonstrated how they employed acts of resistance to reclaim their dignity and challenge everyday institutional violence that subjected them to violence.

6.2.2 Poverty, inequality, homelessness, and unemployment

Survivors' narratives illuminated how structural violence was entrenched in racial and gender inequality, homelessness, displacement, unemployment, and growing levels of poverty in South Africa (Rose & Charlton, 2003). Furthermore, structural violence affected their quality of life and prevented them from meeting their basic human needs (see Farmer et al., 2006).

In *CHAPTER ONE,* I cited Bozzoli (2000, p. 79) who explains that historically [*and currently, my emphasis*] people living in townships experienced severe poverty based on racial oppression. Ndlovu-Gatsheni (2011, p. 3) affirms that the townships are sites of "hellish life" where systemic violence shapes women's realities. Mpofu-Walsh (2021) adds that people living in townships and informal settlements live in appalling conditions shaped by structural violence. MPP5 apportions the poor social conditions in informal settlements to the inhabitants and believes they endorse the violence taking place. He claims, "*When you look at the squatter camps the place is overcrowded and people living there are used to violence".* While the social context created conditions that normalised violence, the violence was marked by racialised, classed and gendered differences because it particularly affected poor black women living in these environments. Besides the structural violence experienced by women in the townships and informal settlements which overshadowed their lives, the townships were also spaces where there was a great sense of community and where inhabitants supported one another.

In addition to being homeless, the survivors were unemployed, undocumented, and functionally illiterate, which made it difficult for them to find formal employment to meet their basic needs. Finding decent work in South Africa was aggravated by the high unemployment levels, especially among African women who in the third quarter statistics of 2021 made up 37,3% of the unemployed (StatsSA, 2022). The added burden undocumented migrant women carried was their lack of legal documentation to find employment (Kiwanuka 2010). The survivors explained:

> *I cannot get a job now because I do not have an ID and even my children do not have IDs* (SP13).
>
> *He is always complaining that he is the only one working in this house (SP2).*
>
> *I got retrenched from my job. You know what is the problem, if you have kids, you inconvenience other people because that other person is struggling too and you are coming with your kids you see, maybe she has one kid, and you have two. She can't buy that much grocery and you not working* (SP8).

Undocumented survivors, despite their imminent arrest because of their undocumented status persisted in staying in South Africa by subverting the systemic power relations that limited their ability to move around freely move around and find employment.

6.2.3 Social marginalisation and exclusion

Given the impact of racialised poverty on poor black households, the state decided to mitigate poverty by extending the child support grant to African children in 1998 (Patel, 2012). During the apartheid era, African children were excluded from receiving child support grants. In April 2022, the grant amounted to R480 per child and was increased to R510 in April 2023 (SASSA, 2023). While the grant provided some relief to poor households, it was unable to meet their basic needs nor reduce poverty or keep poor households from living below the "lower bound poverty line" (StatsSA, 2022, p. 53). Evidence from a study conducted by Hochfeld (2015) found that childcare grants enabled poor households to survive but did not change their social and economic status.

The grants are issued to primary caregivers of children in the family who in most cases happen to be women (Patel & Hochfeld, 2011). The unintended consequences of feminising the control of the grant in a patriarchal society resulted in threatening the historical patriarchal power positions men held men in households. Van Niekerk and Boonzaier (2014) argue that this perceived loss of power in the relationship caused men to react violently. SP1 quote illustrated how her partner reacted to this perceived loss of power:

> *And if I get the grant, he wants to take the grant money to buy alcohol and he doesn't want me to buy clothes for my children. The children do not benefit from their social grant…I cannot buy my children nice things with their grants because I have to buy basic needs for the whole family with that money*.

In the excerpt, SP1 describes the unintended gendered impacts of making women the custodians of the grant in poor households. Not only does her unemployed partner misappropriate the grant to purchase alcohol but because of the high unemployment levels she also must use the grant to support the extended family. Harman (2003, cited in Hassim, 2006) confirms that the distribution of the grant is mediated by the prevailing power relations within the family and does not automatically mean that the recipient of the grant will have the power to make decisions on how the money is spent.

Patel and Hochfeld (2012) emphasise that women's control of the grants did not automatically lead to women's empowerment nor change unequal gender relations in households because they argue that changing unequal gendered power relations is inherently complex and difficult. The little money that she received was not sufficient to support her own family and thus impossible to provide financially for an extended family. This example shows how poverty and gender inequality intersect to create an environment that maintains men's power and domination makes women more vulnerable to GBV and creates an environment that fosters GBV (Jewkes & Abrahams, 2002).

However, contrary to SP1 experience, research conducted by Patel and Hochfeld (2012) on the child grant in Doornkop, Soweto found that receiving the grant empowered women to make decisions about household spending related to children's well-being. Kabeer et al. (2010, cited in Patel and Hochfeld, 2011), recommend that important principles of gender justice should be infused into the planning and implementation of social protection, to avoid situations that reproduce inequality. To this end, the National Planning Commission (South African Government, 2012) recommended that comprehensive social protection should address systems that reproduce patriarchy, gendered and socio-economic inequalities.

6.2.4 Child marginalisation and exploitation

The narratives of SP11 and SP13 showed how they were abused as children by caregivers, and as teenagers by their boyfriends and SP13 was also abused by a police official. This abuse and exploitation caused them harm on multiple personal, psychological, and material levels. As children, they were employed as unpaid domestic workers in the homes of their caregivers (one was from Zimbabwe and the other was abandoned on the streets as a

toddler). Both participants became pregnant when they were teenagers and were forced to leave their caregivers' homes. They moved in with their boyfriends who abused them resulting in them being taken to the shelter by the police. When I conducted the interviews, they were housed in the shelter for abused women with their toddlers. They explained:

> *When I was eleven, I ran away from home. That woman was selling food on the street, and I approached her and told her I had no place to stay, and I asked for accommodation. She said it's okay, but I am gonna try you for two weeks. And then I met my boyfriend and moved in with him after three years* (SP13).

> *I came [from Zimbabwe] with another South African woman, and I was around 13 years old. So, I stayed with her looking after her kids. So, two years later I moved in with my boyfriend* (SP11).

The above discussion provides the background for the following discussion on how gendered power relations are embedded in multiple gendered identities and power relations and how they shape and reproduce harmful gendered identities. The different forms of violence intersect and are shaped by larger societal discourses and institutions in South Africa.

6.3 Constructing gendered subjectivities and unequal power relations

In this section, I show how contradictory forms of power and oppression were interwoven in the survivors' narratives. The survivors drew on discourses that were like the police participants discourse to construct intersecting identities and experiences of sex, race, nationality, age, and gender. I also show how their narratives highlighted the gendered impacts of inequalities for survivors by showing how men benefitted from the ideological structure of gender that unfairly advantages men as a group by giving them "power, economic advantage, authority, peer respect, and sexual access" (Connel, 2009, p. 143). It also gives them access to socio-political, economic, and symbolic power.

6.3.1 Constructing binary gendered identities

The following narrative of SP4 who self-identified as a lesbian illustrated how she drew on gendered discourses of femininity and masculinity to construct gender stereotypical and normative views of appropriate female and male behaviour. SP4 reported DV to the police and was aware that they would be arresting her partner, but she was not aware of when this would happen. That same evening a female police detective accompanied by a male police constable in a patrol van arrived after midnight at their home to arrest her partner. SP4 described the behaviour of the female police detective as follows:

> *Die vroumens is so krue. Sy's reg, alles wat sy sê is reg want jy kan nie nog vra nie…. Sy was bietjie rof gewees ja.*
>
> *The female was so boisterous. She is right, everything that she says is right, and you can't ask anything. She was a little bit rough, yes*.

In the above abstract SP4 constructs a female police detective as displaying traits of toughness, aggressiveness and controlling behaviour that were reflective of the controlling dynamics involved in violent relations. After the perpetrator voluntarily identified herself to the detective, she was informed that she was being arrested and must accompany them. When the survivor politely asked the detective to allow the perpetrator to dress warmly and get her diabetic medication, the detective shouted at her to hurry up because she (the detective) still had a lot of work to do. SP4 explained:

> *Sy het diabetes en so aan. En toe ek nog vir haar die goeters kry* (haar medisyne) *en so toe sê sy **HEY MAAK GOU*** [emphasised]. *Ek het nog baie plekke om na toe te gaan. Dit is nie net die saak wat ek het nie.*
>
> *She has diabetes and so on. And while I was still getting the things* (her medication) *for her and so on so, she (the police official) said **HEY HURRY UP*** [emphasis added]. *I still have many places to go to. This is not the only case that I have*.

The survivor uses an explanatory discourse to frame her partner in a vulnerable position as someone who is suffering from diabetes which is contrary to the powerful position that the partner occupied as a DV perpetrator. SP4 highlighted how the detective treated both her and her partner insensitively. The police detective enacted coercive control by intimidating and being rude to the survivor. The detectives conduct contradicts the expressed commitments in institutional policies of the SAPS to treat victims and perpetrators with sensitivity and care (SAPS Victim Empowerment Manual 2009, SAPS National Instructions 2 of 2012).

Notwithstanding, SP4, knowing about the impending arrest of her partner, was shocked by the way the arrest was affected. She remarks:

> *Ek het gedink hulle gaan normaalweg vir haar kom verduidelik. Hmm, luister jy word opgetel vir die klag en die klag. Hmm, jy gaan opgesluit word. Ons gaan jou daar opsluit. Hulle moet mos die procedure sê jy kom daai dag en daai dag voor.*

> *I thought that they will normally come to explain to her. Hmm, listen you are being picked up for this complaint and this complaint. Hmm, you will be locked up. We are going to lock you up there. They must explain the procedure saying you will appear on that day and that day*.

SP4 drew on her understanding of how arrests were executed from popular television police drama. She reported that the detective did not explain the criminal process and procedures that would follow the arrest of her partner. The disregard shown by the detective towards the accused and the survivor mirrored the same coercive power relations that are present in abusive relationships (Cuomo, 2015).

SP4 thought that her partner would be transported in the detective's private vehicle because she was a female and would not run away. To her surprise, her partner was loaded into the back of the police van. SP4 explained:

> *Ek het gedog hulle gaan haar maar in die Golf laat ry omdat sy mos 'n vroumens is, en sy sal mos nie weghardloop nie.*
>
> *I thought that they will let her drive in the Golf because she is a woman, and she won't run away.*
>
> *...hulle (sy) werk en dan kom hulle (sy) maar huis toe hulle (sy) is nie daai mense wat nog eintlik deurmekaar is wat sal dodge nie.*
>
> *...they (she) work and then they (she) comes home they (she) is not the type of mixed-up person that will dodge.*

In the above extract, SP4 draws on constructions of femininity to construct her partner in a vulnerable feminine role needing to be treated with respect and empathy because of her gender. SP4 draws on notions of respectability of her partner that are tied to her gender identity and her employment status. She justified her partner's respectability by setting her partner up as a responsible person who is not 'mixed up' but would come home directly after work consequently not a person who would avoid arrest.

She justified her reason for lodging a case of assault as wanting the violence to stop. She used the CJS to level the unequal power relations between her and her partner. She, however, doubted that the way the arrest was affected would have the expected outcome. Expecting the police to deal with her partner humanely was a reasonable expectation because the constitutional prescriptions expect the police to treat people with dignity and respect (Republic of South Africa, 1996).

The way the police dealt with this complaint prompted the survivor to withdraw the complaint the following day and she vowed not to report any violence to the police in the future. These

actions of the police described here can be one of the reasons why survivors withdraw complaints and why GBV incidents are under-reported. It also shows how police officials reproduce violence through their everyday discursive practices. SP4 felt that the humiliation that her partner suffered during her arrest did have the outcomes that she envisaged. In fact, she believed that treating her partner like a habitual criminal despite her being a first-time offender could escalate the violence once she is released. She asserted:

> *Hulle het gesê hulle gaan die een arresteer hulle gaan vir haar arresteer en so maar hulle het nie gesê watter tyd en so nie. Die way wat hulle dit gedoen het gaan net meer problem vir ons maak as sy daar uitkom". They said that they were going to arrest this one [the abuser] and so but they did not say which time and so. The way that they did it is going to is just going to cause more problems for us if she comes out.*

I found that the survivors and victim advocates equally drew on problematic constructions of gender, class, and sex in their narratives about their interactions with the police. Their discourses of gender and power were like the police discourses which illustrate the interconnectedness of these discourses with the discourses that are prevalent in the larger socio-political environment. Victim advocates narratives illuminated how they drew on binary stereotypes of female and male bodies, and sexuality to suggest the appropriate behaviour for different sexes. The following extracts illustrate how shelter staff embodied gendered roles as attached to the female sexed body:

> *So, the wife of the policeman who is a **policewoman*** [emphasis added] also *comes and seeks shelter (SPP1).*
>
> *Ja, the way we were interviewing them, we saw that there were all wrong things there. She **didn't want to take care of the family**; she just **wanted to be in the streets until late (**SPP2).*
>
> *The **husband has to cook**, clean, you know (SPP1).*

In the first excerpt, the SPP1 emphasised the sex of the person seeking shelter because she is a policewoman. On the one hand, the expectation is that a policewoman because of the position of power she occupies should not be abused. On the other hand, they mobilise explanations of the gendered social roles such as caring, cooking and cleaning which she neglects to perform despite her being a professional policewoman as possible reasons for her abuse. SPP1 constructed the violent male police perpetrator as performing the bulk of the household chores, which in patriarchal households are ordinarily performed by women.

She assumes that because policemen occupy authoritative positions in the workplace this should automatically be the case at home and be exempt from household chores.

The excerpts of the shelter management bear witness to their acceptance of rigid gender prescriptive roles in the division of labour in the household resulting in the legitimisation of inequality in the household. They actively participated in normalising gender hierarchies that maintain gendered power relations that disadvantaged women, and their understandings shaped their responses to women in their care. Their beliefs about ideal masculine and feminine roles within the home are expressed as facts and these beliefs reproduce ideologies and practices that reinforce hierarchical gendered power relations. Bourdieu (2004) refers to the legitimation of hierarchal gender power structures in everyday life as symbolic violence. This symbolic violence is illustrated in the excerpts by *SPP2* who blamed the survivor for deviating from normative gender role expectations which resulted in their abuse.

6.3.2 Constructing heteronormativity

In *CHAPTER FIVE*, I discussed how the police normalised heteronormativity and, in this chapter, I outline the effects of this gendering for survivors who deviate from normative heterosexual roles and report DV complaints to the police. Besides socially constructing binary feminine and masculine sexual identities in unequal manners, this discussion shows how heteronormative thinking and practices are institutionalised and normalised within the CJS. Survivors who deviate from compulsory heterosexual norms are marginalised and stigmatised. Here SP4 explained the emotional agony that she goes through when she must approach any role-player in the CJS.

> *Dus amper soos jy weet jy is les. Kom ek by enige plek, kom ek by die hof, kom ek by 'n polsiestasie, kom ek by 'n dokter is jy soms bang om te sê jy is 'n lesbian, jy's in 'n lesbian verhouding. Want jy is bang hoe gaan hulle vir jou hanteer, en so. Want gaan hulle jou saak hanteer op 'n regte manier, of gaan hulle net dink naai man die een is les so ons gaan nie worry van haar nie? Dus amper so hulle moet kan benefit uit die saak dus altyd so*.
>
> *It is almost like you know you are a lesbian. When I come to any place, when I come to the court, when I come to the police station when I come to a doctor, you are sometimes scared to say you are a lesbian, you are in a lesbian relationship. Because you are scared about how they will treat you and so on. Are they going to treat your case correctly, or are they going to think, no man this one is a lesbian we are not going to worry about her? It is almost as if they must benefit from the case, it is always the case*.

