

**THE EXPERIENCES OF SENIOR WOMEN TRADITIONAL LEADERS  
IN ADDRESSING WOMEN ABUSE IN KWAZULU-NATAL, SOUTH  
AFRICA: AN AFROCENTRIC AND NEGO-FEMINIST APPROACH**

By

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**August 2019**

## **PERMISSION TO SUBMIT**

### **APPROVAL**

As the candidate's supervisor, I hereby approve this thesis for submission



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**PROFESSOR TANUSHA RANIGA**

15 July 2019

As the candidate's co-supervisor, I hereby approve this thesis for submission



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**PROFESSOR SIHAWUKELE NGUBANE**

15 July 2019

# DECLARATION

## PLAGIARISM

I, Gladys Nkareng Klaas-Makolomakwe, declare that,

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28 August 2019

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## **DEDICATION**

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## **ABSTRACT**

Women across the world are subjected to violence and experience gruesome forms of abuse. The problem of women abuse has exacerbated to far worse incidents being reported. Since the establishment of the new democratic dispensation in South Africa, this dire social problem has been acknowledged as a prominent political issue which is deeply connected to the private spaces of women. Traditional leaders have a critical role to play in addressing women abuse. This study explored the experiences of senior women traditional leaders in addressing women abuse. Underscored by Afrocentric and Nego-feminist frameworks, the study was conducted following a descriptive and interpretive research design. Data was collected from a purposely selected sample of 21 senior women traditional leaders in KwaZulu-Natal using semi-structured interviews. Thematic data analysis was used.

This study revealed that various cases of abuse differing in magnitude and depth were encountered by senior women traditional leaders in rural areas of KwaZulu-Natal. Women who were victims of abuse were able to report abuse to senior women traditional leaders who exhibited empathy and care when addressing these cases. The study highlighted specific abilities about the strategies that senior women traditional leaders employed to address women abuse, the multiple challenges they faced and the support networks they had at their disposal. Their agency included making bold decisions to advocate for abused women to receive assistance they needed within traditional rural communities. The research participants raised concerns about the limitations imposed by the State on traditional leaders, which fuelled role conflict and hindered optimal services for women who were survivors of abuse. The study calls for the resuscitation of Afrocentric and Nego-feminist practices to mitigate the prevalence and dire effects of women abuse in rural communities. The findings also conclude that non-governmental organisations, community-based organisations, faith-based organisations, the private sector and various ministries within government need to cooperate and collaborate with one another to ensure human rights of women, gender equality and awareness of women abuse.

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## **LIST OF ABBREVIATIONS AND ACRONYMS**

AIDS	Acquired Immune Deficiency Syndrome
CBO	Community Based Organisation
CEDAW	Convention on the Elimination of All forms of Discrimination against Women
CSVR	Centre for the Study of Violence and Reconciliation
DVA	Domestic Violence Act
FBO	Faith-Based Organisation
FPL	Food Poverty Line
GBV	Gender-Based Violence
HIV	Human Immunodeficiency Virus
ICCPR	International Convention on Civil and Political Rights
IDS	Institute of Development Studies
IGR	Inter-Governmental Relations
IPV	Intimate Partner Violence

IASSW	International Association of Schools of Social Work
IRC	International Rescue Committee
ISS	Institute for Security Studies
KZN	KwaZulu-Natal
KZNCogta	KwaZulu-Natal Department of Cooperative Governance and Traditional Affairs
KZNDHS	KwaZulu-Natal Department of Human Settlements
NIHSS	National Institute for Humanities and Social Sciences
NGO	Non-Governmental Organisation
PLWA	People Living With AIDS
RP	Research Participant
SADC	Southern African Development Community
SAHUDA	South African Humanities Deans Association
SAPS	South African Police Service

SGBV	Sexual and Gender-Based Violence
SONA	State of the Nation Address
StatsSA	Statistics South Africa
SWTL	Senior Women Traditional Leaders
TC	Traditional Council
UDHR	Universal Declaration of Human Rights
UKZN	University of KwaZulu-Natal
UN	United Nations
UNODC	United Nations Office on Drugs and Crime
UNDP	United Nations Development Programme
UNFPA	United Nations Population Fund
VEP	Victim Empowerment Programme
VMMC	Voluntary Medical Male Circumcision
WHO	World Health Organisation



## GLOSSARY OF ISIZULU WORDS

<i>iLobolo</i>	Refers to the bride wealth that was exchanged in a form of cows during marriage to link families and underpin the legitimacy of children (Hammond-Tooke, 2008)
<i>Induna/Izinduna</i>	Headman/headwoman (Izi is plural)
<i>Inkosi/Amakhosi</i>	Senior Traditional Leader (Amakhosi is plural)
<i>Isigodi/Izigodi</i>	Village within an area of Inkosi (Izi is plural)
<i>iSizwe</i>	The nation
<i>Umdlunkulu/Omdlunkulu</i>	Queen/Queens
<i>Ubuntu</i>	“I am because we are”

**SECTION I**  
**BACKGROUND AND CONTEXT OF THE STUDY**

# CHAPTER ONE

## INTRODUCTION AND BACKGROUND TO THE STUDY

### 1.1. Introduction

In all corners of the world, millions of women are devastated by abuse, a circumstance which proliferates daily upon their lives (Ricci, 2017). This problem manifests itself, regardless of income, age or education, where women across the globe are subjected to various forms of violence (United Nations, 2015). Women often experience gruesome forms of abuse and the problem has exacerbated to far worse incidents being reported. South Africa is not immune to this dire social problem. Since the new democratic dispensation in 1994, women abuse has been acknowledged as a prominent political issue which is deeply connected to the private spaces of women (Raniga and Mathe, 2011). Women abuse also largely impacts on the public (Langa-Mlambo and Soma-Pillay, 2014) and South Africa is globally regarded among countries where its incidents take place at a faster rate (World Health Organisation, 2013). It has been verified by Statistics South Africa (StatsSA, 2017b) that physical violence perpetrated by a partner is experienced by one-in-five women. Also, sexual violence perpetrated by any partner on women is similar for women residing either in urban or rural areas (StatsSA, 2017b). However, although women who live in urban and rural areas face similar gender inequality issues such as intimate partner violence, women in urban areas are more aware of their human and legal rights (Segueda, 2015). This has been attributed to higher levels of education among women living in urban areas (Segueda, 2015). Rwafa (2016) concurs that although oppression of women takes place in both urban and rural areas, exposure of women in urban areas renders them cognisant and therefore prepared to challenge their situation.

The South African Constitution (Act 108 of 1996 as amended) through Chapter 2: Bill of Rights, calls for the protection, equality, and empowerment of women. Subsequently, the Department of Women located within the Office of the President of South Africa has logically addressed the persistent abuse of women. Affirming its role to fight against women abuse, this department has rolled-out a Social Transformation and Economic Empowerment Programme to uplift women across the country (Department of Women, 2016). Nevertheless, the department conceded the unlikely existence of a single intervention that

could radically reduce or eliminate women abuse and thus suggested a multi-pronged approach involving various stakeholders in confronting the issue (Department of Women, 2015). This report also inferred that Non-Governmental Organisations (NGOs), Community-Based Organisations (CBOs), Faith-Based Organisations (FBOs), the private sector and various government ministries need to cooperate and collaborate with each other to ensure women's rights are maintained as a given. The consideration is made to ensure that gender inequality and the issue of women abuse are continuously addressed (Department of Women, 2015). This suggests that such an inter-sectorial and multi-pronged intervention approach will ultimately mitigate the prevalence of women abuse and offer holistic support to all women and girls in society.

