

Exploring The Impact Of Afrocentric Gender Politics On The Design Of A
Court Building In The City Of Durban, South Africa.

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DECLARATION

Submitted in fulfilment of the requirements for the degree of Master of Architecture, in the Graduate Programme in Architecture, University of Kwa-Zulu Natal, Durban, South Africa. I declare that this dissertation is my own unaided work. All citations, references and borrowed ideas have been duly acknowledged. I confirm that an external editor was not used. It is being submitted for the degree of Master in Architecture in the faculty of Humanities, within the school of Built Environment & Development Studies, Kwa-Zulu Natal, Durban, South Africa. None of the present work has been submitted previously for any degree or examination in any other University

BONGEKA SENAMILE MNGUNI

DATE

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The Department of Justice and Constitutional Development, the various court managers and facilities managers, for their time and allowing me to investigate freely.

Special mention to my daughter, who has been patient through all the times I had to sit behind a laptop on a weekend.

All glory and praise belongs to God.

Romans 8:28

DEDICATION

This dissertation is dedicated to all the matriarchs before me. Thank you. May your power live on.

ABSTRACT

There are many barriers that exist for women in being able to fully exist and succeed in the world by virtue of gender inequality. These barriers are addressed through social movements such as feminism, as seen in mainstream media, but gender inequality is rarely addressed in the context of the built environment. African women have been excluded from urban participation through the inheritance of traditional gender roles, divisive policies, and gender blind interventions, which has caused a paralysing and disproportionate experience of the built environment.

This study looks at how gender norms have influenced the built environment. The binary of male and female is connected to the notion of a public and private dichotomy in physical space, which perpetuates systems of exclusion that mostly affect women. African cities have rarely seen the application of contemporary feminist techniques to analyzing women's gendered experiences and daily reality in the city. The research explores the meanings connected to gendered space, and describes it as a complex relationship between the architectural arrangement and social production of space, and the power relations that are produced from these arrangements, that control women's access to space.

In the context of South Africa, the issues of gender inequality are complex, and the statistics of gender based violence in public space are consistently on the rise. The continued gendered connotations are expressed in architectural language, which has historically been designed to communicate messages of domination, intimidation and segregation. Public buildings remain a site of violence and inequality. The aim of this research is to investigate how public buildings such as court buildings, which act as an important agent of democracy and justice, can be better designed to accommodate the needs of women, and to create a space that women can access equitably, and safely.

The research was conducted through the reviewing and gathering of existing literature and theory on the subject, relevant, investigating relevant case studies and precedent studies. The relationship between gender, design and the built environment was explored extensively. The theoretical framework and literature has provided the necessary foundation to understand the complexities of gender as they manifest in space. The research was further conducted through quantitative methods of interviews with built environment professionals, as well as users of court buildings. This was conducted to extrapolate the experiences of women, in order to interpret and better understand the complex theories discussed.

The outcome is a design approach that is inclusive, afrocentric, and sensitive to the needs of women. This design approach addresses the gap that has been observed in the literature, of an urgent need for architectural and urban considerations that advocate for the needs of women, children, and the marginalised.

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CHAPTER 1: INTRODUCTION

1 INTRODUCTION

1.1 BACKGROUND

“African societies are so clearly demarcated by gender division that it would be strategically suicidal to deny this and pretend that gender does not exist” – Amina Mama (Salo E. , 2001, p. 63)

The built environment shapes and influences our daily lives and our individual experiences, and it is a powerful instrument that can alter the social fabric in many ways. Historically, it has been accessible to privileged members of society, and through the implementation of discriminatory policies, it remained an instrument of structural inequality by excluding the marginalized.

As a discipline throughout history, architecture has been idealised as a discipline limited to the practice of men. The needs of women are highly unrecognized and undermined. This stems from gender norms in society. In the context of architecture, the complicity of this discipline in creating spatial inequality has been addressed, but the result of gender inequality is often under looked. Women are often excluded from urban design planning, and therefore their needs and concerns are not met. This creates a disproportionate experience of the urban environment, as women are further disadvantaged by the misogyny they experience in public space. The built environment perpetuates systems of gender based inequalities, where women cannot access or experience public space or buildings safely and efficiently.

As primary care givers, women are characterized in public space as mothers, and use space differently, yet the built environment does not cater to these key differences. Instead, archaic perceptions of gender roles have been used, where a woman should “know her place”, which is confined to her home, while men have access to the city, because it’s “a man’s world”. These stereotypes may differ across cultures, but the built environment maintains them. The lack of consideration of women’s needs, coupled with the fear that public buildings create, the built environment has subconsciously kept women away from using public facilities, and not being able to participate in urban life.

The discourse on gender is essential in society, but very little focus in this debate has been placed on how the politics of gender could possibly be discussed in the context of the built environment, and how the complex relationship is manifested into space. The built environment is essential in the way we are able to perceive and move in the world. If gender shapes the way we interact in society, what role has the built environment played in our everyday experience, in the production of these societal norms?

The sentiment of a transparent democracy is not expressed in the built environment in South Africa, and the notion of an equal society, especially in the spectrum of gender, is still not achieved.

1.1.1 Motivation/Justification of the study

The politics of gender have been disregarded in theory and in practice in shaping cities (Beebejaun, 2016). Gender influences our interactions, and our interactions are displayed in our physical environments. In South Africa, due to the disproportionate experiences of the urban environment, women still experience gender inequalities in the form of violence, education, and lack of economic opportunities, but some of these issues do not involve the parameter of public space and built form. Rarely have African cities been the focus of contemporary feminism's attempts to comprehend women's gendered experiences and urban daily life. (Ogunyankin, 2014) Given the persistent economic and social marginalization of women, as well as the increase of violence against women especially in South Africa, how gender roles contributes to spatial politics needs to be addressed.

Historically, architecture has been perceived as masculine due to it being dominated by males in the practice of it, which has reflected in the design of buildings (Kennedy, 1981). The dominance of men in the decision making process pertaining to the design and implementation of urban infrastructure, results in the reinforcement and maintenance of stereotypical gender roles (Thakor, 2015). This means that gender inequality is still experienced in the everyday lived experience of women, not just socially, but it is further translated spatially.

Architecture is complicit in the accessibility of the judicial processes through the messages it conveys (Bybee, 2012). The court building is mostly designed as just an administrative function, but is not sensitive to the needs of women or minorities in terms of the processes; spatially or functionally. The sophisticated spatial segregation of the courtroom enable the abuse of power, through spatial and social hierarchy (Mulcahy, 2007). A gendered analysis of such intricate spaces, is important, especially in the context of South Africa.

1.2 Definition Of The Problem, Aims And Objectives

1.2.1 Definition of the Problem

Spatial relations are an embodiment of social relations (Mills, 2005). South Africa under the apartheid regime, symbolized extreme spatial injustice and inequality. This was marked by the extreme separation between the residential locations of the marginalized, from areas of economic opportunity (Schensul & Heller, 2010). Such spatial injustice is understood to be of racial divisive intentions, but what is often under looked is the gender inequality that results from such spatial injustice.

The issue of oppression not only represents itself in issues of race but also in terms gender, which further fragments society's spatial experience. Violence against women in public spaces, in particular, continues to be a neglected issue as gender-based violence increases in cities all over the world. The voices of women have been largely absent from philosophical discourse as well as Architectural conversations in the Western and African worlds, but also from global Western feminist debates and the discourses (Coetzee, 2017).

The built environment perpetuates systems of gender inequality, through untransformed approaches to urban design and architecture. Rarely are gender roles examined throughout the design process. The frequent assumption is to assume racial and ethnic disparities, poverty, and urban/rural divides should be addressed prior to gender inequities. This issue results from a lack of analysis of how deeply structural disparities in society, such as gender inequality, are ingrained. The built environment was not designed with women in mind, (Rendall, 2018) which creates a disproportionate experience of the built environment, as the gendering of spaces is overlooked.

Women's usage of space is constrained by the idea of different spheres for men and women, which is a result of archaic traditional gender roles and understandings, which has had a significant impact on urban design. This maintains the links between femininity, seclusion, and suburban space (Bondi, *Gender, Class, and Urban Space: Public and Private Space in Contemporary Urban Landscapes*, 1998) where space is designed to enclose and contain women. This has created vulnerable spaces in the city, where women are more susceptible to violence and harassment. The accessibility of the built environment is often considered from a perspective of privilege that creates an environment that excludes and is gender blind.

The Court is an important model central to the sentiment of the city as a political representation in the built environment and as an architectural form, is important as a factor shaping how we understand the Law, which is executed in space. Court buildings are essential in solving major social problems (Rottman, et al., 2003), and this belief has been lost throughout history. Neo-Classical architecture is a potent representation of a court in South Africa or any other nation that was once a colony of European powers. The typology

exudes a godlike authority, as it presides supremely over the public, simultaneously, causing an evident dichotomous relationship with the concept of justice in South Africa with its people. The law in the past was used to suppress and dictate how people should live, and did not invite engagement from the minority. It is a societal norm that women do not use existing community channels for dispute resolution as they uphold gender norms that condone violence and make women fear being ostracized if they speak out, and sensitive issues such as domestic violence do not surface through conventional methods of the justice system. Gender stereotypes and untransformed architecture play a role in the suppression of women's voices. To achieve social and spatial justice for women, this research will attempt to provide a design that will reflect the relevant principles of democracy in South Africa through built form, through the use of the framework of African feminist architecture.

Throughout history the voice of Africans have been deliberately excluded, and therefore this research seeks to implement African Feminism for a local identity, that will be relevant to the South African context. It is through this understanding that the decolonisation of South Africa's civic spaces can happen. The emphasis on the contextualization of gender inequality could conceivably help the country's cities discontinue with segregatory planning approaches that recreate exclusion.

1.2.2 Aims

To understand how the politics of gender influence the built environment in the context of Africa

1.2.3 Objectives

1. To interpret the framework of African Feminism as a guideline for designing inclusive civic spaces
2. To establish how Afrocentric centred design can encourage inclusivity, social integration and welcome democratic participation in the built environment
3. To explore the relationship between gender, design and the built environment

1.3 SETTING OUT THE SCOPE

1.3.1 Delimitation of Research Problem

The research is not focused on decolonisation process but more so the impact of colonisation on gender politics and the result of it in civic spaces. This research will focus mainly on third wave feminism in the western context as a starting point and will use African Feminism which is relevant to the location of the study, to illustrate how architecture can use feminist principles towards an inclusive built environment in a

local context in the post-apartheid era through a rejection of the western principles. It seeks to mainly to use the ideologies of African Feminism as a reference towards the decolonisation of civic spaces.

1.3.2 Definition of Terms

Accessibility the opportunity for an individual at any given location to take part in a particular activity or a set of activities

Afrocentric employing an approach that is contextually relevant to Africa

Gender Blind A term used to describe the avoidance or lack of consideration of the effects gender in space and society

Gendered Space Gendered spaces are places that societies assign gendered meanings to, places where sex discrimination is practiced, or environments that serve to reinforce uneven gender power and authority relations.

Intersectionality An important strand of modern feminism that explains how different aspects of an individual's identity, such as race, gender, and age, create intersecting systems of discrimination.

Marginalised A group of people in society considered to be underprivileged due to race, class or gender

Oppression the injustice and abuse of power experienced by one group or gender, exerted over the other.

Patriarchy The social system in which men are assigned more power, privilege, and value, where women are excluded and oppressed by it

Privilege The idea that people of one group are advantaged and are superior compared to people of another group, which is a result of oppression e.g. white women are perceived to be in a position of privilege and aren't subjected to the same level of inequalities compared to black women

1.3.3 Stating the Assumptions

It is assumed that the appearance of court buildings represent the intentions of the justice system. This therefore hinders the interaction of women, with democratic process because most court buildings are intimidating and are not designed in consideration of the inequality that is experienced in space. If court buildings were designed to allow more interaction and transparency, women would not have a negative perception of the justice system. Understanding gender roles can aid in better understanding human behaviour and the creation of culturally relevant solutions.

1.3.4 Key Questions

Primary Question:

- How do the politics of gender influence the built environment in the context of Africa?

Secondary Questions:

- What is African Feminism and what are its ideologies?
- How can the politics of gender and the ideologies of African Feminism inform the design of the built environment and civic spaces?
- How does Afrocentrism and African Feminism represent an inclusive approach to the design of a civic building?

1.3.5 Hypothesis

Understanding architecture in connection to gender necessitates an urgent contextualization in light of the swift changes in theoretical, historical, and critical discussions, particularly with regard to feminism.. African Feminism provides the relevant framework needed to contextualise the issue of gender relations in civic spaces in an African context.

1.4 CONCEPTS AND THEORIES

1.4.1 Introduction

Prior to designing a court building, it is important to understand the social and physical and meta-physical factors of the built environment. The theories that will be discussed will be analysed individually in order to extract principles that are in line with the objectives of this research. The theories will be used to provide a lens that will drive the research study questions. It also informs how data are collected and analysed, and provides a call for action.

1.4.2 Place Making

The process of designing buildings involves the continual process of making, transforming, and owning the world (Schneekloth & Shibley, 1993). This process over the discourse of architecture and theory has a major effect on the ability for users to experience the built environment meaningfully, and it impacts people's existential experience (Norberg-Schulz, 1980). As this theory has evolved, and as the way that people use the built environment has evolved, the applicability of this theory also needs to evolve. With urbanisation and rapid modernisation, there are many marginalized communities who get left behind in this process, and those who are impacted the most, are women. The built environment has created restrictions on how women are able to participate in urban life, and it does not accommodate to their needs. In order for place making to be meaningful and equitable, gender inequalities that produce spatial inequalities need to be addressed. Women need to be included in the consideration of meaningful place making processes, and over time, the gap that these processes widen is that of women's voices. Place making highlights the role in creating meaningful lived experiences through cognitive, and affective processes. In order to design an

inclusive public space, it will be imperative to engage with a theory that recognises the experiences and contributions of all people. Place making is the idea that it's important to establish and protect common spaces where pluralism and democracy may flourish because ordinary people's knowledge, experiences, and contributions matter. This assertion is vital in the context of engaging with the gender inequalities experienced by women in the built environment, as the perspectives of women have been overlooked throughout history. Place making advocates for a sense of community, which is vital in creating a space where women feel safe and welcome. This sense of community cannot be achieved if the barriers of exclusion that women experience is not addressed.

1.4.3 African Feminism

African Feminism is a post-colonial framework that is an alternative to Feminism, which is a Western construct. This theory acknowledges that in order for gender inequality to be addressed meaningfully, contextualising is important. The issue of gender is more complex and unique in Africa, compared to Western societies, and a blanket approach to addressing these issues cannot be applied. This theory is also rooted in the concern that African female voices often become lost in scholarship pertaining to African narratives. It acknowledges that gender issues in Africa cannot be looked at in isolation, and there are other intersections of society coupled with gender that cause oppression for women. Postcolonial feminists contend that racial, class, and ethnic oppression—all related to the colonial experience—has suppressed women in postcolonial cultures.

Many people mistakenly think that feminist thought primarily focuses on girls and women and that its fundamental purpose is to advance the idea that women are superior to males. Feminist theory has actually always been about examining society from a perspective that sheds light on the factors that contribute to oppression, inequality, and injustice while also encouraging the quest of justice and equality.

There are many different branches of feminism, but this research chooses to employ the branch of African feminism as it focuses on how the same power structures that oppress women are not limited to just gender, but also to race, class and others that are contextually relevant.

Feminist theory has largely focused on the interactions and experiences of women and girls within society because historically, the perspectives and experiences of women and girls have been marginalized from social theory and social science. This has helped to ensure that the experiences and perspectives of the other half of humanity are included in our understanding of social forces, relations, and issues.

1.4.4 Rights to the City / Spatial Justice

Lefebvre summarizes this idea as a "demand for a transformed and renewed access to urban life". Claiming the right to the city in this sense entails making a basic and radical claim to shaping authority over the processes of urbanization, over the ways in which cities are created and reconstructed. This concept is relevant to the research as it articulates that an equitable experience for women in public space require an acknowledgement of women claiming their right to the city

The right to the city includes participating justly in the processes of production of space, having access to the privileged urban locations, where economic and social advantages are concentrated, having democratic control over the distribution of resources and services, and avoiding all forms of spatial segregation.

Key Concepts

1.4.5 Intersectionality

Adopting an intersectional approach in research is becoming more widely recognized as crucial to effectively tackling ongoing gender inequality and associated oppressions that are present but ignored. Intersectionality corresponds with postcolonial and post structural ways of thinking about the design process and power relations involved.

1.5 RESEARCH METHODS AND MATERIALS

1.5.1 Research Methods

The selected method chosen for this research study is the Qualitative typology. This methodology provides insight into people's experiences, can assist in interpreting and better comprehending the nuanced facts of a particular scenario. Qualitative research excels in describing in-depth textual descriptions how people actually feel about a particular study question. It gives details regarding the "human" aspect of a problem, or the frequently incongruent actions, attitudes, feelings, and connections of people. Intangible elements including societal norms, financial position, gender roles, ethnicity, and religion can be identified using qualitative methods as well. This type is quite relevant to this study as the objectives of this research are dependent on people's response to the issues of gender and Afrocentrism.

Secondary Data

This information includes data that has been enhanced and examined by other experts in the field in relation to the problems suggested by the research topic as stated above. The information generated from the literature review will help direct the research to particular precedent studies and primary research. This information will be critically analysed against the key research questions. This research follows the framework set up by the research questions and covers topics including a historical understanding of the

urban form, social theories, segregation with regards to gender politics, and ways in which the built environment can encourage integration and gender sensitive spaces in an African context.

Primary Data

This includes investigations in the form of case studies focused on the design approaches, contextual settings, historical background, gender sensitivity implications and the buildings' impact on its surroundings. This research will also seek to use semi-structured methods such as in-depth interviews and a focus group. These techniques have the advantage of allowing participants to react in their own words by using open-ended questions and probing, as opposed to forcing them to select from predetermined responses as quantitative approaches do. Open-ended questions have the power to provoke responses that are meaningful and unexpected by the researcher.

Case studies: The analysis of relevant court buildings will be undertaken by the author. The case studies were chosen because they provide concrete illustrations of the principles and theories discussed in the document, or an example of what they are lacking. This will be done to determine the spatial relationships amongst the built form and people. The case studies identified will be analysed and compared to each other in order to form an informed understanding. The selected case studies are the Durban Magistrate Court, Madadeni Magistrates Court, Louwsburg Magistrates Court. These are all existing court buildings, that are in an urban context, a peri urban context, and a rural context. Analysing three different contexts is done in order to see whether the design of court buildings respond to women's needs. These building will also help to provide insight of how buildings in the past were designed, and what are the implications of this in a democratic context and if they address any of the gender concerns mentioned.

Data Collection

Through the use of qualitative data collection, we can examine decision-making processes and get in-depth understanding by gathering information that is not numerical. These judgments should be drawn using comprehensive, rich, and nuanced evidence that has undergone meticulous investigation.

Focus groups: Focus groups are a means of probing questions methodically used to ascertain how people think, feel, know and behave. They can be used to discover how people delineate a situation, and will also provide insight into the translation of the mentioned concepts into built form.

One-on-One Interview: This is purely a conversational method and invites opportunities to get details in depth from the respondent.

Sampling

Purposive sampling, one of the most common sampling strategies, groups participants according to preselected criteria relevant to a research question. In the case of this research, it will be imperative to interview women specifically who work in court buildings, as well as users of civic spaces. Interviewing women who work in court buildings will provide the research with relevant information pertaining to gender constructions and the reality that women face in the built environment.

In quota sampling, a decision is made while designing the study as to how many people with which characteristics to include as participants. In this case, interviews with built environment practitioners who are also female are chosen. This is to gather how the design of gender sensitive buildings can be approached.

1.6 CONCLUSION

In the context of a democratic country, equality amongst society is a key goal, but it is often looked at from the perspective of politics and policy. The built environment is an important sphere to examine issues of inequality, especially in the context of women's issues. Gender inequality translates into space, which perpetuates systems of spatial inequality, and this is often under looked. Women are not only considered vulnerable in society due to their socio-economic status, but the built environment becomes another site of vulnerability, as cities and buildings have not been designed with consideration of women. Public buildings such as court buildings are essential in society as structures that house the processes of justice, and if such buildings are not radically transformed to accommodate the needs of all members of society, this creates a barrier, which results in exclusion. This study seeks to address how a public building such as a court building can be designed inclusively, and how the elements of an intersectional framework such as African Feminism can be used to design such a building. This study will also convey how the built becomes a key instrument in the exclusion of women, and how this can be redressed so that the built environment better reflects our society.

CHAPTER 2: THEORETICAL FRAMEWORK

2.1 Introduction

Chapter 1 has introduced the social context of this research by not only highlighting how the built environment people experience is a result of the existing social politics of gender, but also, how architecture continues to exasperate these issues of exclusion caused by gender politics. This research seeks to draw principles from theories such as Place making, African Feminism, Intersectionality and Rights to the City in order to design inclusive civic spaces. This chapter will begin with discussing the theory of Feminism as a starting point, which will aid in the understanding of the phenomena of gender in society. This theory will also provide insight into how gender has influenced architecture in the creation of gendered spaces. This chapter will also discuss the theory of Place Making as this research seeks to find a guideline of how to design inclusive civic spaces. It is also crucial to engage with how the theory of Place Making has evolved and to question how it can aid this research in establishing a contextualisation of place making with the consideration of gender sensitivity. This theory will also be discussed through the lens of Afrocentrism as it is crucial to establishing elements of designing places and spaces in the African context. In light of the socio-political climate of South Africa, it is also important to examine how the public can democratically engage and experience public spaces and begin to view public spaces and public buildings such as court buildings, as an inclusive space.

2.2 Feminism

“Why the word feminist? Why not just say you are a believer in human rights, or something like that?”
Because that would be dishonest. Feminism is, of course, part of human rights in general—but to choose to use the vague expression human rights is to deny the specific and particular problem of gender. It would be a way of pretending that it was not women who have, for centuries, been excluded. It would be a way of denying that the problem of gender targets women.” - Chimamanda Ngozi Adichie, (Adichie, 2014)

Throughout history, women have been subjected to many forms of oppression and exclusion which have affected their social and economic status. These issues range from topics of entering the work force, reproductive rights, to domestic abuse. The movement of Feminism was formed to address such issues, and to advocate for women's rights. It has gained a lot of momentum in the 21st century for many reasons. This research seeks to understand the role that gender plays in women's experience of the built environment as it has been established that the discourse of gender has been historically excluded. It is important to analyse how the theoretical underpinning can contribute in the design of inclusive public buildings.

2.2.1 Historical Background and Definition

The term feminism is widely used to describe a political, cultural or economic movement the objective of achieving equal rights and legal protection for women. It involves political and sociological theories and philosophies concerned with issues of gender difference and gender equality.

The expansion of feminism from being a movement into a theoretical or philosophical discourse is known as Feminist Theory. It seeks to comprehend how phenomena of gender inequality functions and assesses women's and men's social roles and experiences from the perspective of fields like anthropology and sociology. Themes explored in feminism include discrimination, oppression, patriarchy, stereotyping, and in recent years, in architecture.

2.2.2 Perceptions and Limitations

Most feminist movements and ideologies have a history of having leaders who are primarily white middle-class women from Western Europe and North America, which lead to women proposing alternative feminisms, later to be called "Post-colonial" and "Third World" feminisms.

By virtue of Feminism having westernized routes, it did not represent the plight of African Women adequately. The term feminism holds many negative connotations in society. It may be unappealing to men specifically, as it is perceived to be a movement that seeks to ridicule men and strip them of their position as leaders. It is perceived as a movement that is indicative of women who are arrogant, power hungry, or even insecure. It has painted women in a negative light as well, as some people believe that women fighting for equal rights suggests that they don't "need" men. These assertions are not progressive nor critical, but they reveal the conflicts that women experience when trying to liberate themselves from the strongholds of patriarchal forces. These perceptions are not reflective of this movement's intentions and core values, and this research seeks to adopt an inclusive approach.

The System of Patriarchy and Architecture

Patriarchy is a social system in which men hold primary power and predominate in roles of political leadership, moral authority, social privilege and control of property. Sociologists tend to focus on how gender roles in a society effect power discrepancies between men and women because they believe that patriarchy is a social product rather than the result of inborn gender differences

The concept of patriarchy has been central to many feminist theories. Feminist scholars have also identified that the ideology of masculinity is not something that is new or foreign in society and it is enforced from the

time children are born. Girls are raised and treated differently from boys and are assigned gender roles from a young age, which further reinforces the inequalities experienced by women in society.