Her anxiety about disclosing her sexual orientation results in her fearing that such disclosure could result in a backlash and discrimination against her. Given the real threat of homophobic

rape and murder of black lesbians in South Africa (see Matabeni, 2011) the survivors experience of fear restricts her freedom of accessing the CJS. In *CHAPTER FIVE,* Section 5.3.5, I reported on how the police official made sexual advances toward SP4. She believed that the misrecognition of her sexuality by the police was related to his homophobic beliefs; in fact, she explained that she believed he might have wanted to change her. She says: "…*dus net as of hulle wil jou probeer verander*", "…*it is as if they want to try to change you*". This notion of wanting to change her lesbian identity is linked to public discourses of 'corrective rape' of lesbians which refers to the notion that men can change a lesbian's identity by changing her sexuality (Judge, 2015). She also remarks that the police official acted like he was doing her a favour by opening a case for her. She stated that she had to endure the police's unwanted sexual advances because she felt that:

> *Voor hy vir jou iets doen moet jy met hom smile met al die nonsense wat hy praat. Anderste as jy nie gaan lag en smile met hom nie gaan hy net die papierwerk vat en opvrommel en in die drom gooi.*
>
> *Before he does something for you, you must smile with all the nonsense that he is talking about. Otherwise, if you are not going to laugh and smile he is just going to crunch the paperwork and throw it in the bin.*

SP4 added, *"ek het klein gespeel en was nice met hom", "I played small and was nice to him*", as a resistance tactic to counteract his unwanted advances because she feared that he might not take her case seriously if she openly resisted his sexual advances. The survivor, despite being fearful, decided to become what Ahmed (2014) describes as a willful subject who shows up in institutional sites that decided to exclude gender-non-conforming black bodies. As a willful subject, she stubbornly refused to accept her fate of being denied access to justice by invading the physical and material space from which she was excluded.

In this situation, the survivor was subjected to symbolic violence by the constant underlying fear of the threat that her sexual orientation posed in this unsafe space where she was sexually harassed. Matabeni (2011) agree that most lesbian people find the negotiation of heterosexual spaces as an anxiety-provoking experience where they constantly must regulate their behaviour. The police official in this case abused his police discretionary power to sexually harass the survivor. Police discretion is discussed in *CHAPTER FIVE,* Section 5.3.6.

Bourgois (2001) believes that the effects of symbolic violence are often misrecognised, but it is more harmful and destructive because of its invisible nature. Symbolic violence results in

silencing women's voices. However, by showing up at the police station SP4's actions demonstrated her resistance to being silenced. Her actions also illuminated how symbolic violence is reproduced in everyday policing and how police officials are complicit in reproducing and normalising unequal gendered power relations.

6.3.3 Constructing heteronormative families

Like the narratives of the police who constructed heteronormative families as normative, victim advocates were active participants in constructing normative heteronormative families. The victim advocates at the shelter informed me that they were Christians, and it was their Christian duty to reunite families.

> *We believe that Christian counselling is important*. *We insist* **on Christian reunification of families** (my emphasis), and *we tell them that because you came here, this is what we do, and this is what we believe in*. *That is what we do, we unite the families* (SSP2).

In the above quote, the centre personnel emphasise that their aim to reunite families was motivated by their religious ideology. Their mediation practices were underpinned by their moral beliefs which support gender stereotypical roles of men and women in the family. These mediation sessions reinforced conservative notions of a heteronormative family as normative that assumed the husband is the head of the family and the wife is subordinate to her husband. Their mediation sessions reinforce the view that survivors should be submissive to their husbands. Victim advocates indirectly accorded the blame for GBV to women who contravene the heteronormative boundaries as responsible for their victimisation and as such implicitly sanctioned GBV as the reason for male rage towards disobedient women (Altbeker, 2007).

Since survivors were desperate for a place of safety, they were coerced into participating in these mediation sessions. SSP1 and SSP2 gave an example of how they reunited a police couple by counselling and praying for them. They explained that there are specific processes that they follow especially when reconciling police couples because of their access to and training in the use of guns. This example was specifically mentioned to demonstrate how rife violence is, that even the police who were tasked with protecting society also perpetrated violence thus needing sheltering. Before engaging in mediation, they requested police couples to hand in their weapons at their workstations to ensure that a climate is created for the reconciliation and "*then what they do, they report, and they tell their seniors they want to hand in their guns, then we start sorting* out and *reuniting them"* (SSP2). SSP1 added that

they do follow-up visits to ensure that the violence has stopped, "w*e used to visit them and check to see how they are doing"* once the survivor went home.

Victim advocates stereotypical beliefs about prescribed gendered behaviour in specific roles and spaces were revealed when they mentioned that during one of these mediation sessions a policeman broke down and cried. They especially stressed this example because they did not expect a policeman given his authoritative role and masculine identity to display his vulnerability in the public. Similar findings about socially prescribed gendered roles were made in *CHAPTER FIVE,* Section 5.2.3. However, the victim's voice and active participation in the reconciliation process were absent from the victim advocates narratives. What was also missing from their story was the silence of how they dealt with reconciliation in non-heteronormative relationships. They explained that only when there was physical abuse involved, did they consult the survivor on whether she wanted to reconcile with her husband. SSP2 says: *"But where there is physical abuse, we let the mother decide".* Like with the police officials, visible signs of physical violence became a standard for and involving the survivor in making decisions about her life.

This stance on family preservation was a position that the Department of Social Development endorsed in their policy on the Integrated Social Crime Prevention Strategy of 2011 that they encouraged the shelters to follow (Vetten, 2014). However, this family reconciliation discourse ignored the power dynamics in relationships that resulted in women seeking refuge in shelters. While reconciling families was seen as one of the primary aims of the shelter, at no point did they acknowledge how families were the incubators of violence (see Mathews et al., 2004). All the survivors in this study, housed in the shelter were abused in their homes by their partners in the presence of their children.

Notions about family preservation positions were not followed through in the shelter's policy that did not make provision for the accommodation of teenage boys. The gendered impact of child-caring still rested on the survivors making them responsible for finding alternative accommodation for their children, their school attendance, and their general well-being on the survivors despite them having no emotional and financial resources to fulfil these duties. However, essentialist discourses of motherhood placed expectations on mothers to meet the cultural demands of being good mothers (Connolly, 2000). Two of the participants had teenage sons for whom they had to find alternative accommodation.

The trauma experienced by children who have witnessed abuse at home is compounded when they are separated from their mothers. During the whole process of witnessing and having to adjust to an uncertain future not much attention was paid to children's emotional needs. Research has shown that if children are not provided with the necessary psycho-social services, it can result in them experiencing secondary trauma and impacting their psychological well-being (Watson & Lopes, 2017). There is a considerable body of research that shows the link between children who witness the perpetration of GBV and are at risk of becoming perpetrators or victims of violence as adults (Jamieson, Mathews & Röhrs, 2018). It follows that investing and prioritising post-trauma services for children to facilitate their development into well-adjusted and healthy children is important (Watson & Lopes, 2017).

6.3.4 Constructing race, sex, and power

Constructions of race as deployed by the police participants in their narratives were also a persistent theme in survivors' narratives. We see how similar racist and sexist stereotypes that were illuminated in police discourses were elucidated in survivors' narratives. A coloured survivor explained that "*the african police officials*" did not care for them (them being the coloured community) in the same way that the "*white police officials*" who no longer policed their community used to do. [This was the same coloured population that the police official in *CHAPTER FIVE,* Section 5.3.1, described as being violent and abusing alcohol.] The survivor suggest that the white police knew how to maintain the law. SP6 explained:

> *Van die wit polisie hier weg is kry ons kleurlinge baie swaar. Ons het baie lekker gelewe toe die wit polisie in die regering was. Die wit polisie kon die law gehandhaaf het.*
>
> *Since the white police went away from here, the coloured people are suffering a lot. We lived very nicely when the white police were in the government. The white police knew how to maintain the law.*

Similar beliefs about apartheid police as effective in maintaining order were found by Kynoch (2003, p. 9) in research conducted in Soweto where many respondents nostalgically remembered the apartheid police as competent and motivated. One of the respondents believed that "*the apartheid police* ***were bad but*** *(emphasis added) there was order, and the law was obeyed. The SAP ensured that people were protected*". These views by the community members living in Soweto, where the youth was gunned down by the apartheid police when they rebelled against Bantu education, illustrate the effects of the normalisation of violence and stereotypical hierarchical racial differences, where whiteness becomes the measure of effective policing. These understandings of brutal policing as normal need to be interpreted in a larger socio-political context where the state instituted gender-based

oppression and racialised inequality that created a context that devalued the lives of black people over centuries.

The emphasis on the hierarchical structuring of race in policing reinforced the community experiences of different-raced police officials as hostile towards specific communities in contemporary South Africa, as described by the coloured participant in the first paragraph of this section. These views by the participant clearly demonstrate how the political spills over into everyday policing, demanding a political analysis of the socio-historical context where these beliefs about race, class, gender, sex, and violence are reproduced. White police were viewed as particularly accessible to certain members of the coloured community. In contradiction to the apartheid police being competent, the same participant, recalled how white police officials maintained the law by using physical violence against abusers. They (white police officials) "*het hulle net 'n paar harde klappe gegee*" they "*just gave them a few hard smacks*" to install fear in the abuser to stop his abusive behaviour.

The hegemonic masculinist behaviour of these white police officials contradicts the survivor's discourse about '*living nicely'* under apartheid. It demonstrates how the survivor drew on notions of acceptable violence which were at times celebrated resulting in the normalisation and acceptability of violent policing towards black bodies. These nostalgic views about essentialist racial identities in the past demonstrate how racial colonial stereotypes are similarly drawn on by survivors and police participants alike in the current study and pose major challenges when thinking about the decolonisation of policing.

The experience of SP4 reinforced her beliefs that white police officials were more accessible. SP4 went to the police station to withdraw the criminal case against her partner because she believed that the police were rude to her whilst affecting the arrest of her partner. SP4 explained that when she arrived at the police station, she was sent from pillar to post. She was eventually assisted by a white police official. She says:

> *Uiteindelik was daar so 'n ander ou gewees. Hy het my gehelp hy's 'n blanke ou. Hy het my gehelp dit was amper asof hulle [african police officials] stel nie belang nie.*
>
> *Eventually, there was another man. He helped me; he is a white guy. He helped me, it was almost as if they [african police officials] are not interested.*

In the above excerpt, SP4 describes the white police official as being more helpful in contrast to the african police officials who were not interested in helping her. The survivor draws on

a racially based framework to explain the difference in helping based on race. Similarly, police officials who come from the same context as the communities that they police drew on essentialists' discourses of race and racism which are deeply rooted in the social context and are reproduced in their narratives and manifest in the micro-expressions of daily practices. Survivors' experiences here show how the police discursive practices reproduced and sustained certain beliefs about race, such as whiteness as the standard for professional conduct.

Race accordingly becomes a mechanism to organise people into hierarchical categories of white as superior and black as inferior. These discourses about apparent hierarchical racial differences that were constructed during colonialism and legalised in apartheid to create divisions along the racial differences still exist in contemporary South Africa.

6.3.5 Constructing others: Underserving victims

In this part of the discussion, I give a comprehensive explanation of the help sought by SP9 from the police, because it illustrates the complexity of the violence that she experienced. SP9's narrative illustrates how the systemic violence of poverty, nationality, and symbolic violence intersected with other contextual factors (Menjívar & Salcido, 2002) to make her vulnerable to multiple violences. Her story also highlighted the multiple systems of oppression she experienced violence on the structural, intimate, and symbolic levels committed by the state, her partner, and police officials. Her story also shows how she resisted and survived the multiple forms of violence that she was subjected to.

Her narrative showed how the police reproduced symbolic violence in their everyday discursive practices by humiliating her, blaming her for the situation she found herself in and producing her as a dehumanised 'Other' which justified why they refused to assist her. I contrast the following experiences of SP9 with police officials' narrations about their experiences of dealing with migrants.

At first, I did not want to include SP9's story in my analysis because it did not fall neatly into the definition of domestic abuse, but, on close scrutiny, I realised that she had suffered multiple forms of GBV such as the psychological and financial abuse as described in the DVA from her intimate partner who abandoned her with a toddler and symbolic violence perpetrated by the police. Menjívar and Walsh (2017) argue that symbolic violence is embedded in gender inequalities that shape everyday lives, institutions, and state organisations. The Khayelitsha Commission of Inquiry into policing similarly found that police

violence was not only confined to migrants but towards poor people because the Khayelitsha community suffered not only from physical but also symbolic violence (Stuurman, 2021).

SP9 was referred to the Department of Social Development by the police and brought to the shelter for abused women by a social worker. During the interviewing session, she had a son of two years old and had given birth to a second child who was five days old. Mary crossed the border from Zimbabwe to South Africa without the necessary legal documentation. She paid two truck drivers a large sum of money to smuggle her across the border to live with a relative in Cape Town. She also bribed police officials and immigration officials on both sides of the Zimbabwean and South African borders. Her story highlighted how systemic factors create conditions that promote a culture of corruption and impunity that enable police and immigration officials to accept bribes for border transfers from undocumented people entering and leaving the country.

The impunity with which the police acted was corroborated by another participant Jane, who similarly paid bribes to police and immigration officials when she travelled to Zimbabwe with a fake passport. She explained that she was able to cross the border without legal documentation because "*the immigration officials and the police just wanted money if you pass the border"*. Chirambwi and Nare (2018) and van der Watt (2018) in their research on human trafficking provide evidence of how police officials and immigration officials are complicit in human smuggling along the country's borders.

SP9 initially lived with in Cape Town her cousin who provided her with start-up capital to become a street vendor selling fruit and vegetables. During this time, she met and moved in with her partner who relocated to Johannesburg to take up employment as a security officer. After settling in the West Rand, he asked her to join him because was worried that she might need support during the birthing process. Their first child was born prematurely because of birth complications. She was eight months pregnant when she travelled to Johannesburg with her toddler on a train with a third-class ticket. She had never been to Johannesburg before. Her partner did not explain how she must get to the West Rand. He also gave her just enough money to get to the mall in the West Rand where he was employed.

She managed to find her way to the mall with the help of a fellow commuter. When she arrived at the mall where they agreed to meet, her partner was not there. Mary also did not have any alternative address or contact details of any other person to contact if they missed each other. Mary explains:

> *So, I was coming from Cape Town, and I was coming here to my boyfriend. So, my boyfriend maybe he switched off the phone for me, or that phone was lost, I don't know. So, I went to the police station there at* [*name*] *police station. No, I started going to that mall* [*name*] *because he was saying he was waiting for me there at the mall. So, he didn't come that time. So, then I stayed there at the mall until 12 o'clock at night.*

Whilst relating her experience to me I could hear how SP9 was still struggling to make sense of why her partner did not show up. The security personnel at the mall told her that her partner was employed by the same security company that they worked for, but they had not seen him for a while. SP9 spent the day at the mall hoping her boyfriend would turn up. When the security officers changed shifts at midnight, they took her to the police station. At the police station, she related her story to the police and begged them to provide her with a safe place to sit or sleep in the police station until the next morning. She told the police that she had no money and asked them to call her boyfriend. She explicates:

> *So, then I stayed there at the mall until 12 o'clock at night. Then the security takes me to the* [*name*] *police station. Then I reached there at* [*name*] *police station. I told them everything. Yes, I told them OKAY can you maybe* ***admit me*** *[allow her to stay].*
>
> *You can call my boyfriend. Like I can sleep here, or I can sit here on the bench so that tomorrow in the morning I can go back there (to the mall). Plus,* ***I got no funds****, but I can take a train because they said the train is cheap. "I didn't even have any money. I was left with five rands only".*
>
> *So, they told me I must buy my airtime to phone my boyfriend because they can't help me. Yes, and that time I was with the baby, the baby was 1 year 11 months. I was 8 months pregnant. I didn't even have any place to go to.*

The excerpts show how she bargained with the police and was weighing different options available to her. Her narrative reveals the deep levels of disadvantage that she faced. She found herself in a very vulnerable situation, being pregnant and abandoned with a toddler without any financial resources and no social support. Mary's narrative not only revealed the psychological and financial abuse that she suffered but also the symbolic violence perpetrated by the police officials who were unresponsive to her and her toddlers' emotional and physical needs. Despite being in the final stages of pregnancy, her plea to spend the night in the safety of the police station was denied by police officials. The police failed in their basic duties as outlined in the Bill of Rights of the South African Constitution (Republic of South Africa, 1998) to protect and provide an impartial, courteous, and respectful service to Mary and her toddler. She described what happened next at the CSC:

> *So, they say [the police] no we cannot help you, we can't admit you, can't keep you here in the police station so you can go... They* ***chased me away*** (emphasis added) *there.*
>
> *They said no we can't admit you,* ***it's your fault*** (emphasis added) *you like things and find your way and own airtime and you can phone. You can't get inside in the…(inaudible). Why don't you go to the Park*[27] *station, so* ***you can get the bus to go to Zimbabwe*** *(*emphasis added*) it's only the option. They say,* ***you people from that side*** [*embarrassed laugh*] ***why you like things, why didn't you go back****?*

The way Mary related the story of being chased away illuminated how she experienced symbolic violence in the language used by the police official. This microaggression expressed in subtle xenophobic and racist undertones was used as a tool to construct cross-border migrants as outsiders, who did not belong and did not deserve police protection. This "Othering" process mirrored the violence that accompanied the dehumanisation of black people which was reflective of apartheid policing.