The South African Constitution (Act 108 of 1996 as amended) is the most powerful piece of legislation that recognises the institution of traditional leadership and the vital role it plays. Chapter 12 of the Constitution is particularly dedicated to lay foundation for the status and role of the institution of traditional leadership in line with customary laws (Constitution of the Republic of South Africa, Act 108 of 1996 as amended). The role of the institution is further enacted through the Traditional Leadership Framework Act (Act 41 of 2003) which ensures that human rights and social justice are upheld within traditional communities. The Traditional Leadership Framework Act (Act 41 of 2003) mandates traditional leaders to play a role in ensuring the safety and security of all in traditional communities. Being the custodian of culture and customary law, the institution of traditional leadership in South Africa is equally obliged to take part in protecting vulnerable citizens of the country and women (White Paper on Traditional Leadership and Governance, 2003).

This chapter introduces and provides the background to the study and outlines the problem statement, aims and objectives, and rationale of the study. The chapter also discusses the theoretical framework, defines the key terms and concludes by presenting the structure of the thesis.

## **1.2. Problem statement**

Violence against and abuse of women result not only in personal experiences but is also evident within structural systems created to remedy their plight. In explaining the

contribution of structural systems on violence against women using concept mapping, Montesanti and Thurston (2015, p. 9) indicated that:

“Structural violence is marked by deeply unequal access to the determinants of health (e.g., housing, good quality health care, and unemployment), which then creates conditions where interpersonal violence can happen and which shape gendered forms of violence for women in vulnerable social positions.”

This suggests that there are far more factors that exacerbate women abuse than there are solutions offered, posing significant challenges particularly for women in rural areas. That is why social workers through the Global Social Work Statement of Ethical Principles (IASSW, 2018) recognise that constructing and dealing with violations against women at the level of socio-economic and culture often denies or minimises underlying structural factors that contribute to psychosocial challenges.

Bower (2014, p. 118) also noted that in rural areas, “access to prevention and protection services for vulnerable women and children is patchy...and the criminal justice system routinely fails the victims.” In addition, the South African Human Rights Commission (2018, p. 23) also noted “the distance to access water and sanitation facilities ... in rural areas, is located far away from homes, thus perpetuating the risk of violence against women and girls.” The lack of providing basic services and resources in rural areas of South Africa therefore calls for a different thinking and new approaches to address the plight of women living in rural areas. Being an entry point and to an extent, a source of reliance particularly in rural areas where government-wide services are not adequately available, the role of traditional leaders becomes especially significant in addressing women abuse.

There have been some complex perspectives regarding the authenticity of the institution of traditional leadership with respect to the position and treatment of women within South African society. For example, Ndulo (2011, p. 89) argued that when applying customary law, the institution, “tends to see women as adjuncts to the group to which they belong...rather than equals.” This suggests the institution exposes women to powerlessness and assumes them incapable of acting alone in taking decisions hence they need to be led by men. Consequently, women who have been abused may lack the courage to report incidents of abuse let alone expose male perpetrators in traditional rural community areas. Abused

women may thus feel less-represented and therefore realise no need for justice to be pursued in ending their ordeal.

A study conducted by Teffo-Menziwa, Mullick and Dlamini (2010) among traditional leaders in South Africa's provinces of KwaZulu-Natal (KZN), North West, and Limpopo focused on the role of traditional leaders in preventing and addressing sexual and gender-based violence (SGBV). The study found that the research participants not only believed that it was un-African for men to beat women, but also that women were to blame for attracting violence unto themselves (Teffo-Menziwa et al., 2010). This study builds on the un-African aspect of the findings by focusing on how women abuse is addressed within the institution of traditional leadership. Secondly, this study also builds on the finding that women attract violence unto themselves. This seems to suggest male hegemony beliefs, the inability to embrace or own responsibilities as traditional leaders on the issue of women abuse and improperly affording abused women support when needed. It is particularly concerning given that Langa (2012) found patriarchy (i.e., male-over-female domination) playing a prominent role in oppressing and disadvantaging Zulu women in KZN. Langa (2012) interviewed Zulu couples living in rural and urban areas and found that 70% of Zulu men did not think their culture and religion was oppressive to women. This finding was opposed to the same percentage (70%) of Zulu women who thought culture and religion were oppressive to women (Langa, 2012). The diverse thinking about culture and religion among males and females suggests a perceptual gap because cultural norms and traditions have traits in Africa's devastating colonial and apartheid history (Segueda, 2015).

While many studies have been conducted on the role of traditional leaders in service delivery, much of the focus has been concentrated around their direct involvement with local government or within the justice system (Koenane, 2017; Branson, 2017; Igboin, 2015; Hamusunse, 2015; and Bikam and Chakwizira, 2014). Studies that focused on women abuse include those of Shulika (2016); Leburu and Petlho-Thekisho (2015); and Mubangizi (2016). However, these studies offer no insight on areas where traditional leaders offered solutions to women abuse.

In order to address gender equality as enshrined in the South African Constitution, in contemporary times, women are given a prominent position within the established structures

of the institution of traditional leadership through The Traditional Leadership and Governance Framework Act (Act 41 of 2003). However, for women to assume such position of a senior traditional leader within the institution of traditional leadership poses a challenge given the historical marginalisation of women in a predominantly patriarchal society. This deeply entrenched male governance system in Zulu communities can be difficult to navigate as it is premised on male primogeniture. Also, Ngobese (2016) noted that historians have failed in their writings to reflect on the role of African women as leaders in society. This study addresses this empirical gap in an endeavour to explore the experiences of senior women traditional leaders (SWTL) in addressing women abuse from an Afrocentric and Nego-feminist lens within the province of KwaZulu-Natal in South Africa.

### **1.3. Aims and Objectives of the study**

The aim of the study was to explore the experiences of SWTL in addressing women abuse in KwaZulu-Natal, South Africa through the Afrocentric and Nego-feminist theoretical approaches.

#### **1.3.1. Objectives**

The objectives of the study were to:

- Explore the perceptions of SWTL regarding the extent to which traditional leaders get involved as stakeholders in addressing women abuse;
- Identify the challenges faced by SWTL when addressing women abuse in KwaZulu-Natal;
- Explore support networks required by SWTL when addressing women abuse;
- Obtain suggestions from SWTL regarding improvement of policy/legislation and services in respect of women abuse.

#### **1.3.2. Key questions**

The study asked the following key questions:

- What are the perceptions of SWTL regarding the extent to which Traditional Leaders get involved as stakeholders in addressing women abuse?

- What are the challenges faced by SWTL when addressing women abuse in KwaZulu-Natal?
- What support networks are required by SWTL when addressing women abuse?
- What suggestions do SWTL have regarding improvement of policy/legislation and services in respect of women abuse?

#### **1.4. Rationale for the study**

Various challenges have been experienced with the roll-out of the National Department of Social Development's Victim Empowerment Programme (VEP) in rural communities. A study commissioned by the Western Cape Department of Social Development found that the VEP had a low profile and was less well-known at the community level (Gender, Health and Justice Research, 2014). This study also found that the systems of referral within the VEP were *ad hoc* and uneven, leading to participants suggesting a need for a referral protocol outlining stakeholder roles and responsibilities (Gender, Health and Justice Research, 2014). My own critical view as a social work practitioner about the VEP is that limited engagement and recognition is given to traditional leaders by social workers in mitigating abuse against women. The VEP is silent about identifying traditional leaders among the key relevant stakeholders and/or partners involved in providing optimal services to victims of abuse. Nel (2009, p. 29) observed that:

“The approach of VEP is fundamentally based on building and maintaining partnerships between government and NPOs, civil society, volunteers, business, the religious sector, academics and research institutions, and much of the implementation has to be done in partnerships.”

The silence about traditional leaders however, renders the suggested partnership non-existing. Observed is that where efforts have been made to include traditional leaders as key stakeholders such as within the Sixteen Days of Activism campaign on gender-based violence; traditional leaders are addressed as the target group needing to be capacitated. Traditional leaders are afforded little autonomy to equally lead other stakeholders during such initiatives. Moreover, traditional leaders have not been perceived as equal partners but merely as participants in nationally-driven awareness campaigns. To this effect, Dodo (2013) questioned the reasons for traditional leaders not to be acknowledged for their positions and



strengths they may add to collaborative initiatives aimed at reducing domestic violence against women in society.