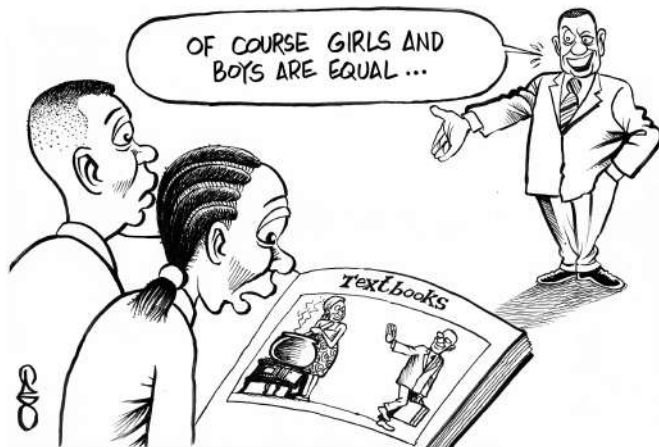


Figure 1 Cartoon showing gender inequalities through socialised roles by Zapiro <https://www.zapiro.com>

Gender Theory

The theory of gender is the study of the concepts of femininity and masculinity in different contexts and fields of study (Jule, 2014). The language employed in academic discourse to discuss men and women as study topics has altered during the past 20 year. As a term to define the distinctions and similarities between men and women, "gender" has taken the role of "sex," reflecting new ideas about the social and cultural creation of physical and psychological traits. (Connell, 1987). Some academics contend that rather than referring to the whole state of being male or female, the term "gender" should instead be used to describe the social and cultural constructs of masculinities and femininities.

Sam Killermann asserts that there are various subcategories of gender, including biological sex, gender expression, gender identity, and sexual orientation. These classifications provide an additional means of dissecting gender into its various social, biological, and cultural contexts. (Killerman, 2017). These structures demonstrate how gender may be fluid and how its meaning can change based on the many constraints placed upon it.

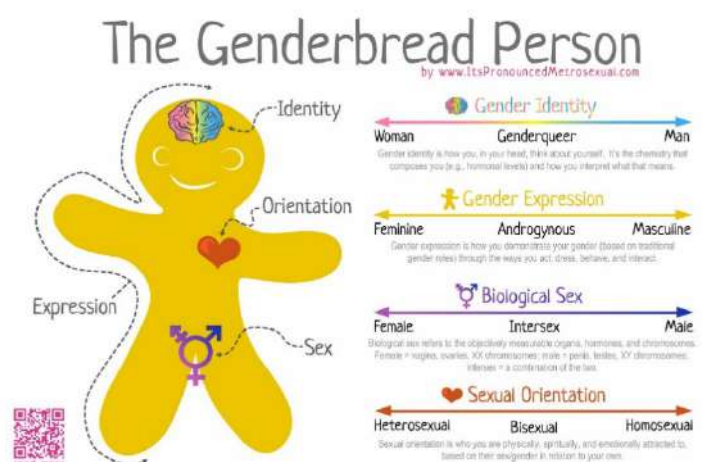


Figure 2 The "ginger bread person" as explained by Killerman (Killerman, 2017)

A gender stereotype is a generalized opinion or preconception regarding the traits, qualities, or functions that should or do belong to, or be performed by, women and men. When a gender stereotype restricts how both men and women can grow personally, pursue their careers, and make decisions in their lives, it is damaging. The UN claims that this also violates a woman's fundamental human rights.

Gender roles are social constructions or labels that are applied to individuals based on behaviour, societal, and cultural norms and expectations. They are influenced by early experiences and evolve over time. They are non-physiological characteristics that society assigns to men and women.

The conceptualization of gender roles have become a popular topic of interest among scholars and are important to study because they influence a range of life experiences. They influence self-concept, mental health, sexual health and behaviours and other health related decisions. The way society dictates these stereotypes also impacts identity development and influences the way people interact with the environment. (Denise Lawrence-Zuniga, 2003) This is crucial to take note of in the built environment as it suggests that gender also influences how one perceives or experiences space.

The majority of academics emphasize the alleged physical, anatomical, or developmental distinctions between men and women. The anthropological study of gender focuses on how behaviour patterns and symbolic representations separate the sexes and examines how these sexual inequalities are associated with power, authority, and worth. Although these factors are significant, what is underrepresented is the cultural interpretation of gender and how culture influences gender construction.

Additionally, some academics have argued that gender is a western construct imposed on African reality and that gender has little bearing on comprehending African reality. (Salo & Mama, 2001). This can be said to be true as gender is difficult to study without acknowledging the other spheres of research that affect it.

2.3 African Feminism

African Feminism is like all feminisms is rooted in the aim of challenging male dominance, but it more specifically resists oppression based on ethnicity, class, tradition, globalisation and other specifics to Africa. The context of this research is based in South Africa, and therefore it will be relevant to adopt a contextualised approach of Feminism.

Working with a gender lens, which is internationally recognized as a multidisciplinary field, can shed fresh, multifaceted light on information since gender research and scholarship are frequently entwined with concepts of class, race, and history. As a result of the widespread realization, questions of masculinity, femininity/womanhood, and sexuality are being raised as pertinent even in the context of Africa.

2.3.1 Historical Background and Definition

African feminism started off in the early twentieth century with women who made significant contributions widely to both pan-African and feminist goals, and includes South African women such as Charlotte Maxeke; who in 1918 founded the Bantu Women's League in South Africa. The freedom fighters Lilian Ngoyi and Albertina Sisulu, among many others, who struggled against colonialism and patriarchy in Africa, are examples of African feminist icons from this era. African feminism as a movement stems from the liberation movements, where women fighters fought state autonomy and women's rights alongside their male counterparts. (Salami, 2013).

African Feminism paints a different story to what society usually describes women as being. It seeks to rebel from some of the ideas that the western society has projected, especially that of African Women pre-colonialism. History provides that many pre-colonial African women held leadership roles in their various tribes and also exhibited physical strength; however, more importantly, intelligence and the ability to strategize was a vital skill necessary for pre-colonial-governance. Other than participation in the military, traditional African women also participated in the economic development of their communities.

African Feminism opposed the idea that feminism is un-African. The traditional ideas of women's responsibilities among Africans often combine nature and culture, compared to the western ideology of gender roles, that limits it to household and work related roles. Although Western observers typically equate men's roles with "culture" and human complexity in political and economic roles (the public realm), and women's roles with "nature" and the domestic sphere of family, reproduction, household, and marriage (the private realm) (Ortner, 1974), this binary does not hold true in Africa. Most African women combine roles as mothers and as economic contributors. Most African women combine their responsibilities as mothers and workers. The contemporary African feminists are mothers, active members of their communities, and public figures in equal measure (Mikell, 2007). African women have traditionally aspired to fill positions of responsibility in both politics and the economy. African feminism thus relies on a long history of women's participation in a wide range of social roles in African civilizations.

The framework of African feminism holds that discrimination based on gender and race are two sides of the same issue. Black women's liberation and freedom from oppression would guarantee equality for all people, (Anon., 2018). Through the lens of intersectionality, it is evident that the issue of oppression cannot be seen through one lens, therefore a framework that promotes different social stratification is necessary.

2.3.2 Perceptions and Limitations

Many scholars have argued that western categories of gender and understandings of subordination and patriarchy are irrelevant to African realities (Coetzee, 2017). Western feminism only focus on gender, whereas African context recognises political, economic, cultural, social forms and mechanisms of oppression which are contextually relevant to African societies by virtue of their history, such as racism, neo-colonialism, capitalism, dictatorial and corrupt systems.

Feminism is perceived as a Western theory, and has been criticized as “un-African” (Ogunyankin, 2014). For African women, the topic of African feminism is extremely important, not only in terms of their identities but also in terms of the issues that concern them and their participation in the feminist movement (Chiweshe, 2018). African feminism as a theory does not solely deal with the ‘male-female’- inequality debate, because that would exclude other politics that affect African women’s lives. The goal of African feminist ideology is to “undo” the roles and circumstances that made Africans dependent on their colonizers, to “unwrite” the weight of a centuries-long history of imperialism, and to provide a new language with which African women and men can move past the racialized trauma that still affects women and men today, albeit in different ways (Coetzee, 2017)

2.3.3 African Feminism as a design approach

The eradication of the yokes of foreign dominance and European/American exploitation is a common battle for African women and African men, according to African feminists. It is not hostile to African males, but it does challenge them to recognize some important characteristics of women's repression that are distinct from the widespread oppression of all Africans (Fancher, Kirsch, & Williams, 2020). It admits that certain inequalities and restrictions that existed in traditional societies were both maintained by colonialism and imposed upon them. It recognizes its connections to global feminism while defining a particular African feminism with needs and objectives that are based on the actualities of women's lives in African nations. Instead of merely importing Western women's agendas, it looks at African countries for institutions that are valuable to women and rejects those that work to their disadvantage (Salami, 2013). Thus, it respects African woman's status and it understands the interconnectedness of race, class, and sex oppression.

It is important to contextualise this framework in Architecture in order to conceptualise how it can be applied in the context of South Africa. African Feminism presents a nuanced and intersectional approach to advocating for women's issues in Africa. The trajectory of women's liberation in South Africa had been met with opposing forces instituted by patriarchy. The liberation struggle in South Africa omitted the stories and experiences of black women. African Feminism acts as a decolonising force in breaking down the stereotype of feminism being an anti-male agenda. It also sets in motion the upliftment of African women's voices in the socio political realm of South Africa. Referencing this movement enables the transformation of existing gender inequalities and stereotypes.

2.4 Intersectionality

2.4.1 Historical Background and Definition

Intersectionality is a concept that was popularized by Kimberle Crenshaw, who is a law professor in America. Intersectionality is a branch of feminism which studies how many forms of political and social oppression intersect with gender. It examines the how relationships between race, gender, ethnicity, disability, class, nationality and sexuality interact together to produce power and social hierarchies. Intersectionality has highlighted that the impact of race and gender varies by social class. There are intersections between experiences of patriarchy

This concept can be applied to many fields and it quite beneficial to understanding how women experience oppression in different layers.

The idea of intersectionality aimed to shed light on factors that feminist movements and theory sometimes ignored (Hooks, 2000). First-wave feminism, which was primarily focused on achieving political equality between men and women, largely ignored racial inequality as an issue (Crenshaw, 2015).

The term highlights the multidimensionality of marginalized individuals' experiences.

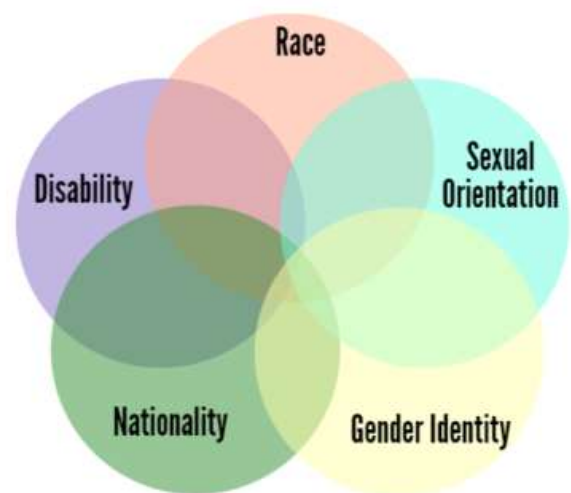


Figure 3 Intersectionality Venn diagram
<https://www.onewomanproject.org/concept-pieces/concept-intersectionality>

2.4.2 Critiques and shortcomings

Some scholars suggest that intersectionality refers to a concept that can be used to comprehend the divisions and hierarchies of social life rather than a specific academic framework (Meer & Muller, 2017). Other debates contend that intersectionality has become a buzzword, with “dubious implications for feminist scholarship and activism”. These debates are polarising and conflicting, but simultaneously, offer a variety that is needed to dissect the issues that are often overlooked, and achieve the intention of raising diverse arguments in scholarship that have been previously repressed.

2.4.3 Intersectionality and the Built Environment

Numerous studies on intersectionality show how race is frequently at the heart of inequality (Bachman & Bachman, 2017). However, in the built environment, poverty and socioeconomic status more effectively explain how class classification promotes discrimination and rising disparities in affluence and health.

Invisibilities in the built environment are brought to light by intersectionality, which goes beyond politics of recognition to encompass a framework of community responsibility and action in support of inclusive, egalitarian, and socially just practices. It can be used at every level of the design process as a method as well as an overall methodology. It also describes how power relations and norms are developed (Baldwin, 2021)

The socio economic status of people has been recognized in the ability of people being able to access the city, and the built environment perpetuates this inequality. This creates disproportionate experiences of the built environment. Low economic growth, restricted access to healthcare facilities, and low levels of educational attainment are frequently determined by factors like race, ethnicity, work locations, population density, and distances. These invisibilities are also associated with community problems that isolates members of society, as these factors are what motivate neighbourhood stratification.

The built environment's accessibility is influenced by a wide range of variables. The ability of a person to engage in a certain activity or series of activities in any given location is referred to as accessibility. According to (Ben-Moshe & Magana, 2014) disability is also fluid and contextual rather than just biological and they argued that one is always disabled in relation to the context in which one is put. Accessibility to the built environment would require that all buildings be designed to be safe, healthy, convenient for all members of society (Kerbler 2012), yet this is not evident for all. The built environment has played a role to create inaccessible places, according to certain social stratification such as race and class, and this form of exclusion is often termed institutional discrimination.

Intersectionality includes feminist practices, which emphasize interconnectedness by incorporating values of inclusivity, social justice, and equity and public interest. Intersectional design, similarly, inserts a critical lens into contemporary architectural thinking, practice, and pedagogy. It fosters a praxis that uses cross-disciplinary knowledge to effect change since it places more emphasis on inclusive process and action than product. The underappreciated effects of the built environment on people's experiences across the whole range of their lived experiences may be highlighted via an intersectional approach. (Abraham, 2020)

2.5 Place Making

The built environment has a very strong influence on people's lives. As highlighted in the introduction, the urban condition of South African cities can be described as placeless because of the lack of radical spatial transformation since the apartheid regime. It has also been noted that there is a lack of feminine consideration when it comes to public buildings and civic spaces. In order to design for inclusivity as a way of redressing some of the existing spatial conflicts and by introducing women sensitive spaces, the theory of Place making needs to be discussed.

The notion of place can be described as the space that has a distinct identity or character, one that possesses

2.5.1 Historical Background and Definition

The concept of place making originated in the 1960's when urban planners like Jane Jacobs and William H. Whyte introduced radical notions about designing cities that catered to people, not just to cars and shopping centres. Jacobs argued that modernist urban planning rejects the city because it rejects people who live in a place where there is apparent chaos and layered complexity. According to Jane Jacobs, modernist city planners found planning guidelines for cities using logical reasoning. Urban renewal was one of these strategies that was the most violent, and the separation of uses, created isolated, artificial urban environments, that obliterate communities and inventive economies.

Urban planners have deduced that place making motivates people to collaboratively reimagine and reinvent public spaces. It fosters attention to the physical, cultural, and social identities that define a place. Public spaces require distinctive physical form that allows us to recognize them as a unique place. This would be a sense of enclosure, where the buildings and landscape open up to create a space, and then, in order to keep the eye and create a distinct place, wrap around and contain space (Cullen 1961, p. 29)

This theory is relevant to the context of South Africa, as it can be argued that many of its cities such as as Durban, urgently need the principles of place making especially in Public space. The Apartheid regime restricted users of certain races from accessing the city, therefore creating a disconnection between people and the city. Apartheid may have ended but there is a lack of vigorous spatial transformation to mitigate this disconnection.

Place making counters the placelessness created by contemporary planning approaches by using elements in the context to give a sense of place and meaning. By implementing design motifs that complement and draw from local elements, it increases the importance of the local identity and characteristics of a certain place or context, which simultaneously protects and preserves local culture.

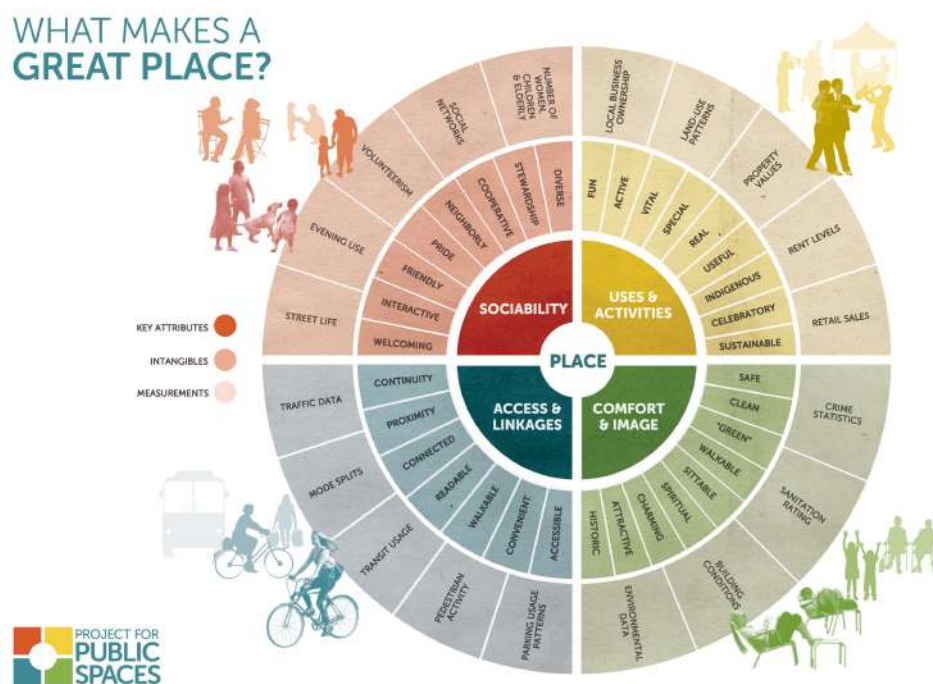


Figure 4 Elements to be considered in placemaking <https://www.pps.org/article/grplacefeat>

2.5.2 Place Making and Gender Inequality

Traditional frameworks for urban design have been much criticised for the focus on a limited perspective in their approaches. They are often criticised for lacking a proper understanding of the socio-political context, in favour of a primarily physical output. As place making advocates for the inclusion of people's perspectives into the design of communities, it is important to look at how this is implemented. It is common practice for marginalized members of society to be excluded from this dialogue, as many

planning scholars have discussed. The built environment has been a key driver of exclusion and oppression in many societies, and the statement of inclusionary frameworks doesn't automatically undo existing injustices, as the ways people experience place and public spaces differs, as defined by the Intersectionality theory. The underlying issue with placemaking as it is currently promoted, according to academics, is that it does not challenge the theories that underlie discriminatory laws. (Koh, 2017). Place making recognizes the need for places to be people centred, but this notion is not possible if people are looked at as a generalization, without addressing the inequalities of racism, classism and gender inequalities that exist in society. As a result, it is noted that such theories need to be reconciled with the reality that they can replicate inequalities and exclusionary practices.

2.6 Rights to the City

2.6.1 Historical Background and Definition

South African cities are still indicative of apartheid's exclusionary principles, not just through racial politics, but through spatial experience as well. The reality that society faces is that of an illusion of inclusion through the rainbow nation narrative, that only a privileged minority experience.

Henri Lefebvre, a radical French Marxist sociologist and philosopher, first proposed this idea in 1968. It concerns everyone living in a city's right to participate in shaping it, regardless of citizenship, ethnicity, aptitude, gender, and other factors. (Lamarca, 2009). Henri Lefebvre developed this concept in part out of his concern for everyday life and housing in the late 1960s.

It is about the rights of the excluded and marginalized to participate in the creation of the city and have their wants and ambitions realized through the process, as opposed to only those of capital, as is the case with the majority of urban development. The deep roots of capitalism and the existing power structures that underpin social, political, and economic connections as well as urban development and the production of urban space are thus fundamentally questioned by the right to the city.

It is a reflection on how the urbanisation process has influenced the built environment and how much power citizens have had over these changes. The city can be seen as a reflection of how society has evolved, and currently it is indicative of a society that not only have limited access but also not much power in the decision making processes of the spaces they use.

2.7 **Conclusion**

Chapter two has discussed the theoretical framework that describes the phenomena of gender and the built environment. The discussion commences by introducing the critical theory of feminism, tracing its inception and manifestation through history and scholarship. The research seeks to use African Feminism as a design driver, for the purposes of achieving an inclusive and contextualized approach. The standpoint of African feminism, as a branch of the feminist paradigm, is to include the often neglected focus areas that

The movement of Feminism has played a crucial role in women's social, political and economic emancipation. Through this movement, a lot of progress has been made in identifying issues that have been under-looked throughout history. It is evident that gender plays an immense role in how humans interact, and how they perceive their environments. It is also evident that further means need to be made to destabilize existing gender stereotypes. Furthermore, it can be concluded that issues of gender cannot be looked at in isolation, as they affect other social stratification such as identity, race, ethnicity and disability. This is important to note because in order to develop a framework to design inclusive spaces, all the issues that affect how minority groups that have been affected by gendered dichotomies and experience of space need to be revealed.

It is important to understand that feminism is not to be mistaken as a movement that focuses on women by negating men. This research uses feminism as an emancipatory framework to shed light on the injustices that all people face at the hands of inherited patriarchal systems and many forms of oppression.

Feminist theorists have developed social theories that are more inclusive and innovative than those that presuppose that the social actor is always a male by refocusing social theory away from the viewpoints and experiences of solely men. Feminist theory frequently takes into account how systems of power and oppression interact, which means it does not just concentrate on how it might intersect with systemic racism, a hierarchical class system, sexuality, or nationality, among other things. This is part of what makes feminist theory creative and inclusive.

The Afrocentric criticism of feminism has helped by offering alternatives to westernized notions in terms of theory and practice. Theoretically, comprehending the lived realities and politics of urban space from the perspective of women offers a more complex and comprehensive knowledge of space, according to an African feminist theoretical framework. It advocates for a transformation in the city and reclaiming it as an inclusive space. Using this theoretical framework supports this research's intent to contextualize the theory

of Feminism in an African context which recognises other identities and issues which are most relevant in Africa.

CHAPTER 3: LITERATURE REVIEW

3.1 Introduction

The theoretical framework has introduced and described the lens in which this study is using to analyse and explore the design parameters of an inclusive court building. This chapter will engage and contextualise the theories in the narrative of South Africa, and will evaluate the use of these theories in developing a critical and meaningful architectural response.

The ideology of gender also is crucial in analysing in the manifestation of space. The research questions that were posed highlighted that there is a gap in the literature pertaining to the consideration of gender inequalities in the design of public buildings. Furthermore, the typology of court buildings has historically been designed to appear intimidating. This chapter will evaluate how the theoretical underpinning of African Feminism can deconstruct the notions of oppression that exist in public space, and how this approach can contribute to an inclusionary practice.

3.2 Gendered Spaces Engendering Spatial Politics

3.2.1 African Feminist Perspectives on Public Space

Several feminist scholars have asserted that the built environment has enabled patriarchal norms, because cities were not designed with women in mind. The reference to public spaces has always been given masculine qualities, and throughout history, urban infrastructure reinforced and maintained gender roles (Thakor, 2015). These features are seen through rigid and totalitarian structures that were favoured by modernists. Because women are excluded from local governance and decision-making processes, neoliberal urban planning initiatives misrepresent the realities of women and worsen their socioeconomic conditions.

African cities have rarely seen the application of contemporary feminist techniques to analysing women's gendered experiences and daily reality in the city. (Ogunyankin, 2014). Discussing an inclusive public space would be incomplete without acknowledging the power dynamics at play when it comes to society and the realities of women.

Urban Infrastructure and Transportation

The advancement of technology in the period of urbanisation and modernisation has led to many beneficial aspects in the built environment, especially in the realm of transport infrastructure. Infrastructure such as railways, motorways and arterial roads have increased regional accessibility for motorised transport but simultaneously as research has shown, have created barriers in local street networks. The insertion of

footbridges into highly configured transportation networks that privilege the efficient flow of motor-vehicle traffic, but disadvantage the minority, especially women. (Soliz & López, 2022) These barriers have formed barriers particularly for pedestrians, which has decreased their mobility and accessibility (van Eldijk, Gil, & Marcus, 2022). It is with this concern that “a people centred urban design” has increased in urban planning and research, yet the consideration of gender inequality in these approaches is still limited. The focus is placed on accessibility as physical barrier, yet there is a gap in addressing the layers of accessibility to gender related issues.