The police official drew on discourses of blame, individualising responsibility for victimisation to SP9 by asserting: "***It's your fault*** *and you like things, you people from that side why didn't you go back?*" thereby normalising the violence against her. Blaming Mary for being responsible for the situation that she found herself in, showed how the police officials justified their refusal to provide her with protection. Furthermore, blaming Mary for being complicit in her victimisation, depoliticises the broader socio-historical, political, and economic contextual factors that forced her to move from Zimbabwe.

The extract, "***you people from that side",*** illustrates how race and national identity differences intersected and were institutionalised and normalised discursively by police officials and used to demean and deny police protection to migrants. These stereotypical attitudes show how racism is embedded in the police subculture through a long history of discriminatory policing is interpreted through racial lenses and reinforced by the different institutions within the social context. I argue that these police practices reproduce and maintain racial, class and gender inequality.

Despite knowing that she had no money the police official told her to go to the Johannesburg train station where she could board a bus to Zimbabwe. The police official evoked a nationalist discourse when he tells Mary: "… ***you people from that side… go to Zimbabwe***

[27] Park station is a central train station within Johannesburg from where bus services to Zimbabwe operates.

*(*emphasis added*) it's only the option… **why didn't you go back**?*". Palmary (2016) poignantly discusses the contested notions of home and "going back home" arguing that these controversies are used by the home country to regulate the movement of home of certain individuals by restricting their movement, revoking their rights and entitlements, and sending them back. Palmary (2016, pp. 7-8) adds that the notion of home that is "evoked in nationalist discourse is shot through with racialised, sexualised and gendered contestations".

The binary discourses of 'us' and 'them' which serve other migrants, are comparable to police officials views about poor black people living in townships and informal settlements. Their views added a class dimension to those who deserve or are non-deserving victims as discussed in *CHAPTER FIVE,* Sections 5.3.1, 5.3.2 and 5.3.4. The everyday discourse practices of police officials illuminated how police revert to discriminatory apartheid-style policing by using race, ethnicity, and class to include or exclude people who deserve police protection.

The dominant discourse about undocumented cross-border migrants having to go 'back home' is widely and uncritically circulated in public and media discourses and recycled in the police discourse (Neocosmos, 2006) influencing how the police render services to cross-border migrants. Landau (2010) provides evidence from a survey conducted in 2003 in Johannesburg by the Forced Migration Studies Programmes where 64.8% of the residents indicated that cross-border migrants should leave South Africa. Overall, 70% of the respondents believed migrants were responsible for the increase in crime levels.

Similar anti-immigrant sentiments were expressed by the Minister of Home Affairs Dr Aaron Motsoaledi in January 2020 while addressing the community of Diepsloot, where a police captain had been murdered in 2019 by an undocumented migrant he stated, "*We want to emphasise, most people who are not documented, is because they don't want to be documented, because they came here to commit a crime"* (Mkosi, 2020). The construction of cross-border migrants as criminals was echoed by the Minister of Police Bheki Cele who accompanied the Minister of Home Affairs to the area.

The prejudicial views by the Ministers about cross-border migrants conflate criminality with undocumented cross-border migrants blaming them for committing crimes in the country. These views divert part of the blame from the lengthy and complicated bureaucratic procedures of the South African immigration legislative framework that makes it difficult for cross-border migrants to attain legal documentation (see Palmary, 2016). The quote by the Minister of Home Affairs produces fear of undocumented cross-border migrants of a specific nationality, race, sex, and gender, who are inherently dangerous and intentionally commit

crimes. Alfaro-Velcamp and Shaw (2016, p. 985) state that discourses of "the criminalisation of immigrants by some officials serve to direct attention away from corruption…" These "OTHERING" discourses by political leaders shape the everyday interactions of police officials with cross-border migrants who seek help from them as demonstrated in this case study.

The binary discourses of 'us' and 'them' which serve to "OTHER" cross-border migrants are not confined to cross-border migrants but poor black people living in townships and informal settlements are similarly marginalised. The Khayelitsha Commission of Inquiry into policing in Khayelitsha similarly found that the police subjected the Khayelitsha community[28] to not only physical but also symbolic violence (Stuurman, 2021). The everyday discourse and practices of police officials illuminated how they reverted to apartheid policing approaches using race, ethnicity, and class to include or exclude people who deserve police protection.

Kaplan-Lyman (2012, p. 180), frames these unjust policing practices within a neoliberal policing framework. He argues that in New York "the punitive governance of marginalised communities by the police erodes police legitimacy and makes poor people less secure". He suggests that these police practices should be evaluated taking the broader "historical, social, political and the economic context" into account. Scapegoating immigrants tends to shift the gaze from global neoliberal policies that created the structural economic inequality and political conditions that gave rise to punitive policing techniques against migrants (Kaplan-Lyman, 2012). Similarly, in South Africa, we see how the broader socio-cultural context that fosters anti-immigrant sentiments is the cumulative effect of neo-liberal policies that produce systemic inequality and cause growing unemployment of the black population (StatsSA, 2022). These structural legacies shape the present punitive policing practices against cross-border migrants in South Africa.

Unlike the experiences conveyed by the SP9's narratives, a police official in her narrative positively self-presented as heroic, protective, and professional, as discussed in *CHAPTER FIVE* see 5.4.2. To illustrate FPP3 asserted:

> *As the police, we don't select whether the complainant is illegal or not, we deal with the problem at hand. We only arrest the suspect. Even the illegal women can come and lay charges we don't focus on their nationality*.

[28] Khayelitsha is the largest township in Cape Town; most of the population living there is black.

In this study, the police narratives on how they dealt with migrants, especially those who are undocumented, contradicted the lived experiences of the migrant survivors who reported domestic complaints to the police.

6.3.6 Analysing multiple intersections of power

In this section, I describe how the survivors' discourses reflect the intersection of multiple vectors of power of race, class, age, gender, and structural violence in participants' experience of filing a complaint of DV at the police station. The following narrative of SP7 illustrates the complexity of "multiple systems of oppression and exclusion that generated suffering" (Menjívar, 2011, p. 4) and reproduced gendered violence. She narrated the multiple violence's she experienced, in different times and realms of her life, starting with an abusive childhood, being abandoned, becoming homeless, falling pregnant and becoming a teenager mother, then being abused by her partner, a housemother, a doctor and by the police.

SP7 narrated how she grew up in a township with foster parents who alleged that they had picked her up on the streets where she was abandoned by her parents. She referred to them as her stepmother and stepdaddy. She was not legally adopted by them, resulting in her not having a birth certificate. She was home-schooled and involved in house-cleaning tasks from a very young age. The following narrative illustrates how SP7 experienced multiple forms of abuse as a child, she recounts:

> *So, they kept me in their house and never made a birth certificate for me and never reported it to the police. I didn't grow up nicely. I was home-schooled. So, in (year) when I was eleven years old, I ran away from that place. So, I ran away from home to (place)*.

This short quotation illustrates how SP7 experienced multiple forms of abuse, such as being denied freedom and access to formal education, engaging in child labour, and being illegally fostered without any identification documents. She ran away from home when she was eleven years old. Her homeschooling enabled her to write down her foster father's passport numbers (he had two) which she found while cleaning her caregivers' bedroom. Despite her precarious life, she was streetwise and resilient, so, when she landed in another township where she approached a street vendor for accommodation. This woman provided her with shelter and food and in return, she helped the vendor with her street hawking business and with cleaning tasks at home. The participant, who did not know any other life but doing housework as a child and being subservient to older people accepted the conditions that she found herself in as a normal way of life. She rationalised that the help she provided to the street vendor did not qualify as work.

This active complicity by the participant in normalising her abusive situation is labelled by Bourdieu (1991, pp. 23-24) as symbolic violence that co-opts those subjected to power to accept and participate in their own subordination. The loyalty that the survivor displayed was not reciprocated by the street vendor when she became pregnant as a teenager. The street vendor chased her away, she relates this experience as follows:

> *So, I stayed with another old lady there and I was just looking after her, but* ***it was not work****. I have explained to this old lady that I don't have a home and she took me in. After I became pregnant at fifteen, she kicked me out, and I moved in with my boyfriend*.

Since SP7 had nowhere else to go, she was forced to move in with her boyfriend. She continued in a subservient role because of her dependency on her boyfriend. She became a mother in her early teens. Her boyfriend started abusing her, after the birth of their first child. When her child was three years old, she had another baby. The abuse became more severe over the years which resulted in her going to a local clinic after one such severe beating. The clinic staff called referred her to the police who placed her and her children in a shelter for abused women. When the victim advocates at the shelter realised that she was not yet 18 years old, they also called the police who took her to a place of safety. She recounts her experience with the detective:

> *I have never had a problem with the police until last year. When I started trying to get help and they called the Hawks*[29] *and that policewoman is the first one who started abusing me. She removed me here* [*shelter for abused women*] *and told the shelter manager that she is taking me to a safe place. She took me to a place she called a safe house and when I reach there, I found that it was not a safe house. It's a home for children and that woman there was abusing us with different things. We had to get up early to clean that place.*

The story of the survivor of being found on the streets and not having a birth certificate must have prompted the staff at the shelter to suspect that the case needed investigation by the Hawks. However, it seemed as if the detective did not regard the case as serious and decided to place the survivor in a children's home. She relates how she was misled about where she was going and only found out that she was placed in a children's home when she got there. Her history of abuse over her lifetime, the experience of living in a cohabiting relationship and

[29] The Hawks are **the South African Police Services' Directorate for Priority Crime Investigation (DPCI)**, which focuses on organised crime, economic crime, corruption, and other serious crime.

being a mother made her placement in a children's home nonsensical. So, when she experienced verbal abuse by the house mother and was forced to get up early to clean the children's home, it triggered all her past experiences of being abused which prompted her to request to speak to a social worker.

In her interview with the social worker, the survivor told the social worker about her life story. She mentioned that she was anxious to find her children who were removed from her when she was moved to the children's home. Given her background of neglect and abuse, she told the social worker that she did not want her children to go through the same experiences that she was subjected to. The social worker then called the same detective who placed the survivor in the home because she also felt that the survivors' case needed further investigation. The survivor recalls:

> *So, the police detective intervened and started asking me questions like how come I don't have a mother or birth certificates. And that is when she got to know my story. I told the police to ask those questions to the people where I grew up and she took me there.*

From her excerpt it appears that at this time the detective paid more attention to the survivors' life story instead of paying attention to the survivors worries about where her children. She subjected the survivor to vigorous questioning about her past. The excerpts of the survivor highlight how the detective treated her like a suspect in a crime. The detective took the survivor to the home in Soweto that she ran away from. The following scene played out there:

> *When we got there, the people there* [*caregivers*] *said they don't know me. She took the photos of those people and asked me to point at who raised me. I pointed at them, and I gave them the information of who stays there, the different passports the foster dad has and their names.*

The above excerpt shows how the survivor had to point out her caregivers and answer questions in their presence. Despite the caregivers denying knowing the survivor, the police official still took photos of them. The police official did not believe the survivor. She narrates:

> *That time she* [*policewoman*] *tight me here* [*pointing at her wrist*]*. She said she wanted to arrest me because I didn't tell her the truth. I was with her the whole day. Because the social workers were doing grants for me, and she thought I was one of those people who are doing fraud using other people's IDs. And then I said no; I can take you to my social worker and she took me*

> *to SASSA[30], and my name appeared on the SASSA system and the names of who was assisting me.*

In the above excerpt, the survivor explains how the detective not only handcuffed her but accused her of lying. Despite the humiliation she endured, the survivor convinced the police official to take her to the Department of Social Development (DSD). Given the fact that she did not have an identity document the police official then suspected the survivor of identity fraud. Because of the lack of identity documents for her children and herself she was allocated to a social worker at the DSD who was assisting her to apply for social grants for her children. The detective proceeded to take SP9 to the DSD offices. She shares what happened there:

> *She still didn't want to listen to me. She wanted to force me to say I am from maybe Botswana or Lesotho or Zimbabwe because my stepdaddy had two passports… My name appeared at the SASSA system. And she took me to SASSA with those handcuffs. When people told her that she was wrong she told me I am gonna sleep in jail.*

The survivor describes how she was taken in handcuffs by the DSD. These offices are normally filled with members of the public. When the staff at the DSD told the detective that the survivors name was on their system, the detective threatened to arrest the survivor. The survivor believed that the detective wanted her to admit that she was an undocumented migrant because of the two passports in the possession of her caregiver. Despite finding out that the survivors' details were captured on the DSD server, the detective continued to doubt the credibility of the survivors' story. The detective then accused the survivor of trafficking children consequently taking the survivor to a district surgeon to determine whether she was a mother. SP7 recounts:

> *I am the one who told that policewoman that I have kids. So, she counted my age, and she said my child can't be* [age] *and she took me to a doctor to be tested if I do have kids or not. The doctor confirmed that I do have kids.*

As highlighted in the quote, the survivor relates that she told the police official about her two children. Because of the survivor's age, the detective doubted that the survivor could be a mother of two children. Her disbelief prompted her to take the survivor to a district surgeon

[30] SASSA is the South African Social Security Agency that administer social grants issued by the Department of Social Development.

to prove her "motherhood". She does not tell me how the doctor determined her motherhood, only saying that the doctor confirmed that she was a mother. For the first time that day, someone listened to her. The doctor listened and believed her story. She also took photos of her bruised wrist and went as far as advising her to make a case of abuse against the detective.

> *The doctor at* [*name*] *hospital told me to open a case because I am being abused. Now I'm being abused more by this policewoman. The doctor shoots me* [*pointing at her wrist*] [t*ook pictures of injuries on her wrist*].

The survivor relates how the doctor recognised that she was being abused and encouraged her to open a case of abuse against the detective. She used the information she got from the doctor to challenge the abuse of the detective. She felt vindicated by the fact that her newfound knowledge placed the police in a position where she had to profusely apologise. She asserted: "*After that she tried to beg me and said I will never do that again".*

The doctor, knowing about the power differences between the survivor and the detective, became complicit in the symbolic violence perpetrated against the survivor, by not reporting the police official. The DVA places a responsibility on health workers to report any domestic abuse that they might become aware of to the police. In this case, the doctor failed to report the detective to the police. The multiple forms of violence suffered by the survivor resulted in her experiencing physical, psychological, and emotional distress. She asserts: *"…my hands I couldn't touch them, they were hurting, and I couldn't do anything. I was always crying".* It also impacted on her dignity and her sense of self, which left her feeling dehumanised. She relates: *"At that time, she didn't find the reason of why she was arresting me and then she said I am trafficking my kids and that they were not my kids".*

SP7 experiences show how policing cannot be divorced from its socio-historical, political, cultural, and ideological origins that police were created for to criminalised black bodies. The uncaring attitudes displayed by the police show a lack of understanding the complexity of GBV and the multiple socio-political, cultural, and economic factors that impact on the survivors' life and how to respond to it holistically rather than being reactive by focusing on individual incidents. In the case of SP7, the police official abused her legal power by subjecting the survivor who was a minor to secondary victimisation. From the outset the police official ignored the basic rights of the survivor which are contained in several acts especially the Child Justice Act 75 of 2008 and official policing policies that direct police officials in how to deal with children. She wasted a whole day of the state's resources to build

a criminal case against the survivor who was a minor. She also appeared to have no insight into victim empowerment and support.

At the time of the interview, the survivor was back at the centre because she had in the meantime turned 18 years old and had asked to be transferred back to the shelter for abused women because she had established that her children had been placed in a children's home on the West Rand. With the help of the victim advocates at the centre she was able to get her children back in her care. The story of the survivor reveals the police official acted with total impunity and furthermore highlights the failure of the state to take effective measures to prevent and protect survivors from ongoing victimisation. The survivor's story drew on experiences and relationships in different stages of her lifetime to give context to her stories of violence.

It also shows how symbolic violence became routinely embedded and normalised in the everyday discursive practices of police subculture. Also, how the reproduction of the harmful gendered power relations became accepted as the "social order of things" (Bourdieu & Wacquant, 2004, p. 272, cited in Scheper-Hughes & Philippe Bourgois). The survivor was failed by a host of state institutions and social service organisations who were supposed to protect her and her children from further victimisation.