Thomas, Park, Ellingen, Ellison, Menanteau, and Young (2011) stated that provisions made by most nation States on violence against women and girls through criminal, civil, and administrative codes are often inadequate due to limitations in definitions, scope, remedy, and implementation. Thomas et al. (2011) subsequently proposed for nation States to exhaust and utilise all means at their disposal to address problems of violence against women and girls. In South Africa, a blatant limitation is the inadequate integration of African and Negro-feminist practices as ways of addressing women abuse within policy and legislation. Gumede (2017) maintains that the colonial past of Africans is often undermined resulting in failure to acknowledge the advanced knowledge and strengths of the institution of traditional leadership as a key stakeholder to address women abuse.

I am fully cognisant of the view of Ndlovu-Gatsheni (2013a) that without a rich knowledge of the Eurocentric-dominated past, there cannot be a comprehensive understanding of the present or the future. Therefore, my current exposure of working with traditional leaders and my previous role as a social worker serving abused women are key motivations for my interest in conducting this study. As a social worker seeking for alternatives in addressing women abuse, I was also acutely aware of Royse (2011, p. 12)'s affirmation, that the objective of social work research is to seek, "knowledge that will improve the lives of our clients and make this world a little better place." I pay homage to The Global Social Work Statement of Ethical Principles (IASSW, 2018, p. 2) which states that:

"Social workers work within the context of families, social groups, communities, societies and globally supporting interdependent relationships and social structures that recognise and value diversity."

### **1.5. Theoretical framework**

Bezuidenhout (2014) argues that the use of a theoretical framework allows for specific theories, their concepts, and assumptions to be selected particularly because of their relevance to the topic. Given the colonial and apartheid history and the cultural and rural context of this study, as well as the national social concern of abused women, the Afrocentric and Negro-

feminist frameworks were deemed appropriate for this study. The two are inscribed within the philosophy of *ubuntu* and associated communitarian values.

### **1.5.1. The Afrocentric theory**

Afrocentricity draws its strength from its founding author, Molefi Kete Asante who asserts that it:

“Enthrones the centrality of the African, that is, black ideals and values, as expressed in the highest forms of African culture, and activates consciousness as a functional aspect of any revolutionary approach to phenomena” (Asante, 2009, p. 3).

This frame of reference challenges perspectives and views misaligned to African value systems and demands an epistemological location that embraces holistic Africanism where Africans are subjects as opposed to being objects of their stories (Monteiro-Ferreira, 2014). According to Makhubele, Matlakala and Mabvurira (2018, p. 97), Afrocentrism “acknowledges that African culture and expressions of African values, beliefs, traditions, and behaviours are important.” The notion of Afrocentricity therefore requires that, “African people become the reciters of their African story” (Monteiro-Ferreira, 2014, p. 2) which according to Asante (1998) re-asserts a sense of agency to attain purpose. This implies being awakened to an African reality and facilitating the re-claiming of the pride, courage, and communitarianism that Africans were forced to reject under colonialism and apartheid. In relation to this study, Afrocentricity therefore rejects distorted male dominance perspectives about Africans and proposes that one ought to have a lived African character and have respect for its culture to tell an African story. This is not to be misinterpreted as Afrocentricity being an isolating theory because as Monteiro-Ferreira, (2014, p. 4) argued, “it does not reject other perspectives to account for the experiences of African people inside and outside the continent.” To this extent, Afrocentricity does not convey itself as general and imposing, but rather a theory of wholeness that seeks ways of unity based on mutual respect for everyone’s cultural agency (Monteiro-Ferreira, 2014).

Afrocentrism also relates to positioning African people within their context, demanding for proper acknowledgement of contributions they made towards civilisation as opposed to ignorance (Chukwuokolo, 2010). This demand suggests that progress and inputs made by

Africans throughout the world should be recorded in their original meaning given that foundations of African practices were eroded by Western notions that rejected them as uncivilised. Moodley (2012) supports that in South Africa, customary law was less recognised and never exclusively accepted as pivotal to the legal system because it was considered uncivilised as opposed to the uncodified legal system of Roman Dutch Law that was viewed as civilised. Mutua (2016, p. 163) added that the, “Western thought viewed pre-colonial Africa as pre-law... no credit was given to pre-existing African legal systems...” Hence, one of the foundations of colonialism “was to civilise the African people” (Segueda, 2015, p. 10). Afrocentricity is therefore firm on propagating African culture and advocates for Africans to reclaim their lost traditions and use it to interpret and understand their historical, “narratives, myths, spirituality and cosmogonies” (Monteiro-Ferreira, 2014, p. 3). Aligned to the purpose of this study, I argue that an Afrocentric perspective clarifies the historical causes of women abuse and related pre-colonial solutions. According to Segueda (2015), for the necessary development and change needed in Africa to succeed, existing capabilities and meaning that emanate from Africans need to be seriously considered. As suggested by Idang (2015, p. 97), “the culture of people is what marks them out distinctively from other human societies in the family of humanity.”

As Afrocentricity puts much emphasis on viewing phenomena through the lens of African people (Stelly, 1997), it seeks to empower African people and restore their dignity and self-worth. Afrocentric theory demands for the African community to reclaim values of “sharing; mutual aid; caring for others; interdependence-relying on each other ...shared interest, feelings and aspirations; reciprocal obligation and social harmony...” (Lawrings, 2016, p. 735). It is therefore a theory that seeks to instil originality among people of African descent (Monteiro-Ferreira, 2014). That is why Afrocentricity has been lauded as a healing philosophy with a strong influence of renewed perspective into human life (Ziegler, 1995). It achieves recognition as the most viable thought system particularly for being African centred (Ziegler, 1995). Afrocentricity is a healing philosophy given the importance of origins (*imvelaphi*) that go as far as acknowledging the ties of an African to their ancestors and to where their umbilical cords (*inkaba*) were buried. It is these origins that Kang’ethe (2014b) suggests will facilitate the re-claiming of traditional perspectives.

Afrocentricity's endeavour of discovering the truth about intercultural communication (Asante, 1983) connects with Nego-feminism, which advocates for negotiation facilitated through communication (Nnaemeka, 2003). The central premise of this study is that Afrocentricity and Nego-feminism enable the uncovering of African methods within traditional settings to address women abuse. In addition, the dominant narrative challenges Africans to re-claim and inform contemporary history about the value of African indigenous knowledge systems (IKS) and practices and how these would contribute towards reducing the rate of women abuse. Kang'ethe (2014b) placed on record that, it remains a challenge for the designers of culture, policy makers, and its custodian to advocate for the lost African glory. Therefore, Afrocentrism makes a pertinent point that the rich and widespread culturally accustomed continent of Africa has unique ways of surviving challenges experienced in other continents. It signifies Africa to have suitable solutions to its challenges including addressing the marginalisation and abuse of women in society.

Chukwuokolo (2010, p. 33) argued that critics such as, "Arthur Schlesinger Jr. have dismissed Afrocentrism as a superficial, romantic and shallow ideology." This claim means that Afrocentrism has no base and implies its existence is not rooted in humanity. However, counter arguments have been raised that Afrocentricity is generally, "opposed to theories that 'dislocate' Africans in the periphery of human thought and experience" (Mkabela, 2005, p. 179). Chukwuokolo (2010, p. 33) further advanced that prominent Afrocentric scholars such as Asante view Eurocentrism as a "complete dislocation, self-alienation, disorientation and misinformation of the Afro-Americans." This argument blames Eurocentrism for misleading and redirecting African people and their descendants from African origins. Hence Afrocentrism accept the general premise that African American clients are improperly served by "Eurocentric or Western theories traditionally used in psychology, social work, and other helping professions" (Pellebon, 2011, p. 35). This is considerably important because as Bent-Goodley, Fairfax and Carlton-LaNey (2017) support, Afrocentricity employs African philosophies, history, and culture to interpret social and psychological phenomena contributing to the creation of relevant approaches that contextualise personal, family and community healing and social change. Thus, "Afrocentricity seeks to demystify the notion that white cultures are superior over black cultures... [and] also seeks to challenge the

subordination of black people which has been nurtured and perpetuated by imperialism” (Mabvurira and Makhubele, 2018, p. 14).