The way people move around is one of many facets of life that are impacted by gender inequality. In Africa, women account for more than half of all road users, and the majority of them are pedestrians who take public transportation. (Gonzalez & Munoz-Raskin, 2021). Women frequently travel great distances on foot while carrying children and large baggage; urban planners' neglect of these elements, which may seem banal to them, prevents women from reaching services on time or even safely. These “gender blind” conditions adversely impact their ability to access opportunities, health, education, and other essential services with dignity. The prioritization of vehicles bares many other concerns for minorities, as little consideration is given to specific mobility patterns of women and men, and these are often derived from traditional gender roles.



Figure 5 Woman carrying groceries on her head as well as on her arm, balancing both as she walks through the city
<https://www.thesouthafrican.com/news/business-news-and-finance/south-african-street-vendors-urban-transformation/>

“A number of reports have noted that women have more complex travel patterns, and take on a much greater proportion of travel in service of the household. Overall, women take on 80% of the total time cost of transportation. Rural transportation surveys in Ghana, Tanzania, and Zambia have shown that women carry about four times the volume and spend three times as much time on transport activities. A study of women transporting fuel on foot in Ethiopia reported that the average woman carried 36.2 kilograms (or just under 80 pounds), and that 17% of women carried loads heavier than their own body weight” (Gonzalez & Munoz-Raskin, 2021)

Feminist geographers and planners have called for reconsiderations to public transportation systems, to eradicate the stringent barriers that women experience, and for the design of the built environment to reduce women's fear and vulnerability in public spaces (Matrix, 1984), but the challenges of underprivileged women in African societies go beyond the limitations that these scholars have provided. In South Africa, the predominant mode of transportation for the marginalized is the taxi industry, which is characterized by a “misogynistic culture and high risk of exposure to violence” (Eagle & Kwele, 2019). Women are more susceptible to experience sexual assault, harassment, and indecent exposure on these public transport systems and in public space (Carter, 2004).

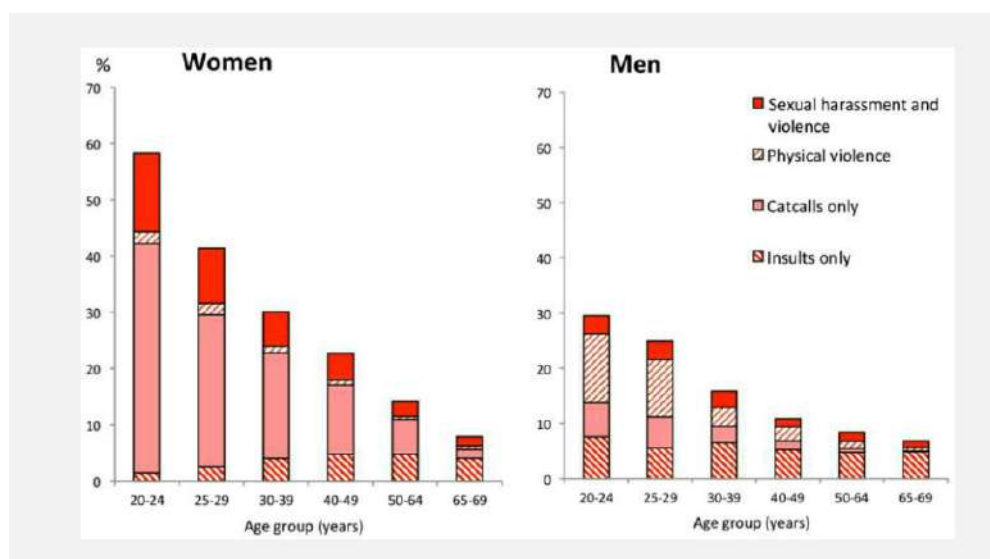


Figure 6 Percentage of persons reporting violence by sex, age and type of violence https://www.cairn-int.info/article-E_POPSOC_550_0001--young-women-in-large-cities-are-the.htm

The exposure to interrelational violence in public space is frequent and has severe psychological repercussions. According to a study of violence and reconciliation conducted in Johannesburg, “25% of rapes which have occurred in the city were perpetrated in public spaces”. Violence against women in public spaces, in particular, continues to be a neglected issue as gender-based violence increases in cities all

over the world. (UN Women Safe Cities Program). Most women have experienced sexist and sexual harassment in public transport at least once.



Figure 7 Women protesting harassment in public space <https://www.npr.org/sections/thetwo-way/2018/02/21/587671849/a-new-survey-finds-eighty-percent-of-women-have-experienced-sexual-harassment>

The fear of assault has caused female commuters to feel unsafe, and, ultimately, could keep them away from school, healthcare, or employment opportunities in the city. These issues are often silenced and over looked.

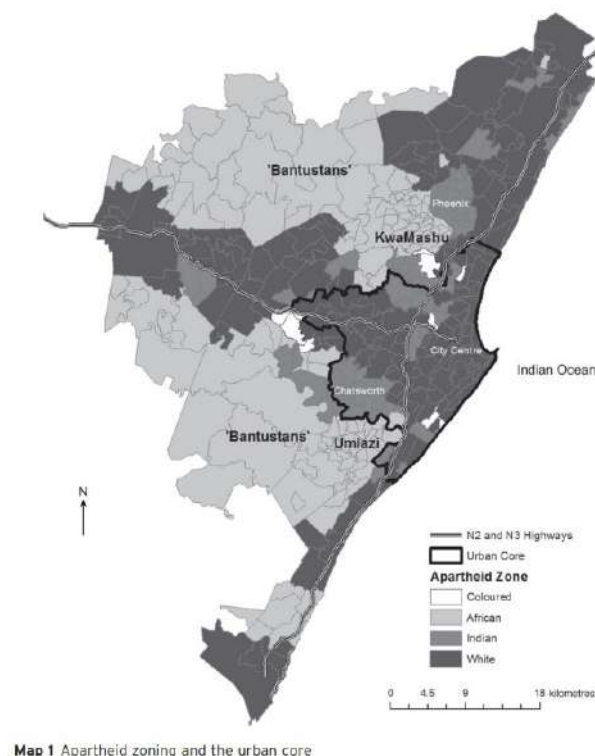
According to statistics, women walk more often and take public transportation more often than males, who drive more. In large cities, between 60 and 70% of public space is dedicated to the car. By rebalancing these proportions, the sharing and use of public space becomes more equitable and better for the use of all. The improvement of transportation may promote economic growth in cities, but at what cost if it does not assess the impact of the current experiences of women. A gender-sensitive approach to improving urban infrastructure requires an intentional assessment of women's mobility needs and the issues women face to allow women of all classes and ethnicities to use urban space more freely and equally with men than they already are (Bondi, Gender, Class, and Urban Space: Public and Private Space in Contemporary Urban Landscapes, 1998) A gender sensitive approach to urban planning needs to revoke the notion of a woman's place being in the home (Hayden, 2003), the woman's place should equally be in the city.

In the past, apartheid-inspired ideologies were used to plan South African cities. Cities were planned around decentralized neighbourhoods and contained segregation-promoting infrastructure to keep different races

and socioeconomic groups apart. The divisive urban planning was designed to constrain the marginalised from accessing the city, but what is not accounted for in research is the spatial inequality that women experience due to this planning and for the gender inequalities that it produced

Accessibility, Circulation, Movement

Along with class, sexuality, and other power interactions, gender relations also have an impact on how cities are shaped. Men and women are restricted from participating in and accessing urban life in different ways as a result of these socially constructed interactions (Moser & Peake, 1996). In its depiction of societal order, hierarchical progression, opposites, and stereotyped gender roles, a patriarchal framing of architectural spaces unquestionably favours masculinist authority (Rashid, 2017). In South Africa, the restriction in ability to access services sprouted from apartheid pass laws. (SAHO, 2015). During Apartheid, women were limited to accessing the city, as they only provided service related work in the suburban areas (Healy-Clancy, 2017). This is an indication of how urban planning only accommodated for men who were working in the city. Historically, women have been limited to partake in the city, and have been limited by the virtue of being caregivers.



Map 1 Apartheid zoning and the urban core

Figure 8 Apartheid Spatial Mapping (Schensul & Heller, 2010)

African women in public space are characterized by carrying children on their backs, or walking with toddlers and the city does not accommodate for impoverished women with children. For instance, adding more

benches around cities would be a gender-sensitive addition that would allow women carrying groceries to and from the market, mothers carrying children, or even children walking to relax and rest. For individuals who are still breastfeeding, this is also crucial.



Figure 9 Informal trader with her child in the city <https://aet.org.za/projects/childcare/>

The urban planning approach of apartheid also created zones in which the privileged have access to, where schools and essential services are well within reach, but not easily accessible to the underprivileged (Schensul & Heller, 2010). Majority of women who travel from the low income areas to the city, travel with their children, and with most schools being located in the privileged areas, which underprivileged women do not have access to, this creates a socio-spatial inequality. Impoverished women are hereby excluded because of segregated planning, or barred from these areas as the existing built environment conditions which are an inheritance of apartheid architecture continues to support this.



Figure 10 Child sleeping under an informal trader's table <https://aet.org.za/projects/childcare/>

The movement patterns of the underprivileged women are rarely addressed in redressing spatial inequality.

A woman in a position of privilege may make two excursions to and from work on average per day, but for a woman who isn't in a position of economic privilege, going between an informal job, such as one at a market, child care (if it exists), and home may involve numerous smaller trips. This presents a vulnerability and insecurity for women, which is often under looked as a barrier. Women of higher socio economic status are catered for when it comes to childcare, but not women of lower socio economic class. To ensure that all parents have access, there needs to be an increase in the number of accessible and reasonably priced childcare facilities throughout cities.

Urban Fear

The built environment perpetuates systems that causes women to feel unsafe. The overrepresentation of men in public spaces worsens this feeling of uneasiness among women. Men are able to stay and linger in space, while women rush and walk through it. Violence is perpetuated in these spaces. Because existing community channels for dispute resolution uphold gender norms that condone violence and make women fear being ostracized if they speak out, these issues rarely surface through conventional methods. Women do not use public spaces in the same way as men do, and they do not face the same challenges in public as males do. An equal use of the city needs to be established by women and men.

Safety

The gendered reproduction of space has tangible and pervasive effects on the access to, activity in, and safety of public space. Creating public areas with characteristics that improve women's safety and feelings of safety is a key component of planning and building safe public places for women and girls.



Figure 11 Safe public spaces for all: Citizens turned degraded area into a safer appealing area https://www.huffpost.com/entry/safer-cities-for-all_b_10718774

Public Space

A women's physique and practical knowledge in the spatial arrangement fabricates a potential environment for inferiority and exploitation due to its underrepresentation. Arguably, as a result of this spatial segregation of women in the architectural appropriation of space supports the patriarchal power in the procedure of constructing human actions and motions as well as gendered relations.

In terms of gender equality, public space is not a neutral location. Many sociological studies that have been released recently demonstrate that most cities have been created by and for males. A factor that is often undermined or considered mundane by urban planners is the provision of public toilets. Biologically, women require well equipped toilets, but are not catered for, whereas they require much more space. A woman spends on average three times as much time in a toilet as a man, and these toilets also require three times as much space as simple urinals. Women could reclaim the city and walk around more freely if there were more restrooms in public areas.

The physical form of the built environment supports the idea that public space is menacing and intimidating. Physically and experientially, there is a clear separation between private and public area. The visual demeanour of public space is “imbued with a heterosexual, masculine presence” (Bondi, *Gender and the Reality of Cities: embodied identities, social relations and performativities*, 2005). This image, makes reference to a hostility towards women that is linked with fear- and violence. Such representations are seen in overbearing walls that undermine a sense of community, and create an isolated public space, where there is vulnerability.



Figure 12 Pedestrianized streets in Barcelona (by Author)

3.2.2 Deconstructing Gender Connotations in Architecture

Architecture (Macro Scale)

Many scholars have argued that the “man-made” world and the failure of modernism is attributed to the exclusion of women in the field, and that architecture is not just masculine due to the lack of women in practice, but mainly because of the buildings portraying sexist traits (Agrest, 1996). Emphasis had been placed greatly on the aesthetics of form, with the increase in popularity of high rise building with the advancement of technology (Jencks, 1997). Architecture needs to be more analytical of how patriarchy, capitalism, hetero-sexism often operate in the production of architecture. Women and in particular ethnic

minorities continue to be under-represented. Some argue radical practice should not only involve concentrating on problems in a practical way but also critiques architecture as a form of representation. Historically, architecture has mostly focused on the visual aspects of buildings, without considering the other senses (Spence, 2020). Great emphasis has been placed on how buildings look, and not how they feel, sound, and have not been designed to consider all the other senses.



Figure 13 "The day that modernism died" demolition of a Social Housing Complex in America called Pruitt Igoe
<https://www.archdaily.com/873843/13-tragically-demolished-buildings-that-depict-our-ever-changing-attitudes-toward-architecture>

Pruitt-Igoe, a 33-building social housing complex, was first occupied in 1954 and was built to house many low-income families in a wholesome setting. The 11-story buildings had amenities including elevators that only stopped every third floor that were meant to encourage neighbourhood engagement. It quickly became associated with social decay, racial unrest, and criminality once it was settled. Though many blame its architecture for its flaws, others point to more significant systemic problems, providing a flashpoint for a discussion that has dominated architecture for decades. The demolition of these structures in 1972, which historian Charles Jencks infamously dubbed "the day modern architecture died," signalled a change in the way society views social housing and architecture.

It has been argued that humans are visual beings, but it has also been debated that buildings have more than just a visual effect on people. The experience of buildings also impacts our perceptual memory,

meaning that the initial experiences of the environments we engage in having a lasting effect on our memories, which creates long term bonds with specific places (Ng, 2020). This influences whether we have positive or negative experiences with such places. Excluding this would result in a one dimensional experience of buildings, when buildings are experienced through more than one dimension.

Gender sensitive design advocates for inclusion of people's needs into the design process. Making buildings more appealing to the senses makes the experience of buildings more inclusive. Women are said to be more sensitive emotionally as a gender stereotype. An architectural response would accommodate for this by considering how emotions are triggered in the physical experience of buildings, through the inclusion of all senses. Tactility starts to also introduce the principles of universal design that accommodates for people who have heightened senses or a lack of certain senses, for people who are not able to see, hear or touch spaces compared to others. Sensitivity is not limited to emotions, it is also about being cognizant of people's senses and experiences.

The Female Principles		The Male Principles	
more user oriented	than	designer oriented	
more ergonomic	than	large scale/monumental	
more functional	than	formal	
more flexible	than	fixed	
more organically ordered	than	abstractly systematized	
more holistic/complex	than	specialized/one-dimensional	
more social	than	profit-oriented	
more slowly growing	than	quickly constructed.	

Figure 14 Male vs Female principles in design (Wyer 2014)

The same way it is critiqued that modernism highly masculine, but in African cities, the other issue is that architecture is highly European and westernized, not African.

Form Making and Symbolism

In the modern world, buildings and city layouts have almost exclusively been decided by males, and the resultant abstract and foreign order of grids and columns confines us to a manner of life based on repression and, in some cases, oppression (Betsky, 1995) The built environment has used the physical figure of the

woman as a design motif. The biological, cultural, and psychological components of gender are interwoven and externally articulated in architectural form to define representational space.

“Tall skyscrapers are phallic symbols, which have been made by male, to assert their supremacy over female. On the other hand, parks, gardens, and shopping malls are feminine forms, where even men find peace and solace” (Betsky, 1995, p. 54)

Scholars in feminist architecture have discussed how representations in the history of architecture are gendered. Classical architecture introduced styles that represent this, such as the Ionic and Doric columns, where the structure is considered either masculine or feminine. The discussion of this representation has progressed from such symbolism, and the modernist period introduced breaks from the structural norms of classic buildings and deforms or moves away from elementary architectural principles. This period had been critiqued by feminist designers as maintaining forms of masculinity that erodes the inclusion of people at the centre of design.

Progressing from classical and modern architecture, the deconstructivist period introduced buildings that appear alien to their surroundings, as a rejection of the earlier architectural periods. This period is noted as the notable introduction of Feminist thought in architecture, where these buildings influenced literary criticism by rethinking the terms of designs that have been repeated historically.



Figure 15 An example of deconstructivist architecture by Zaha Hadid <https://www.dezeen.com/2013/11/14/zaha-hadid-heydar-aliyev-centre-baku/>

Masculinity vs Femininity

Architecture and the spatial dimension of space has an effect on our emotions and our psyche, and this is often under looked. People's attitudes can be affected by the effect of various architectural forms on

emotional experience, such as sharp angles or curved shapes (Bar and Neta, 2006) and the way a place is designed can have an impact on how people feel about themselves.



Figure 16 Guggenheim Museum, an example of modern architecture with concentric layout and organic building form
<https://www.dezeen.com/2017/06/09/solomon-r-guggenheim-museum-frank-lloyd-wright-new-york-city/>

According to Le Corbusier's understanding of the built environment, horizontal and curved lines represented the feminine identity and the irrational and primal whereas straight, vertical lines represented the contemporary and the masculine. Curves derive their inspiration from the beauty and efficiency of nature. While the majority of architecture is rectilinear, with just straight lines and squared angles, curves are frequently used to lessen the impact of buildings. Some designers have concluded that buildings, that are more curvilinear appear more psychologically comfortable as the natural instincts link them back to nature, whilst others contend that rectilinear forms “lack spatial sense” in human terms (Alexander, 1977).

A study was conducted on participants to ascertain the difference in emotional reactions to curved and linear spatial arrangements. It showed that “curvature geometries had the most positive pleasure effect in participants, linear geometries had the most negative impact on pleasure in participants” (Banei, Ahmadi, Gramann, & Hatami, 2020). It also concluded that the use of curvilinear forms is sympathetic to the body, mind and spirit, as participants described the curvilinear spaces to be pleasant, elevating and reducing stress (Natapov, Kuliga, Dalton, & Holscher, 2019). Central variables that affect how simple or difficult it is to identify paths within a building include the layout of the space and visual accessibility between sites

(Kuliga et al. 2019), and this study concluded that curvilinear paths can support visual contact with a central, focal point, “allows the maintenance of directional references”. Wayfinding can become difficult without assistance after taking multiple turns.

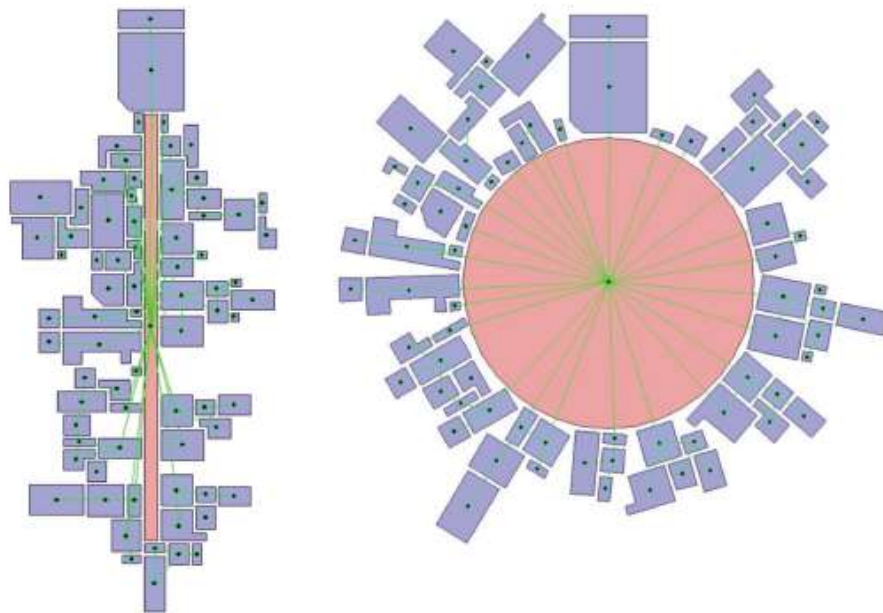


Figure 17 Linear vs Circular circulation (Natapov, Kuliga, Dalton, & Holscher, 2019)

Symbolism and Meaning

Architecture is a form of communication, and as many scholars have maintained, the built environment has made use of forms that are not sensitive to people, and these have influenced how people use space. Using the language of semiotics, it is important to understand how different forms and spaces have attached meanings to them. As it has been discussed, that negative experiences have been derived from masculine spaces, and the meanings and symbolisms attached to these need to be understood. Gender sensitive symbolism would also need to be discussed, as women’s perceptions have not been included or considered. The inclusion of women’s perceptions can contribute to reassurance by affecting people’s emotive ‘readings’ of security and safety. There has to be a rethink of how buildings can communicate gender inclusivity.

An example of Brutal architecture is the New Reich Chancellery by architect Albert Speer, from the reign of Hitler. Speer designed buildings that appeared heavy, angular, and imposing in an attempt to intimidate people and make them feel submissive. This fascist architecture was meant to be, and was perceived to be masculine-oriented. This type of ‘heartless’ architecture heartless architecture achieved the mandate of people feeling disconnected and shut off. The intended meaning of these buildings achieved what (Jencks, 1997) described as a percept, a concept and a representation.

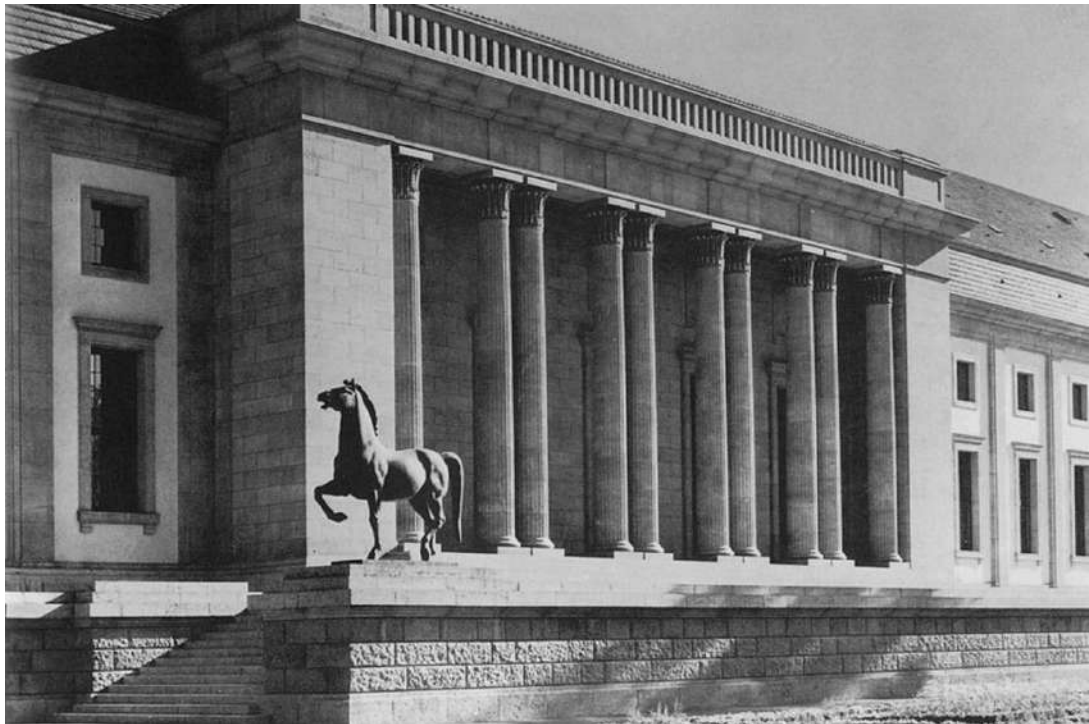


Figure 18 New Reich Chancellery building, designed to *intimidate the public into submission
<https://www.architecturalrecord.com/articles/6286-albert-speer-architecture-1932-1942>

Behaviour and Emotions



Figure 19 Illustration exploring how architecture can generate positive emotions
https://designbuild.nridigital.com/design_build_review_aug21/social_value_riba_toolkit

Across fields, including architecture and urban design, it has been shown that buildings have an impact on human psychology and behavior. A building's design can elicit particular feelings. Places that are

transparent, inclusive, and open foster good feelings.



Figure 20 Designing Happiness into Places and Spaces <https://www.chetwoods.com/journal/designing-happiness-into-places-and-spaces/>

Perception in Architecture

3.2.3 The Dichotomies of Gendered Space

The polarity and binary of gender has been clearly demonstrated in architectural discourse and space, and the spatial differentiation between this binary has been generously discussed by feminist geographers, but mostly in western scholarship. The conversation of gendered spaces in the context of African societies is still limited. The theoretical underpinning of African Feminism raises the concern of African women voices being lost in the discourse of feminist theories, and it is therefore important to apply this lens in order to contextualise the understanding of gendered spaces in Africa.