6.4 Gendering organisational procedures and practices

This section discusses the mechanisms used by institutions to reproduce gendered power relations and the ideological effects of these gendered organisational procedures and practices on survivor's life. This discussion highlights how these relations are sustained within the present social order. Violence is routinely entrenched in the discursive practices of the police, the courts and service providers who humiliate, stigmatise, and alienate survivors seeking help to deal with DV in their relationships. Not only the police but also victim advocates routinely produce symbolic violence when providing services to survivors. The next section discusses how symbolic violence has become institutionalised and normalised in organisations that are tasked with serving survivors of DV.

6.4.1 Normalising the lack of privacy

In *CHAPTER FIVE,* Section 5.4.1*,* I discussed how spaces became gendered in the police organisational context and in this chapter, I highlight how this lack of privacy was not only confined to the CSCs, but in the VEP offices as well. I observed how a victim advocate spoke

to a survivor about getting a protection order in a VEP office packed with women drinking coffee who seemed to be friends of the counsellor. When I later, privately spoke to the counsellor about my observation, she told me that "*most women did not mind sharing their problems when other women were present"*. The behaviour displayed by the victim advocate was another example of how the previously oppressed people are co-opted into accepting their oppression (see Fanon, 2008). It also demonstrates how people who were previously oppressed use the same oppressive mechanism and symbolic violence used by their previous oppressors to inferiorize others whom they define as different from themselves despite them being subjected to the same oppressive mechanisms.

The comments made by the victim advocate reminded me of the comments made by SP3 and SP8, who expressed their views that privacy matters. They observed:

> *Yes, but the police office of ours doesn't really have privacy. They should do something about it* (SP3).
>
> *I did feel uncomfortable because I mean it was not private and you don't want everyone from the location to know your story* (SP8).

The survivors, in the excerpts shows how the CSC in the police station had no private spaces where interviews could be conducted but that they valued privacy. A decolonial analysis brings into focus how black people's right to privacy was politically denied in the past, and how this right to human dignity which women lay claim to is now entrenched in section 14 of the Constitution (Republic of South Africa,1996) but is still denied by services where their rights are violated.

6.4.2 Unresponsive and indifferent police

Failing to respond with empathy to survivors' complaints had the effect of normalising and maintaining inequitable power relations. Harmful gendered power relations are embedded in the police organisation through "their acts of commission and omission" (Menjívar & Walsh, 2017, p. 225) which illuminated how police officials were unresponsive and indifferent at times towards the survivors of GBV. Their omissions (inaction) include reluctance to attend to calls for help, the failure to effectively implement the DVA and avoiding the administrative duties required of them. The commission (action taken) included among others colluding with perpetrators, threatening and harassing survivors and discouraging survivors to lay criminal charges. A consequence of failing to comply with police obligations as set out in the DVA constitutes misconduct, which may result in disciplinary proceedings instituted against police officials. Despite the punitive measures in the DVA (Vetten, 2013) the police subtly employed

several avoidance tactics not to implement the DVA. Vetten (2017) ascribes the avoidance tactics employed by the police as related to punitive measures.

I observed several acts of avoidance such as police reluctance to open criminal cases, thus avoiding the administrative duties required by the Act. Also, not recording DV complaints in DV register and not paying attention to the effective recording of the information as discussed in *CHAPTER FIVE,* Section 5.6*.* Diverting survivors from the police station was a subtle strategy employed by the police to avoid having to deal with domestic violence complaints. SP3 and SP8 reported:

> *Toe verwys hulle my mos toe na die trauma centre.*
>
> *So, they then referred me to the trauma centre* (SP3).

> *They didn't explain anything they just said that I must come and see the social worker* (SP8).
>
> *They refer that person to the victim empowerment office immediately because they don't take the case* (SSP3).

The excerpts give evidence of how survivors are either routinely referred to the VEP office or to court to apply for an interim protection order without clarifying what this process entails. The burden placed on women in getting help from the criminal justice service is entailed in the lengthy procedures that they must follow to get their complaints processed. When applying for protection orders at the court, they sit in long queues in a passage while they complete an English application form for protection. Most of the participants spoke English as a second or third language. After the interim protection order is granted, they must take it back to the police station, where a copy of the protection order is made. The police then accompany the survivor to serve the protection order on the abuser. In some cases, the complainants do not return to the police station because they spent the whole day at court waiting for their applications to be processed.

Police reluctance to deal with the problem was further demonstrated in the time they took to attend to the domestic complaint when they were called for help. SP3 explained:

> *Ja hulle bietjie lank gevat om te kom want my sister het aan een gebel. Sy't even vir Mrs* [*name*] *ook gebel, en vir haar gesê asseblief bel tog die poeliese. Sê vir hulle, hulle moet uitkom, want dit is lelik vanaand hierso. Ons weet nie wat gaan aan nie.*

> *Yes, they took a little long to come because my sister kept on calling them. She even called Mrs (name) and asked her to please call the police to come out because things were really ugly here tonight. We don't know what is happening*.

The excerpt shows how the police only arrived after several calls for help and involving a victim advocate. With the bad human rights track record of the police in South Africa, it is essential that the police respond swiftly to victims' calls for service and treat survivors and perpetrators with respect. Their reluctance to respond to DV incidents becomes even more apparent when the perpetrator is a police official, SP5 narrates:

> *I've been here numerous times, and the police were not helpful. He's a police officer so he knows everything about the law but numerous times I tried to open a case they told me I can't open a case. I found that the police weren't helpful. I was struggling to get somebody to help me. Then he says he can't open a case because he cannot see that I've been assaulted. I felt I didn't know where else to go for help. They told me they can't help me if I don't have a protection order or anything. They can't help me. I spoke to his sup… somebody above him. He said no there is nothing they can do about it, it's a family matter. I also explained to them that he's also threatening me with his gun. Is that now a family matter? He's taking your people's guns and he's threatening me with it. He still couldn't help me. We would call the policemen, and they would come there, and they wouldn't do anything. They will say no you must fix your problems. They act more like counsellors.*
>
> *I called the police, and they couldn't tell him to move his car. Also, then I felt helpless all they had to do was to tell him to move his car so that I can get out they couldn't even do that*.

SP5 in the above extract explains how the police colluded with her husband to reproduce violence against her. A common excuse to dismiss her complaint was that they were not able to see visible evidence that she was assaulted. This excuse was also commonly used by the police in other instances. Altbeker (2005b) attributed the police taking the side of the perpetrator to the fact that police grew up in the same patriarchal society where GBV was normalised. Walsh and Menjívar (2016) add that police who live in violent contexts often accept violence as normal thereby reproducing violence. In the excerpt, we also see evidence of the police subculture at work when the police manager sides with his subordinate despite SP5's life being at risk. The manager told her that there was nothing that he could do because it was a family matter. At times when the police acted, they acted like mediators or told the complainants to go home and sort out their problems. This becomes evident in the following:

> *They act more like counsellors than anything. They will just come and intervene by reprimanding us and leave* (SP5).

> *They just make them sit there and wait for a long time, or otherwise they will tell you that "go and sort your stuff with your husband". Sometimes they say, "go and get him and then you come to us"* (SSP4).

In another case, SP2, went to the police station to complain about her husband coming home with a girlfriend. She states:

> *In December he came with another woman in our house. I went to the police and told them that he came with a woman into our house and what must I do. The police said if he is not fighting you, just stay with them and see what he does*.

The police official advised SP2 to go back home since her husband was not fighting with her. Her home was a one-room shack and she had to endure the humiliation of sharing her shack with her husband and his girlfriend. By minimising the harm caused by the emotional violence she suffered the police treated emotional violence as inevitable and normal. Their lack of regard for the survivors' suffering seemed to be an endorsement of the husband's extramarital affair.

When SP2 went back to the police on another occasion after being physically abused, the police who previously purported to prioritise physical abuse, sent her to court to apply for a protection order. She explained:

> *Immediately I woke up and went to the police. At the police station, they said I should go to court and explain to them. Yes, and they said I should go to court to open a protection order I did so, and they gave me a paper.*

The advice given to the survivor reflects the disregard and indifference shown by the police. The discursive practices of the police left the survivor feeling that she was undeserving of police protection. The indifference of the police was extended to placing the burden of finding the perpetrator on the survivor. SP2 explained how after receiving an interim protection order she went back to the police station to give them a copy of the interim protection order to serve on the perpetrator. The police called the survivor to inform her that they were not able to trace the perpetrator and told her to find him. SP2 explained:

> *The following day the police came back to me and said they have not seen him, so I should look for him myself. I don't know why they asked me to go and look out for my enemy and if I find him what can I do to him. They didn't tell me that I should at least come and tell them where he is once I have spotted him.*

From the above excerpt it is becomes clear that the police showed a lack of understanding of the power dynamics involved in DV and it served to put the survivor's life at risk. SP2 doubts whether she would go back to the police. SP2 declares: "*I want to* [*go back to finalise protection order*]*, but since I went that day after I was told to look for him* [by the police]*. I never went back".* The way the police dealt with the survivor contributed to her withdrawing from the criminal justice process. SP2 carries the shame of poverty and living in a shack as the reason why she is experiencing poor service from the police. She explained: *"I don't think that they want to help me because maybe it is because* ***I am poor and staying in a shack"*** (my emphasis). This self-deprecating talk by the survivor showed how she blamed herself for her circumstances and resigned herself to accepting it as a reason for not being worthy of help from the police. Gqola (2015, p. 38) explains that shame is a "product of dehumanisation" that cause poor black women to feel inferior and blame themselves for being poor.

Gillespie (2022) concurs with MPP12 that state intervention in violent family disputes does not always result in healing domestic relationships. She notes that such interventions result in the loss of expertise and capabilities of community leaders, elders and civic members who were previously played a role in resolving and healing domestic disputes. Gillespie suggests a balance should be struck between punitive measures and transformative community-building efforts that improve relations in families and communities. As demonstrated in the above argument it shows how the burden is placed on survivors to solve the domestic violence that they experience. It shows how such actions result in shifting the blame away from the perpetrators (Thapar-Björkert & Morgan, 2010). Also, from an effective response to GBV and in the process discouraging the survivor from reporting abuse if it were to reoccur in the future. The Khayelitsha Commission of inquiry into policing in Khayelitsha similarly found that it was common practice that police officials "actively discouraged complainants from reporting crimes or simply refused to open cases" (Stuurman, 2021. p. 70).

Other noteworthy findings which relate to police unresponsiveness were reported in the lack of accurately recording domestic violence areas and communication with survivors. The survivors' views on how the police take down statements correspond with my own observations about statement taking which I described under gendered spaces in *CHAPTER FIVE,* Section 5.4.1. Survivors furthermore complained that police officials did not report accurately on what they said:

> *Sometimes they don't write what you have said* (SP5)*.*
>
> *Toe skryf hy dit af. Maar toe skryf hy anner goeters neer. Toe gaan ek deur die ding. Toe sê ek ma ek het nie dit gesê nie. Dit het nie gebeur nie en alles dit* (SP4).

> *So, he wrote it down. But then he wrote other things down. Then I went through the thing. So, I said but this is not what I said. This did not happen and all of that* (SP4).

When the police do not accurately record what the survivor is reporting to them, the actions of the police demonstrated to the survivors that the police did not pay attention to the suffering that they experienced. Not only was the lack of attention they paid to effectively record the details of the survivors' stories limited to how police took down statements, but it also extended to the way police officials communicated with survivors. Their attitudes showed how police generally disregarded domestic violence as not important, and they confessed to this fact, which is discussed in *CHAPTER FIVE,* Section 5.5. Loftus (2009) in a study of British police similarly found that police despite spending most of their time dealing with domestic violence incidents regarded domestic violence as insignificant and not essential police work. SP8 described in detail the symbolic violence she experienced expressed through police's verbal and non-verbal communication. She reported:

> *Ja and they must teach those people* ***how to listen*** [emphasis added] *and communicate with other people. Those people* ***must be sympathetic*** [emphasis added]*. You* ***must feel free*** *to tell the whole story. Because some people you'll tell the whole story and the way she is looking at you is like* ***she is judging you*** [emphasis added]*. Oh,* ***you like this*** [emphasis added] *maybe that is why he chased you out because you are so what. Cause if you see a person, you see you are telling your story to, and she is sitting like this* [*demonstrates someone who is holding her face in her hands*]. *And you are angry, you are stressed, and you don't know what to do and she is sitting like this* [*again demonstrating holding her face in her hands*]. *Saying "and then"* [*the sarcasm in her voice and shows the police official lifting her eyebrows*]*. It tells you that* ***we are just here to listen*** *and sometimes* ***they tell you to write that thing down*** [*referring to the statement*]*. Sometimes* ***they don't write*** *what you said* (SP8).

SP8 recalled that not only was the police official not listening to her, but she also disregarded her feelings and communicated moral judgment through her non-verbal actions. She further mentions that the police official did not correctly record the details she provided to her. Besides requesting the survivors to write her own statements, the police official's body language conveyed a message that she was not interested in the problem but was simply performing administrative procedures. SP8 emphasise that the police must be taught to listen, show empathy, create safe spaces where survivors feel free to tell their stories and are able to communicate with people. SP8 also explained how she felt humiliated by repeating her experience of being abused by her partner, in the presence of her children and

individuals from the community, while waiting in the CSC. She had to repeatedly explain her problem to different police officials who came into the CSC who enquired why she was sitting there with her bags. SP8 noted:

> *Every policeman and woman who comes in asks you "have they helped you what is the problem" yes, and you have to explain to this one again. And the other one comes, have they helped you where is the van? You sit there the whole night waiting for one van.*

In other accounts, the coloniality of ethnicity, language and gender intersected to reproduce violence. Respectively, SP5 elaborated:

> *The one police officer he's Venda and my husband is Venda and they spoke to each other in Venda and I didn't understand Venda*.

The excerpt of SP5 illustrates how language was used to alienate her from receiving justice. Alienation as a strategy was linked to power during colonialism to "other" people causing them to doubt their humanity. Walsh and Menjívar (2016) explain how symbolic violence is entrenched in ideologies, words, nonverbal communications, or behaviours that communicate stereotypes and hegemonies that result in humiliation or stigmatisation.

Despite police prioritising violence against women, the experiences of the survivors show that there is a disconnect between what the police say they are doing and what they do in practice.

6.4.3 Reproducing violence through bureaucratic procedures

The bureaucratic procedures and processes when seeking justice in the CJS were experienced by survivors as violent, complicated, and confusing. Their difficulties are related to not understanding their rights and how to navigate their way through the justice system to claim their rights. The police did not explain the process of acquiring a protection order but simply referred complainants to the courts to apply for protection orders. As SP2 reported:

> *At the police station they said I should go to court and explain to them. I did so and they gave me a paper. At court, they gave this other paper with some details on to give to the police and I did so.*"

SP2 in the above excerpt highlights that she did not understand the process of acquiring a protection order, its purpose, how it can assist them neither did she understand the role of the police in this process. At no point did any of the actors in the CJS care to explain the purpose of the documents and what they were used for. This lack of understanding of the

different documents and their purposes were clearly illustrated in the following excerpt of SP3. She reported that the police came to her residence and:

> *Toe vul hulle nog 'n protection order wat in die dossier moet gaan*
> and
> *want die protection order wat ek het is* ***'n warrant of arrest****.*
> *So, they completed another protection order that has to go into the docket*
> and
>
> *because the protection order that I have is a warrant of arrest*.

In the above excerpts, it becomes clear that SP3 does not know the difference between a protection order and a warrant of arrest. Also, she does not understand that the forms that the police completed is not a protection order as these orders are issued by a magistrate. It also appears as if the police did not clarify what each document meant and how these documents were supposed to protect her.

Another barrier that the survivors faced in accessing justice was that the protection order forms are in English only, and most of them spoke other indigenous languages, which made these documents inaccessible (Waldman, 2020). Moult (2010, p. 174) in her study on domestic violence court clerks argues that language within the court system can be used as a powerful mechanism "to empower or silence complaints and complainants". Women are expected to complete a lengthy application for protection form with the assistance of court clerks, who are overburdened with many cases of the same nature (Moult, 2010). These clerks do not have the time to explain the process of obtaining a protection order and how this document is meant to protect them. Mathews and Abrahams (2001) found that some of these clerks were often unhelpful, and rude and did not spend sufficient time explaining how the process of obtaining a protection order worked.