### **1.5.2. Nego-feminism**

Feminist theory has gained popularity in the past two decades as foundational for addressing issues related to gender inequalities and examining the roles and behaviour of men and women. According to Ikediugwu, (2013, p. 1), feminism, “is a movement that champions the cause of women” and, “feminists have worked to protect women and girls from domestic violence, sexual harassment and sexual assault. Yakubu (2014, p. 134) also argues that feminism, “revolves around the ‘woman question.’” However, within its own discourse, feminist theory has been subjected to conflictual interpretations where peculiarities have been made between Western feminism and African feminism and fierce debates have pursued. Although feminists are identified to have emerged from a central and “common ground of an inevitable questioning of a Western male-dominated society, from the need to establish legitimate epistemological grounds for women’s voices and for equal social and political status in an oppressive patriarchal society” (Monteiro-Ferreira, 2014, p. 5), nuances of relevance have been questioned. Mekgwe (2007) posited an inclination by theorists to speak of feminism particularly Western feminism as immense and its applicability as extensive and without geographic boundary. Mohanty (1984) cautioned against this universality of Western feminism because although it portrays itself as universal for all women, it is a biased representation that stands firmly for Western women. Mohanty (1984, p. 337) also complained that Western feminism locates the “third world woman” as the:

“Sexually constrained, ignorant, poor, uneducated, tradition bound, domestic, family-oriented and victimised as opposed to carrying characteristics of Western woman who is educated, modern, having control over their own bodies and sexualities, and the freedom to make their own decisions.”

The above statement suggests that the portrayal of African women as subjected to a lower order has been an unfair subjectivity. As a result, Potter (2008, p. 16) argued that:

“Black women have expressed difficulty in identifying with mainstream feminist theory because of its focus on placing gender as the primary consideration in women’s liberation efforts, which is regarded as single aspect

of womanhood; apart from concerns of white middle-class women placed at the forefront of liberation efforts.”

While Western Feminism emulates women separated from men, African feminism differs from it through its non-attack on men, but rather “challenging them to be aware of those aspects of women’s subjugation that differ from the generalised oppression of all African people” (Mekgwe, 2007, p. 169). As a result, Black women firmly express that they are not only concerned with gender inequality but also with racial inequality (Potter, 2008). As such, Nego-feminism is an appropriate theoretical foundation to conceptualise the perspectives presented in VTL when addressing women abuse. According to Arndt (2002), African feminism considers the material circumstances and cultural histories, and looks beyond race, class and gender as it digs deep into the causes and consequences of African women problems. Arndt (2002) breaks African feminism into the following three dominating categories:

- Reformist African feminism: criticises men not as a collective but individuals and assumes that society is capable of re-organisation, and therefore intends negotiating with the patriarchal society to gain new scope for women while accepting that patriarchal orientation is a fundamental and given fact.
- Transformative African feminism: criticises men as part of the hegemonic patriarchal social structure; a social group with similar behaviour and perceive that men can transform. It places more fundamental and extensive demands on men and suggests that men are not only role players to patriarchy but are also products of patriarchal beliefs.
- Radical African feminism: takes a totally negative and hopeless view that men totally discriminate against and mistreat women. It records that almost all men are immoral and the few that are hardly found to be different are powerless and suffer silent death by others. This category is criticised to lack perspective with no happy ending but allowing death or murder to close its arguments and combines gender with other forms of oppression. It ultimately suggests that women are their own self hope and can only depend on each other for support.

From the above categories, Nego-feminism subscribes to Reformist African Feminism. Its founding author, Nnaemeka (2003), defined Nego-feminism as the feminism of negotiation

where ego is absent, and the indigenous aspect of Africans are foundational. Nego-feminism asserts that Africa has a life of its own that is rooted within Africa's own environment (Nnaemeka, 2003). The life of Africans revolves around culture and tradition and the deep rootedness of African cultural links was highlighted by Kanengoni (2013, p. 1) when a young woman at the beginning of a feminism training course made the following comment:

“I am not a feminist because I cannot divorce myself from my cultural context and also because feminism is not practical in my culture and is for the elite.”

The comment implies the inability of African women to separate themselves and act outside their culture and tradition, and therefore unable to identify with feminism streams that are less sensitive to these important aspects. The response compelled Kanengoni (2013) to reflect deeply on the understanding and misunderstanding of the links between feminism and culture as well as how any of these views powerfully shape how people construct understanding of their realities. As such the actions taken by SWTL to address women abuse will be interrogated from their cultural and traditional base. Nnaemeka (2003) argues that the principles of negotiation, give and take, compromise and balance are foundational in shared values of many African cultures. These principles puts African feminism in the position of strategizing and knowing when, where and how to deal with patriarchy in different contexts (Nnaemeka, 2003). Nego-feminism is therefore perceived as relevant to conceptualise this study as it enabled me to explore the qualitative experiences of SWTL in addressing women abuse.

African feminism promotes the idea that prior to the influences of colonisation and apartheid, African women were protected and respected. This is what links and ties Nego-feminism and Afrocentrism together and makes them appropriate for African life and African women in the context of this study. Afrocentrism revolves around shared basic principles and shares a conceptual synergy with African feminism and Nego-feminism in particular. According to Schiele (1997), such principles include the notion of individuals having various talents and abilities that should be imparted for the benefit of all. An individual cannot exist outside a community and should take responsibility and cooperate for the welfare of all. Hence, I argue that African mediation attributes can serve as a buffer for women abuse where alternative solutions are negotiated through the involvement of women and men. This implies that Nego-feminism in this study contributes towards understanding methods used

within traditional communities as concerted efforts of ensuring that women are not abused. Schiele (1997) asserted that in contemporary times, the mutual dependency of individuals and cooperation with each other as well as their commitment to unity and reciprocation of good intentions is needed in society. In relation to this study, these principles imply that in order to discourage the abuse of women, everyone has a responsibility to practice respect and protect women as well as teaching others to do so. It also means that everyone has a responsibility to promote good relations and pride themselves with good behaviour that does not do harm to others, especially the intention to abuse women. Isike and Uzodike (2011) argue that the basic principles revolve around *ubuntu*; in other words, treating each person with humility, carrying of each other's pain, caring for one another and embracing a culture of peace, tolerance and an anti-war outlook transmitted to young generations. These are traits that Nego-feminists portray to curb women abuse. Speaking to the intentions of this study, *ubuntu* carries the meaning that each person is a person through other people. Therefore, abuse of women is viewed as the pain of a woman being felt throughout the community and that such violent behaviour by men should not be tolerated or passed on to younger generations. It means that hurting another person should strongly be condemned and not at all practiced within humanity. Idang (2015) argued that humanity should be embedded in strong moral considerations, possess a moral code forbidding harm to others including strangers. Also, central to humanity should be the believe in the existence of good and bad spirits that facilitate communication with the Supreme Being and that everyone deserves to be respected as a human being (Idang, 2015). These principles imply that one must always be cognisant that their existence is premised on the belief that bad behaviour, particularly when detrimental to the well-being of women and fellow human beings will attract evil and severe punishment not only upon the self, but also for the whole community. Nego-feminism propagates that the abuse of women should be rejected as it is an evil act that harms not only individual women but one that is capable of affecting community peace and stability.