Spatial differentiation between genders has always been part of the architectural realm. (Rashid, 2017). Its most powerful demonstration is seen in the domestic realm. Space in itself is not nearly as powerful as the politics of spatial usage. It is often suggest that women have less right than men to occupy outdoor urban spaces (Bondi, Gender, Class, and Urban Space: Public and Private Space in Contemporary Urban Landscapes, 1998)

The meanings of gender and of the distinction between public and private are deeply and inextricably intertwined (Bondi, Gender, Class, and Urban Space: Public and Private Space in Contemporary Urban Landscapes, 1998). Many scholars have argued how spaces have been exclusively identified with males

or females, operate part of a scheme used to confine and restrict women's behaviour. Many academics have used dichotomous spatial metaphors to compare and contrast the roles and traits of men and women. *"De Beauvoir's 'immanence' and 'transcendence,' Erikson's 'inner' and 'outer' space, Zaretsky's 'private' and 'public life'"* (Field, 1982, p. 928) - All of these point to a spatial polarity between the sexes, with males associated with the exterior and expansive and women with the inside and constrained (Field, 1982). Additionally, it claims that men are typically linked to a more prestigious "public" domain whereas women are typically associated with a "domestic" or "private" domain throughout cultures.

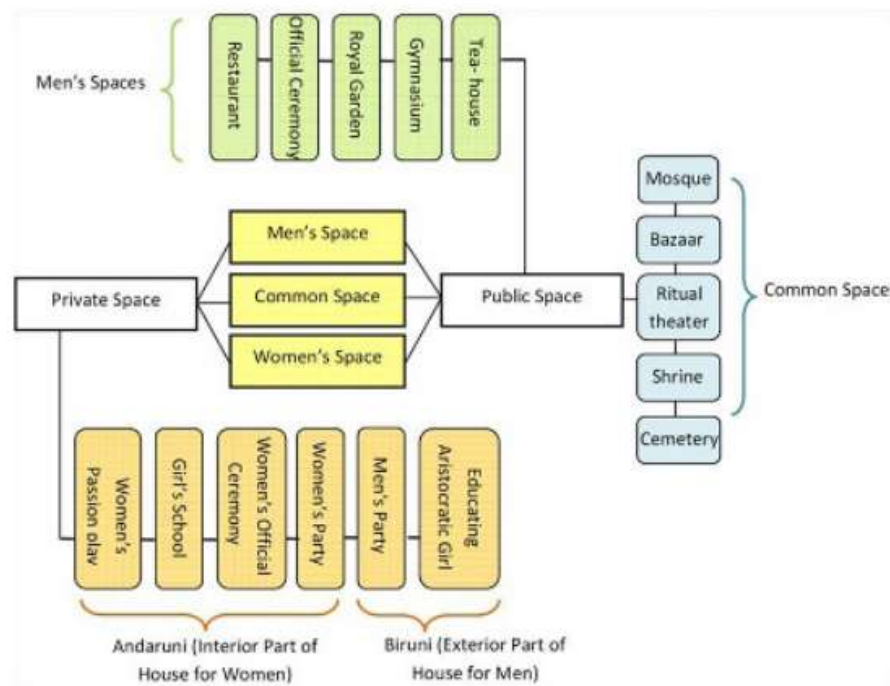


Figure 21 An example of dichotomies of space according to the gender binary in the Qajar period according to (Nazar, 2015)

Women's usage of space is constrained by the idea of different spheres for men and women, which has had a significant impact on urban design. This maintains the links between femininity, seclusion, and suburban space (Bondi, *Gender, Class, and Urban Space: Public and Private Space in Contemporary Urban Landscapes*, 1998) where space is designed to enclose and contain women.

The Notion of Suburbia

The formation of suburbs is generally understood to be a response to technological developments in transportation and communication (Kara, 2014). The suburban isolation model is a physicalist approach to planning that hides issues of class and race in shaping different women's experiences of urban forms. The

intention of the idea behind separating suburbs from the city was to strengthen the separation of the sexes in the city. For example, there were certain buildings in Rome that women were not allowed access to, and some where women had certain restrictions. This shows that there are close inter-relations between society and the mechanisms of architectural design, but also, that that social and gender restrictions can be achieved through architecture.

In South Africa, the notion of suburbia exists as a mechanism not only to separate men and women, but also class and race. The notion of dichotomous distinctions between public and private and between city and suburb is widely acknowledged that the ideal of separate spheres has had, and continues to have, enormously powerful effects. (Bondi, Gender, Class, and Urban Space: Public and Private Space in Contemporary Urban Landscapes, 1998)

Hostel architecture in South Africa exists by virtue of the intention to separate black men and women from accessing the city, during apartheid. It not only necessitated this through legislation, but physically through architecture. In Post-apartheid South Africa, these hostels still exist, and have become a site of violence and intimidation for women, who still live there.



Figure 22 <https://mg.co.za/article/2018-01-05-00-apartheids-grim-hostels-still-home-to-generations-of-women/>

The Home

“the sexual division of space into interior/female and exterior/male” is upheld by the notion that “interior design...(is) the ‘feminine’ side of architecture”, not to mention the ongoing presumption of “women’s supposedly innate understanding of things domestic” (Rashid, 2017, p. 15)

The interior of the house can be seen as a microcosm of symbolic relations, and an extension of social relations (Scardue, 1991). Women's primary affiliation with the domestic realm, a result of their reproductive functions, contrasts with the social and political relationships men establish in the public sphere and demonstrates their inferiority to men. The domestic sphere has often been a spatial articulation of women's roles rather than men's. These prevalent ideas of the public and private spheres are fabrications that are no longer applicable to women's and men's daily lives. In addition to moving between public and private realms on a regular basis, both men and women engage in a variety of activities and interactions in settings that are not clearly defined as "public" or "private." (Bondi, Gender, Class, and Urban Space: Public and Private Space in Contemporary Urban Landscapes, 1998).

Re-Evaluating The Gender Connotations Of The City

“Gender is an integral, ubiquitous and taken-for-granted aspect of urban life. It is an influential dimension of urban identities, an axis of urban inequalities, and it animates the everyday practices that characterise and constitute cities and city life.” (Bondi, 2005, p. 4)

Assigned social gender roles produce inequalities and as a result, spatial inequalities. Urban environments are always inherited environments (Bondi, Gender, Class, and Urban Space: Public and Private Space in Contemporary Urban Landscapes, 1998) and as a result, urban environments have provided rich evidence of foundational ideas about gender. This gives an indication of society having unchanging understanding of gender, as the urban environment continues to replicate and unequal environment. (Bondi, Gender, Class, and Urban Space: Public and Private Space in Contemporary Urban Landscapes, 1998). Gendered spaces are places that societies assign gendered meanings to, places where sex discrimination is practiced, or environments that serve to reinforce uneven gender power and authority relations. Equal access to the public realm is necessary, and urban life must be one in which the blurring of the public/private divide signifies the end of discrimination based on gender and other factors (Bondi, Gender, Class, and Urban Space: Public and Private Space in Contemporary Urban Landscapes, 1998)

3.2.4 Afrocentric Gender Roles and Space

Rarely are gender roles examined throughout the design planning process. The frequent assumption is to assume racial and ethnic disparities, poverty, and urban/rural divides should be addressed prior to gender inequities. This issue results from a lack of analysis of how deeply structural disparities in society, such as gender inequality, are ingrained. Gender analysis should be incorporated into analyses of poverty and race/ethnicity.

Gender roles are produced from social and cultural beliefs. These roles are a result of an assigned expectation according to one's sex. The understanding of the differences between each gender has been related to the binary of masculinity and femininity. These differences vary amongst different societies, cultures, class groupings, because they are socially assigned (Blackstone, 2003)

Space And Culture

According to Massey (1994:91), The term "space" describes the intricate creation and production of an environment, both actual and imagined, influenced by socio-political processes, cultural norms, and institutionalized arrangements that lead to various ways of being, belonging, and inhabiting. A gendered space is, therefore, a place where only members of one gender have got an upper hand

Traditional Forms/Symbolism

Social constructs of place and gender are closely related to one another. The ideal of separate spheres also is seen through moral judgments made about the behaviour of women and men in "public" spaces, and therefore men and women are differently valued in space (Bondi, Gender and the Reality of Cities: embodied identities, social relations and performativities, 2005). Cross culturally, the house is women's spatial domain which suggests that the identities of woman are merely connected to the domestic realm. Sexual stereotypes are reinforced by the separation of space based on sex roles (Betsky, 1995).

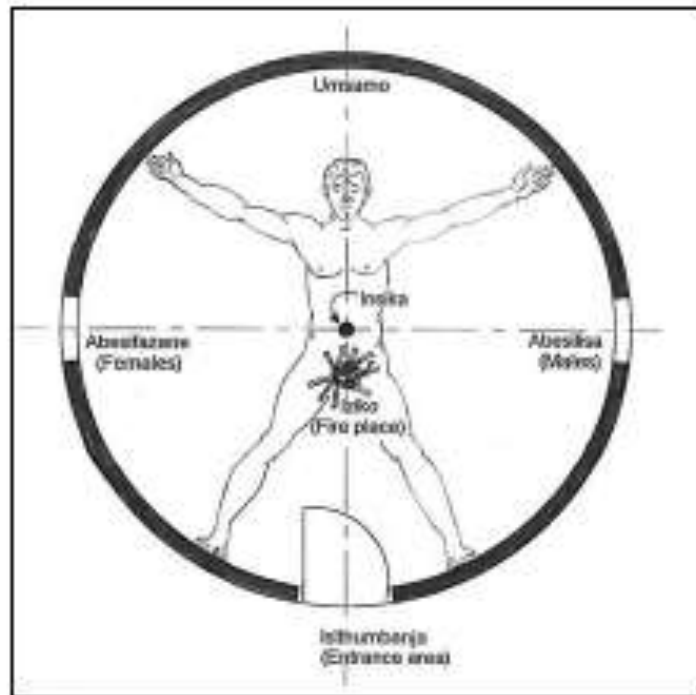


Figure 23 Internal layout of domestic zulu architecture (Mhlaba, 2009)

In the African context however, the meanings attached to the dichotomy of gender in space are different to those of the western analysis. Western scholarship has focused on the spatial differences of gender as a manifestation of social power relations, yet in the African context, the social relations are different. The spatial dichotomy is attributed to proximity to the altar, and according to genealogy. Women sit on one end and men on the other, according to their duties (Mhlaba, *The Indigenous Architecture of KwaZulu Natal in the late 20th Century*, 2009)

African architecture also employs male and female polarities; the creation and use of the meanings attached to the inside and the outside, the infinite and the contained, also inherently involve the quality of gender relatedness in its creation and expression. The house is the reservoir of the most revered ideals in some South African cultures (Field, 1982). Women become the epitome of the dignity of the family because of their connection to the house, whereas men see themselves as "outsiders." Although some cultures view space as being dualistic and connected to sexuality, they do not give the "man" side any more authority or significance than the "female" (Field, 1982). This suggests that a democratic relationship in space between men and females may have existed in certain South African societies, and may differ from culture to culture, but these are only seen in vernacular architecture.

3.3 Spatial (In)Justice and Spaces Of Justice

3.3.1 Spaces of Justice

The inception of the concept of having a justice system started in In the context of Africa, the indigenous method of justice was executed under a tree. Due to Colonialism in South Africa, the Roman Dutch Law was adopted. South Africa's legal system is based on Roman-Dutch Law, and does not follow a jury system. The literature has highlighted the omission of indigenous methods and African narratives due to colonization and oppression, and this omission is also translated in the design of court buildings as seen in the intimidating elitism of classical facades (Smith, 2011)

Majority of South Africa's key public buildings are historical symbols from the period of colonisation. During this period, buildings were constructed to represent an image of the government, that being a totalitarian, intimidating state, to the minority.

"Their very existence communicates a paradox about the nature of the law: both law and its buildings possess a public character, but also exclude and control the public" (Juszczuk, 2021)

There is an evident dichotomous relationship with the concept of justice in South Africa with its people. The law in the past was used to suppress and dictate how people should live, and did not invite engagement from the minority. Court buildings in the past were designed to communicate messages of domination and intimidation. The court building conveys certain messages about the judiciary, that reflect the society's organization

The court building as a typology has not evolved with society. The overall appearance and structure still remains rigid, dominating and intimidating, and this can be seen through timeline the existing court buildings in South Africa. Majority of the existing court buildings are from the colonial period. The first Court building, now converted into a museum, was erected in 1865 (MacDonald, 2015). The purpose of this building was to house government offices of the Colonial Government of Natal, as well as the functions of a court house.



Figure 24 The first court building in Durban <https://www.theheritageportal.co.za/article/old-court-house-link-early-durban>

Architecture is complicit in the accessibility of the judicial processes through the messages it conveys. (Bybee, 2012). The court building is mostly designed as just an administrative function, but does not meet the needs of women or minorities in terms of the processes. Important functions like the Family Court and Children's courts are usually placed in offices, as an afterthought.

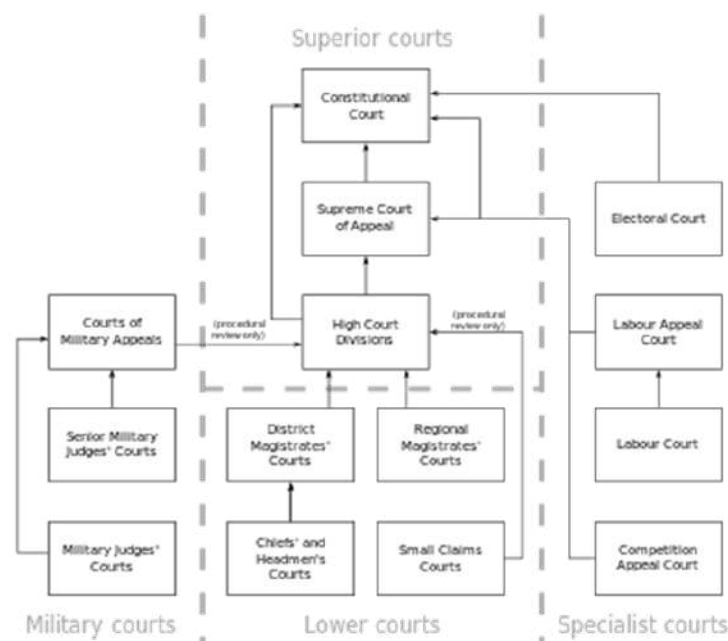


Figure 25 Hierarchy of courts in South Africa Pinnock, Don. (2016)

3.3.2 A Gendered Perspective of Justice and Space

According to Massey (1994:15): " 'gendered space' refers to the socially constructed, geographical, and also architectural arrangements and space which regulate and restrict women's access to spaces which

are also connected to the production of power and privileges in a given context.” The dominant social and cultural organizations that uphold traditional gender roles also influence gendered space (Lefebvre 1991:22). Additionally, it has been claimed that the phrase "gendered space" indicates that women's presence in some privileged locations, which are typically public, may endanger the sanctity of space (Lefebvre 1991:22). It can therefore be deduced that in most cases, the powers that be—who are typically influenced by male dominance—can control the participation of women in public settings. In patriarchal civilizations, men believe that they are the owners and rulers of public space, and that authority belongs to them.

In the context of the interior space of a court room, these power relations are evident. There is an intentional spatial hierarchy that is achieved. The judge is placed at a higher level than the public, to assert authority, but there is no evident spatial hierarchy that is achieved pertaining the victim and the perpetrator. Both are at the same level, and are in view of each other. This can be interpreted as the justice process translating to be democratic by perceiving each person equal to the other, but it does not eradicate the complex social and emotional effects of power that are at play at such privileged spaces. The space divisions create and sustain power relations. The sophisticated segregation and surveillance techniques used in the courtroom enable the arrangement of events in a way that exercises power (Mulcahy, 2007). It can be argued that women can feel further disempowered, by their male counterparts, by physical space, and evidently, by the Justice system. There needs to be an attempt to flatten hierarchical structures and move away from the alienating atmosphere of subordination in the courtroom.

Perception of Justice and Women

In the current socio-political context of South Africa, the perception of the justice system and the judiciary vary to different people in society, especially for women. According to a study conducted by the HSRC, South Africans have a negative perception of the justice system and have very limited trust in it, for a myriad of reasons (OSF, 2013). The contributory factors that are mentioned range from issues pertaining to racial bias in court outcomes, corruption and abuse of power. The study however does not examine how the experience of the physical buildings may influence the perception of the justice process to the users. As the theoretical framework has emphasized, this can be problematic, especially for the intentions of a democratic country.



Figure 26 Depiction of justice system in South Africa, by cartoonist Zapiro <https://www.sowetanlive.co.za/news/2008-09-09-parties-slam-cartoon-on-zuma/>

3.3.3 The Democratization of Space

It is noted that there are many intersections and overlaps where inequality are experienced in society, and it is discussed that these inequalities are experienced in space. There are different layers of spatial inequality, and the in between spaces is where spatial injustice is experienced.

Space as previously discussed, was used to control society, and it is therefore necessary to explore how architecture can reflect democracy.

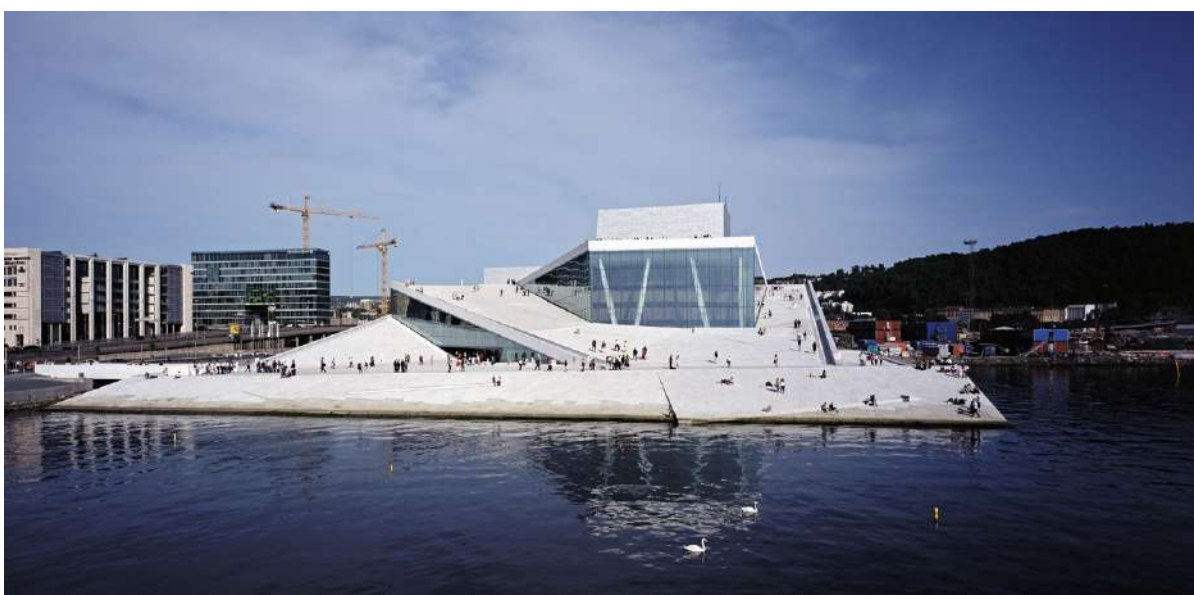


Figure 27 Norwegian National Opera and Ballet, designed for democratic use by Snohetta Architects <https://snohetta.com/projects/42-norwegian-national-opera-and-ballet>

Norwegian National Opera and Ballet is a building that has employed a social democratic approach to architecture. With a philosophy deeply rooted in the values of the Nordic welfare state. It integrates values such as transparency, openness, access and sustainability. The building uses the roof element as a space that the public can claim as their own, as people can use it as a public space. This creates a space of dialogue, and Architecture not only becomes part of the dialog between different cultures, but an instrument in the struggle for democracy and human rights on a global scale.



Figure 28 Previous vehicular zones converted to Pedestrianized zones in Brazil <https://www.archdaily.com/958292/brazilian-projects-celebrating-democratic-spaces>

Numerous groups in Brazil and other countries have made significant contributions to society in recent years by stressing the necessity of occupying urban public spaces in order to demand quality and freedom of use for the community.

The Interstitial (or In-between) spaces link our private spaces to the public and functional buildings or landscapes, act as buffers, and are often overlooked, and have the potential to transform space. These are the hallways, waiting areas, elevators, staircases, entrances, and transitional zones that weave the built environment together. These elements are open to the public and create high-quality urban

landscapes. Feeling safe or at home is a crucial condition of inclusion in the urban real, and in any given setting or situation there will be people who feel misplaced, unwanted.



Figure 29 An example of interstitial space that fosters engagement <https://www.archdaily.com/979905/terrace-house-austin-maynard-architects/624ffab1c120381fdeb188ce-terrace-house-austin-maynard-architects-photo>

By influencing the human experience with various architectural characteristics like a feathery edge, sun protection, or a place to relax, edges in the built environment can add richness to the areas nearby and promote a pleasing atmosphere.

3.3.4 (Re)inventing the Court Building



Figure 30 Symbol of Justice under a tree <https://www.concourt.org.za/index.php/about-us/the-logo>

“Public buildings often accurately reflect the beliefs, priorities, and aspirations of a people. ... For much of our history, the courthouse has served not just as a local center of the law and government but as a meeting ground, cultural hub, and social gathering place”. -- Justice Lewis F. Powell, Jr. United States Supreme Court

Despite frequently occupying central property in a town, court buildings and the public areas that frequently surround them are, for the most part, physically and conceptually separated from public life. The public don't visit court buildings unless they are compelled to. Very few court spaces serve as inviting public destinations. Their artificial alienation from the public sphere, which is caused in part by their inaccessible design and limited programming, does their history and potential for serving as cornerstone institutions a grievous injustice. After all, courts are the people's houses of justice, and they can only fulfill their promise by becoming interesting places. In light of issues experienced in South Africa, designing a court building without prioritizing the needs and concerns of women counters against women and is exclusionary.

3.4 African Feminism as a Spatial Construct

“People ask me rather bluntly every now and then whether I am a feminist, I not only answer yes, but I go on to insist that every woman and every man should be a feminist - especially if they believe that Africans should take charge of African land, African wealth, African lives, and the burden of African development. It is not possible to advocate independence for the African continent without also believing that African women must have the best that the environment can offer. For some of us this is the crucial element in our feminism” (Aidoo, 1998: 39)

The issues around gender roles and understandings reveals that they are also translated into space. In order to implement an intersectional approach to this study, it is important to discuss the complexities of the different forms of oppression experienced by women. This will lay the foundation of the design principles that will be implemented.

Theoretically, knowing the lived realities and politics of urban space from the perspective of women leads to a more complex and multifaceted understanding of space, according to an African feminist postcolonial urbanism theory. A critical analysis of the absence of African women's urban experiences in western academia and the limits of its relevance to African women's lived reality is made possible by the African feminist perspective.

Rarely have African cities been the focus of contemporary feminism's attempts to comprehend women's gendered experiences and urban daily life. (Ogunyankin, 2014). The specific principles of African Feminism will further be discussed towards generating a design guideline for a court building.

It is necessary to use a gender-sensitive approach to urban planning that includes the ideas of safe design with a focus on social surveillance in order to lessen the possibility of gender-based violence and other violent crimes. Design that makes the street more crowded, with adjacent buildings planned to give residents a clear view of the street would create a safer environment for women. A deliberate strategy to include women must include designated areas where women can go for assistance, such as booths or emergency callboxes. Visibility is a key driver of gender sensitive design. Spatial layouts that encourage organic surveillance. Additionally, it's important to have public transportation hubs in areas with good natural security. Making cities places of opportunity for women where women are empowered to use it (Brown, 2016).

3.4.1 Place Making: Asserting the Woman's Place

As previously discussed, the theory of Place making is relevant in any design of a building, but in order for women to feel included in the making of place, the inequalities experienced by women in the built environment need to be addressed, to achieve an equitable experience of place in society. The “woman's place” in society as scholars in gender studies have discussed, has been often stereotyped and limited to the domestic domain and in the private realm, suggesting that the city is no place for a woman. A gender responsive approach to place making would consider the issues that African women face, and the prejudices that work against them in the contemporary interventions that are often implemented. Most importantly, understanding the role of African women in society gives meaningful context and an intersectional approach to these problems, which is often lacking.