Not only was violence embedded in language, but it was entrenched in the process of acquiring a protection order which was a complex and alienating process for survivors. The lack of understanding of the processes of acquiring an interim protection order have the effect of putting survivors' lives at risk because they often do not go back to the police station to hand over a copy of the interim protection order and warrant of arrest to the police. SP2 says: *"They gave me papers which I still have, the same paper also provided details of the court date".* Women are not informed that the interim protection is ineffective if it is not served on the abuser and that it cannot be finalised unless they returned to court on the return date.

The process of getting a protection order is lengthy and after spending many hours at court they go home and do not go back to court on the return date to finalise the protection order. I had to explain what an interim protection order is and the process to follow in getting a final protection order.

The court procedures, based on an adversarial system, does not meaningfully involve participants in discussing their fears and worries about the abuse during the court procedures. Court processes are based on retributive models of justice which focus on dealing with cases swiftly and making decisions as fast as possible. SP3's quote summarises how the procedure at court did not give her the opportunity to explain the history of the problem to the magistrate rather giving preference to the perpetrators story. She experienced the court procedure as rushed. SP3 explained:

> *Hy't vir hulle alles gesê ja en hy het dit gedoen en hy het dat gedoen en so basies in die magistraat se oë het die man mos nou sy skuld hy erken*. *Daar was nie diep in ons se ding gegaan nie. Dit was net so 1,2,3, toes dit klaar.*
>
> *He told them everything, yes and he did this and did that and so basically in the eyes of the magistrate, he did admit to the wrongs. They did not go deeply into our thing. It was just 1,2,3, then it was finished*.

The quote by SP3 shows that she experienced the court procedures as rushed, consequently, not able to delve into the complex nature of ongoing violence in the relationship. Moult (2010) reports that several studies conducted on the effectiveness of courts in dealing with GBV found that victims' reasons for accessing justice through the CJS were at odds with what the CJS can deliver. The latter findings have prompted researchers to argue that the CJS might not always be suitable to deal with GBV for several reasons which are beyond this discussion (see Moult, 2010 for a fuller discussion). Moult (2010) concludes that the justice administered by the state seldom involves restorative principles which are expected by survivors.

Women's stories are reframed in legal terms to fit the justice process, without taking the complexity of the violence into account. Moult (2010) explains that the court proceedings are conducted in a language that is foreign to the parties because of the use of legal terminology which is not understood by ordinary people. SP2 attested to this stating: "*This is my first time in court. I don't know what the interpreter has been relating".* She did not understand the prosecutor who was speaking in English, and she spoke an indigenous language. The high number of cases meant the court procedure was swift, and it focused on procedures, alienating survivors in the process.

The adversarial nature of these cases also focuses on punishing the offender, without considering the personal circumstances of the survivor, her economic status or what she desires as an outcome. In the current study, SP7 says: *"So when the time comes to report him arrived, I decided not to report him because it would have caused troubles for him. That's why I dropped the case".* In most cases, survivors did not want their partners to be arrested but desired an end to the abuse. Moult (2010) similarly reported that victims wanted the violence to stop, informing the perpetrators of the unacceptability of the abuse, recovering their property from their homes, and dealing with custody and maintenance matters.

Given arguments made by previous scholars I contend that GBV cases might be best dealt with in domestic violence courts where survivors are given time to speak, and perpetrators get to understand how their deeds affected the survivor and their families and are held accountable for their deeds (Aziz & Sicango, 2021). Such an approach would consider contextual issues and address underlying problems and relationships rather than focusing on an incident or an individual.

6.5 Gender responsive policing

There were exceptions to how the police dealt with survivors. SP11 reported how she was treated well by the police. She said: "*Nee ek was baie goed behandel*", "*No I was treated very well"*. When she arrived at the police station very early one morning, after having slept in the bushes with her children the previous evening, she was the first person in the CSC. When she reported her complaint to the CSC there were no other community members there. While reporting the case in the CSC, a female police detective told her to come to her office once her statement was taken. She then went to the detective's office, she immediately asked SP11 whether she and her children had eaten. She explained:

> *Toet sy ons eerste gevra het ons geëet. Syt vir ons iets gegee om te eet*.
> *She first asked if we ate. She gave us something to eat*.

SP11 informed the detective that she and her two children slept in the bushes the previous evening. The detective immediately attended to her and the children's physical needs by giving them food. Another police official took her older son to the kitchen, gave him food, and asked him about the abuse. She explained:

> *Terwyl ek my statement gegee dit, het hulle my kind gevat in die kombuis. Hulle't hom iets gegee om te eet. Ja met Warren*[31] *hy's 13 jaar oud. So hy het ook gesê hoe het alles gebeurit sien jy*.
>
> *While I gave them my statement, they took my child in the kitchen. So, he also told how everything happened, you see.*

After going through her statement, the detective transported her to the hospital and spent the whole day with her at the hospital. She accompanied her to get her, and the baby x-rayed and assisted her with completing the necessary forms at the hospital. She expounds:

> *Maar deur die dag het die daai polisie vrou vir my hospital toe gevat. My x-rays gedoen, alles gedoen. Vir my alles geteken …want dis mos wat die saak mos nodig het.*
>
> *But throughout the day, that policewomen took me to the hospital. Did my x-rays. did everything. Signed everything for me …because that is what the case needed.*

The detective then took her to her sister, who had promised to accommodate her temporarily while she sorted her life out. However, when she got to her sister's place, her sister was at her mother's place.

> *Toe die dag nou oor is en ons toe ons na my sister toe gaan toes my sister nie daar nie. Alli pad van hieraf, met ek weet of dit 'n company kar of something like that. Toe vat sy ons hierdeur, toe ons by sister toes my sister nou nie daar nie. Toes sy by my ma in* [*naam van plek*]*. Toe moet sy ons trug bring ek en my kinders*.
>
> *When the day was over and when we went to my sister, my sister was not there. All the way from here, but I don't know if that is a company car or something like that. So, she took us there, when we got to my sister, so my sister was not there. She was at my mother's place in* [*name of place*]*. So, she had to bring us back, me and my children* [back to the police station].

By this time, it was late, so the detective bought food for her and the children. She also phoned her commander at work to explain the dilemma about the survivor not having a place to stay that night. He suggested that they sleep at the police station that night. This detective spent the entire day only on this case and the survivor expressed how this detective showed her concern for the survivor by constantly enquiring about her well-being. She recalled:

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[31] Not his real name.

Ja syt het vir ons kos gekoop. 'n Blyplek gekry en sy bly vra hoe gaan dit hoe voel ek sien jy. Ag sys sy is pragtig. Voor sy ons trug gebring toe bel sy eers haar kaptein toe vra sy die kaptein hoe moet sy nou maak. Toe sê die kaptein, die beste wanou moet doen met ons, is maar net vir ons slaap plek gee in die polisie stasie tot die volgende oggend.

Yes, she bought us food. Found us a place to stay, and she keeps asking how I am and how I feel, you see. Oh, she is lovely. Before she brought us back, she first called her captain to find out what she must do now. So, the captain said, the best she can do with us is to give us a place to sleep at the police station till the following morning.

The next day they were taken to the shelter. Before taking them to the shelter, the detective provided them with food and clean clothes. Her sister decided to take her teenage son but made sure that the survivor understood that this was only a temporary arrangement. The detective took her son to her sister.

Die volgende oggend toe het hulle vir ons plek gekry. Hulle kon nie vir my seun 'n plek gekry het nie want dit is net vir vrouens hierso en klein kinders. Voordat ons hiernatoe gekom het, het hulle net vir ons skoon klere gegee om aan te trek sien jy. Hulle was pragtig ja.

The following morning, they found us a place. They could not find a place for my son here because it is only for women and small children. Before we came here, they gave us clean clothes to wear, you see. They were lovely, yes.

She spoke fondly about the detective, who regularly called her and had just been to the shelter before our interview. She said that she could not believe how well she was treated after all the negative reporting in the media about how the police treat survivors.

Sy was nou net hierso en sy bly vra hoe gaan dit. Hoe voel ek, sien jy. Ag sy is pragtig. Nee vir my alles was net perffek. Jong en kan eintlik nie glo want as 'n mens altyd in die papiere lees die polisie hulle behandel nie al die mense dieselfde nie.

She was here now, and she keeps asking how I am. Oh, she is lovely. No, everything for me was perfect. I could not believe because a person always reads in the papers how the police do not treat all people the same.

Just before our interview commenced, the detective had been at the shelter to prepare the survivor for her court appearance the following day. During this contact, the detective kept enquiring about her well-being. the survivor informed the detective that she planned to

withdraw the court case. She explained how the detective expressed her understanding of the survivor's decision to withdraw the case and informed the survivor that she would tell the magistrate about her decision.

> *Ja nee sy was nou net hierso net voor jy gekom het. Ek het mos vir haar gesê ek gaan die saak trug trek want hy het hom kind kom vat. Toe sy vir my dit hang nou tussen ek en hy. Maar sy sal vir die magistraat sê ek trek die saak trug.*
>
> *Yes, she was here just before you came. I told her that I was going to withdraw the case, because he has fetched his child. So, she told me that it depends on him and me. But she will inform the magistrate that I am withdrawing this case.*

Despite having devoted so much time to this case, the detective respected the survivors' decision to withdraw the case. When police officials listen to and hear the stories that survivors tell and give them the right to decide whether to proceed with a criminal case it restores their belief in being able to make decisions in their lives and take control of their lives, which was taken from them during the abuse. From the experience of SP11, when a police official provides a holistic response to a survivor that responds to her health, physical and psychosocial needs in a sensitive and caring manner it results in the survivor being dignified. Not only did the above detective attend to the survivor's need for medical assistance but in addition, she dealt with the emotional and physical needs of both the survivor and her children. The detective spoke to her teenage son and gave them clean clothing—in this way, restoring their dignity. This was the only case in this study where the police spoke to a child.

The survivor's story illustrates that these cases are very time-consuming and make a huge demand on police resources and time which is not always possible given the resource restraints that the police face. The way the detective in this case dealt with the survivor suggests that the police should measure the success of their input not only in terms of successful convictions but also in terms of the survivors' satisfaction with how they dealt with them during their reporting and investigation of the case. If success is measured only by conviction, it can be very frustrating for the police because these cases do not always lead to a successful conviction when survivors withdraw the cases. Police frustrations consequently result in them becoming indifferent to effectively dealing with GBV complaints.

6.6 Resistances and subversions in survivors' narratives

Throughout this chapter, I have listed various ways in which the women survivors' employed agency in the choices that they made in resisting the power relations that were

institutionalised within the CJS in its provision of services to survivors of abuse. Given the relation between power and resistance, I heed Abu-Lughod (1990, p. 42) suggestion that "resistance be used as a diagnostic of power" to contextualise and locate survivors' experiences within intersecting systems of power. Analysing resistance as a diagnostic of power illuminates how intersecting systems of power determine the acts of resistance which are possible for survivors to perform. I use the following conceptualisation of agency by Kabeer's (1999, p. 438) because it resonates with how I understand agency.

> Agency is about more than observable action; it also encompasses the meaning, motivation and purpose that individuals bring to their activity […]. It can take the form of bargaining and negotiation, deception and manipulation, subversion and resistance as well as more intangible, cognitive processes of reflection and analysis.

The tactics that survivors used to subvert gendered power relations involved what de Certeau (1984, p. 37) describes as the "art of the weak", which he describes as the ways people with little power set the rules of the game and negotiate unjust power relations in the CJS that disempowers them. Some of the tactics used by the survivors in this study were, among others, withdrawing cases of abuse, using deception to avoid helping the police to arrest abusers, staying with the abuser, surviving abuse, and becoming willful subjects who use criminal justice processes to reclaim their dignity.

Survivors used the CJS system to resist power by using the DVA as a tool to lay criminal complaints to warn their violent partners that they too had power provided by the state. Where they had no recourse to dealing with abusive partners in the past, the DVA provided women with a tool to exercise their rights which was previously denied to them. This tactic provided them with the space to "actively interrupt the cycle of violence" (Artz, 2011, p. 9), make public the violence and equalise the power in their relationship. Also to regulate social relationships in their homes, shift power in their relationships, recover their dignity and obtain material resources (Hornberger, 2007).

They also, to the dismay of the police, withdrew these charges of their own volition for reasons discussed in this chapter and in *CHAPTER FIVE,* Section 5.2.8. Hornberger (2007), in her thesis about human rights and policing, explains that when women withdraw charges, they use their agency in a strategic manner that she likens "to practices of local justice in the field of gendered micro politics" (see Hornberger 2007, p. 321). However, police officials also actively encourage survivors to withdraw charges see *CHAPTER FIVE,* Section 5.5.

Survivor narratives were illustrative of how they indirectly resisted power by determining and achieving their own goals, within the constraints of their lived realities thus bringing "meaning, motivation and purpose... to their activity" (Kabeer, 1999, p. 438). A survivor states: "*I already had an existing order [protection order] and I was scared that I would put him in a lot of trouble, so I withdrew the charges against him*". The high unemployment figures and the lack of material resources implied that the incarceration of the offender was not a realistic option for all women who report domestic violence. However, even if the survivor did not follow through with the complaint, they opted to use the arrest of the violent perpetrator to send a message to the offender that violence is unacceptable. They explained that the only aim they had in reporting the violence to the police was to stop the violence from continuing, Similar findings were discussed in Sections 6.1.2.1 and 6.2.4 about victims laying complaints with the police to stop the abuse. SP4 r emphasises:

> *Ja ek het die saak kom aanmeld omdat ek wil gehê it alles moet stop. Ek wil nie weer geslaan word nie. Ek wou gehê dit moet einde kry. Yes, I came to report the case because I wanted everything to stop. I don't want to be beaten again. I wanted it to end.*

In other instances, SP10 explained how she intentionally used her agency in deceptive ways to help her former boyfriend resist arrest. She explains how the detectives coerced her into accompanying them to identify her former boyfriend, who had repeatedly evaded their attempts to arrest him. Despite her explaining to the detective that she was no longer interested in pursuing the case because their families had resolved the matter amongst themselves. The detective threatened to arrest her instead and insisted that she could go to court to withdraw the case. The matter of withdrawing charges in court to demonstrate the effective implementation of the DV is discussed in *CHAPTER FIVE,* Section 5.5. Given that the police officials believed that survivors would withdraw their charges anyway became a motivation for them to discourage victims from laying criminal charges.

Because of the threat of an imminent arrest, SP10 was given no choice but to agree to accompany the police. On the evening that they fetched her to go to the former boyfriend's home after midnight, she sent him a text message to warn him that the police were on their way to his home. Naturally, they did not find him when they arrived there. SP10's need for community acceptance was paradoxically opposite to the aim of the police who place a high premium on ensuring successful convictions (Faul, 2015). The case was finally closed, and the docket indicated that the suspect was unfounded. This tactic was another measure to prove that they were effectively dealing with domestic violence as discussed in *CHAPTER FIVE,* Section 5.5 (Faull, 2010; Bruce, 2011). When a case is closed as unfounded it implies

that during investigation the perpetrator could not be traced. The police could have used other strategies to conduct intelligence to arrest the perpetrator without subjecting the victim to secondary victimisation. However, one needs to recognise that the survivors wish to not continue with the case is contrary to police objectives to get the case referred to court to show that they are reducing the domestic violence rates (see Section 5.6).

Given the negative relationship between the police and the community in the past, and stories in the public domain about the bad conditions in prison, the participant felt that she could not be seen to be sending her former boyfriend to prison. The participant explained that she was not willing to have the former boyfriend sent to prison as they had in the meantime ended their relationship and she was convinced that the community would believe that his arrest was a matter of revenge. She wanted to avoid being ostracised by the family of her former boyfriend and becoming an outcast in the community for contributing to the former boyfriend's incarceration.

Given the social and material conditions that this participant found herself in within the particular community, she decided to make a trade-off between protecting her former violent boyfriend and not being rejected by the community. Her behaviour might be perceived as being complicit in maintaining GBV but given her lived reality, I interpreted her actions as motivated by her lack of trust in the CJS and her and her understanding of the power dynamics in the community where she lives. Willig (2013, p. 73) reminds us that the meanings participants give to their experiences in their life world should be critically interpreted by going beyond their individual lived experiences of victimhood to reflect "the wider social, cultural and psychological meanings" attached to these experiences.

Several other tactics like bargaining with the police to negotiate safety albeit with little effect were prevalent in survivors' narratives of SP5 and SP9. SP5 called her husband's line manager to request that he confiscate his firearm. Her husband was a policeman and was threatening her with his official firearm. She asserted:

> *I phoned, and I spoke to his sup somebody above him. He said no there is nothing they can do about it's a family matter. But then I also explained to him that he's threatening me with his gun. Is that now a family matter? He's taking your people's guns and his threatening me with it*.