According to Gatwiri and McLaren (2016), although African feminism aims to dismantle patriarchy, it acknowledges that it is there and needs careful manoeuvring. Patriarchy is firmly known as a traditionally established system that continues to keep women in an oppressive and submissive position led by men. According to Nnaemeka (2003), African feminism extends its focus by asserting that African women experience multi-disciplined ills



and oppression such as race, tradition, under-development, sexuality, and love. This suggests that Nego-feminism is aware that under the guise of culture and tradition women have been oppressed while they are made to believe in the genuine meaning of love. In intimate partner violent relationships Rasool (2013) argues that women are made to believe such behaviour to signal the strength of loving them. As a result, Nego-feminism insists that patriarchy should not be dealt with in isolation of other oppressive systems such as racism and class (Nnaemeka, 2003). It suggests that there should be a level of compromise, no-ego, and negotiation while manoeuvring and trying to eliminate un-wanted practices such as women abuse (Nnaemeka, 2003). It is thus concerned with the “negotiation between self and other that enables both to exist and become” (Coetzee, 2017, p. 134). The appeal to negotiate does not hide or do away with the ills of male domination, but appeals to finding solutions, “in an amiable way that would appear to yield better results” (Alkali, Talif and Jan, 2013, p. 10). This is so because “Nego-feminism charges both sexes to be willing-partners in progress” (Alkali et al., 2013, p. 10). This collective responsibility has always been part of African conduct that denotes Nego-feminism open and flexible, and appealing to both the male and female ego to down tools on one another (Alkali et al., 2013).

South Africa, as with other African countries, is viewed as a patriarchal society that harbours high levels of racial and gender-based violence against women (Morrell, Jewkes and Lindegger, 2012). Noge (2014) labelled it a permanent force when recalling how men within customary unions made it a central reason for excluding women during negotiations of transitioning South Africa from apartheid into democracy. According to Yakubu (2014), patriarchal societies have a common understanding of appropriating women as physically and mentally weak, distrustful, lazy and calculative as opposed to men. Patriarchy has therefore subjected women to oppression to the extent of denying women the ability to express their own agency. Leburu and Phetlho-Thekisho (2015) therefore suggest that the continued and deep-rootedness of patriarchy has contributed to the spread of HIV&AIDS because in situations of infidelity, most women have become unable to insist on safer sex. As a result, the depth of patriarchy in South Africa is reflected in it becoming a contributory factor to not only violating women but also to leaving the scar of rendering women, men and children vulnerable to contracting HIV (Pillay, 2015). But it also means that patriarchy cannot claim victory on women alone because it also affects men even though they are its beneficiaries.

Furthermore, there are beliefs that fighting patriarchy is a far long path to victory because the inclusion of men within the gender activism as a legal and policy commitment is still unusual in an African context (Morrell et al., 2012). Sachs (1990) thus regarded patriarchy as one of the most firmly-rooted and profound institutions in South Africa that knows no racial boundaries.

Nego-feminism is relevant to this study as it maintains that, “efforts are needed to proffer ways for women to achieve their objectives without recourse to injurious methodology” (Alkali et al., 2013, p. 11). With regards to women abuse, Nego-feminism does not seek to deepen an isolated approach, but rather to find solutions lest it inculcates further diverged opinions that maintain and bolster the *status quo* in mistreating women. For the purpose of this study, Nego-feminism agrees that men and women are different and within their spaces, conflicts are bound to happen. However, it is how conflict within these spaces is managed and negotiated to curb it from developing into a pattern of abusing women. Nego-feminism therefore offers an opportunity for both men and women to get involved in eliminating women abuse and inculcate respect for human dignity that is proffered by Afrocentrism. As Alkali et al. (2013, p. 250) argued, Nego-feminism:

“always choose to heal, not to hurt, to forgive not to despise, to persevere not to quit, to smile not to frown, and to love not to hate! At the end of life, what really matters is not what we bought, but what we built, not what we got, but what we shared, not our competence but our character, and not our success but our significance.”

This gives the understanding that Nego-feminism seeks to isolate an issue from a person and to provide for an enabling environment to manage that issue. Therefore, Nego-feminism will help us understand the complementary roles of men and women within African communities. As men are mainly identified as perpetrators of women abuse (Mazibuko (2016), Nego-feminists perceive that men can change their thinking pattern and behaviour and become partners in the fight against this negative social phenomenon (Arndt, 2002). Fundamentally, Nego-feminism set the standard for a win-win situation as it focuses beyond ‘winners’ and ‘losers’ within the gender war (Alkali et al., 2013). This is what signifies the uniqueness of Nego-feminism as it is argued to “serve as a reconciliatory practice tool between the sexes” and “is not confrontational” as opposed to its sister theories (e.g., radical, Marxist, liberalism) that are confrontational in approach (Muhammad, Mani, Talif and Kaur, 2017, p. 127). This

means that Nego-feminism aims at encouraging cooperation and co-existence amidst the gender differences.

From a different perspective, Nego-feminism can be assumed to be silent on how the individualised abuse of women can be dealt with alongside its principles of negotiation, compromise, no ego, and give and take. For example, when women are attacked and/or raped by strangers or persons non-intimate to them purely based on the viewing of women as objects of abuse, the following questions may arise: How would an element of negotiation come forth? How can women seek to compromise the self to be in situation of no winner and no loser? The response lies within the of African-ness in which an individual does not exist in a vacuum but belongs to a family and community and gains strength through participation in established social networks. This phenomenon distinguishes Nego-feminism from other feminist streams and grounds its conceptual synergy firmly to Afrocentrism. Fennell and Arnot (2008, p. 533) stated that, “the African identity is located within the communal rather than individual space.” This means that the responsibility of building an individual’s character is premised on cooperation within the societal networks that go far beyond individualism. It is within these social networks that values of respect and honouring of another human being are harnessed and inculcated within early education and upbringing of women and men. In this regard, the exodus between strangers would not aim at harm, but instead resonates with the philosophy of *ubuntu* which according to Zibani (2002, p. 49-50) means:

“a person has the inner corrective-ness that makes one at peace with oneself and everything around one's environment

bears the fruit of caring, sharing, forgiveness and reconciliation

requires that a person should have a conscience and a nerve not to disappoint one's parents and the Creator who teaches respect for humans, plant and animal life.”

African feminism does not find resonance with Western feminism and as a result it suffers constant criticism. According to Akin-Aina (2011, p. 66):

“African feminists’ movement is characterised by an on-going process of self-definition and re-definition; a broad-based membership; a resistance to the distortions and misrepresentations by Western global feminism; a ‘feminism

of negotiation;’ as well as efforts to reconcile power dynamics on the continent, nationally and within the movement.”

A study by Coulibaly (n.d) has shown that there are two reasons that motivated African feminists to develop a type of African feminist theory that differs from Western feminism. First, it intends to address the exclusion and marginalisation of African women; and second, it aims at addressing the failure of Western feminism to understand and appreciate the socio-cultural and racial ramifications that are faced daily by African women (Coulibaly, n.d). In other words, African feminists aim to eradicate all forms of oppression by seeking alternative ways of emancipation without compromising their cultural context; hence, they move away from any notion that implies inferiority for being an African. Gatwiri and McLaren (2016, p. 266) concede that African feminism aims to emancipate African women to understand their unique gender positions in society. I argue for the emancipation of African women within their socio-economic, political and cultural context; and taking every effort to diminish any ideology that confronts their advancement.

As a branch of African feminism, Nego-feminism puts forth, “new options and scope for women within existing social frameworks” (Alkali et al., 2013, p. 13). When it comes to abuse, it is therefore compelling to believe Nego-feminism as a critique of other feminist approaches for labelling men in their personal capacities and promoting women to stand together as victims and isolate men (as perpetrators). As Alkali et al. (2013, p. 12) argued:

“The gender question is often combined with an examination of other mechanisms of oppression. Men, however, are not even depicted as allies in the struggle against these forms of oppression. These texts display a devastating pessimism, fundamentally denying any hope of a transformation of prevailing gender relations. Not even the reproduction of patriarchal structures through women’s behaviour is described as surmountable. At the most, sisterhood or solidarity among women is shown only as a possible source of solace or a vague anchor of hope.”

Nego-feminism therefore expresses the idea that the isolation of men from women abuse, limits the possibility of harnessing the benefits men can bring in resolving this issues. Therefore, for women abuse to be adequately addressed, the involvement of men is critical.