Sustainable Economic Growth

One of the key elements for any urban planning intervention in a city to thrive, is to consider how the economy can be supported through the built environment. Feminism as a movement has highlighted the plight of the economic inequality that women experience, and that it needs to be addressed in order for women to be empowered. The built environment is therefore a crucial element to address, with regards to the economic plight of women. If women are not able to access the city equitably, they cannot contribute to the economy. Women account for (percentage) of users in the city, but the likelihood and the ability of them being able to participate in urban life in the future will diminish, if the issues they face

are not considered. This means that a city cannot consider itself successful in growing economically, if women are not able to participate.

Contemporary urban planning is based on western models of development and interventions, and these are merely replicated in African cities. Not only is this blanket approach dangerous, but when considering the gender inequality debate, the western model is not suitable because the issues of gender inequality are much more complex in Africa. Some of these interventions are not materialized because the world operates on a capitalist system that always disadvantages the poor. But in Africa, the poor are the majority, and they need to be considered.

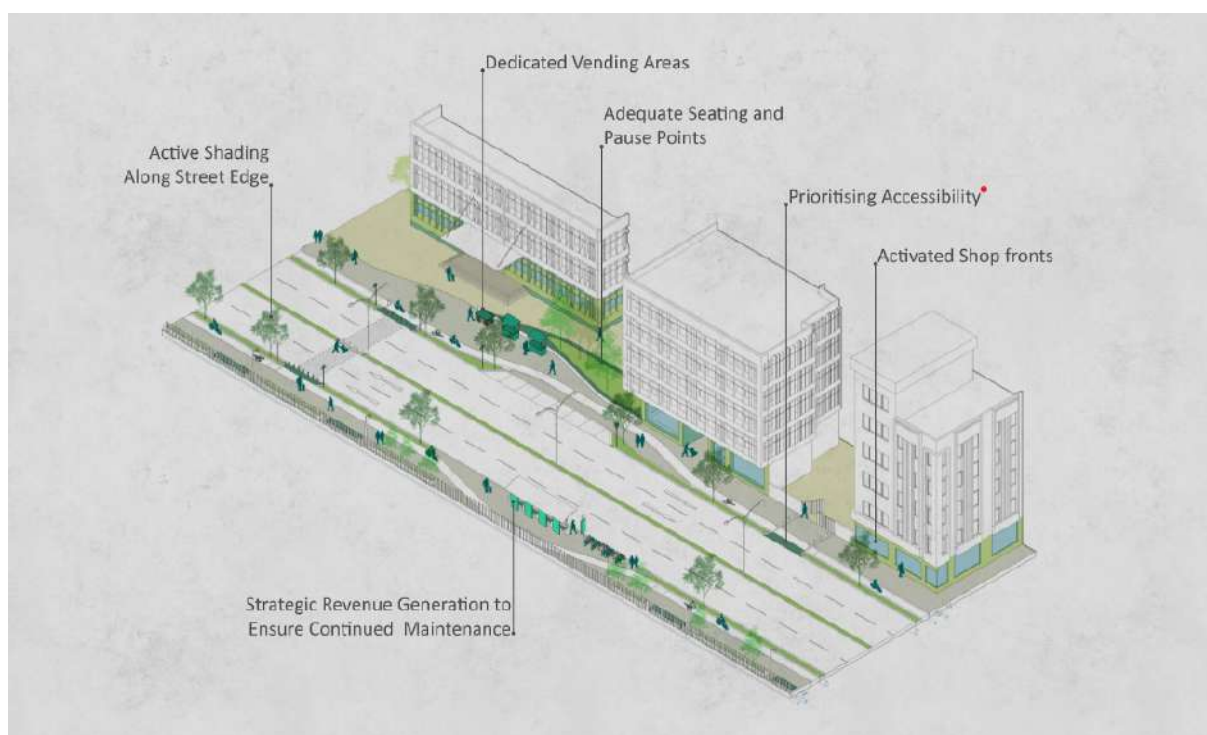


Figure 31 Diagram showing streets that are redeveloped considering needs of women <https://www.janausp.org/tag/urban-design/>

Extending the hours that public transportation is available, as women tend to take it more frequently and walk farther than men do. Men are more likely to go for work in the morning and come home in the evening without making any further excursions during the day, whereas women frequently travel between doctor's appointments, pick up kids from school, and grocery shop.

3.4.2 A Right to an Inclusive City

Urban life has been revitalized and reclaimed as a source for political inclusion and action in many different ways, with discussions surrounding belonging in the city pointing to an inhabitation and activation of

belonging through diverse types of mobility within space. The right to the city discourse offers a range of perspectives on reclaiming the city as a site of public political action for urban dwellers. If women felt safer, and the built environment supported this, they would feel included and can participate in urban life, which would also empower them. Looking at how women use space differently, and for that to be a priority when designing civic spaces.

Constructing bigger stairways and paving with ramps to accommodate wheelchairs and strollers. Adding more street lighting to make night-time walking safer for women. There are baby-changing stations in malls, shopping centres, and eateries, but more are required in locations like taxi queues where parents must be able to change their children in sanitary, private spaces. Another important design element for everyone, but especially for women, is street lighting. After all, work doesn't end when the sun sets, but security and safety frequently do.



Figure 32 Las Ramblas, Barcelona, active during the evenings (by author)

Stitching the Urban Fabric: Addressing Lost Space

Roger Trancik (Trancik, 1986) discussed the lack of consideration of the relation between a building and its environment, and the modernist period has left the built environment with many lost spaces in the city, or “anti-spaces” and these spaces need to be addressed as they become sites of violence and exclusion. These neglected areas become vulnerable areas for women. Our society needs more facilities to become

decentralised and more convenient in order to accommodate for the needs of women according to the inequalities that they may experience through gender.

3.4.3 A Gender Responsive Built Form

Return To Nature And Inside Outside: Blurring Thresholds, Blurring Dichotomies

Gendered spaces as the literature has demonstrated, have been a reflection of society expressing the divisions between male and female. These divisions are expressed and are exasperated by our built form. It is therefore proposed that in order to blur these dichotomies in our society, architecture can play a significant role. One of the most significant divisions seen in the built environment is the disregard of natural elements from the man-made structures. The built environment has radically changed the physical landscape of nature, and it is discussed by contemporary architects such as Tadao Ando, that the inclusion of nature in the design process is crucial in order to blur the divide between the built and unbuilt. Ando, in his contribution to contemporary architecture, comments that this approach has formed a culture that de-emphasizes the physical boundary between residence and surrounding nature and establishes instead a spiritual threshold (Ando, 1991)



Figure 33 Church of the Water by Tadao Ando <https://www.metalocus.es/en/news/nature-image-transcendent-church-water-tadao-ando>

A gender sensitive approach to an inclusive space would therefore be cognizant of blurring these physical boundaries created by buildings, and would work towards the built environment welcoming the inclusion of nature. This harmony works towards creating environments that are not polarized, where either gender does not feel restricted, as the literature has revealed.

Circulation and Wayfinding

The literature has also revealed the influence of masculine and feminine properties of spatial planning, and how this influences a person's ability to move through space. Because they have different duties and experiences, men and women use space in various ways.



Figure 34 Tjibaou Cultural Center - a balance of masculine and feminine principles <https://www.archilovers.com/projects/90850/jean-marie-tjibaou-cultural-center-gallery?684050>

Tjibaou Cultural Centre is designed by an Italian Architect Renzo Piano for the local Kanak people. By shaping the pointed spiraling roof structure into curved timber baton patterns, it respects the balance between traditional masculine and feminine roles. *“A concept echoed by symbolizing the hub ancient tradition which spirals up to the heavens is feminine by nature while the anchoring rooting to the ground is masculine. From the symmetric pathway to the trees on either side of the structure, the references of masculine and feminine features are fierce.”*

3.4.4 Experience as a driver for Intersectional architecture

The existential experience, or one's feeling of being in the world, is reinforced by architecture, and this is fundamentally a stronger experience of the self. All responses to the environment, whether internal or external, are dependent to a large extent on a person's experience: their memories, purposes, and values.

Juhani Pallasmaa, a Finnish architect, discusses the value of all five senses in the art of building design in his book "The Eyes of the Skin." The book supports that feminism is more in line with Pallasmaa's notions of "how a building should be constructed and experienced since it is an attempt to reinstate the woman's body in writing and also reversing the increasing detachment of humans in the modern day as a result of Modernism, from one another and from oneself".

3.5 Conclusion

"Feminism is an important and integral part of Africanism. One cannot call her/himself a true African without embracing the very core of feminism." Erharuyi Idemudia, 2014

The literature has highlighted the continued challenges presented by gender inequalities in the built environment, and how this contributes to women experiencing unequal opportunities, which hinders on the democratic rights of women. Feminist architecture has generously been explored in the western context, but a gap still exists in the African context. African women's contribution to the discourse of the built environment and the lived experience of women is still lacking.

This research aims to develop a response to this by using the lens of African feminism. Introducing the narratives of African women that are often excluded adds a nuance to the debate of gender inequality. Gender inequality permeates many aspects of life, including how people move around. The Afrocentric gender politics in the movement through space refers to how women have not been offered an equitable way of moving through space.

African Feminism not only questions the oppression of women at the hands of men in a patriarchal society, but addresses the other notions of oppression that are due to capitalism and racism. This framework recognizes that these issues are interconnected. This offers a nuanced revelation to the gender inequality discussion, as it is often interpreted as a 'woman vs men debate'. In the built environment, this means that it is not just about introducing a 'woman friendly' approach, which is necessary, but it also recognizes the complicity of architecture in creating elitist spaces, that produce further inequalities.

African Feminism as a decolonising framework, advocates for the analysis of such structural forces that cause inequality amongst all genders, in the African context. In the built environment, this advocates for the democratisation of space, and recognizing social ills that cause spatial inequalities. This approach advocates for inclusivity and equality, and redresses some of the socio-spatial inequalities that marginalised individuals may face, that are often considered mundane.

The typology of the court building is crucial in deconstructing, as one of the aims of this research seeks to explore how Afrocentric centred design can encourage inclusivity and welcome democratic participation. The built environment has an immense impact on people's psyche and experience, and it is important for spaces of justice to be cognizant of this, because as the literature has shown, this may impact how people perceive the justice system. The African Feminist approach to a decolonized typology of the court building, offers a critique of how the court functions and how it has not transformed throughout history. It questions how a space of justice is in conflict with the intentions of democracy, through the continuous replication of gender blind designs.

Feminist Urban scholars have deduced that the spaces in the city are not gender neutral (Peake & Reiker, 2013) and the urban scale is a key spatial scale through which gender is experienced and constituted (Bondi & Rose, 2003). Space is socially constructed and can therefore be socially changed – by creating safe spaces that are sensitive to women's experience of inequality and the consideration of their needs, this can change society. If our current built form reflects exclusion of women, society will continue to accept this. Built form needs to consider the different needs that people have regardless of assigned gender roles, it is about producing an environment more attuned to people's needs.

As pointed out in the previous sections, the acknowledgement of specifically African women's struggles is important in balancing the disproportionate experience of the built environment. The built environment plays an active role in this. By applying the African Feminist ideology, it intends to address the divisions of race, class, and gender felt by African women in public space. Recognising women's needs and addressing inequalities does not mean that there should be an eradication of any other gender. The theoretical framework has revealed that this is a misconception. Recognising women's needs brings equity and inclusion into play, without excluding.

The issues inferred by gender politics have often been neglected in the discourse of urban planning and architecture, and careful consideration needs to be made in order to eliminate all forms of social hierarchy, reclaiming public space as a right for women to use equitably, in the aim of designing inclusive civic spaces.

CHAPTER 4: KEY PRECEDENT STUDY

4.1 Introduction

The objective behind a precedent study in architecture is to get inspiration and to explore how other architects have tackled and solved similar problems through design. It is a useful method that can help identify key elements to the chosen problem and may also aid in understanding the problem better. The typology that has been chosen for this research has been rarely addressed to the degree that all the main concepts discussed in the theoretical framework and literature were combined into a single architectural response. Therefore, the precedents that have been chosen may not contain all the key themes discussed in this research, but each precedent has a specific approach that will be discussed and further employed into the design. As the research has highlighted, gender sensitivity does not merely imply the prioritization of one gender over the other, but the focus is on the intersections of inequality, that women experience in the built environment, that causes a disproportionate experience of the built environment. The literature has revealed that in order to design gender sensitive and inclusive spaces, there are several criteria that need to be considered, such as the physical context, the socio-political intersections and how this affects the lived experiences of the public, and how these are employed in the execution of the design. These principles will be used as a lens to analyse each building, and will inform the proposed design aligned with this research.

4.2 Place Making and Inclusivity: The Constitutional Court



Figure 35 Entrance view of Constitutional Court (by author)

4.2.1 Introduction and Justification

The constitutional court may be the most symbolic building in Post-Apartheid South Africa in its attempt to redress the issues of the past, and present hope for a democratic future. The aim of the inception of the building, was to reflect the values of South Africa's democracy.

As this research has outlined, historically, court buildings have conveyed messages of intimidation and patriarchy, which are not in line with the vision for a post-apartheid South Africa. As a court building, the design and the impact of this building is important to understand. The relevance of this building in connection with this research is to convey how the context, both physical and socio-political, is incorporated in the design of this building, in achieving an inclusive court building. It is also to analyse how the themes of democracy are explored, and how the building addresses the ideas of sensitivity to the public, and if gender sensitive principles can be established.



Figure 36 Flame of Democracy at Constitutional Court (by author)

4.2.2 Location and Social Context

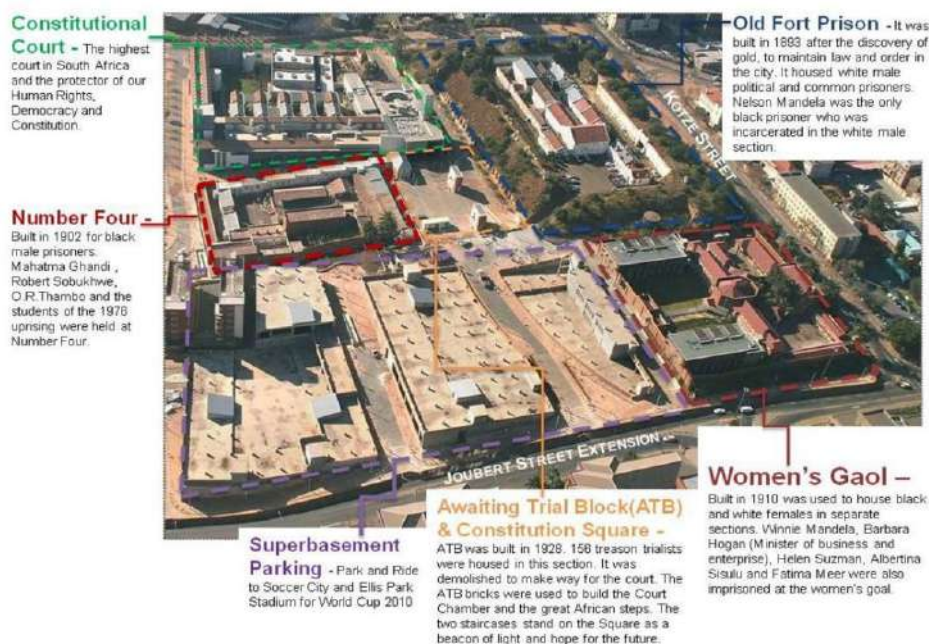


Figure 37 The court in context; van der Merwe, Clinton. (2006)

This site carries an emotional and historical weight, which is transferred in the building planning and aesthetic. The location of the site of the Constitutional Court is quite significant and symbolic. On a macro scale, the site is positioned in Johannesburg, South Africa. On a micro scale, it is more commonly known as Constitutional Hill, and was historically known as the Old Fort Prison Complex during Apartheid, a site that has history of oppression and violence. The prison initially housed white male prisoners, but later was converted to house black males, and later on, a section was included for black females (Unknown, 2011). The prison was dedicated for those who formed part of the resistance movement, and later was infamously known as the “Robben Island of Johannesburg”. Many apartheid heroes have walked this space, such as Nelson Mandela, Mahatma Ghandi and Albert Luthuli.

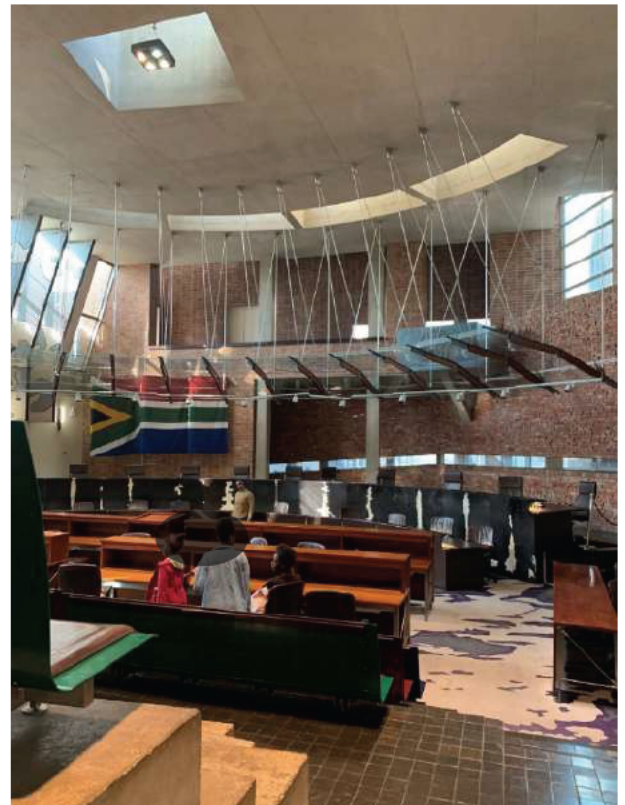


Figure 38 Internal court room, picture by author

4.2.3 Concept

The Constitutional Court is regarded by its citizens as a physical representation of the nation's identity and of justice, making it a state symbol (Law-Viljoen, 2006). Early on in the design process, the architects discovered an intriguing idea that was based on a Sandile Goye linocut entitled "making democracy work," which depicted a traditional court where elders would meet around a tree to discuss issues affecting the community. The idea of "justice under a tree," which became a symbol for the Constitutional Court building through a literal emblem and artwork as well as an abstract architectural expression, was inspired by Goye's work. The Court employs the concept of it being a 'people's place' rather than a place reserved for authorities and law enforcers (Fernandes, 2004: 33).



Figure 39 Public view of court proceedings, where the concept of transparency is explored through "floating bricks" Picture by author

The introduction of glazing in the court entryway represents the idea of an open democracy. The architects further explored this notion by creating the appearance of floating bricks in the courtroom. This was done by moulding the space with bricks stacked over a glass strip, also making the chamber 'visible' from outside. This is symbloc of a transparent democracy, and creates the impression that the public can view the court proceedings from outside, which adopts the idea of the public being able to see "democracy in action", something that majority of court buildings do not employ.

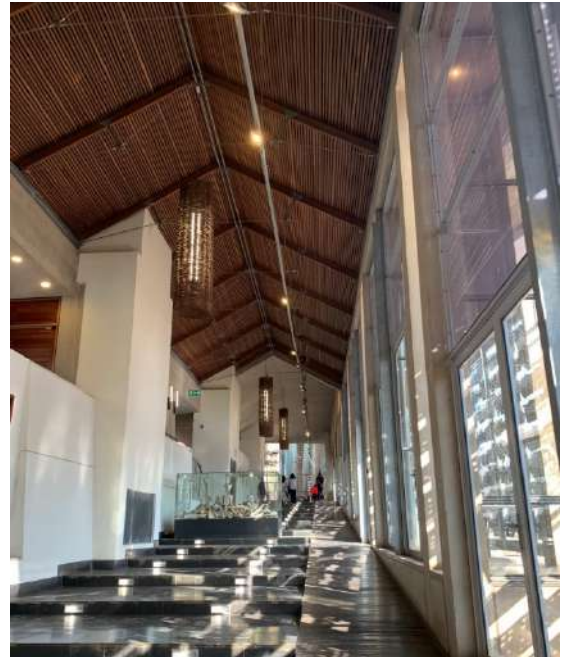
Texture and materiality were extensively explored, and the approach to the building's aesthetics were contextually sensitive. Bricks from the demolished waiting trial blocks of the previous prisons were utilised, forging a connection to the site's past, literally and figuratively. This conveys a different message of justice through built form, compared to the normal approach; that the justice of the past was used to oppress, but now it used for democracy.



Figure 40 Texture and Materiality (by author)

The planning of the court, both from a macro and micro scale function differently from normal courts. Most courts are designed not to invite public engagement, but the Constitutional Court employs the opposite approach. There are activities that attract tourists through the means of tours, as well as art galleries, that are not adjacent to the building, but are included internally. This promotes accessibility and transparency.

Figure 41 Internal Stairs and ramps that double as gallery, picture taken by author



4.2.4 Consideration of Gender Sensitive Design

The Constitutional Court sits at the highest position of South African law compared to other courts. When examining the building and the response to its surroundings, instead of forming a barrier to the public, it fosters a sense of transparency and welcoming with the citizens. This counters the usual narrative of court buildings asserting a hegemonic authority over its people. This creates an environment of safety and ease, and enhances the physical experience of accessing such a facility.

The building is easily accessible from the urban plaza, as there are no physical barriers that prevent you from accessing the building. The entrance is a double volume height, with a small portion dedicated to security personnel. The journey from the street into the building is met with no obstacles, and the use of glazing to allow natural light, further emphasizes the element of transparency.

The building is quite monumental, but does not intend to intimidate users. There is a variety of functions that allow the public into the building, regardless of court proceedings,

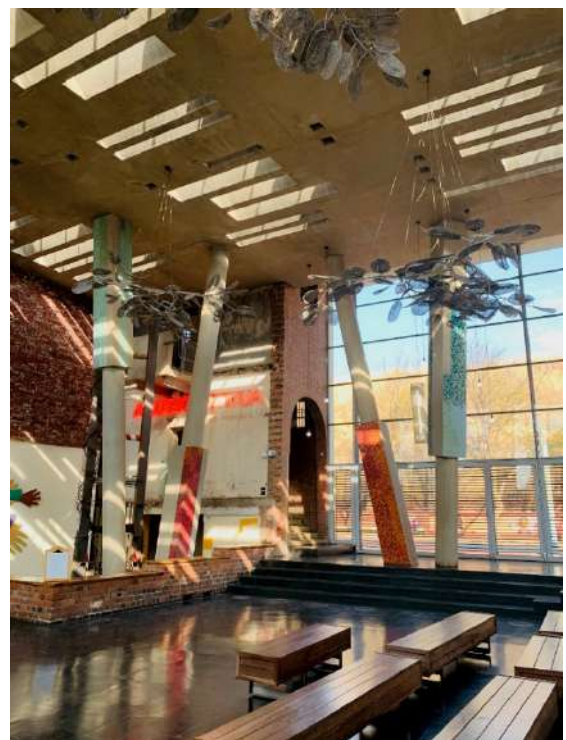


Figure 42 Entrance foyer that allows natural light in (picture taken by author)

such as that of the art gallery, as well as the information kiosks. The space gives users options and reasons to linger, an important element of Place Making, instead of following the architectural programming of normal courts that do not encourage you to engage with the building, or anyone else. The foyer also has ample seating that is designated for the public, but is not limited to court proceedings. This creates a strong sense of freedom, in being able to use space at one's liberty, which forms part of gender sensitive and inclusive design, by being able to claim rights to an individual experience.