Her extract shows how she challenged the manager by referring to the official police policy. Notwithstanding, research reporting that most women are killed by their intimate partners

(Abrahams et al., 2013), and that the murder of women in South Africa was more than five times higher than the global average (Boonzaier, 2022) the manager refused to assist her. The manager's behaviour illuminates how hegemonic masculinity is embedded in the deep institutional (Connell, 2009) subculture of the police organisation and how it impacts everyday policing. The manager valued being loyal to his colleague above the safety of the survivor.

SP9 on the other hand tried to bargain with the police to let her and her toddler stay in the police station till the following morning despite being stigmatised by the police as being responsible for her victimisation. She recalls:

> *"I told them OKAY can you maybe admit me. Like I can sleep here, or I can sit here on the bench so that tomorrow in the morning I can go back there. Plus, I got no funds, but I can take a train because they said the train is cheap".*

To counter their stigmatised positioning of lacking the ability to offer stable homes for their children, survivors accommodated in the shelter used their agency to construct themselves as responsible and concerned mothers. In their narratives, they explained how they took responsibility for the well-being of their children by seeking counselling for them to deal with the traumatic effects of the abuse on their lives. SP3 reports:

> *Hy het so agteruit gegaan. Daai wat hy terugetrokke geraak it, toe praat hy met niemand nie. En toe gaan ek na die skool en vra vir die een juffrou om tog asseblief te help met hom. Maar sy werk maar met die goed en toet hy nou bygekom.*
>
> *He deteriorated. He became withdrawn and did not speak to anybody. I then went to the school and asked one of the teachers to help him. She works with these things and so he became better.*

The survivors in the abstract recalls how she noticed that her son was showing signs of post-traumatic stress by withdrawing from social life. She approached a teacher at school who managed to help her son. The teachers in resource-poor communities become important resources in supporting children and survivors to cope with the hardships caused by GBV. In another case, SP8 explains how she asked her son's teacher at the school to accommodate him. She reported: "*the bigger one is staying with the teacher at the teacher's house",* while in SP11's case she had to plan for her son to live with her sister:

> *Ek het vir haar gevra dat hy (naam van seun) moet daar bly (met sister) vir twee weke, nee twee maande laat hy kan skool toe gaan. Die skool is nie ver nie dus mos net 'n taxi wat hy moet vat.*

> *I asked her that he (name of son) must stay there (with sister) for two weeks, no two months so that he can attend school. The school is not far it is only a taxi that he must take*.

In the above excerpt, the survivor explains how she planned for her teenage son, who could not be accommodated in the shelter, to live with her sister. The survivor's behaviour demonstrated how they had to enact their parental responsibility to ensure that their children continued to attend school in their absence.

SP11 furthermore decided that it would be in the best interest of her toddler to live with his father for economic and personal reasons which were that he was employed and had a home. Giving him the child would prevent him from stalking her. Despite her actions demonstrating an act of subversion, it also revealed how the structural violence of poverty prevented her from being able to financially provide for her children. However, the actions of the survivors further demonstrated how they used their strengths, resilience, and perseverance to make situated decisions to resist and survive the situation that they found themselves in.

6.7 Conclusion

This chapter presented the findings of the phenomenological research conducted with survivors, shelter personnel and victim advocates. Survivors' stories bore witness of their experiences of the multiple forms of gendered power relations which were reflective of the asymmetrical gender power relations entrenched in the broader structures of poverty, inequality and exclusions nested within the social fabric of the South African society. Their narratives further revealed how these multiple forms of gendered violence intersect with race, nationality, sexuality, age, and class and how they are normalised as the way things are at a micro-level of interaction. Power is entrenched within the multi-layered forms of violence, which include structural, symbolic, and gendered violence that have resulted in dehumanising black bodies. The social environment where these participants found themselves had harmful effects on their lives as was an outflow of the violent colonial and apartheid past which enabled violence to flourish in the present.

The findings revealed that it is not only the police but also the survivors and victim advocates that reproduce harmful gendered power relations based on race, sex, and class differences. These competing notions of hierarchical gendered power relations are continuously negotiated and reproduced by the police, survivors and social service agency workers who

assist survivors deal with their trauma alike. These gendered power relations are sometimes challenged but at other times reinforced by the survivors.

Besides accounting for the multiple violence's in their lives, the survivors' told counter-narratives that served as an important tool to disrupt (Sonn, Stevens and Duncan, 2013) gendered power relations by making public the ongoing legacy of coloniality in the present. Their stories also highlight that when people are respected and treated with dignity this affirms their dignity and improves survivors' perceptions of the police.

The narratives of the survivors contribute towards knowledge production of a gender-responsive policing of GBV which can advance a decolonised approach to policing violence. Such a policing service would be a service that takes seriously social justice and the delivery of humane police services to all those who live at the margins of society.

CHAPTER SEVEN: CONCLUSION: CRAFTING A PLURIVOCAL NARRATIVE OF GENDER (UN)RESPONSIVE POLICING

> The trouble is that once you see it, you can't unsee it. And once you've seen it, keeping quiet, saying nothing, becomes as political an act as speaking out. There's no innocence. Either way, you're accountable (Arundhati Roy, 2001, p. 7).

7.1 Introduction: Looking back

The opening quote points to the importance of being accountable for reporting on what has been seen, heard, and recorded. In some way, this chapter serves as an account of the experiences of participants regarding the policing of GBV, but it also goes beyond what I have heard and recorded to detail some of the silences that I might not have recorded but became aware of and will need further exploration in future research. The persistence of extraordinary levels of GBV and femicide (Verwoerd & Lopes, 2015) and the ongoing critique on how survivors are subjected to secondary victimisations when they report GBV to the police (see Mathews & Abrahams, 2001, p. 26; Parenzee & Smythe, 2003, p. 6; Taranto, Ncube, Butterworth, Sajinovic, Massawe & Lopes, 2013. p. 5; Verwoerd & Lopes, 2015) was the impetus for this research. This chapter is an attempt to complete the metaphorical mosaic of the Sankofa bird introduced in *CHAPTER ONE.* In this final chapter, I paste together discourses from the past and paste them with current discourses, to create a pluri-vocal narrative of police and survivors in dialogue with each other about their experiences of gendered power relations in the everyday policing of gender-based violence within a specific social and historical context.

Therefore, the research aimed to explore how participants discursively constructed gender and power and how these constructions were enabled, sustained, and resisted in and through participants discursive practices. Also, how unequal power relations were reproduced, normalised, taken for granted and shaped the everyday policing of GBV.

The discussion in this chapter revisits several discourses where I highlight key themes and salient issues arising from the analysis and discuss the implication that these findings might have for the construction of gender-responsive policing. The themes provide context-bound understandings of how gendered power relations are discursively reproduced and resisted and the identities and practices that are made possible by these constructions. I link the findings to the conceptual framework of the study.

7.1.1 Policing the past in the present

I contend that the history of gendered policing must be placed in the historical context that gave birth to it. To substantiate my argument about the importance of the history of policing, I started in *CHAPTER ONE* by locating policing within my personal and professional experiences. I highlighted how violence and unjust policing were central to my lived experiences which prompted me to reflect on how violence manifested in the lives of the marginalised communities where I lived and worked. These reflections impelled me to ask questions about why GBV persists and why people and communities turned violence inward as a weapon against themselves and their loved ones. I conceded that structural violence within the broader socio-political context created conditions for violence to flourish in the township where I lived.

I recalled how the police, through their brutal policing methods, were central players in orchestrating violence by their over or under-policing of poor communities. Young black men were the targets of police brutality (Stuurman, 2021). I acknowledge that while the SAPS has undergone major changes in the democratic era, which demand that they treat women with dignity (Stuurman, 2021), I found that the police in this study were still discriminating against poor women, migrants, and gender non-conforming black persons to unjust policing.

From the narratives survivors told, I compared their lived material realities to my lived reality of growing up in a township during the apartheid era, discussed in *CHAPTER ONE* and found that the survivors in this study lived in comparable and often appalling conditions. I argue that their reality was linked to the past colonial/apartheid dispossession and continued in contemporary society where they still experienced systemic inequalities of poverty, unemployment, homelessness, and marginalisation (Mpofu-Walsh, 2021). Notwithstanding democratic changes in South Africa, the country still reflects racial and socio-economic inequalities that were crafted and entrenched during the colonial and apartheid periods (Mpofu-Walsh, 2021). As such, I questioned whether the police institution, which was constructed as a colonial apparatus to criminalise black bodies and uphold an unequal social order can disconnect itself from the historical links of dehumanising policing. This question impelled me to analyse the discursive practices of the police in their everyday interactions to understand how gender, power and violence are reproduced and maintained in policing GBV.

7.2 The present: Reproducing gendered power in discourse

Working within a critical paradigm employing a decolonial feminist ethnographic perspective enabled me to illuminate how police officials reproduced harmful gendered power relations

which are reflective of unequal power relations in broader society. By employing a gendered analysis of power, I analysed and reported on the discursive practices of both the police and survivors at the level of interaction in the context where they occurred. I argue that, by placing power at the centre of theorising gendered power relations, I was able to expose the unseen workings of symbolic violence power in discourse that normalises the reproduction of harmful gendered power relations.

The findings of the research are divided into three broad areas. I report on how police participants and survivors discursively reproduced and resisted gendered power relations. The latter discussion is followed by the discursive reproduction of race in discourse. I then discuss the effect of this gendering in policing. I outline the key theoretical, methodological, and practical contributions of the study. I, moreover, consider the implications of this research for contributing towards the development of gender-informed policies for the policing of GBV. I acknowledge that the findings I present a partial picture of the mosaic of gendered discursive practices of the police towards survivors of domestic violence and should be read and interpreted by considering the social and research context where the research was conducted. The findings build on existing knowledge of policing GBV but the emphasis in this study is on using a decolonial feminist perspective to connect historical policing, with contemporary policing in imagining gender-responsive policing in the future.

7.2.1 Reproducing gender and inequality in police discourse

I start this section by summarising the main themes derived from the police participants' findings. The police narratives highlighted how multiple gendered subjectivities and intersectional inequalities it enabled were constructed in contradictory ways on multiple levels and were contested in the daily interactions between the police and survivors of GBV. The findings illuminated that there was an interplay between the discursive construction of a network of complex oppressive relations of power that are mutually constituted on the subjective, institutional, and systemic levels in a specific context where they became entangled, making it difficult to separate power relations from each other. The analyses of an intersection of gender power relations showed how these multiple intersectional inequalities shaped the policing of poor black women.

The narratives of the police, furthermore, bore witness to how the entangled power hierarchies created during colonialism/apartheid which include binary hierarchical race (white/black) and class (us/them) constructions, gendered subjectivities of male/female,

heteronormativity, and linguistic hierarchies, continue to construct differences infused with differential access to social power and privilege in police discourse (Helman & Ratele, 2016). My analysis presented evidence of how a gender system was at work (Verwoerd & Lopes, 2015) in the police organisation by making visible how police officials constructed heterosexual differences based on power and control in their narratives. Their expectations for different genders were constructed and presented as factual and common sense (Helman & Ratele, 2016). The normalisation of gender hierarchies bears evidence of how gendered power differences are embedded in the individual's psyche (Stevens, Duncan & Hook, 2013) and in the cultural knowledge of the police (Chan, 1997).

The construction of binary masculine and feminine identities was reinforced during domestic violence training that underscored men's dominant role in intimate relationships. These findings are corroborated by research conducted at British and United States police training academies that illuminated how hegemonic masculinities were reproduced in police training (Prokos & Padavic, 2002; Silvestri, 2003; Westmarland, 2017). These workshops not only discursively reproduced hegemonic masculinities, but attendees were, furthermore, informed that women were abused because they believed that they were equal to men. These subtle references about human rights unfairly advantaging women and causing GBV, shaped police officials' responses to survivors of GBV. The beliefs about the equality legislation resulted in police officials claiming that the legislation stripped men of their humanity. These discourses of men being disempowered were not limited to police officials, but research conducted with men in townships in South Africa similarly found that they believed that human rights were empowering women and disempowering men (Walker, 2005; Hamber, 2006). These findings tell us something about men in South Africa feeling marginalised and asserting their masculine power through the perpetration of violence (Van Niekerk & Boonzaier, 2014).

Furthermore, police officials' narratives highlighted common gendered explanations for men's violence as caused by external factors such as patriarchy, Western norms, poverty, cultures of violence, unemployment, equality legislation, women's dependency on men, all these factors which fell outside of men's control. What became apparent in these discourses was shifting the blame of violence away from the institutionalisation, normalisation, acceptance, in defence of male violence. Nancy Scheper-Hughes (cited in Auyero et al., 2015, pp. 268-269) refers to the "normalisation and routinisation" of violence by bureaucratic organisations such as the police as "everyday violence" which is often "invisible and misrecognised" and reproduces violence as a legitimate manner of interacting with black bodies. This analysis recognises that individual violent actions are shaped by the context where it is performed (Helman & Ratele, 2016).

In addition, the narratives of the police revealed how they internalised gendered and racist stereotypes and beliefs about survivors. They employed moral discourses to frame survivors as immoral, deceptive, and manipulative and thus complicit in their victimisation (Thapar-Björkert & Morgan, 2010). These stereotypes mirrored colonial patriarchal logic and shaped their beliefs about acceptable and unacceptable normative gender roles, based on particular notions of femininity and masculinity (Ratele, 2022). Gender differences were also used to determine deserving and underserving victims of police protection. So, men who reported domestic violence were relegated to subordinate masculine roles through processes that are "symbolically assimilated to femininity" (Connell, 2009, p. 31; Ratele, 2022)

The narratives of the police participants, moreover, illuminated how they drew links between hegemonic gendered identities, policing roles, and functions within the policing organisation. The gendered substructure embedded in the police organisations is reproduced through the creation of gender boundaries in the reproduction of labour, the hierarchical police structure, their deeply embedded beliefs about gendered differences, and the value they placed on masculinist tasks instead of caring (Westmarland, 2001). The masculinist reproduction of labour became visible in how male police officials positioned themselves as crime fighters which had the effect of sustaining assumptions of policing as a man's job (Heidensohn, 1992). Gender roles of caring and comforting victims were constructed as the domain for female police officials consequently exempting male police officials from emotionally supportive roles (Westmarland, 2001).

The creation of gender boundaries through the construction of policing's crime-fighting functions over victim support functions shows how the police organisations create an environment where masculinity is valued, thus reproducing gender inequalities (Westmarland, 2001). Hegemonic masculine responses to GBV were also reinforced in public discourses by police management declaring a war on GBV encouraging police officials to use force to combat GBV. This war-talk reinforces a "militarised, hegemonically masculine response to GBV" (Boonzaier, 2022, p. 12) while underemphasising the safety of women.

The valuing of masculinity over femininity in police work revealed several contradictions of rhetorical double speak in policing policy emphasising commitments to eradicating GBV, while, being silent about the dehumanising, shaming, and blaming of poor black survivors who report GBV in everyday interactions. Lugones (2010) explains that dehumanisation and subjectification of marginalised communities as an ongoing process of coloniality. In addition, while prioritising the eradication of GBV in the strategic plans of the police organisation, these

intentions are refuted by the escalation of GBV and femicide reported in national statistics revealing a gendered subtext at work (Verwoerd & Lopes, 2015).

7.2.2 Reproducing gender power in survivors' discourse

In this section, I examine selected themes that were derived from the survivors' discourses. Survivors' stories, on the other hand, illustrated how they made meaning of the intersections of institutional power structures and of different types of direct and indirect violence in their intimate relations and by the police. Their narratives reflected how they too internalised normative ideas of gender roles and expectations that prescribed gender-appropriate behaviour for females and males. This normalisation of inequality creates a context where violence of men against women becomes taken for granted as a normative gendered manner of interacting.

Like the police narratives, the narratives of survivors revealed how gendered power interconnects with other trajectories of power such as race, age, nationality, sexuality, and class which are illustrative of how power is normalised and taken for granted as the way things are a micro-level of interaction (Vetten, 2000). Highlighting how these gendered power relations were socially constructed in discourse, served to resist views that accept gendered power differences as fundamental characteristics of certain individuals of a particular gender, race and class who are classified as violent criminals.