Further, women and men continue to live in patriarchal societies that thrive on the belief that women are unequal and subordinate to men (Yakubu, 2014). Nego-feminism intends to find

amicable solutions to such male hegemonic spaces. In this study, senior women traditional leaders begin to question the historical patriarchal institution and male hegemonic power over women and how exercising their own position of authority and power can mitigate women abuse in their respective communities. As Nnaemeka (2003) argued, Nego-feminism is concerned with the principles of co-existence and ‘no-ego’ between men and women in Africa. Nego-feminism thus emphasises that women and men have an equal responsibility to redress the ills of subjecting women to abuse and ill-treatment, while at the same time acknowledging their human rights and dignity.

## **1.6. Defining operational concepts**

For the purposes of this study, the following key concepts are clarified:

### **1.6.1. Culture**

A comprehensive definition of culture is given by Obioha (2010, p. 2-3) that:

“Culture is a way of living in a particular community. It is therefore, the sum total of all things that refers to religion, roots of people, symbols, languages, songs, stories, celebrations, clothing and dressing, and all expressions of our way of life. It encompasses food productions, technology, architecture, kinship, the interpersonal relationships, political and economic systems and all the social relationships these entail. One truth about culture is that it is learned. Such learning does not take place through natural inheritance. It is not genetically transmitted. Rather, it takes place by a process of absorption from the social environment or through deliberate instruction, or through the process of socialization. Another truth about culture is that it is dynamic. Culture is never static. Every now and then, we are being transformed culturally. It changes exactly the same way as human beings change.”

### **1.6.2. Democratic regime**

Democratic regime is a form of governance that has been adopted and based on democracy. While popular, the term ‘democracy’ has various meanings in different countries (Marcus, Mease and Ottemoeller (2001), Klein, Kiranda and Bafaki, 2011). As Marcus et al. (2001, p. 114) argued, the definition of democracy is based on Western definitions and “little attention has been paid to the way that people in Africa conceptualize democracy.” For this study, a working definition is aligned to the views of Masipa (2018, p. 2) that in South Africa:

“The fundamental principles of democracy include public participation, equality, tolerance, accountability, transparency, regular, free and fair elections, accepting the results of elections, economic freedom, controlling and preventing the abuse of power, human rights, multiparty system, and the rule of law.”

### **1.6.3. Domestic violence, gender-based violence and women abuse**

According to the South African Domestic Violence Act (Act 116 of 1998), domestic violence means: (a) physical abuse; (b) sexual abuse; (c) emotional, verbal and psychological abuse; (d) economic abuse; (e) intimidation; (f) harassment; (g) stalking; (h) damage to property; (i) entry into the complainant’s residence without consent, where the parties do not share the same residence; or (j) any other controlling or abusive behaviour towards a complainant, where such conduct harms, or may cause imminent harm to, the safety, health or wellbeing of the complainant. Abuse falls within the definition of domestic violence and this study notes that different authors define the term abuse differently (Phaswana-Mafuya and Ramalepe, 2008). According to Landenburger (1998, p. 61), “abuse is a continuous interactional process that takes place over time.” Thus, it is any type of behaviour that is meant to control another person, cause harm or make a person fearful and forcing them to either do things they intend not doing or forcing them to not do things they like doing (POWA (2016).

According to Mazibuko (2016) although domestic violence is not defined by gender, often women are its victims while men are perpetrators. It is therefore important to note that, “a feminist understanding of violence against women (VAW) stresses that violence is gender specific and directed at women in particular” (Sibanda-Moyo, Khonje and Brobbey, 2017, p. 26). Hence, the popular use of the term gender-based violence is linked to VAW. CARE (2013, p. 9) refers to gender-based violence as:

“Any harm perpetrated against a person’s will on the basis of gender- the socially ascribed differences between males and females. It includes physical, sexual, psychological and economic abuse; trafficking; practices such as female genital cutting, forced marriage and honor crimes; and widespread sexual violence and exploitation during and after conflicts and natural disasters.”

For the purpose of this study, women abuse refers to various forms of harm, including but not limited to physical, sexual, emotional, economical, and/or psychological intended to

destabilise the well-being of women and creating a victim perception of no other alternatives except the abusive environment. Like Rasool (2012), I am acutely cognisant of contestations and broad applications surrounding the use of terms such as domestic violence and violence against women. Although reference is made to domestic violence and gender-based violence (GBV) as they link with women abuse, these terms are however not treated as synonyms.

#### **1.6.4. Gender**

The term ‘gender’ refers to the “particular roles and relationships, personality traits, behaviours and values that society ascribes to men and women” (United Nations Office on Drugs and Crime (UNODC), 2010, p. 1).

#### **1.6.5. Traditional leadership**

In terms of the Traditional Leadership and Governance Framework Act (No. 41 of 2003, p. 8 as amended) ‘traditional leadership’ refers to “the customary institutions or structures, or customary systems or procedures of governance, recognised, utilised or practised by traditional communities.”

#### **1.6.6. Traditional community**

According to the Traditional Leadership and Governance Framework Act (No. 41 of 2003, p. 8 as amended), a ‘traditional community’ refers to “a traditional community that is recognised because it is (a) subject to a system of traditional leadership in terms of that community’s customs; and (b) observes a system of customary law.”

#### **1.6.7. Senior women traditional leaders**

The Traditional Leadership and Governance Framework Act (No. 41 of 2003, p.8 as amended) defines a traditional leader as, “any person who, in terms of customary law of the traditional community concerned, holds a traditional leadership position.” The term ‘traditional leader’ is therefore inclusive of kings and queens, principal traditional leaders, senior traditional leaders, headmen and headwomen. The Act also provides for (where a need arises) for regents to act in any traditional leader’s position.

A regent according to the Act means, “any person who in terms of customary law of the traditional community concerned, holds a traditional leadership position in a temporary capacity until a successor to that position who is a minor, is recognised.” In KwaZulu-Natal, a regent is referred to as *Ibambakukhosi* meaning a regent or an acting traditional leader identified and recognised in terms of Section 30 of the KwaZulu-Natal Traditional Leadership and Governance Act (No. 5 of 2005).

To give specific meaning, the Traditional Leadership and Governance Framework Act (No. 41 of 2003, p. 8 as amended), defines a “senior traditional leader” as “a traditional leader of a specific traditional community who exercises authority over a number of headmen or headwomen in accordance with customary law or within whose area of jurisdiction a number of headmen or headwomen exercise authority.” Specific to KZN, the KwaZulu-Natal Traditional Leadership and Governance Act (No. 5 of 2005) applies and draws from the same meaning as the Traditional Leadership and Governance Framework Act (No. 41 of 2003, p. 8 as amended), when it refers to the position of a senior traditional leader as an *Inkosi* and *Amakhosi* (plural). The use of *Inkosi* is a much-preferred and accepted term throughout KZN. Ray (2003) noted the political problems around various name uses and preferences in different countries, as well as within different provinces in South Africa that refer to traditional leaders. For example, in South Africa, some associate the term ‘chief’ with the racist apartheid regime, whereas there are no problems experienced with the term in other parts of the African Continent (Ray, 2003). Williams (2010, p. 5) supported that subsequent to their use during colonialism and apartheid, the terms ‘chief’ and ‘chieftaincy’ are deemed to lack respect by other traditional leaders.

For this study, the term ‘senior women traditional leader’ is applied to avoid generalisation and confusion with male senior traditional leaders. The term is also preferred to distinguish women who are regents (*Amabambabukhosi*) and holding the position of senior traditional leaders from other individuals who may be acting in other traditional leadership positions as well as males acting as senior traditional leaders within the province of KZN.

#### **1.6.8. Victim/Survivor**

The International Rescue Committee (IRC) (2012, p. 18) defines survivor/victim as:



“A person who has experienced gender-based violence. The terms ‘victim’ and ‘survivor’ can be used interchangeably, although ‘victim’ is generally preferred in the legal and medical sectors and ‘survivor’ in the psychological and social support sectors.”