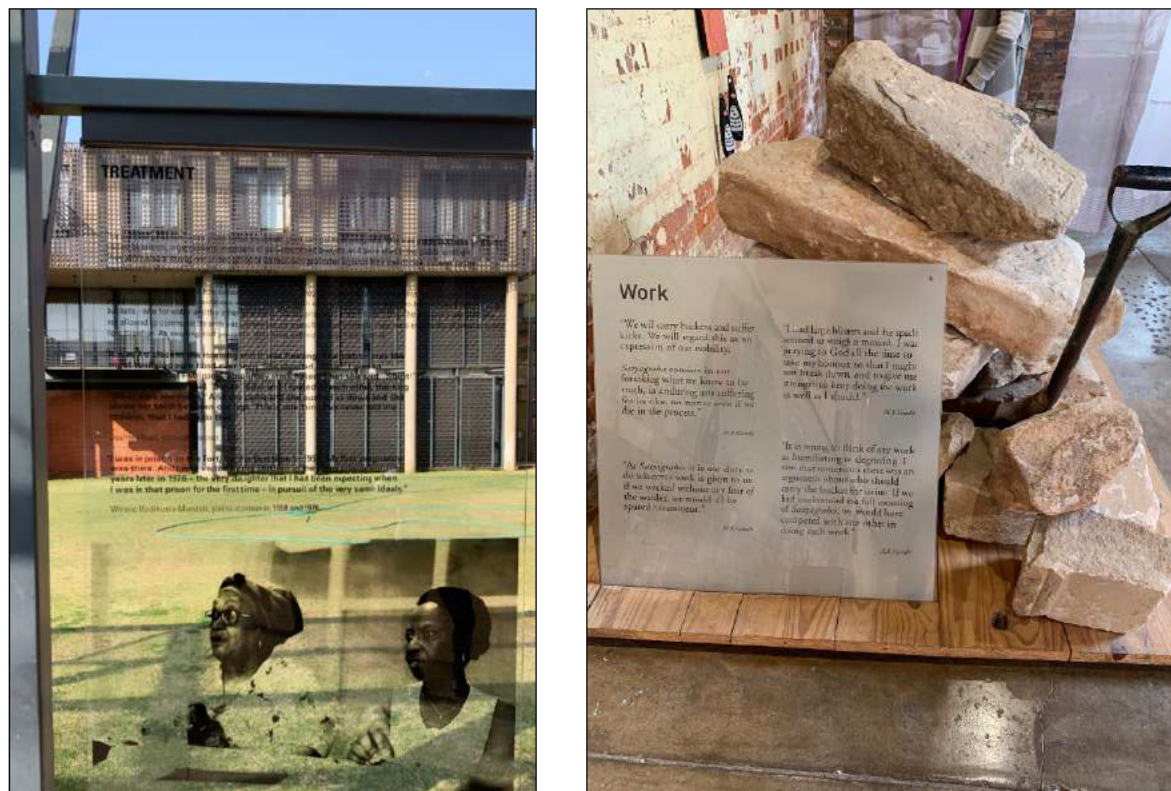


Figure 43 Outdoor display in the Women's Jail (picture taken by author)

The site has a dedicated area which commemorates women who were in the forefront of the resistance movement against Apartheid. As the African Feminism framework denotes, it is not common for women to be acknowledged in the narrative of politics and scholarship. This commemoration is important because it has been discussed that in South Africa, women's voices have been left out of many dialogues. The inclusion of women's narratives on this site encourages women's empowerment, and suggests that women are acknowledged in the achievement of democracy. The experience of women in this instance is prioritized and contributes to undoing the injustices that women have experienced.

4.3 Gender Responsive Built Form and Planning: The Women's Opportunity Center in Rwanda



Figure 44 External view, Women's opportunity centre <https://www.archdaily.com/433846/women-s-opportunity-center-sharon-davis-design>

4.3.1 Introduction and Justification

The literature has highlighted that there has not been much thought to the way women are represented or considered in the built environment. The selection of this precedent is to analyse how women are catered for in the design of the spaces. Principles will be drawn from this example, and will be applied in the design of a court building. The framework of African Feminism will also be used to extract and confirm principles drawn from the literature.

4.3.2 Location and Social Context

This precedent is set in Rwanda, in the Kayonza District. The war and the genocide that occurred in this country shattered the dense local friendship networks and community solidarity that had traditionally provided solace and support for women. Family members and friends were lost or fled, and sometimes neighbours and allies became unfamiliar. What was left behind after the tragedy of genocide, was a legacy of anxiety, unease, and anger (Ntaganda, 2015). Under these circumstances, many women experienced feelings of loneliness, abandonment, and isolation.

The center is designed to serve as both a home for the women who survived the genocide and a meeting place where they can socialize and learn new skills. The intention of this building is to serve to reconstruct the social infrastructure of the district and revive cultural heritage. It is also meant to empower women by introducing skills development that will also serve as economic empowerment.

4.3.3 Concept and Planning

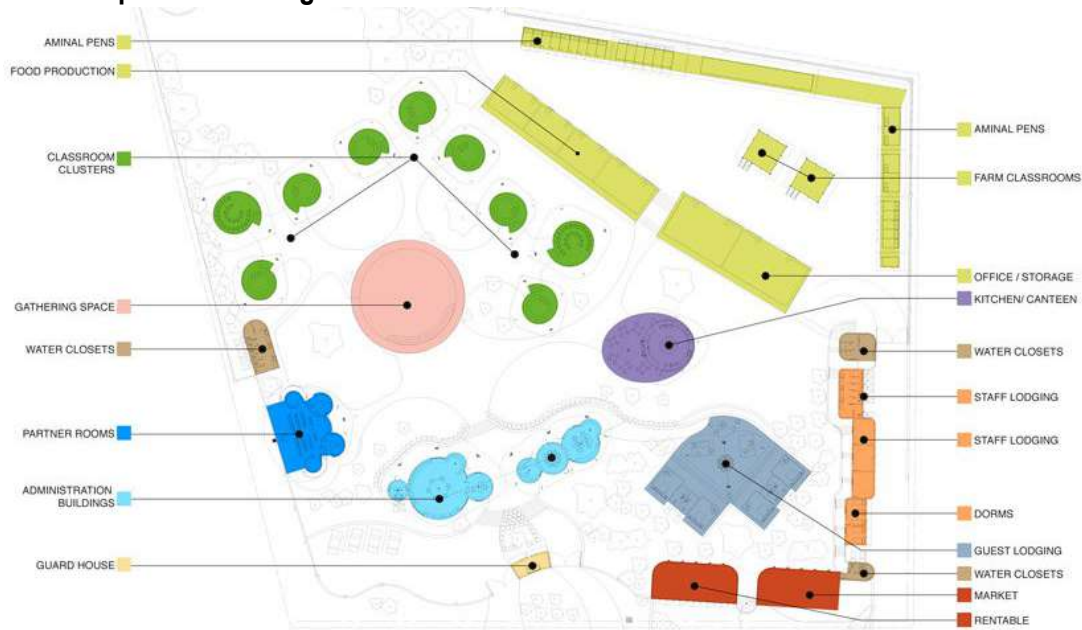


Figure 45 Conceptual planning <https://architazer.com/blog/projects/womens-opportunity-center-rwanda/>

The women in this community think that the best strategy for rebuilding a nation that has experienced genocide is grassroots education and self-empowerment. (Ntaganda, 2015), and these exact sentiments have been executed in this design. The project inception employed an intersectional approach, where different stakeholders

The project is organized in a manner similar to a traditional Rwandan village, divided into 17 human-scale pavilions. According to the architect, these pavilions which are clustered arrangements engender familiarity and community among the occupants, which is a direct response to the trauma experienced from the genocide, resulting in unfamiliar grounds. The centre is set around a plaza, and the structure is easily reached by public transit.

Facilities include class rooms, guest lodgings, a demonstration farm – cooled by green roof and retained earth walls – and a marketplace, where women sell products they have made on site.

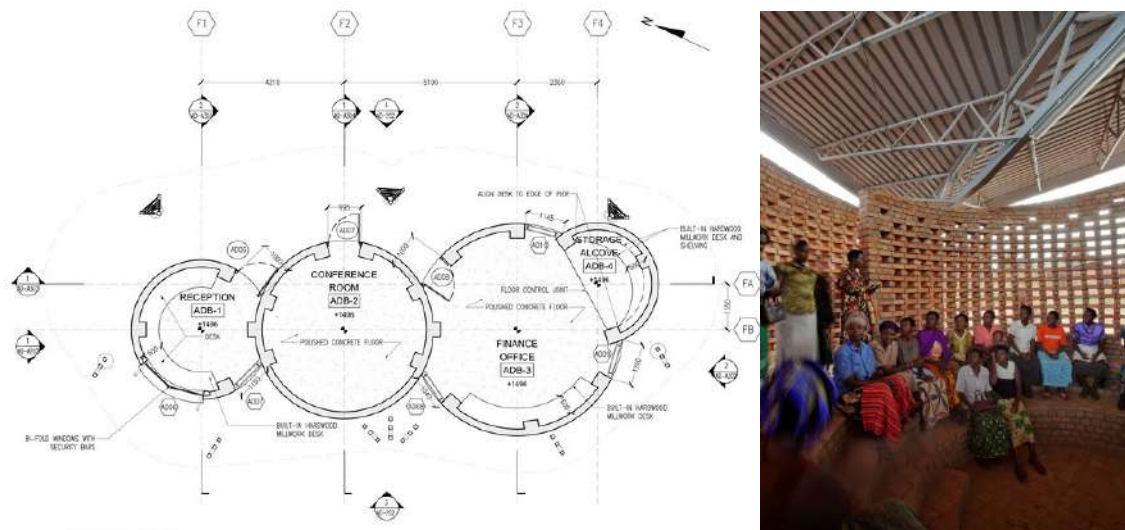


Figure 46 Floor plan example, indicating organic shape and spatial arrangement <https://www.archdaily.com/433846/women-s-opportunity-center-sharon-davis-design>

The king's palace in southern Rwanda is the inspiration for the circular classrooms. The theme of intimacy is explored through the spatial arrangements, where the dimensions of each cluster are considered. Twenty women can fit in these rooms at once due to this, which creates a sense of privacy. There are no windows, giving the building a sense of protection, and light enters through the gaps between the bricks. Women make the actual bricks from clay that is located in the same district.



Figure 47 Organic arrangement which allows for engagement and privacy <https://architizer.com/blog/projects/womens-opportunity-center>
<https://www.archdaily.com/433846/women-s-opportunity-center-sharon-davis-design>



Figure 48 Forms as they sit on site, low scale pavilions creating a sense of community <https://www.archdaily.com/433846/women-s-opportunity-center-sharon-davis-design>

4.3.4 Consideration of Gender Sensitive Design



Figure 49 Visuals of Women's Opportunity Centre <https://www.archdaily.com/433846/women-s-opportunity-center-sharon-davis-design>

Gender sensitive design takes into consideration a variety of elements, one of them being safety and comfort. The layout of the various buildings of this centre is based on conventional Rwandan building

practices, which enables the women to feel more comfortable in their new environment. The centre prioritizes the empowerment of women through various initiatives

The complex is centred on a welcoming courtyard where students offer food, textiles, baskets, and other locally produced goods. In order to accomplish gender sensitive design, as this building does, accessibility is essential.



Figure 50 Approaching the interior <https://www.designboom.com/architecture/sharon-davis-design-womens-opportunity-center-in-kayanza-rwanda/>

The Women's Opportunity Centre incorporates employment training into the program to take social fairness into account. Future students were given the task of making the bricks for the pavilions using clay that was taken from neighbouring areas and a manual press method that was modified from regional construction methods. The skills of the workers were also strengthened by practical construction management.

A farmer's market, open areas, classrooms, and guest accommodations will be found in the little community. The graduation celebrations will take place in a civic area that will also serve as a location for an open stage where the traditional dance and music of the Rwandan people may be shared and displayed. The adjacent farmland's ingredients can be turned into communal meals thanks to the kitchen and canteen.

4.4 **Spatial Justice: The Port Augusta Court Complex**

4.4.1 Introduction and Justification

This court building has a unique approach in its intention to serve the communities needs in the design of the court. It takes into consideration the cultural heritage of the existing history of the site, and is sensitive to the needs of the people. It is important to analyse how this is done, as an inclusive, non-intimidating built form has been created, which is in line with the intentions of the research in creating a public architecture that is inclusive and considers the social context.

Although this building was not specifically designed for women, certain approaches have been incorporated that form part of a gender sensitive framework that the literature has outlined. As the theory has indicated, addressing gender concerns does not indicate employing an approach that is one dimensional;, as studying gender reveals other layers that correlate with gender inequality issues.

4.4.2 Location and Social Context

The court building is located in Port Augusta, Australia. In the social context of Australia, the indigenous people still face various issues of discrimination and exclusion due to colonization. This discrimination extends to the indigenous people not having equitable access to justice, because the built form did not respond to their needs. The cultural and historical significance of the site and the socio-spatial requirements of various organizations had to be considered in the brief. Many of the users recognize with Aboriginal cultures, and this was the overarching design motif; to integrate the traditions and needs of various Aboriginal peoples into the design, and not employing traditional westernized court architecture.

4.4.3 Concept and Planning

The new court in Port Augusta aims to reduce some of the obstacles the Western justice system presents for Aboriginal people. The Port Augusta Courts Complex makes an effort to address the requirements of Aboriginal people in the legal system by attempting to remove some of the hurdles connected to the Western justice system while also acknowledging the social and legal problems that Aboriginal communities face (Murphy, Grant, & Anthony, 2018). This court building is quite distinctive as it aims to express the legal system's accessibility, accountability, and transparency while addressing and honouring Aboriginal peoples' cultural attitudes, socio-spatial requirements, and beliefs.



Figure 51 The concept of an outdoor court room was incorporated, pictured above, to allow for informal engagements. When not in use as a court, it is used as shelter (Grant, 2009)

To accomplish inclusivity, the design team, which was multi-disciplinary made up of architects, artists, and landscape designers, worked closely with both Indigenous and non-Indigenous collaborators. Using extensive participatory planning and consultation processes, it led to the creation of a meaningful user experience (Grant, 2009). By asking questions and allowing the users to participate, this can be considered as an illustration of the intersectional method to answering a design brief.

By working to remove some of the hurdles connected to the Western justice system, the court tries to address the needs of Aboriginal peoples in the legal system while also acknowledging the social and legal problems that Aboriginal communities face. The themes addressed in removing the barriers to justice and were articulated into the design, were accessibility, accountability and transparency of the judicial process. Rather than alienating Aboriginal users, it presents architecture that reinforces the viability and splendour of Aboriginal Australia

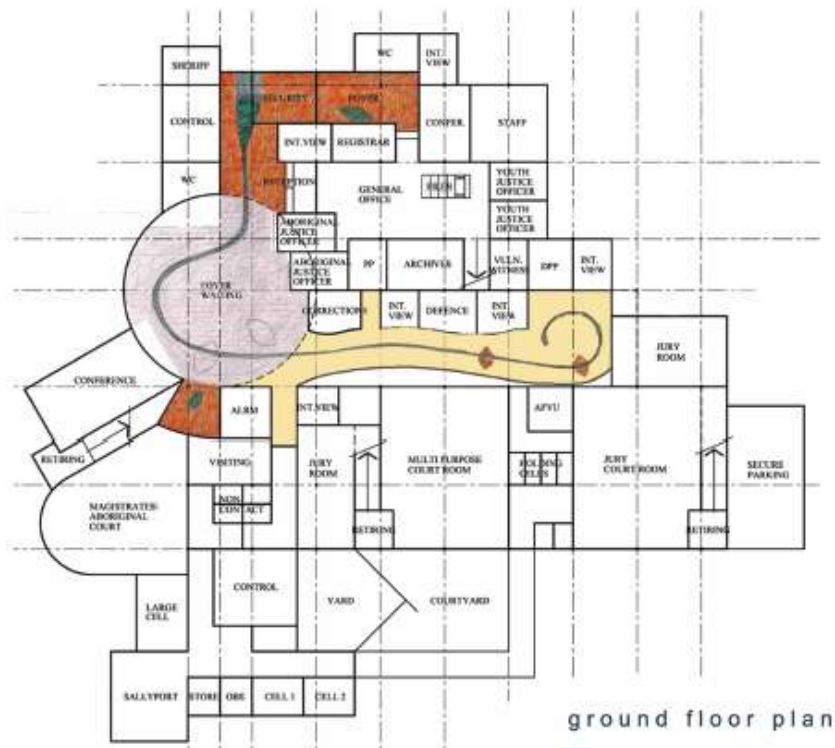


Figure 52 Spatial layout of the court (Grant, 2009)

The complex is comprised of three courtrooms opening from the circular foyer: a jury court, a magistrates' court and a multipurpose court. Each of these courts has a dedicated courtyard to provide what the architects describe as visual relief, which continues connections with the external environment. The court rooms use a multipurpose approach, as the magistrates' court also doubles as an Aboriginal Sentencing or Conferencing Court.

In order to address the mistrust that the Aboriginal people have with justice system, the concept originating in South Australia, of the Aboriginal Court process was used. It gives the offender, as well as their family, chances to interact directly and meaningfully with the legal system. The spatial planning of the Aboriginal Court does not conform to the traditional rectangular courtroom layout. Instead, it employs an organic space to administer traditional sittings.

4.4.4 Consideration of Gender Sensitive Design

The sensitivity of the users experience and identity which this brief has been employed is the most important element that can be considered gender sensitive design.

In terms of materiality, large lengths of glass were used to create architecture that was transparent and unobtrusive, allowing for a visual link to the natural landscape of the site.

Timber-louvred portions and artwork were employed in various places to create shading or privacy screening, fostering openness and transparency. The artwork depicted is of indigenous folklore, that promoted messages of upholding a social moral code and a sense of justice (Murphy, Grant, & Anthony, 2018).

Aboriginal people maintain a considerable distance in public areas, as a sign of avoiding conflict, and this observation is respected, by incorporating various spaces where people can wait or gather individually or as a group. This also allows the users to have choice and agency of how they can move through the court complex, instead of being dictated to use one dedicated waiting area, as most court buildings suggest. These spaces are visually and physically accessible for all, ensuring that there is a sense of safety.



Figure 53 Connection to the natural landscapes and inclusion of cultural heritage in the interior
<https://architectureau.com/articles/port-augusta-courts/>

4.5 Conclusion

This chapter sought to analyse existing examples of architecture that addresses and uses some of the principles discussed and developed in the literature. It was firstly important to use an example of a modern court building in the context of South Africa, to understand how the typology and the architecture of the court in the post-apartheid context, has been explored. As mentioned in Chapter 1, the issues of an intimidating built form were discussed, and the example of the Constitutional Court was relevant in order to ascertain how an inclusive, transparent and welcoming approach to the court building can be achieved.

The idea of a building that allows for civic engagement is integral to public architecture, especially for a court building, and the examples in this chapter display this. Public buildings and spaces must be informal, friendly, and familiar for women to be able to express themselves comfortably.

The Rwandan Women's Opportunity Centre indicated how to respond to the social context of the region, by placing the needs and concerns of the women, from the inception of the project. In the context of Africa, where women barely have the right to access land and be economically independent, this example confirmed that socially equitable architecture when used to empower women to claim their right to space, can contribute to an inclusive design. Gender sensitive design is rested in the notion that public space is for all, relating to inclusiveness in the caregiver role of women in children and the elderly, as seen in the Rwanda Women's opportunity centre. The importance of the local is executed, by re-stitching the local communities' network and economies.

The Port Augusta Complex strengthened the research by providing principles used to generate a contextually sensitive court building. By analysing principles such as the movement patterns of indigenous people, and the barriers that exist to accessing justice equitably, it provides the research with insight of how the same intentions should be used for an equitable access to justice for women.

From these examples, the principles of gender sensitivity in the design of court buildings can be extrapolated. Principles such as visual access, openness, and a spread of activity. The reclaiming of public space for everyday life, related to a multi-functional design that is safe, well populated, and accessible. The power of presence, relating to human presence in public spaces and how people use space to create a safe environment through passive surveillance and visibility is a key element of a gender sensitive approach.

CHAPTER 5: CASE STUDY

5.1 Introduction and Selection Criteria

In this chapter, case studies will be used to analyse the design and theoretical consideration of court buildings in Kwa-Zulu Natal in three different contexts. These case studies will be used to understand how court buildings respond to social and physical contexts, and whether the spatial programming is designed in recognition of the needs of women in different contexts. A further analysis will be made into how the consideration of women is often under looked, in order to develop a design that will respond to this gap.

5.2 Durban Magistrates Court (Urban)

5.2.1 Introduction and Justification

The Durban Magistrates Court is an imperative building to this research as it is based in the city of Durban. It is an example of a court building that is predominantly used by the public in Durban. It will also serve as an imperative example of what the problem statement addresses. This building will also help to provide insight of how buildings in the past were designed, and what are the implications of this in a democratic context and if they address any of the gender concerns mentioned.

5.2.2 Contextual Analysis and Response



Figure 54 Contextual Map (Google Maps)

The Durban Magistrates Court is located in the adjacent district to the central business district of Durban. It is adjacent to the headquarters of the South African Police Services, and several other buildings zoned

under General Business and commercial activities, according to the local authority. It is also bordered by two major vehicular transport routes, namely the M4 and the M12. The court is easily accessible from these routes by vehicle, but is challenging for pedestrians.

5.2.3 Building Form and Expression



Figure 55 Facade treatment of court (pictures taken by author)

The building is comprised of 12 floors, with 4 court rooms on alternating floor plans. The repetition of this floor plan produces the building's rigid geometric shape, which could be said to follow a "form follows function" approach. The façade is simple, and is mostly covered by shading devices, to avoid heat gain. It is also monotone in colour, as the original building materials are retained, with no variety in colours. The building can be mistaken as purely an office building due to its expression, and looks quite similar to most commercial buildings in Durban central.

The literature has shown that buildings of this shape and expression are interpreted to be intimidating and uninviting. Upon approaching this structure, the overall appearance suggests and agrees with the notion of intimidation. This bears the question of how the public would be affected by the rigidity of the building, as the literature.....

Transparency

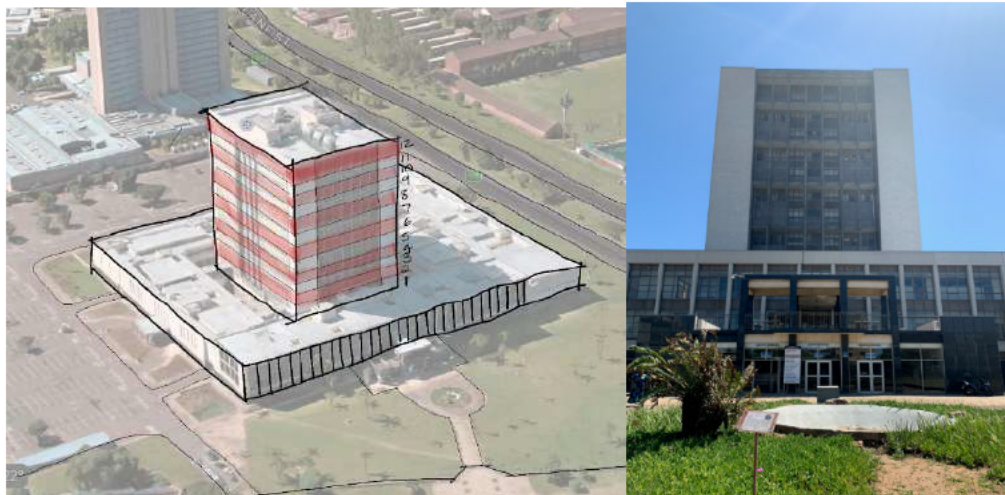


Figure 56 Building form of the court in context (sketch by author)

5.2.4 Planning and Circulation

Circulation is a very important aspect of court buildings, and is quite complex for larger court buildings, due to the number of users as well as court case types.

This building is comprised of two floor plan types; one for the public and one for the prisoners, which is duplicated for all 12 floors. This separation is according to the user types, to ensure safety for the public, as well as the judges.

The planning of this building follows a rectilinear grid, and is symmetrical on the x and y axis. It maintains a private and public gradient to accommodate for staff privacy, but also to control the circulation of the public. This planning approach is quite functional, but is limited as it does not have a level that integrates the public and private dichotomy. The staff offices are located on the perimeter of the floor, and the public area is located in the centre of the floor. This may be useful as the public can find their way through the space quite easily, but it is also daunting for the public as they do not have sufficient privacy or waiting area space. The space they are indicated to use as circulation is the same as the space they use to wait before a court case. Sensitive issues and conversations are held in these corridors, which is not dignified.

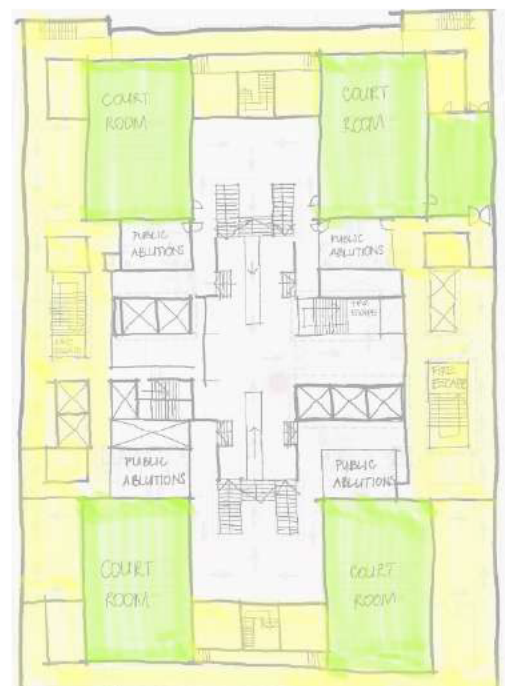


Figure 57 Floor plan (sketch by author)

The literature proposes that interstitial spaces foster a sense of safety and inclusion, because people are able to use space democratically and independently



Figure 58 Internal passages and circulation (by author)

Flexibility of Spaces

Due to the rigidity of the planning, there are no spaces that can be used for other uses by the public, but also due to the shortage of consulting rooms, the passages start to become spaces of conversations.