The narratives of survivors not only highlighted their suffering but also emphasised how they used their agency to resist violent power relations, to survive the material depravity in their lives and care for themselves and their children. Abu-Lughod (1990, p. 42) argues that resistance should be used as a tool to understand survivors' experiences within interconnecting structures of power. While the embodiment of gendered power relations by survivors and service providers was not the aim of the study, the appearance of the reproduction of harmful gendered power relations by survivors and victim advocates highlighted that gendered power relations are complicated, fluid, and subtle (Mama, 2002). It shows how these power relations are embedded in the broader social environment thus emphasising that we need to take a holistic approach to craft more equitable relationships (Thapar-Björkert & Morgan, 2010). I contend that the persistence of gendered inequalities in society are linked to the complex interaction of global and local systems of "gendering and racialisation" (Lugones, 2010. p. 744).

The narratives of survivors exposed how the effect of structural violence is entrenched in patriarchal ideologies, racism, heterosexism, religious beliefs, nationalism, economic

injustice, self-blame, and othering that infiltrated their everyday lives (Boonzaier, 2006, cited in Shefer, et al. 2006). This pervasion is made possible through institutions and organisations such as the police that were shaped by unjust colonialism/apartheid ideologies and continue to marginalise black bodies in the present (Brewer, 1994). Experiencing everyday violence resulted in survivors internalising inferior descriptions of themselves that become visible in their discourses of deprecating self-constructions of inferior identities of being poor; homeless; unemployed; having fewer rights, or not belonging in the country; and, by implication, accepting that they were not worthy of policing services.

They, however, used the discourses of victimhood to resist hegemonic powers in the police organisation to reclaim their rights in the CJS. They employed counter-narratives as a form of resistance (Mama, 2002) to make visible and push back against the violent power relations that they experienced between perpetrators and the police. At other times, they used their agency to subvert the criminal justice processes when they made informed choices based on their realities not to follow through on the criminal charges laid against the perpetrators. Their lived experiences contributed to producing knowledge on gender-sensitive ways of policing GBV.

7.3 Racing others in discourse

Following the above sections, I highlight one of the central themes that became evident throughout the study was related to race and racism. In *CHAPTER TWO*, I argued that we need to critically engage with the colonial/apartheid history of policing, albeit partially in this study, to analyse how race and gender were co-constituent constructs in the structuring of the police organisation. The understanding of the colonial roots of policing provides insights into why authoritarian and racialised policing practices persist in contemporary policing. Not only were racial and gender constructions central to the development of policing but violence as a mechanism was used to restructure society using hierarchical differences alongside the axes of culture, class, sex, and social status (Van der Spuy, 1989). These colonial/apartheid legacies continued through coloniality to haunt us in the present and showed up in the narratives in complex ways throughout the interviews. Researchers believe that transforming police culture is a slow and difficult process that should be accompanied by changing cultural knowledge of policing and structural inequality in the broader social context (Chan, 1997).

An important consistent theme in the narratives of most participants was the normalisation of everyday racism. Not only was the spoken discourse rooted in racial stereotypes infused in

power differences, but it was marked by silences about race, which are deeply embedded in police institutional cultural practices, symbols, policies, structures, and processes that create an enabling environment to nurture men's violence against women (Kynoch, 2003). Police participants used several strategies to avoid specifying the race of the people who mostly report domestic violence.

The absences of race were also visible in the national police statistics that do not segregate race in its reporting of domestic violence. Ratele (2010), writing on black homicidal victimisation, suggests that the silence around black men's complicity in violence can be ascribed to the criminalisation of black men during the apartheid era. He asserts that this might be the reason why people in "positions of power" shy away from talking about black men's violence towards black women.

I argue that underlying these silences and denials of race are notions of dehumanisation, shame and social stigma that were and still are attached to the politicisation of racialised oppression that the police themselves were subjected to, resulting in participants avoiding talking about black men's violence in the present. This finding on race-related silences lends support to the thesis that race intersects with gender and class to reproduce and maintain unequal gender power relations through the continuing legacy of the coloniality of power (Quijano, 2007). More research should be conducted on how notions of internalised racist stereotypes shape the delivery of police services to marginalised groups.

Considering that the historical racial and gendered spatial polarisation continues in contemporary South African society (Mpofu-Walsh, 2021), it follows that racialised inequality still frames how people relate to each other. Since race is a salient issue that dominate all aspects of everyday life in South Africa, the silence about race became noticeable by its absence in police discourse. I contend that the avoidance of including the perpetrator's race, prevents the police organisation from engaging with how power dynamics keep gendered, racial and structural inequalities in place.

These findings highlight the need for policies to be explicit about race to enable the analysis of the impact of racialised inequality that continues to create conditions for violence to flourish and to prevent GBV. Policies should be directed towards addressing the differential impact of domestic violence on different racial groups and how it intersects with different vectors of power and oppression in particular locations.

Paradoxically, even when police officials were reluctant to name the race of the perpetrators of domestic violence, their narratives revealed how they used race and class to project social

problems onto other raced black bodies and spaces (see Bonilla-Silva, 2018). The police mobilised colonial racist logic to justify their descriptions of poor black people as violent, technically illiterate and drunkards (Gqola, 2015). They were very vocal about race and class differences when referring to those shameful others living in informal settlements who happened to be black and were accustomed to violence but ironically silent about how these black bodies are subjected to violence when accessing police services.

Othering was also present in their references to marginalised groups such as migrant women, people identifying as gay or lesbian and men who report domestic violence. These mechanisms of othering reflect how police spaces are gendered and imbued with power and how they projected violence onto the other that was constitutive of the violence in society. The race of these others became visible in the analyses of the domestic violence incident form SAP 508(a) and the domestic violence register SAP 508(b) also closed dockets that showed how race intersected with gender, class, poverty, and unemployment.

Women living in the informal settlements and townships were numerically overrepresented in these domestic violence records. I contend that the racial disparities caused by structural violence are reflected in the reporting of GBV, illuminate the continuity of historical racialised inequality based on colonial/ apartheid's racist ideology and ironically it still affects black women disproportionately in contemporary South Africa (Mpofu-Walsh, 2021).

Not only was race deployed by the police, but it was consistently deployed in survivors' narratives. Survivors expressed views of race that illustrated how they have appropriated apartheid's master narrative where whiteness was used as a standard for effective policing, thus reproducing relational views of black police officials as incompetent and white police officials are positioned as a standard for effective policing within a specific racialised socio-political context. Biko (2004) explains the processes of the assimilation of white culture and norms by black people and the rejection of their own culture as the internalisation of anti-black beliefs.

These participants nostalgically longed for the brutal apartheid police of the past, who were known for using violent methods to control the community. In their stories, we see how violence is racialised, normalised and hierarchised when they accept the physical violence meted out by the white apartheid police as enforcing the law (Kynoch, 2003). I argue that, because survivors and the police come from the same communities, survivors often internalised racial stereotypes and accepted it as objective social facts. The police

inadvertently display the same racist biases towards the communities that they enact when dealing with a particular population.

The unjust behaviour of police officials is then interpreted by the survivors through racial lenses. It is these biases that survivors react to when making claims about certain police not caring for them. The effects of these perceived racialised views held by the police have the effect of silencing, humiliating, dehumanising, and preventing survivors from reporting further abuse (Thapar-Björkert & Morgan, 2010).

7.4 The effect of gendered processes and procedures

Since my study was concerned with the gendered discursive practices of the police toward survivors of domestic violence one of my research questions sought to determine whether the gendered discourses served ideological functions and whether they reflected or challenged the prevailing conceptions of gender power relations. I, therefore, drew on some salient aspects which I felt needed to be revisited in this closing section.

The hegemonic masculine nature of the policing organisations was reproduced in the symbolic violence that is turned inward towards the members of the police organisation and shaped the policing of GBV. Police participants reported the absence of a structured program to debrief police officials who deal with domestic violence daily. Research has found that listening to the painful traumatic experiences of survivors daily without regular debriefing causes compassionate fatigue resulting in police becoming unresponsive to survivors of violence (Johnson, Russo & Papazoglou, 2019).

The lack of support has a ripple effect on police officials that becomes manifested in them displaying indifferent attitudes, and insensitivity, resulting in denying survivors access to justice. I suggest that this lack of care within the police organisation is symptomatic of the lack of supervision, support, coordination, and monitoring by police managers. I contend that this lack of emotional support in the policing organisation can be conceived as state violence toward the police. This uncaring attitude shapes the policing of domestic violence in many ways.

It additionally manifested in the under-policing of GBV where police employed informal discretionary practices to avoid or neglect their administrative procedures (see Westmarland & Conway, 2020, p. 379) attached to the implementation of the DVA. These procedures were regarded as the feminisation of police work and seen as a waste of their time.

Police participants' narratives showed how this lack of care in the police organisation resulted in police officials not taking care of their mental health. They mediated the effects of the lack of support which invariably manifests in the trauma by relying on informal peer support. In some police officials it resulted in police officials resorting to destructive coping mechanisms like self-inflicted violence by abusing substances (Henkeman, 2018) or by inflicting violence on their intimate partners, thus reproducing a vicious cycle of GBV in their intimate relationships.

The construction of gendered power relations was also embedded in the policing organisational structure by the bureaucratic and punitive policing culture that places more emphasis on tactics of fear to ensure police officials' compliance with the DVA rather than emphasising empathy and care (Vetten, 2017). Threats to discipline police officials for not complying with the provisions of the DVA, acted in the same manner as the control mechanisms used to instil fear in women living in abusive relationships. My thesis is that this emphasis on punitive accountability militates against the qualities needed by police officials in dealing with survivors of GBV.

However, by shifting my focus away from the individual actions of police and placing it within a wider socio-political environment where multiple forms of violence are widespread, it illuminates the impact of symbolic violence in the organisational processes and procedures which reproduce harmful gender power relations.

7.5 The present: Implications of the findings

There is an increasing body of research in policing that addresses the issues of the reproduction of gender, race, class and sex in policing and gender-based violence. My research adds some insights into how gendered power relations are reproduced in the discursive practices of the police on a micro-level of interaction in everyday policing and how these unequal power relations connect to historical, political, economic and social structures in society that shaped these asymmetric power relations.

This research moreover adds to the growing theoretical debates in the body of knowledge of the policing GBV by showing how the analyses of the reproduction of harmful gender identities need to consider the intersections of gender, race, ethnicity, nationality, age, sex and class identities and the historical context where unequal power relations originate. I contend that linking intersections at the micro and macro levels of analysis helps with avoiding false divisions between multi-layered identities and social locations in hierarchies of

power and privilege and different types of oppression that women experience (Sullivan & Stevens, 2013).

Analysing the invisible working of gender power relations in the discursive practices of the police is complicated because the symbolic violence is committed in the privacy of police-survivor interactions that are hidden from the public eye. I thus used the reported cases in the domestic violence register to ask police participants questions about reported cases and subtly asked questions related to power, violence, race, and gender. I juxtaposed the police experiences with survivors' experiences of reporting violence to the police to reveal how gender and power are reproduced and normalised as the way things are. The experiences of all the participants revealed the ongoing operation of unequal gendered power relations within the police institution (Sonn, Stevens & Duncan, 2013).

I used Henkeman's (2016, p. 4) framework of a "'deeper, wider and longer' to understand the links between invisible/visible aspects of violence" to broaden the analysis to go beyond a superficial understanding of the reproduction of gender power relations. This study thus showed how the discursive practices of the police employed in the everyday interactions with survivors of domestic violence reproduce and maintain asymmetrical gender power relations at the micro-level of interaction. Linking the micro/macro dynamics of violence and how these are tied together enabled a deeper analysis of how everyday violence has structural roots and is enacted in social relationships within specific socio-historical contexts.

These micro/macro violence linkages moreover illuminated how police actions are entangled in institutional processes, cultural practices and the socio-political environment that sustains gendered power relations. The micro/macro linkages of violence additionally broadened the analysis to understanding the embeddedness of violence in social structures and the intersection of other vectors of power of race, gender and class which are reflective of deeper structural inequality steeped in society. In addition, I was able to highlight how this embeddedness of violence in everyday life became routinely normalised, maintained and taken for granted and is unwittingly reproduced by police officials, survivors, and service providers. As I argued before, violence cannot be discussed outside the context where it occurs.

The narratives of the survivors highlighted how the police dehumanised, shamed, and blamed them for the violence in their lives. These dehumanising discursive practices employed by police officials in their everyday interactions with survivors mirrored the unjust police practices of the past. Using a decolonial framework to understand the discursive practices of the police, enabled me to ascribe this ongoing dehumanisation of survivors by the police to the impact

of the history of violent colonial and apartheid policing on contemporary police practice. The violence used to dehumanise and disempower colonised communities impacted negatively not only the communities that were oppressed but also the police who enforced these oppressive laws. Contemporary police officials were also subjected to structural violence in the impoverished communities where they lived and were recruited (Stuurman 2021). To this end, I question whether the police, who have themselves been subjects of colonial violence and have not dealt with their colonial wounds, can respond to domestic violence which requires them to be able to respond in a sensitive, caring, and empathetic manner.

I propose that to deal with the intergenerational colonial wounds of brutalisation and dehumanisation that were inflicted by historical political violence (see Faull, 2013), the police need to acknowledge the role that the apartheid police played in inflicting violence and upholding an unjust regime. Despite their controversial role in the past, the police are perceived as carrying unprocessed trauma because they were subjected to the same unjust policies which they enforced from superior or subjugated positions, implying that they suffered from the same psychological harm that they inflicted (Henkeman, 2018, p. 215). The National Steering Committee on gender-based violence and femicide (GBVF) similarly observe that unresolved transhistorical trauma manifests in the high levels of violent crime and GBVF in contemporary South Africa (South African Government, 2020). Currently, structural violence and high violent crime rates are causing ongoing trauma which creates challenges for dealing with healing past trauma. However, ongoing dialogue and public debates about the trauma, pain and suffering will avoid normalising and acceptance of violence.

Research abounds on the effects of trauma on individuals (Ratele, 2013), communities and societies in the African context that we can draw on to address unresolved trauma in the police. Also, the police can draw from African restorative justice models that aim at restoring relations but also keeping perpetrators accountable for their deeds. Also, integrating restorative justice principles in policing will deal with restoring the dignity of the police, survivors and perpetrators of violence. These processes should simultaneously address structures within the policing organisation and in society that contribute to inequality in society.

The narratives of survivors and service providers showed how they too reproduce harmful gendered power relations thus showing how these unequal relations of power are deeply embedded in the current socio-cultural context and get circulated within societal structures

and discourses daily. Their narratives showed how they have accepted gendered beliefs about binary differences between females and males as natural. Their narratives illuminated how they experienced structural violence that is entrenched in racial and gender inequality, homelessness, displacement, unemployment, and growing levels of poverty in South Africa (Rose & Charlton, 2003). Showing these structural links highlights that changing the gendered nature of policing implies changing the structural drivers in the police organisation that enhance gender inequality while simultaneously addressing the underlying structural drivers of violence against women like eradicating poverty, dealing with inequality, lack of housing, etc. that enable GBV. Given the current political situation in South Africa needs all its citizens to become involved in contributing to positive change efforts.

I presented evidence that the gendered power relations were not passively accepted but were equally resisted by survivors and police participants which undo hegemonic understandings of helpless victims and authoritative police officials. I argue that making violence public is a form of resistance. Besides accounting for the multiple violent experiences in their lives, survivors' stories serve as counter-narratives of how gendered violence has become taken for granted and normalised in everyday life (Mama, 2002). Their counter-narratives served as a tool to disrupt (Sonn, Stevens & Duncan, 2013) gendered power relations by making public the ongoing legacy of coloniality that illuminates how gender power relations are reproduced and maintained in the present. In retelling survivors' stories, I am including a human face to their stories, consequently exposing the persistence of GBV among poor black women. Survivors' stories highlighted the state's indifference towards the safety needs of poor black women can be construed as the reproduction of gender violence.

7.6 An African feminist decolonial intersectional perspective

Being situated in a trans-disciplinary space which explores the problem beyond the field of policing, this dissertation contributes to an African feminist decolonial intersectional perspective on the policing of gender-based violence. An analysis that is grounded in an African feminist decolonial intersectional perspective adds to the literature by feminist decolonial scholars on understanding how the coloniality of knowledge, power, gender and being are enacted within everyday policing and how it impacts the policing of gender-based violence. AFDIP aim to critique the persistence of colonial logic and reveal the reproduction of hegemonic and institutional structures that maintain gendered hierarchical relations of power. which I did throughout this study It advocates for a gender-responsive approach to the policing of domestic violence. No study on policing GBV has attempted to do a decolonial analysis of policing from an African intersectional feminist perspective that focuses on marginalised people.