In the social work discipline, the term ‘survivor’ is used to refer to women who have experienced abuse, which is central to all types of gender-based violence (IRC, 2012). In this study, the term survivor is predominantly used unless referenced material dictates for the use of victim.

### **1.7. Structure of the thesis**

This study comprises of five major sections, segmented into nine individual chapters and a comprehensive reference list.

## **SECTION I: BACKGROUND AND CONTEXT OF THE STUDY**

Chapter One: Introduction and background to the study. This chapter sets the background to the study. It introduces the study, highlights the problem statement, aims and objectives, and the rationale of the study. It also introduces the Afrocentric and Nego-feminist theoretical frameworks that underpin the study. The chapter concludes by providing definitions of the operational concepts and structure of the thesis.

## **SECTION II: LITERATURE REVIEW**

Chapter Two: Historical overview of traditional leadership in South Africa. This chapter conceptualises traditional leadership in relation to the history of South Africa. Although South Africa is the primary focus, the study also draws from the African continent’s view of traditional leadership. The chapter considers the influences and continued control over the institution from colonial era into the contemporary democratic government. The chapter also considers the debate around the co-existence of traditional leadership and democracy in South Africa. It finally examines the issue of women leadership and succession debates within the institution of traditional leadership.

Chapter Three: Global statistics, legislation and complex life choices made by women in relation to women abuse. This chapter briefly presents global statistics and the prevalence of gender-based violence in Africa and South Africa. The chapter goes on to note the progress

made by African countries in addressing women abuse. An overview and critique of current legislation addressing women abuse in South Africa is also provided. The chapter also focuses on the consequences of women abuse and finally reflects on the complex life choices made by women who remain in abusive relationships.

Chapter Four: Cultural lens on women abuse and developmental social work services. This chapter reflects on the traditional, cultural and religious practices that influence women abuse. The issue of *ilobolo* and marriage is reflected upon. The chapter also focuses on African conflict resolution mechanisms and on developmental social work and the issue of women abuse. The chapter also examines how the theoretical frameworks of the study align with social work and with African culture and traditions.

### **SECTION III: METHODOLOGY**

Chapter Five: Research methodology. This chapter focuses on an overview of the research design, qualitative research and Afrocentric methodology utilised in the study. The profile of the study area, target population, the method of data collection and analysis are presented. The chapter also discusses ethical considerations and presents the limitations of the study.

### **SECTION IV: ANALYSIS AND INTERPRETATION OF THE FINDINGS**

Chapter Six: Biographical profiles, types of abuse cases and methods of addressing women abuse. This chapter focuses on the analysis of the research findings in terms of the synthesised approach utilised. The chapter introduces the biographical profile of the participants. It then focuses on the types of abuse cases encountered by SWTL. The chapter further describes the intervention methods employed by the participants in addressing women abuse.

Chapter Seven: Challenges encountered when addressing women abuse. This chapter focuses on the multi-layered challenges encountered by SWTL when addressing women abuse. It continues with the presentation, interpretation and analysis of the study findings.

Chapter Eight: Support networks and proposed improvement of services to address women abuse. This chapter continues the analysis and analysis of findings particularly concentrating

on the themes: Afrocentric and Nego-feminist support networks, and aligned and proactive interventions.

## **SECTION V: CONCLUSIONS AND RECOMMENDATIONS**

Chapter Nine: Conclusions and recommendations. This chapter provides a conclusion to the study. It summarises the study by linking together, the objectives, key themes and the recommendations. It then presents the contributions of the study to the field of Social Work and the institution of traditional leadership in South Africa.

**SECTION II**  
**LITERATURE REVIEW**

## CHAPTER TWO

### HISTORICAL OVERVIEW OF TRADITIONAL LEADERSHIP IN SOUTH AFRICA

“Africa must boldly interrogate her governance models and ask the uncomfortable question whether “democracy” as ‘franchised’ by Europe and America is suitable for her long-term health or whether she can draw lessons from traditional models and customise them for the future” (Lumumba, 2015).

#### 2.1. Introduction

Since pre-colonial times, the institution of traditional leadership has been perceived as exemplifying African “history, culture, laws, values, religion, and authentic community governance espoused during pre-colonial sovereignty” (Ray, 2003, p. 5). George and Binza (2011), Tshitangoni and Francis (2016) and Matshabaphala (2017) also support and acknowledge that the institution has for long served African traditional and cultural interests for people, particularly those living in rural areas. This highlights that traditional leadership extends as a key institution of support and governance for people who reside in rural traditional communities. In contemporary times, it is not surprising that the role of traditional leaders continues to be perceived as authentic in providing critical support to people in rural areas (Mathonsi and Sithole, 2017). Traditional leadership is considered essential in preserving African customs and is regarded according to Tshitangoni and Francis (2017, p. 71), as “an integral part of the lives of nations.”

South Africa was subjected to British colonial rule in the nineteenth-century (Chanaiwa, 1985) followed by the apartheid regime in 1948 which enforced racial segregation and oppression against all black people (Boahen, 1985). The democratic era, which commenced in 1994 following the first democratically-held elections, proclaimed liberation for all South African citizens living in the country. The country has also since pre-colonial times, observed traditional leadership (Tshitangoni and Francis, 2016). In eight of its nine provinces, South Africa has the institution of traditional leadership legislatively aligned to the National Traditional Leadership and Governance Framework Act (Act 41 of 2003). KZN is one of these provinces and mainly rural-based, it is the habitat of the *amaZulu* ethnic group guided by the KZN Traditional Leadership and Governance Act (Act 5 of 2005). Under the auspices of this Act, traditional leaders play a significant role in preserving African culture

and customary law. Traditional leaders are also valued for encouraging communitarian support, facilitating conflict resolution and being “representatives of community identity, unity, continuity, and stability” (Logan, 2013, p. 355). Further, traditional leaders are recognised and accorded respect for their role as custodians of African tradition, culture and heritage (Shembe, 2014).

According to Ray and Reddy (2003), it must be acknowledged that the colonial, apartheid and democratic regime significantly eroded important aspects and disregarded traditional leadership, resulting in lost opportunities to understand and develop the rural context. As Ehrenreich-Risner (2013, p. 19) indicates:

“The distortion of *ubukhosi* under British colonialism was intensified under apartheid through bureaucratic structures in the areas of agriculture, traditional governance, labour, citizenship, education, customary law and every aspect of the relationship between *amakhosi*, their people and the state.”

Both colonialism and apartheid historically penetrated the institution of traditional leadership not only to abuse power and privilege but also to create divisions between traditional leaders and the local communities through changing leadership expectations. But Bikam and Chakwizira (2014) argued that while the democratic regime gives recognition to the institution of traditional leadership through Chapter 12 of the South African Constitution (Act 108 of 1996 as amended), it has been blamed for failing to practically restore the responsibilities of traditional leaders. Therefore, the three regimes in South Africa are equally criticised for their failure to fully embrace and restore the functions and strengths of traditional leadership for it to play a meaningful developmental role within rural areas. In contemporary times, there is continued denial about the African identity, where a tough battle has been evident in restoring the dignity and functions that were lost or denied within the institution of traditional leadership (Tshitangoni and Francis, 2017).

This chapter examines traditional leadership during pre-colonial times. The chapter also highlights the influences of colonial, apartheid and democratic regimes on the institution of traditional leadership. The discussion in this chapter further presents the relationship and debates about the co-existence of traditional leadership and the current State in South Africa. The chapter concludes with an overview on the status of women within the institution of traditional leadership.

## **2.2. Traditional leadership during the pre-colonial era**

George and Binza (2011) conducted a qualitative case study within the Mgwalana traditional authority of South Africa using direct observations and face-to-face interviews with senior traditional leaders, councillors and elders. The findings of their study revealed that prior to colonialism, traditional leaders were perceived as a symbol of unity, were religious leaders, guardians of culture, customs and values, defended and acted as judges of the people (George and Binza, 2011). These qualities relate African life to that of an essential unity embedded in its leadership. Hence, for Nobadula (2013, p. 39):

“The ethos of traditional society was enshrined in an oral, legal, religious, and literary tradition through which the community transmitted its customs, values, and norms from generation to generation.”