5.2.5 Accessibility

The court is located on the border of the central business district, and is easily accessible by car. It sits between 2 major arterial routes, but taxis do not pass the actual court, which means that taxi stops are not close to the entrance of the court. A considerable distance is required for users to walk to the court. The area surrounding the court is predominantly catered for cars and not for people.

5.2.6 Perceptions of Experience and Gender Sensitivity

The court building considers lighting quite adequately which can contribute to the feeling of safety, but does not accommodate functions for the needs of women in its planning. There are dedicated children's Court Rooms, yet not enough child friendly spaces.

5.3 Madadeni Magistrates Court (Peri-Urban)

5.3.1 Introduction and Justification

Madadeni Magistrates Court is located on the peri-urban of Newcastle, in the Amajuba District. The court is the main service of justice to the community.

5.3.2 Contextual Analysis and Response



Figure 59 Locality Map (Google Maps)

The court building is located in the peri urban township of Madadeni section B. The location of the court building is suitable for the needs of the community. It is surrounded by social services for the public such as the SASSA office which is used to administer social grants to the community, the police station, and educational institution. These services are primarily surrounded by residential homes which are complimentary as they serve the community. This makes the services easily accessible. It is also beneficial for the court to be adjacent to SASSA and the police services, as the court deals with a lot of family issues pertaining to Maintenance, children, civil etc.

5.3.3 Building Form and Expression



Figure 60 External façade (picture taken by author)

The building was constructed in 2006, yet its architectural expression resembles buildings in the Neoclassical architectural style. This style is recognized by emphasis of scale and volume, large columns from the Roman or Doric orders, and simplistic geometric forms. At first glance, the building is comprised of 1 storey, but it also has a basement. One level is for staff and only one level is accessible to the public. The building sits on the site as a solid block with flat edges, and one entrance. The front elevation of the building has no openings and appears to be shut off from the street elevation. The doorway is only visible once the user has walked through the palisade entrance. As the research has shown, court buildings have historically been designed to communicate messages of importance of the government and justice system, but these messages imply a hierarchy that is above the public, which therefore translates as intimidation and rigidity. Whilst it is understood that court buildings are complex structures that need to address issues of safety for staff members and for the general public, it is the same element of security that works against the public.

The dominant material used is that of brick and mortar and there aren't any other finishes or form of ornamentation, which expresses its structural integrity. This enunciates the building's rigidity and further communicates messages of authority and dominance.

The research has sought to find ways in which court buildings can be designed to be less intimidating and welcoming, and this building represents some of the elements that are perceived to make such public buildings intimidating. The literature has placed great importance of building form as a key generator of designing gender sensitive architecture, and this building has displayed how form, or lack thereof.....

5.3.4 Planning and Circulation

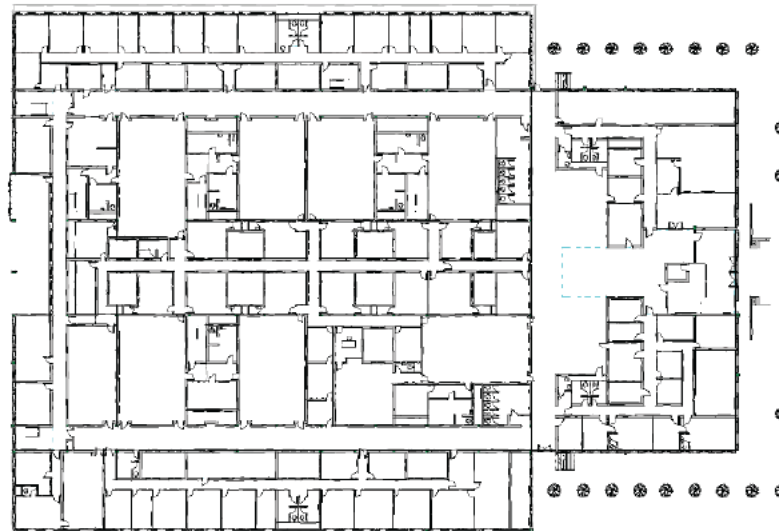


Figure 61 Floor plan (by author)

The planning of the building is quite functional, as it follows the form of the geometric shape of the building. The circulation of the court is structured around the main courts. Court buildings generally place great emphasis in separate circulation for the public and staff, which is attempted in this case study. There is one primary public entrance, which is also the main exit, and is also shared with some staff. The journey from the exterior of the site and into the interior of the building follows a linear path.

(sketch)

The internal corridors are not separated between public and private, therefore they become a shared space between the public and the staff. This is both beneficial and problematic. This allows the public to easily approach the staff members, yet it does not allow the staff to have privacy, and furthermore, does not allow victims any privacy or protection from perpetrators. The complex privacy gradient required in the type of court issues dealt with is not considered, as the planning follows a functional approach in order to cater to the administrative duties of the court building.



Figure 62 Internal corridor (by author)

The public does not have a designated area to wait, besides the benches that are provided in the corridors. Several offices are allocated to be used as consultation rooms, but only if a staff member is involved. This means that

any private issues that need to be discussed between members of the public are discussed in the corridor, or outside the court building.

5.3.5 Accessibility

The court building is easily accessible from the perspective of a pedestrian, as it is located in a low traffic street, and considers universal access. The pedestrian entrance is barricaded by a palisade fence on the boundary of the site, before accessing the main entrance, which suggests that the building is being protected from the public. This can be perceived as a defensive mechanism that makes the court building appear to be intimidating.

The main entrance is pronounced with a protruding roof to highlight its importance and sense of arrival into the building. An additional consideration of accessibility that is not limited to the physical, is the ability for the public to access the staff members and any additional services. The planning of the building pertaining to way finding does not enable the user to wander or be directed in any other direction or services besides the court room and the ablutions. The court building in this instance is perceived as limited in what it offers, which can be deceiving. The additional services that the court offers range from mediation and protection.

The consideration of the needs of women are highly unaddressed in this case study. Women who need to use the court facility may find it difficult due to the lack of public waiting areas, and the lack of child friendly spaces. As for new born mothers, there aren't any baby change rooms or rooms for mothers, which makes the court building highly uncondusive for women.

Unlike the Durban Magistrates Court, this court does not have dedicated children's court rooms.

5.3.6 Perceptions of Experience and Gender Sensitivity

The physical aspect of space has an inherent influence on the user's emotions, behaviour and perceptions, as the literature has conveyed. There are many elements that contribute to this, and can have desirable or adverse effects.

The building can be perceived to be a place of safety from the entrance, as there are notable security measures from the street and into the entrance. The incorporation of light wells and clerestory lighting allows for natural lighting to enter into the building, which makes the areas visually comfortable and enhances the user's experience. The lack of natural ventilation and greenery in the facility creates an uncomfortable experience, which is further exasperated by the monotone colour palette of the interior.

The internal finishes are limited to brick and clay tiles, which are rough textures. The use of these finishes in buildings is for the durability as it is a public building. These finishes create a cold and harsh appearance. The building also has high ceilings which creates is a result of the large scale of the form of the building. This creates the illusion of the internal spaces appearing to be more open, but the considerable volume presents an element of intimidation due to its scale.

5.4 **Louwsburg Magistrates Court (Rural)**

5.4.1 Introduction and Justification

The Louwsburg Magistrate Court is located in a rural town called Louwsburg, in the Northern KwaZulu Natal Region. It is the only court building in the town and it services the surrounding rural areas of up to 70km radius. The selection of this particular building is to seek how a court building of a considerably smaller scale may address the issues pertaining to gender inequality. This will assist in ascertaining how scale and form may influence the perceptions of users.

5.4.2 Contextual Analysis and Response



Figure 63 Locality Map (Google Maps)

The court is located within a small rural town, and a population of about 4000 people. The court sits adjacent to SASSA and an abandoned police station, which indicates that this region is considered to be the civic precinct that serves the communities needs. There is no further services such as hospitals or clinics, and no sign of potential development.

5.4.3 Building Form and Expression



Figure 64 Street Elevation of Louwsburg Magistrate Court (by author)

According to AMAFA regulations court is considered a Heritage building, as it is over 60 years old. The architectural style is also a depiction of colonial architecture. The building is a much smaller scale compared to most court buildings, as it caters to a much smaller population. The scale of the building is sensitive and respects the surrounding context. There is limited expression of form, as the building follows the internal function of the building.

5.4.4 Planning and Circulation

The building has only one court room, and the rest of the functions support the administrative duties of the court such as the cash hall, and offices of the staff. The building is arranged as an L shape, and has two public entrances. Both entrances are monitored by security personnel. The circulation of the facility is quite functional, as members of the public are restricted to using the veranda that surrounds the building, which keeps them separate from the staff, yet still apart of the building. The staff also have a dedicated entrance, which allows for privacy, especially for the magistrate.

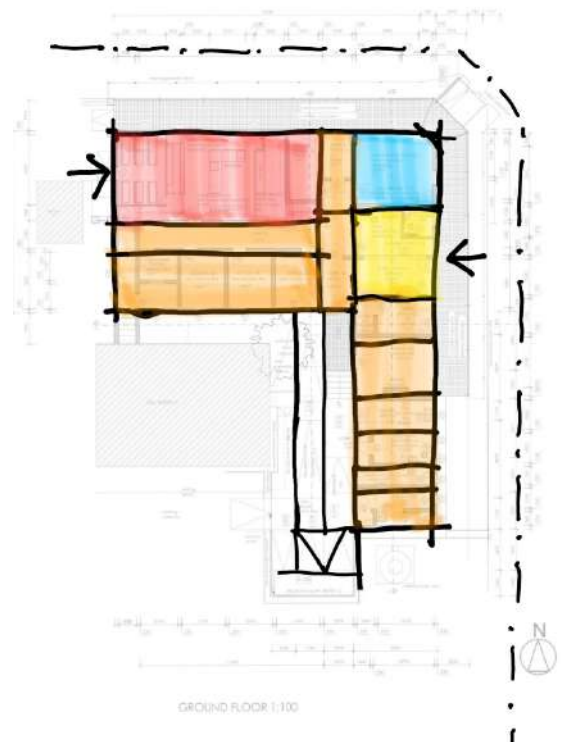


Figure 65 Sketch of the floor plan of the court (by author)

There is one public waiting area that faces the street, with internal and external seating. This allows members of the public options in seating for lighting or ventilation purposes, but still reads as one dedicated space. The scale of the court adequately accommodates the day to day function of the court administratively, but there isn't a sensitivity to different types of cases, compared to other court buildings. There isn't a dedicated court or office for family cases such as domestic violence disputes or a dedicated area for victims that are children. The building is not child friendly, or sensitive to issues that would affect women and it does not support mothers with children. This can create a barrier for women needing to access the facility.



Figure 66 Outdoor public waiting area (picture taken by author)

5.4.5 Accessibility

The court is predominantly accessed by pedestrians, as it is located in a rural area. There is a taxi rank close to the court building, which allows users from other areas to travel easily to the town, and to the court. The building is fenced off by a palisade fence, which allows users to see the building from the street, which makes the court visually accessible. The court also has universal access in the form of ramps which allows people with disabilities to access it easily. The appearance of the court may be less intimidating because of its scale, but its planning does not make the use of the court as a public building that is welcoming. It reads as an administrative function more than a social function. There are no support spaces, and the staff are not easily accessible, as there is no reception area or way finding measures besides that of the security personnel.

5.4.6 Perceptions of Experience and Gender Sensitivity

The site itself as well as the surroundings influences the overall experience of the building quite significantly. Due to the site being in a rural area, it is quiet and intimate, compared to a site in the city. A meaningful sense of community is felt, and the preservation and proximity to nature enhances the overall experience. In this case, the building form is not as intimidating even though its structure is quite rigid, it is softened by its natural setting, as well as the fact that the walkways and openings of the building are quite visible, which suggests that the building is inviting and not communicating messages of dominance as most court buildings do. This creates a feeling of safety and transparency, and indicates some of the principles of gender sensitivity as the literature has conveyed.

5.5 Conclusion

In this chapter, an intersectional approach has been used to analyse 3 different court buildings in an urban, peri-urban and rural setting. This was done in order to ascertain how the design of court buildings, considering the different women from different backgrounds socio economic contexts, and how gender sensitivity lens can apply or is achieved in three different contexts. From these case studies, it can be concluded that the needs of women are rarely addressed in the design of such buildings, and this presents barriers for women to access these facilities.

Through the literature, it has been understood that institutional buildings such as court buildings have been commonly designed to communicate importance and rigidity, and this is translated into the planning and programming. All the case studies prioritize the administrative functions of the court proceedings, as well as the security risks of staff, but inadequately cater to the sensitive social factors of the communities they serve, in the planning, as well as the built form of the building.

The literature highlighted key design elements of an African Feminist approach that were used to analyse the different case studies. Most of these design elements are not used in the existing buildings, but more information was acquired from these case studies. Court buildings, being essential as an organ of the justice system, are quite complex in their everyday functioning and the types of cases that are heard. Magistrate's courts specifically, have the difficult task of housing all these cases, in one building. This can be seen as a major contributory factor to what may be perceived as a disregard for sensitive cases.

As society changes, buildings need to reflect these changes, and as the literature has shown, the typology of the court building has not evolved. With the increase of socio-political tensions, architecture needs to be responsive to these changes as well. For the purposes of this research, it is required not only to develop a building that is gender sensitive in its visual appearance, but through its primary function and daily use.

Through the building's spatial arrangement, this building can introduce a gender sensitive approach to how the justice system processes can be housed, that would alleviate the barriers that women experience, that perpetuate gender inequality in the built environment.

CHAPTER 6: ANALYSIS AND DISCUSSION

6.1 Introduction

The aim of this chapter is to synthesise the overall discussion that the literature has presented, in conjunction with the primary data that has been collected. The content of the primary data is essential to this research as it maps and conveys the experiences of women in the built environment, which underpins and anchors the hypothesis. This chapter will evaluate whether the principles developed can be a method to address the different complexities and intersections of issues that people experience in public space, but more importantly, how these principles can be applied to a court building.

6.2 Analysis of Research Findings

The primary data that was collected through the means of interviews with built environment professionals and occupants of the Durban Magistrate Court. The method chosen in selecting the built environment professionals was that of the purposive sampling method. Built environment professionals that have extended experience with court buildings are scarce, and it was crucial for the benefit of the research to gain their perspectives.

The interview questions provided were asked as a catalyst, to promote a discussion, rather than a rigid exchange. The first question was designed to be broad, to allow the participants to be as elaborative as possible. It also allowed the researcher to ascertain the understanding of how the participants understand feminism, and how they may perceive it in the built environment.

6.2.1 Feminism as a framework in the context of Africa

The participants all generally understood what feminism is, as a movement that advocates for the rights of women. The socio political coverage on mainstream western media heavily influenced how they perceive it. Some participants noted that they have a different view of what feminism is and do not relate to the general consensus of the public. They felt that the trajectory of the movement has gone from a positive one, to a negative one; from being pro-women to anti-men. They understand very well that women continue to experience inequalities because of their gender, but one participant strongly felt that 'it does not mean that women should be equal to men, in my culture, women can't be equal to men'. They feel that the movement has been radicalized and promotes promiscuity in one sense, where they now feel that they no longer identify with the current intentions of the feminist movement. Most participants also agreed that the movement's inception in the global context was to empower women and to be treated fairly, especially in male dominated fields, like architecture and engineering.

The common theme that can be extracted from the particular question that was posed is that the movement of feminism is necessary, but also the meaning of it differs in different societies, cultures, races and communities, and it needs contextualisation. One participant highlighted that their understanding of feminism has changed, because according to them, movements that are supported in mainstream media do not reflect the issues that affect women on the ground and in their daily experience. The applicability of African Feminism in this particular research is hereby strengthened. It is also noted that the participant's perception of this movement is also influenced by the social constructions of gender roles in their context, as their understanding of the movement is rooted in how they have been conditioned in their societies.

6.2.2 The perspectives of female practitioners in the built environment

As practitioners in the built environment, they all recognised that historically, most of the buildings they occupy are designed by men, and need to be revisited. They also raised that there are not enough women in the field of architecture and engineering, and specifically not enough women in decision making positions. One participant noted that even when she does make suggestions to a team that may be male dominated, about making changes, it is often excluded. They all mentioned design faults like the intimidation of institutional buildings that are not child friendly or even comfortable to be in. They agreed that the needs of women are not catered for. One particular participant mentioned the masculinity of men in the way they practice architecture, and asserted that if there were more women involved in the design process of buildings, the needs of women could be recognised.

6.2.3 How Gender and gender roles are manifested in space

The results from the questions pertaining to the role that gender plays in the design of spaces are similar to that of the question of the perception of the spaces that women occupy. The overall consensus is that gender plays a critical role in the design of buildings, but it is something that all the participants did not recognise prior, as they have been conditioned to accept that the inequalities they experience public space are normal. One participant clearly stated that “men can go everywhere they want and at whatever time. There are certain places that I will never go to, because I know that I will be a target”. The participants notably had difficulties expressing how they understand the design principles incorporated to subject them to these experiences, but they are all able to express the experience of the prejudice of gender roles in these spaces.

The theme of control and perception as highlighted in the literature is highlighted in these engagements. Through the reinforcing of the gender roles that have been constructed in their societies, women feel that

even in public space, they are perceived as a minority and are socially controlled in their movements. The physical spaces house these emotions, and they therefore perceive their environments as a result of these connotations.

A particular participant highlighted that gender is not the only factor to consider when designing inclusive spaces for women, but religion and culture is another important aspect that is linked to gender. She raised the example of how religion also reinforces gender roles, and how different religions may use or perceive spaces. She has observed how Muslim women are more rigid in public space, and questioned how their religion enforces certain expectations of women to act in public space.

6.2.4 Urban Fear: Women's untold experiences of spatial inequality

The participants do not feel that public spaces are inclusive, let alone safe. One participant particularly mentioned that after a woman in South Africa was murdered in a Post Office, she has had heightened feelings of fear and anxiety when she enters public buildings. She questioned how such can happen, in such a public space. Another participant pointed out that as a female, she questions why males can walk around freely on the streets, yet she feels like she is a target even during the day. The theme of fear and safety in public spaces is the most common issue across all the participants, and relates back to the literature. The literature introduced some of the statistics of women being targets and victims in public space, and how public space makes women vulnerable. There are numerous cases and reports of gender based violence and harassment in public space, but the impact of these events are not looked into. The impact of these events not only renders public space as unsafe for women, but supports the notion of power and enablement in men; that these events are acceptable.

One participant drew on her experience of using public transport in Durban. She highlighted that women do not experience the city the same as men, and it is a reflection of how specifically black men treat women, with violence. She highlighted that she feels that she is at mercy of men especially in the vandalized areas of the city. At any given moment, she can be harassed verbally, and fears that it lead to being physical. In black culture, according to her, women have to be submissive, and in public space, she feels that men expect women to be submissive, and if they aren't, it is punished. From this particular contribution, it can be deduced that there is a complex power play between men and women in African societies, and it is manifested in space where men become territorial.

When questioned about designing inclusive spaces, surprisingly, most women did not suggest designing spaces that are designated for specifically women. One participant outlined that a space that is dedicated just for women can be dangerous, as women can be vulnerable and will then be targets. Another participant brought up the example of unisex toilets that it can be triggering for rape victims to be sharing and bumping into potential male predators, so the separation of genders is needed in her opinion. This presents a crucial nuance to the research, as it can be dangerous to base design decisions on assumptions. The literature highlighted the importance of having choice and designing with the lens of intersectionality. In the context of this research, it is imperative to be sensitive to the users, and analysing the different intersections of prejudice and fears that women experience. The participants also engaged on the idea of gender neutral spaces, and disagreed with this notion. This is due to the nature of the South African social context. They all feel that they are disempowered and vulnerable and cannot identify a space that is gender neutral, and what it might look like. It is not necessarily always about the design of the spaces, but more about how they are treated in that space.

6.2.5 The environment of Court buildings

The key personnel and occupants of the Durban Magistrate Court were also interviewed, in order to understand the spatial experience of court buildings.

The main recurring theme gathered from the participants is the issue of safety. The building has security personnel and access control in terms of technology, but none of them related this as making them feel safer. One participant recalled an incident where prisoners had escaped and all the staff members were scared. Some of the offices of the occupants are located in passages that have no natural lighting or alternative escape route, which makes them feel trapped.

None of the participants described the building as a conducive environment. One participant jokingly described the building as not much different to a prison – as if they are the ones being incarcerated, but they actually work for the department that is supposed to facilitate the justice process. Most participants related to their environment as being inadequate for technical reasons ranging from air-conditioning and lighting, but all complained about the lack of communal spaces or “space to destress” as one participant recalled. The only spaces considered to be communal is the kitchen, which is far from the offices, and a balcony, which is inaccessible to the staff. This also relates to the concept of architectural psychology as mentioned in the literature, that has an effect on how people live and work, which poses the question of

how the justice system processes can be effective, if those responsible for administering it don't work in suitable conditions.

All users agreed that the court building does not accommodate for the needs of women, and are certainly not child friendly. The building does have children's court rooms, which have some toys and colourful furniture, but the rest of the building "feels like a prison". There are no spaces dedicated to children, or even mothers. Sensitive cases are sometimes discussed in an office, but for the officials, it has not raised major concerns, as they are doing their job.

The officials who are parents agreed that it would be beneficial to have spaces that accommodated for their needs as well, as their children do not have a space to wait or sit while they work, if they had been picked up early from school, as all their schools are quite far. One participant highlighted that she would hate for her child to go through anything that would require her child to be in a court room, as the environment and the process is quite daunting.

6.3 Conclusion: Summary of Findings

The primary data that was collected through the interviews and the discussions with the participants assisted in understanding the physical manifestations of gender inequality in physical space, and the spatial experience of court buildings. It also highlighted the key concepts and theories utilised in this dissertation, which provides a distinct perspective in the design of a court building that can be inclusive and sensitive to the needs of women.

Afrocentric Gender Politics speaks to a myriad of factors that can be seen in the built environment. When discussing the issue of gender inequality in Africa, it is usually perceived as just a social issue and is limited to the issues of traditional gender roles. This research has highlighted that the issue of gender inequality is not one dimensional, but is quite layered. Within these layers, exist many prejudices and stereotypes that undermine gender inequality.

In Africa, issues of gender go beyond the pay gap as seen in the Western Feminist framework. African Feminism highlights some of these, and this research has considered how these are manifested in the built environment. Some of the social ills that are prevalent in African societies are the socio-economic plight of women, rising numbers of rape, staggering statistics of domestic abuse, and the remnants of a colonized and oppressed society. These issues do not happen in isolation, but are linked to the overall treatment of

women in society, which affects how women experience space. The literature highlighted that in certain South African societies, men and women may have had a democratic relationship in the domestic space, but it is not translated in the public sphere, when compared to the overwhelming literature and data collected

Gender inequality permeates many aspects of life, including how people move around. The Afrocentric gender politics in the movement through space refers to how women have not been offered an equitable way of moving through space. The one dimensional approach to designing urban spaces has led to women not being able to access resources equally. Women in South Africa from underprivileged socio-economic backgrounds, are characterized by being care-givers, which means that they are often walking long distances with children, and traveling long distances that cost 40% of their income to access the city. This is their everyday reality that is not catered for. African Feminism not only questions the oppression of women at the hands of men in a patriarchal society, but addresses the other notions of oppression that are due to capitalism and racism. This framework recognizes that these issues are interconnected. This offers a nuanced revelation to the gender inequality discussion, as it is often interpreted as a 'woman vs men debate'. In the built environment, this means that it is not just about introducing a 'woman friendly' approach, which is necessary, but it also recognizes the complicity of architecture in creating elitist spaces, that produce further inequalities.

African Feminism as a decolonising framework, advocates for the analysis of such structural forces that cause inequality amongst all genders, in the African context. In the built environment, this advocates for the democratisation of space, and recognizing social ills that cause spatial inequalities. This approach advocates for inclusivity and equality, and redresses some of the socio-spatial inequalities that marginalised individuals may face, that are often considered mundane. What is important is neither equalizing access to, nor participation in, the public domain, nor re-valuing men's and women's different roles. Rather, this perspective generates an approach committed to destabilizing gendered dichotomies, thereby undermining relations of power between women and men.