An AFDIP provides a useful conceptual framework to theorise on the policing of GBV, that emerges from the experiences and knowledge of poor black women because it connects their experiences to the historicity of power relations and within the tension between oppression and resistance (Fine, 2016). The AFDIP employed for this study is transdisciplinary research grounded in critical theory and methods, and "rooted in historical understandings of the effects of colonial power in contemporary society" (Cornell, Mkhize & Kessi, 2016, p. 62) from the lived realities and knowledge of marginalised African bodies. I build on the research of feminist scholarship that has employed a critical feminist ethnography to understand how the police respond to black women survivors of violence and what the effects of police responses have on survivors. An African feminist decolonial intersectional approach to policing recognises that individual experiences of justice are shaped by social structures in the context in which it is embedded.

The African feminist decolonial ethnography recognises that research is a political act because as Reyes Cruz (2012, p. 174) reminds us "analyses of power devoid of a critical understanding of politics run the risk of decontextualising and essentialising social dynamics as binary issues of poor/rich, black/white, immigrant/non-immigrant" A critical approach advocates for an approach where researchers are ethically accountable towards participants and regularly engage in reflexive acts that examine their expectations, concerns and authority. I thus reflexively examined my attitudes, prejudices, actions, and relationships with the participants in this study and accounted for them in the study. I am critically aware of how I represent their views because I realise that the final construction of their experiences is represented in the manner that I present it in the thesis. I came into the research with pre-conceived views about the causes of police insensitivity towards victims which I have acquired over years of teaching and involvement with police officials.

My reflections during this research helped me to shift my thinking towards a holistic understanding of the complex problems that inform police behaviour. This insight assisted me in becoming more empathetic and non-judgmental towards the police participants when I realised the extent to which the police culture, structure and social and political environment shaped their functioning and in turn shaped the policing of GBV. It, however, has not prevented me from being critical of their actions that harm women who report GBV to them. I also understood why the police disengage from dealing with survivors because of the policing environment in which the police in South Africa are facing a legitimacy crisis, ineffective policing, police brutality and persistent corruption among senior police officers.

The study thus advances a decolonial understanding of policing GBV that proposes that police must be delinked from universal Western frames of policing that perceive black people as problems and threats who are prone to criminality and thus in need of coercive policing methods. The coloniality of knowledge reveals how global policing knowledge embeds knowledge that pathologised and criminalised black bodies as violent and the subjects of policing (Grosfoguel, Oso & Christou, 2014). These colonial notions of criminal black bodies continue despite the transformation of policing to democratic policing. Dislodging policing knowledge from Western frameworks implies redesigning policing knowledge and structures based on contextual African realities and values that promote the philosophy of *ubuntu* that is centred on reciprocal relations and communitarianism (Gouws & Van Zyl, cited in Engster & Hamington, 2015) and caring.

By engaging in a transdisciplinary study, where different disciples were drawn on to inform the problematics in the study implies delinking my thought processes from the established discipline of policing and relearning new ways of seeing and analysing African women's realities. Employing a feminist ethnography using a bricolage as a strategy allowed me to cross disciplinary boundaries to illuminate the ongoing legacy of coloniality in policing where different intersections of power have become institutionalised in police culture and accepted as the norm. The eclectic mix of different conceptual frameworks and methodologies assisted me in employing a more holistic framework to explain, evaluate, and go beyond surface explanations of the working on gendered power relations by connecting it to the historicity of structural inequalities that keep unequal gendered power relations in place in contemporary society.

7.7 Looking forward: Gender-sensitive policing of GBV

This research was an exploratory study which revealed several areas that can assist in contributing towards a gender-sensitive approach to policing GBV. The findings illuminated that harmful gendered power relations are reproduced and maintained at an individual, institutional and societal level in a specific context which demands we address the problem in a holistic, consistent, coherent and multisectoral manner at all these levels to dismantle the unequal gender power relations. Changing gender norms in policing implies a hierarchical structure of the policing institution by bringing its policing mandate and strategies in line with gender equality. Gender issues must be integrated into all policing operating protocols, policy directives, and are embedded in police procedures, training and the everyday discursive practices that demonstrate gender equality. Police training must target social values and norms that are entrenched in organisational structures that create an environment where GBV is normalised. The training should change these norms and values to entrench positive

values that instil respect and restore human dignity. These values need to be contextualised in an African framework such as *ubuntu* as discussed in the above section. Such a framework must pay attention to the social, economic, and political factors that fuel violence and the gender power dynamics that keep it in place. Considering the problem in this way gives credence to the feminist slogan that the personal is always political. It also shifts the responsibility of preventing GBV from survivors to the police.

At the level of the individual police official's level, these changes would require that police be taught about the colonia/apartheid history of policing to raise awareness of how colonial logics are still embedded in policing knowledge and practices that are reproduced in the contemporary police organisation. They should engage in dialogue to understand how the history of policing shapes their attitudes, norms, values, and practices and how it reproduces male dominance. Police officials should be involved in making contributions on how to change harmful attitudes, values, and norms.

This research advances a gender-responsive approach to policing that centres survivors' well-being and keeps perpetrators accountable for their violent deeds. By delinking from Western thought processes this study suggests that the crafting of a socially just gender inclusive police response to gender-based violence must centre values of equity, inclusion, interdependency, respect, care, and compassion. The approach advocates for creating a caring police environment where its personnel are mentored and emotionally supported to become more caring towards their clients.

7.8 Directions for further research

From the findings of the study, several areas for further research have been identified. I argue that because the police are a massive and complex organisation and decolonising policing should be viewed as an ongoing project. A decolonising approach to policing should start with decolonising the minds of police officials to understand how colonial processes have affected them and how it disenfranchised and dehumanised black people. This awareness of the historical processes should be facilitated by having reflexive conversations to understand how harmful gendered power relations impact policing and how police officials exercise power. These reflexive conversations should be followed by discussions and commitments made by police officials on how to respond to survivors in more gender-sensitive ways. Also, these conversations can assist police officials in embracing their diverse African identities and affirm the dignity of the people they deal with. Involving police officials in these

conversations as a decolonial methodology of the research will have dual functions of raising awareness through reflection and restoring the police officials' dignity. Stubbs (citing Steve Biko, 2004, p. 106) urges black people to restore "the importance that was given to human relations, the high regard for people and their property and life in general".

Another important area that needs attention is the delinking of policing knowledge about the policing of gender-based violence from knowledge produced through Eurocentric and global imperial knowledge frameworks that affirm hegemonic gendered power relations. Since black women's experiences and realities were marginalised in the Western canon of knowledge production, the production of knowledge about the policing of GBV needs to centre the lived experiences and realities of women in a specific context. Women's perspectives on how they want their cases resolved might clash with police policies which rely on legal and punitive remedies which are contrary to the restorative remedies that poor black survivors of violence expect. Women and other service providers, women's groups and civil society groups need to be involved in contributing to finding solutions based on healing and restoring relationships. A decolonised knowledge of policing needs to take seriously the safety needs and centre the voices of poor black survivors of domestic violence.

Gender equity principles should be integrated into all aspects of policing which involve the levels of planning, policy, operations, and operational procedures. A gender-sensitive police organisation enhances the safety of all citizens, does not discriminate against people and centres the safety of survivors while keeping perpetrators accountable for their deeds. Several recommendations were deduced from women's responses which I will only briefly mention here as part of a holistic approach to decolonising the discursive practices of the police. Some of the recommendations from survivors were that police officials should listen to their stories in a private space, pay attention to their stories without judging them and correctly record what they say. Police officials should believe their versions of their stores and refrain from blaming them. Also, they should understand that survivors did not want their partners arrested but still that they wanted them to stop the violence and be kept accountable for their deeds.

At the level of the police organisations, I recommend that changes should pay attention to the gendered organisational culture that needs to be transformed to provide a gender-informed service. Some of these are but are not limited to providing a humane working environment that focuses on police strengths rather than their faults, thus providing ongoing support, capacity building and training in dealing with domestic violence cases. Capacitating managers with the necessary skills to do ongoing debriefing or strengthening peer support

as a debriefing mechanism. Also regularly monitoring the police officials to provide immediate support if needed.

Survivors' insights contribute to counter-discourses that challenge the coloniality of knowledge of the manner in which the state deals with GBV. Their stories showed how they required safety in ways that the police were not able to provide. Their stories highlight how when people are respected and treated with dignity it contributes to their healing process and improves survivors' perceptions of the police. Survivors' experiences must be considered when developing a decolonised gender-responsive policing response to the policing of gender-based violence. This would be a service that takes seriously social justice and the delivery of a dignified police service to all those who live at the margins of society. Their suggestions for how police can treat them with dignity are based on the values of dignity, responsiveness, non-judgment, empathy, respecting survivors right to make decisions, accountability, care, listening, and respect that need to be taken seriously in delivering a gender-responsive service.

7.9 Concluding comments

A feminist sensibility requires that the ongoing violence against women in South Africa should be analysed from different angles to identify key issues that create barriers for women to realise their rights to justice. This research was an attempt to contribute to an understanding of how the reproduction of harmful gendered power relations in the everyday interactions of survivor-police relationships contributes to unequal gender power relationships.

To deal holistically with this problem a comprehensive plan that systematically tackles GBV. I believe the GBVF-NSP (2020) provides the framework, but its success will be measured in its implementation. I end by citing Arundhati Roy in Barsamian (2004) who prophetically claims that:

> *Another world is not only possible, she is on her way.*
> *On a quiet day, I can hear breathing*.

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APPENDIX A: POLICE PARTICIPANTS

FPP= Female Police Participant and MPP= Male Police Participant

Police Station 1		
Participants	**Race**	**Age**
FPP 1	African	47
FPP 2	African	26
FPP 3	African	28
MPP 1	African	47
MPP 2	African	39
MPP 3	African	55
MPP 4	African	42
MPP 5	African	47
MPP 6	African	59
Police Station 2		
FPP 4	African	45
FPP5	African	49
FPP6	White	40
MPP7	African	44
MPP8	African	52
MPP9	African	56
MPP10	African	47
Police Station 3		
MPP11	coloured	33
MPP 12	African	58
Police Station 4		
FPP7	African	29
MPP 13	African	48

APPENDIX B: SURVIVOR AND ADVOCATES PARTICIPANTS

SP= Survivor Participant; SSP= Victim Advocate

col=coloured afr=african

Participant	Race	Age	Nationality	
1.	Afr	28	SA	SP1
2.	Afr	45	SA	SP2
3.	col	34	SA	SP3
4.	col	30	SA	SP4
5.	Afr	26	SA	SP5
6.	col	58	SA	SP6
7.	Afr	19	Unknown	SP7
8.	Afr	29	SA	SP8
9.	Afr	32	Zim	SP9
10.	col	24	SA	SP10
11.	col	30	SA	SP11
12.	Afr	40	Mozambique	SP12
13.	Afr	59	Zimbabwe	SP13
14.	Afr	28	Lesotho	SP14
15.	col	37	SA	SP15
Victim Advocates				
1.	Afr	60	SA	SSP 1
2.	Afr	59	SA	SSP 2
3.	Afr	58	SA	SSP 3
4.	Afr	40	SA	SSP 4
5.	col	56	SA	SSP 5
7.	Afr	34	SA	SSP 6
8.	Afr	31	SA	SSP 7

APPENDIX C: INTERVIEW GUIDE POLICE OFFICIALS

Gendered Discursive Practices of SAPS Officials towards Survivors of Domestic Violence

1. Explain to me in as much detail as you can, how do you assist a person who comes into the community service centre to lay a complaint of domestic violence.
2. What is the gender of the police official who deals with DV?
   Do you deploy a person from a specific gender to deal with DV?
3. Who are the people who are mostly the perpetrators of DV?
4. What in your opinion of the reason why these people are mostly the perpetrators of DV?
5. Who are the people who are mostly the victims of DV?
6. What in your opinion are the reasons why this particular group of people are mostly vulnerable to DV?
7. What is the race of the people that mostly report DV?
8. What in your opinion is the reasons why this specific group of people mostly report DV to the police?
9. Where the people live who mostly report DV to you?
10. What are the types/categories (Physical, psychological, sexual, etc.) of DV incidents that are mostly reported?
11. What are the reasons complainants give for the DV?
12. From your experience of dealing with these incidents what have you found to be the reasons for DV?
13. What are the problems that you experience in dealing with DV cases?
14. Is there anything else that you would like to add?

APPENDIX D: INTERVIEW GUIDE SURVIVORS OF DOMESTIC VIOLENCE

Gendered Discursive Practices of SAPS Officials towards Survivors of Domestic Violence

1. Tell me about yourself?
   Where do you come from?
   Where were you staying at the time of the incident?
   Were you employed at the time of the incident?
   Do you have any children? Where are these children now?

2. Explain to me in as much detail as you can, how you were assisted by the police when you reported the domestic violence incident to them.
   You don't have to tell me about the specific domestic violence incident that you were reporting, only if you feel comfortable with doing so and if it relates to your experience about reporting domestic violence to the police.

3. Where in the police station was the statement of your complaint taken?

4. What was the gender of the person taking down the statement?

5. How much time were you given to relate the incident to the police official?

   Were you asked about the history of the abuse?

6. What type of support were you offered by the police?

   Were you referred for medical attention? Were you referred to a shelter? Were you allowed to call anyone from the police station? Did the police talk to your child/children if they were present? Did they establish whether you were safe? Did they explain what your rights were in this case?

7. Did the police explain which options you can take in the case of getting a protection order, opening up a criminal case or doing both?

   Did they fully explain the implications of the options?

8. If the police came to your home did, they separate you from the perpetrator?

9. How do you feel about the manner in which the police dealt with you during the reporting of the case?

10. Do you have any suggestions if any about how the police can deal with complainants who report **domestic** violence to them?

APPENDIX E: PARTICIPANT CONSENT FORM ALL PARTICIPANTS

GENDERED DISCURSIVE PRACTICES OF THE SOUTH AFRICAN POLICE SERVICE TOWARDS SURVIVORS OF DOMESTIC VIOLENCE

Ingrid Sinclair

I …….. agree to participate in this research project. The research has been explained to me and I understand what my participation will involve. I had the opportunity to ask questions about the research.

I agree to an hour-long interview YES NO (please circle)

I understand that I can withdraw from the research at any stage.

YES NO (please circle)

I agree that my participation will remain anonymous YES NO (please circle)

I agree that the interview may be audio recorded YES NO (please circle)

I understand the risks/benefits involved in the research. YES NO (please circle)

Access to counselling have been explained and contact details of counsellors provided

YES NO (please circle)

I agree that the researcher may use anonymous quotes in her research report

YES NO (please circle)

…… (signature)

…… (name of participant)

…… (date)

APPENDIX F: PARTICIPANT INFORMATION SHEET

Gendered Discursive Practices of SAPS Officials towards Survivors of Domestic Violence

Good day

My name is Ingrid Sinclair, and I am a PhD student at the African Centre for Migration & Society at Wits University in Johannesburg. As part of my studies, I have to undertake a research project. I am investigating the gendered discursive practices of the police towards survivors of domestic violence**.** In other words, I would like to find out how you talk to, act towards and assist survivors who lay complaints of domestic violence. I am interested in your experiences of the policing of DV.

As part of this project, I would like to invite you to take part in an interview. This is a once off event that will take around 60 minutes. With your permission, I would also like to record the interview using a digital device. Transcripts of the interview will be made available to you after the interviews for you to check the accuracy of the information. You will be able to amend information that you feel should not be included in the final report.

You will not receive any direct benefits from participating in this study, and there are no disadvantages or penalties for not participating. Your participation in the research is voluntary. You may withdraw at any time or not answer any question if you do not want to. The interview will be completely confidential and the information you give to me will be held securely in an external hard drive encrypted with a password and not disclosed to anyone else. I will be using a pseudonym to represent your participation, in my final research report. If you experience any distress or discomfort during the interview, we will stop the interview and if you agree resume at another time. If you need support or counselling services following the interview these are available free of charge from a counsellor at the Victim Empowerment Centre.

If you have any questions afterwards about this research, feel free to contact me on the details listed below. This study will be written up as a research report which will be available online through the university library website. If you have any queries, concerns or complaints regarding the ethical procedures of this study, you are welcome to contact the University Human Research Ethics Committee (non-medical), telephone + 27(0)11 717 1408, email hrec-medical.researchoffice@wits.ac.za/ Shaun.Schoeman@wits.ac.za

Yours sincerely

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