The findings of this research confirm that there are moral judgments made about the behaviour of women and men in public spaces, through the assertion of the binary that translates in a spatial dichotomy.

CHAPTER 7: CONCLUSION AND RECOMMENDATIONS

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This dissertation set out to explore how Afrocentric gender politics can influence the design of public buildings, specifically a court building. For conclusions to be made it is essential to revisit the hypothesis of this dissertation: In the light of rapid shifts in theoretical, historical and critical debates, particularly with respect to feminism, understanding architecture in relation to gender demands an urgent contextualisation. African Feminism provides the relevant framework needed to contextualise the issue of gender relations in civic spaces in an African context, towards decolonisation.

7.2 Research Aim

The research has achieved the aim of understanding the politics of gender and its influence on the built environment in Africa. The research reveals the fact that gender has not been a primary consideration in

the development of the built environment, and has led to an unequal environment that perpetuates gender inequality.

7.3 **Research Objectives**

1. To interpret the framework of African Feminism as a guideline for designing inclusive civic spaces
2. To establish how Afrocentric centred design can encourage inclusivity, social integration and welcome democratic participation in the built environment
3. To explore the relationship between gender, design and the built environment

The relationship between gender, design and the built environment has been explored extensively. The theoretical framework has highlighted the importance of gender studies, as it provides the necessary foundation to understand the complexities of power relations as they manifest in space. It highlights further, that Gender as a concept in urban planning and in architecture, means that a democratic relationship between women and men needs to be implemented in space, in order to bridge the gap that the built environment creates.

African Feminism as a decolonising force, advocates for the analysis of structural forces that cause inequality amongst all genders, in the African context. In the built environment, this advocates for the democratisation of space, and recognizing social ills that cause spatial inequalities. The literature has outlined how space is a product of social interactions, and that space also has the power to transform these interactions. The literature has also shown that a disconnection from gender dichotomy results in masculinity of built environment being eroded. Knowledge of gender role views can help provide a better understanding of human behaviour and assist in the development of culturally specific interventions.

The precedent studies have given the research insight as to how democratic and gender sensitive design can be achieved, and how these can be linked to African Feminism. The precedent achieved the objectives of how Afrocentric design encourages inclusivity, by implementing a contextually relevant response through architecture. The design approaches are inclusive and also place great emphasis on the experience of the user, instead of just the commodification of space. The precedents also highlighted the execution of democratic and interstitial spaces that give users autonomy and choice, in how they use space.

The case studies confirmed some of the assumptions made by the author, as well as support the issues raised in the literature review, pertaining to the rigidity of public buildings, specifically in court buildings.

The case studies show the urgent need for court buildings to respond to the needs of people as a whole, and particularly for women, because court buildings shape our perception and trust of justice system processes. The typology of the court needs to move away from just an administrative function, and serve the public adequately.

7.4 Research Questions

The research answered the questions through the analysis of the theoretical framework, and the studying of relevant literature. The precedents studies further developed these answers by analysing different design solutions that address issues of how minorities are disproportionately affected.

The politics of gender have influenced the built environment by creating an environment that disproportionately affects women, and limits their ability to access, enjoy, and succeed in their everyday lives. African feminism advocates for the contextualisation of theory and practice that is often neglected, and the assessment of other factors such as class and race, that intersect with gender. It proposes an approach that advocates for inclusivity. This framework has not only informed the design process, but the way the precedent and case studies are analysed.

Since the experiences and perspectives of women and girls were historically excluded from social theory and social science, much feminist theory has focused on their interactions and experiences within society in order to ensure that half the world's population is not left out of how we see and understand social forces, relations, and problems.

7.5 Recommendations

7.5.1 Design Process

This research sought to explore how the politics of gender in the context of Africa can be used to influence the design of a court building. Through this exploration, it can be deduced that the design of a gender sensitive building requires an intersectional approach into all aspects of the design process. The design process cannot be one dimensional, but needs to be multi-faceted and nuanced and responsive to the issues that affect minority members of society. The normal process of architectural design involves the investigation of space from a physical aspect, by responding to a brief, and analysing constraints such as site, building technology, costs and environmental issues. This research calls for an additional consideration that has been proven through the literature to be under-looked; the consideration of women's needs, which also extend to children, and people with disabilities. Each step and phase of the

design process, particularly from the beginning, needs to consider with intention, the complicity of the design resolution in creating gender inequality.

7.5.2 Site Location: Considering social context

The location of this study is situated in the CBD of Durban, KwaZulu Natal. The response to the site needed to factor in the historical issues of Durban's city planning as a result of the Apartheid legacy, where African families were constrained to certain areas which limited their access to certain resources. Women have been historically excluded to services and therefore this site addresses the challenges of inaccessibility. African men and women were separated, where men were forced to travel long distances to the city for work, leaving women to lead the household in rural areas. African women were excluded from urban participation through Apartheid policies, which has caused a paralysing disconnect between certain users and the built environment. This study has looked at how gender norms has influenced the built environment, and how architecture can be used to bridge the gap that it creates in gender equality.

The site is located adjacent to Gugu Dlamini Park. Gugu Dlamini was beaten to death near KwaMashu just outside Durban, in December 1998, for coming out about her HIV status just after she appeared on national television to tell the country her story. The fear that she would infect others led to her being killed by a group of men from her township. Her death brought to everyone's attention the discrimination prevalent in the country. This landmark is of historical significance, and will be retained, specifically as a social catalyst and a recognition of the importance of women's issues, which directly affect all members of society. It also serves to question how far we are still yet to go, as the issue of Gender Based Violence is still prevalent over two decades later.



Figure 68 Gugu Dlamini Park, Durban CBD <https://www.africannewsagency.com/pictures/anapix-gugu-dlamini-park-71f1806d-50bb-4d2e-8c12-7f9ac166b497/>

The existing pedestrian network is crucial to the design of this building, as accessibility is important to the framework of African feminist thought. Not only is the existing pedestrian pathways preserved, but the women's movement patterns are assessed. Upon walking through this public park, it is noted that there is an overbearing presence of men compared to women, and this can be due to a number of reasons. The literature highlighted that when public spaces do not provide opportunities for women and children to linger, it creates an environment that suggests that they do not belong. The design of the site provides spaces that are friendly to women and children, by including spaces to play, variety of seating, and variety of activities. The design also considers some of the lessons learnt from the precedent, by providing social equity, for women to be able to use public space equitably.

7.5.3 The Court Typology

Magistrate courts are regional courts that usually deal with civil and criminal matters and disputes, and therefore comprise of generic court rooms that house all these cases. The issue is that some of these courts cannot cater for sensitive issues adequately, and do not have adequate Children's court rooms, Maintenance courts, Sexual Offences courts and Equality courts, as seen in the case studies. The design of this court is to cater for these cases, and also so that the public can be encouraged to make use of these justice services. The design of this court building is not isolate these cases, but to empower those who have been disempowered due to inaccessibility of services. This court building will still be designed to function as a magistrate court building, but will set a precedent of how institutional and public buildings can be designed to accommodate minorities more intentionally.

The idea of the court room is also relooked, whether it is as a functional vehicle for achieving the means of dispute resolutions. The court system is crucial to a democratic country, but as discussed in the literature, the perception of justice in South Africa is negative. Because existing community channels for dispute resolution uphold gender norms that condone violence and make women fear being ostracized if they speak out, these issues rarely surface through conventional methods. Through architecture, women can be reoriented to perceiving the built form of the court system as more transparent and welcoming. In addition, the court will include alternate forms of dispute resolution that are connected to the African way of resolving disputes, through community measures, through therapy, through art expression, through education, and through provision of access to various organizations. These will be conducted in the facility of the court building and the site, which allows for engagement with the justice system.

The rape reporting process in South Africa is quite decentralised. A person is required to visit various different facilities such as the Police station, and a district hospital, where distances may vary. Services that are closer in proximity and work in unison, will assist victims in reporting incidents within the required time frame, and in a supportive setting. This court building will bridge the gap that is often created by services that are not easily accessible and are not sensitive to victims, by providing spaces that prioritize these incidents.

7.5.4 Building Concept

The architectural design and overall concept is rooted in the idea of combating the themes of intimidation and inaccessibility that has been discussed in the research, and it strives for a democratic approach. The appearance of the building is more oriented towards the users rather than administrative functions. Visibility is a key driver of gender sensitive design. The overall spatial organization is more flexible and organically ordered than formal, to eradicate the rigidity often experienced in normal court buildings. The building form takes on a clustered approach instead of a centralized, solid approach, which changes the perception of the building being inaccessible. The building draws in principles of Feminist architecture, which means that the building is designed to nurture its users, but also nurtures and feeds its surrounding context, by having respect for the physical, socio-economic and cultural context.

The visibility of the users takes precedence over the aesthetics of the building. By incorporating the concepts of democratic spaces as discussed in the literature, the users are given choice in how to use space, which gives them agency and provides opportunity to connect and to feel empowered, instead of

being dictated to. This also draws from the intention of political democracy, by making the building more transparent and allowing for engagement. To develop open and non-intimidating architecture, large areas of glass are used to allow visual connection with the outdoors. In some areas, timber-louvred sections and artwork are used to provide shading and privacy screening.

7.5.5 Accommodation Schedule

It is important to consider the client requirements and administrative functions of the court, in order to optimize functionality. Some of the traditional functions of the court are reconsidered, so that the one dimensional approach will not be replicated. Considering additional functions that support women and are sensitive to the cases that are occurring are essential. Some of the issues identified to women not being able to fully exercise their right to space is the under provision of child care facilities. By virtue of women being care givers, this needs to be acknowledged and adequately catered for. Inclusion of facilities like family rooms are not just mundane considerations. The public requires adequate play areas and children's court rooms, but the staff members who are often forgotten, require access to such facilities as well.

The decentralized approach as extracted from the precedent studies and the literature will be adopted, whereby the building will be divided according to the core layers of emancipation as learnt from African feminism, these being Political, Social, Cultural, Educational and Social emancipation of women. The spatial organization of these cores will be developed in cognizance of these factors.

Standard Functions of Court Building	Proposed Functions in line with research
POLITICAL + LEGAL	
The case studies of the different court buildings proved that there are shortages of courts that deal exclusively with the rising numbers of domestic violence, sexual offences, and family issues. It is proposed that dedicated court rooms be provided to combat these shortages.	
Standard Court Rooms	Sexual Offences Court Rooms: with separate waiting areas for victims.
Sexual Offences Court rooms	Maintenance Courts
	Equality Courts
Children's Courts	Children's Courts with adequate child care facilities
Public Waiting Area	Public Waiting Area with access to court yard or Natural Light
Judiciary	Private
Magistrate's offices	These will be retained as private
Judge's Secretary	
Prosecutor's offices	
Admin offices	
Judge's Lounges	
Archives	

Board rooms	
Administrative	Semi Private
Staff Offices	Offices for: Commission of Gender Equality
Cash Hall	Offices for: NGO's
Consultation Rooms	Conference Rooms: for alternate measures of dispute resolutions
	Mother's Rooms / Nursery
	Semi Public
Waiting area (Corridor)	Dedicated Witness Waiting Area
Consultation Rooms (Usually shared with Staff Offices)	Dedicated consultation rooms
	Advice Centre
	Legal Services offices e.g Legal Aid
	Shared Conference Space
	Public
	Public Waiting Area with access to court yard or Natural Light

MEDICAL

Not Catered	Health Centre (Addressing sensitive cases such as rape and Domestic Violence / Attacks)
	Reception
	Doctor's Rooms
	Pharmacy
	Trauma Counselling Rooms
	Dedicated NGO Support Service
	Dedicated Police Services office

SOCIAL

	Semi Private
No dedicated space of relief for staff	Shared / Common Space
Kitchen	Mother's Rooms
Staff room	
	Semi Public
None	Childcare
	Playrooms
	Communal Spaces for gathering that include staff, to engage
	Seminar Room
	Civil Society Organization offices ie Volunteers assisting women with sensitive community related issues
	Public Engagements
	Debate Arena: Allowing for public debate and comment on new laws and policies with different stakeholders
	Indoor/Outdoor Canteen

CULTURAL

None	Ubuntu Centre (Artistic expression and Income generation)
	Gallery
	Interior Exhibition Space
	Outdoor Exhibition
	Art Shop
	Informal Trading

EDUCATIONAL and ECONOMIC

Usually posters in the lobby	Skills Development Centre
	Skills development Workshop Space
	Multipurpose Hall
	Library
	Co-Working Spaces

7.5.6 Planning Layout and Circulation

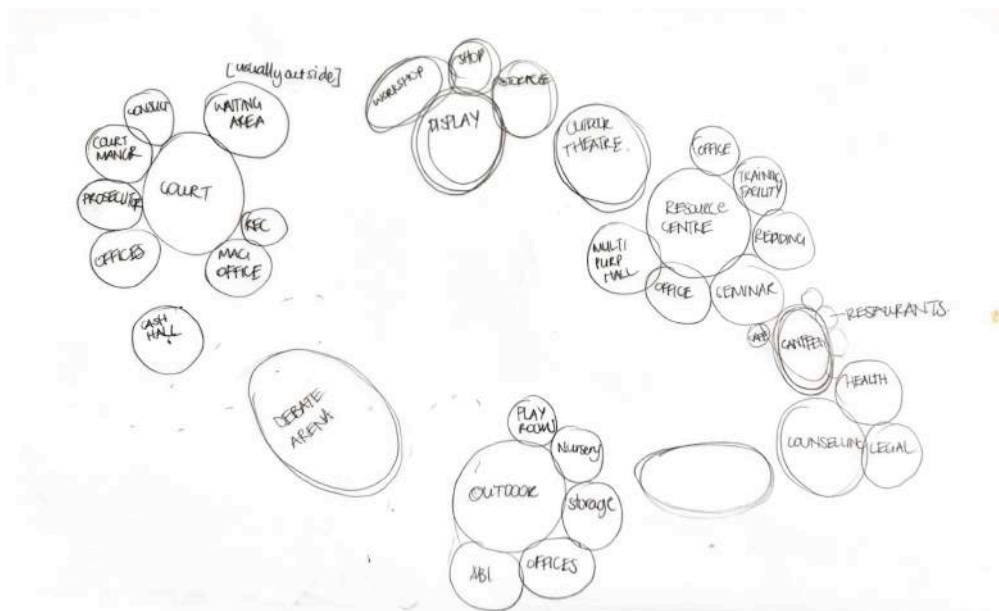


Figure 69 Bubble diagram of spatial arrangement following an organic spatial organization

The configuration of space and visual accessibility between locations are central factors that influence how easy or hard it is to identify routes within a building, as discussed in the literature. Reflecting on the case studies, it is imperative to design in a way that responds to the concerns raised by the staff and the public. The notion of separate circulation patterns for public, prisoner, and judiciary members remains imperative, but an additional lens of gender sensitivity is applied. Victims needs to be included in the circulation patterns, by introducing alternative waiting areas and spaces of reflection that are comfortable, well lit, and accessible. The building is not designed as a priority for just security, but the ability for the public to navigate and communicate, without feeling excluded.

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CHAPTER 9: APENDICES

9 APPENDICES

9.1 Consent Form

UKZN HUMANITIES AND SOCIAL SCIENCES RESEARCH ETHICS COMMITTEE (HSSREC)

APPLICATION FOR ETHICS APPROVAL For research with human participants

9.2 Information Sheet and Consent to Participate in Research

Date: February 2018

To Whom It May Concern,

My name is Bongeka Mnguni and I am a student from the University of KwaZulu-Natal. I am studying my Master in Architecture, in the school of Built Environment and Development Studies which is part of the College of Humanities and is situated at the Howard College Campus.

You are being invited to consider participating in a study that involves research on the relationship between gender and the built environment.

The research topic which encompasses the study is as follows:

Exploring The Impact Of Afrocentric Gender Politics On The Design Of Civic Spaces: A New Court Complex In Durban, South Africa.

The aim and purpose of this research is to To understand how the politics of gender affect the built environment in the context of Africa. You are being invited to consider participating in this study which aims to identify how architecture can contribute to more gender neutral spaces. The study is expected to enroll 20 participants, 10 of which are employees working in court buildings, 5 of which are users of civic spaces and 5 of which are built-environment professionals.

To this end I kindly request that you participate in this interview regarding your knowledge and experiences to the following questions. It should take no longer than 30 minutes of your time. Your response is of the utmost importance to the research.

Please note that participation in this research is entirely voluntary and that should you wish to withdraw participation at any point, you may do so without incurring any penalty or loss. If you have agreed to

participate in the study and thereafter wish to withdraw your participation, please contact me directly via email, notifying me of your withdrawal as well as providing a reason for withdrawal.

Please note that there will be no costs incurred by participants as a result of participation in the study. Additionally, confidentiality is of the utmost importance and participants will be continuously reassured of this. Pseudonyms will be given to participants of the study in order to protect their identities.

The primary information collected will be analysed and summarized, with findings being discussed in the thesis, oral presentations, publications etc. Actual questionnaires which have been filled in will not be published. Participants will not be requested to write their names, company names or contact details on the questionnaire.

After the study is completed, data will be stored for duration of the five years. All paper based data will be stored in a file, kept under lock and key by the supervisor. Electronic data will be stored on an encrypted flash drive which will be secured under lock and key with the file mentioned above. Thereafter, all data will be disposed of. All paper based data will be shredded and burnt so that information cannot be gauged at all. Electronic data stored on the flash drive will be deleted and overwritten with the flash drives being completely reformatted so that files cannot be restored in any way.

This study has been ethically reviewed and approved by the UKZN Humanities and Social Sciences Research Ethics Committee (approval number_____).

In the event of any problems or concerns/questions you may contact me telephonically at 0782020852 or email me at bsnmnguni@gmail.com or you may contact the UKZN Humanities & Social Sciences Research Ethics Committee, contact details as follows:

HUMANITIES & SOCIAL SCIENCES RESEARCH ETHICS ADMINISTRATION

Research Office, Westville Campus

Govan Mbeki Building

Private Bag X 54001

Durban

4000

KwaZulu-Natal, SOUTH AFRICA

Tel: 27 31 2604557- Fax: 27 31 2604609

Email: HSSREC@ukzn.ac.za

CONSENT (Edit as required)

I _____ have been informed about the study entitled [Exploring The Impact Of Afrocentric Gender Politics On The Design Of Civic Spaces: A New Court Complex In Durban, South Africa](#). by Bongeka Mnguni.

I understand the purpose and procedures of the study (add these again if appropriate).

I have been given an opportunity to answer questions about the study and have had answers to my satisfaction.

I declare that my participation in this study is entirely voluntary and that I may withdraw at any time without affecting any of the benefits that I usually am entitled to.

I have been informed about any available compensation or medical treatment if injury occurs to me as a result of study-related procedures.

If I have any further questions/concerns or queries related to the study I understand that I may contact the researcher at 0782020852

If I have any questions or concerns about my rights as a study participant, or if I am concerned about an aspect of the study or the researchers then I may contact:

HUMANITIES & SOCIAL SCIENCES RESEARCH ETHICS ADMINISTRATION

Research Office, Westville Campus

Govan Mbeki Building

Private Bag X 54001

Durban

4000

KwaZulu-Natal, SOUTH AFRICA

Tel: 27 31 2604557 - Fax: 27 31 2604609

Email: HSSREC@ukzn.ac.za

Additional consent, where applicable

I hereby provide consent to:

Audio-record my interview / focus group discussion	YES / NO
Video-record my interview / focus group discussion	YES / NO
Use of my photographs for research purposes	YES / NO

Signature of Participant

Date

**Signature of Witness
(Where applicable)**

Date

**Signature of Translator
(Where applicable)**

Date

9.3 Interview Schedule

INTERVIEW SCHEDULE: BUILT ENVIRONMENT PROFESSIONALS

The following questions will be used to interview built environment professionals. The researcher will make note of answers and discussions on the form below.

PART 1				
Profession				
Qualifications				
Experience	0-5 years <input type="checkbox"/>	5-15 years <input type="checkbox"/>	15-25 years <input type="checkbox"/>	25+ years <input type="checkbox"/>
PART 2				
<ul style="list-style-type: none"> What is your understanding of feminism? 				
<ul style="list-style-type: none"> What are your opinions on the spaces which women occupy, and do you think they are safe and inclusive? 				
<ul style="list-style-type: none"> Do you believe that gender plays a role in the design of civic spaces and why? 				
<ul style="list-style-type: none"> What is your understanding of a gender neutral space? 				
<ul style="list-style-type: none"> Are there any spaces which stand out to you as spaces that are gender neutral and if so, why? This applies to the building you currently work in but to other facilities you have worked in as well. 				
<ul style="list-style-type: none"> What are your opinions on the spaces in which you work in, and do you think they are conducive? 				
<ul style="list-style-type: none"> How do you think the design of court building can be improved? 				
<ul style="list-style-type: none"> As a woman, what are some of the challenges you've faced while occupying civic buildings? 				
<ul style="list-style-type: none"> What are your thoughts on the spatial layout of the court room? Do you think that this layout is appropriate in terms of the victim? If not, how do you think it should be changed? 				
<ul style="list-style-type: none"> Do you think that female offenders should have the same type of cells as male offenders and why? 				

INTERVIEW SCHEDULE: OCCUPANTS OF COURT BUILDING

The following questions will be used to interview employees working in the Durban High Court. The researcher will make note of answers and discussions on the form below.

PART 1				
Job Title				
Qualifications				
Time Worked in the building	0-5 years <input type="checkbox"/>	5-15 years <input type="checkbox"/>	15-25 years <input type="checkbox"/>	25+ years <input type="checkbox"/>
PART 2				
<ul style="list-style-type: none"> Do you feel safe and comfortable in the building you are working in and why? 				
<ul style="list-style-type: none"> What are your opinions on the spaces in which you work in, and do you think they are conducive? If not, what sort of facilities should be provided to make the spaces better? 				
<ul style="list-style-type: none"> Does this building have special facilities for women? (Eg breast feeding rooms). If not, would the inclusion of such spaces contribute to a better working environment? 				
<ul style="list-style-type: none"> What do you think a building that is sensitive to women would look like? 				
<ul style="list-style-type: none"> As a woman, what are some of the challenges you've faced while occupying this building? 				
<ul style="list-style-type: none"> Do you think that this building accommodates more to the needs of men? If so, why? 				
<ul style="list-style-type: none"> If you have children, how far away is your child's school from work? Would an aftercare facility in the building be beneficial ? 				
<ul style="list-style-type: none"> 5. Is this building child friendly? If not, what do you think is needed for it to be child friendly? 				
<ul style="list-style-type: none"> Is this building sensitive to pregnant women? E.g how far are the ablutions, kitchen etc 				
<ul style="list-style-type: none"> What are your thoughts on the spatial layout of the court room? Do you think that this layout is appropriate in terms of the victim? If not, how do you think it should be changed? 				
<ul style="list-style-type: none"> Do you think that female offenders should have the same type of cells as male offenders and why? 				

9.4 Ethical Clearance



16 October 2019

Miss Senamile Bongeka Mnguni (213530004)
School of Built Environment & Development Studies
Howard College Campus

Dear Miss Mnguni,

Protocol reference number: HSSREC/00000567/2019

Project title: Exploring the impact of Afrocentric Gender Politics on the design of a Magistrate's Court in the City of Durban, South Africa

Approval Notification – Expedited Application

This letter serves to notify you that your application received on 01 July 2019 in connection with the above, was reviewed by the Humanities and Social Sciences Research Ethics Committee (HSSREC) and the protocol has been granted **FULL APPROVAL**.

Any alteration/s to the approved research protocol i.e. Questionnaire/Interview Schedule, Informed Consent Form, Title of the Project, Location of the Study, Research Approach and Methods must be reviewed and approved through the amendment/modification prior to its implementation. In case you have further queries, please quote the above reference number. **PLEASE NOTE:** Research data should be securely stored in the discipline/department for a period of 5 years.

This approval is valid for one year from 16 October 2019.

To ensure uninterrupted approval of this study beyond the approval expiry date, a progress report must be submitted to the Research Office on the appropriate form 2 - 3 months before the expiry date. A close-out report to be submitted when study is finished.

Yours sincerely,

Professor Urmilla Bob
University Dean of Research

/ms

Humanities & Social Sciences Research Ethics Committee
Dr Rosemary Sibanda (Chair)
UKZN Research Ethics Office Westville Campus, Govan Mbeki Building
Postal Address: Private Bag X54001, Durban 4000
Website: <http://research.ukzn.ac.za/Research-Ethics/>

Founding Campuses: Edgewood Howard College Medical School Pietermaritzburg Westville

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