This echoes the views of Masoga and Kaya, (2011) that African culture and tradition were not based on writings, but rather were passed on from generation to generation through oral, poetic and musical expertise. Yet, the effects of colonisation penetrated all the areas of African life (Twikirise, 2014a), including perpetuating the abuse of women. Ndlovu-Gatsheni (2013b) argued that due to colonialism, Afrocentric ways began to take a gloomy path as African children... were taught to reject the ethos of African knowledge as both barbaric and superstitious. Weir (2006, p. 4) has thus warned that the majority of what is written about Africa in the “pre-colonial period comes from the writings of missionaries, and early nineteenth century travellers.” African historians contested this knowledge during the 1960s and began to question the widely-held distortions about the lives of Africans (Weir, 2006). An example of the deeply entrenched and distorted frame of reference that was popularised about Africa and Africans is noted in the words of Burns (2002). Burns (2002) purported that there was no peace in Africa during the pre-colonial era and that it was necessary for Africa to submit to colonialism in order to be liberated. This suggests that to suit the intentions of colonialism, Africa was portrayed as a violent and an ungovernable Continent. Stauffacher (2013) also contributed to the argument postulating that Africa had a long history of autocratic type of leadership. Such perceptions served to fuel Western hegemonic relations with Africa, and suggested a mockery of the roles and functions of the institution of traditional leadership as a system of governance (Ray, 2003). As such, the

weakening of African systems followed a “gap in service provisioning and problem-solving” (Twikirise, 2014a, p. 76).

During the pre-colonial era, Africans were under the leadership of traditional leaders with whom they were content and understood to possess massive power and authority (Dodo, 2013). If Africans were dissatisfied within the traditional leadership they belonged to, they were less likely to leave, given that African leadership was similar (Dodo, 2013). The option of leaving was also not favourable because they would not leave behind their family graves where ancestors lived and formed part of everyday communal life (Dodo, 2013). This symbolised the similarity and intact nature of the African tradition and culture in pre-colonial era, a result of which was that Africans enjoyed a sense of belonging and free movement (Akyeampong and Fofack, 2014). Koyana (2013, p. 70) added that:

“There was a system of diplomatic and protocol arrangements which served the needs of the times. First, chiefs did not meet personally but communicated by means of trusted councillors. Secondly, there were no embassies, but friendly ties and mutual respect were promoted through marriage.”

Under such circumstances, traditional leaders did not govern alone and ensured that institutions such as marriage promoted peace, tolerance and interrelations beyond their boundaries.

According to Twikirise (2014a, p. 76), prior to being altered, African “ways of helping and solving problems...were largely informal, micro-level operations carried through the family, kinship, and local chiefdoms and based on mutual aid and collective action facilitated by traditional customs and culture.” This implies inclusivity through which the ways of living were made easy, but were value-laden and binding upon all. This suggests an alignment with the Afrocentric view of collectivism and the Nego-feminist approach on co-existence where African women and men relied on each other to solve their problems. The lifestyle of Africans according to Lawrings (2016, p. 735) ensured that community values such:

“Sharing; mutual aid; caring for others; interdependence-relying on each other for the fulfilment of one’s needs; solidarity-unity that is based on shared interest, feelings and aspirations; reciprocal obligation and social harmony are respected.”



Mathonsi and Sithole (2017) also maintain that with traditional leadership, politics, military, spirituality and culture also formed part of traditional leader qualities and values. Afrocentric and Nego-feminist perspectives therefore make a call for Africans to return to these values and practices of the past.

Practices within traditional leadership prior to colonialism went as far as honouring women. According to Weir (2006, p. 4), prior to colonial tampering, women were powerful, and “their leadership took a variety of forms, sometimes military, but more often economic and religious.” More than fulfilling social functions and providing labour, leadership by African women was an intrinsic part of Africa’s pre-colonial systems. The point of contention is that prior to the colonial era, traditional leadership in South Africa and within Africa itself followed specific laws, had their own leadership and lifestyle that did not exclude women (Ndlovu-Gatsheni, 2014; Twikirise, 2014a). But these laws were drastically altered and made to be subservient to the colonial style of leadership (Ndlovu-Gatsheni, 2014; Twikirise, 2014a).

In a study conducted in the Baswelu village of Tanzania, Kanyamala (2010) recorded that rituals, taboos, songs and proverbs were traditionally used to protect women from abuse in pre-colonial times. This study adopted a mixed method approach and solicited responses from ninety participants who were elders above fifty years and young people between the ages of 15-49. The findings echo that the respect accorded to African women has always been an African practice and that there were various strategies used to prevent abuse against women. Such Afrocentric strategies included the idea that within traditional African families, both the immediate and extended family had a responsibility to deal with social needs and problems (Rwomire and Raditlhokwa, 1996, p. 6). Mabeyo (2014, p. 126) added that the extended family was entrusted with the responsibility of, “providing social support, resolving conflict and provision of social security and protection for those who could not provide for themselves.” These studies proposed that members of families would not suffer any harm or go without their social needs being attended and that conflict was not allowed to endure. Moreover, families and elders of the clan helped married couples with resolving their marital problems (Twikirise, 2014b). The traits of family resilience were also highlighted in the study conducted by Raniga and Mthembu (2016) among single mothers residing in low-

income communities of KZN. Raniga and Mthembu (2016) found that single actions taken by the State, as well as political and civil society organisations were not enough to solve the complex nature of family problems, as success was dependent on the families' endurance, reliance upon each other and readiness. However, history depicts less of these qualities. With respect to the gap identified as the active participation of women within traditional leadership, Ngobese (2016) has blamed feminists for preoccupied with issues of equality rather than unpacking the historical realities. This is what makes Nego-feminism stands out as unique from other feminist perspectives for it advocates for true and proper reflections on African women's lives, particularly during pre-colonial era rather than going with the masses.

### **2.3. Influences of colonialism on traditional leadership**

The colonial era is blamed for introducing disruptions (Sesanti, 2016) within the institution of traditional leadership in Africa and particularly in South Africa. According to Thornhill and Selepe (2010) as well as Twikirise (2014a), colonialism weakened the African traditional government and contributed to eroding the strong connection between traditional leaders and traditional communities. Colonialists took away land and property from the people and ultimately robbed Africans of their access to land, dignity and culture. Where colonialism was unsuccessful to destroy the indigenous peace institutions established by Africans, it weakened them until they were proven ineffective (Mohamed, 2018). As noted by Ray (2003, p. 3), "in many cases, the indigenous peoples had their political leadership turned into instruments of colonial rule for the benefit of the empires." Dodo (2013, p. 31) further explained that, "the coming of colonialism ushered in a new dispensation in as far as leadership, authority and accountability are concerned." Colonialism resulted in the disruption of culture and spiritual practices, whereby some Africans even began to loathe or reject their traditions and customs (Ndlovu-Gatsheni, 2014). As Twikirise (2014a, p. 76) stated:

"Colonisation further became an issue of attitude change and an associated identity crisis whereby Africans began to doubt the worth of their own identity and actions."

Dodo (2013, p. 13) further noted that while traditional leaders had previously consulted with the "spiritual sphere for advice," the "present leadership...completely or at least in public, abandoned the traditional belief system and relied on simple reasoning and intellectual

strength which raised lots of questions and doubts.” This was because consultation with the departed spirits of ancestors had served to guide many Africans who believed that any, “misfortune, illness, death, and failure [rose] from the activities of unseen forces, unknown and unseen infuriated spiritual agencies, and revengeful ancestors” (Nwoye, 2017, p. 47). At this point, traditional healers as intermediaries between the visible and invisible worlds would assist traditional leaders to re-establish their lost connections (Dookran, 2014). In reference to the above and particularly within the Zulu family, Mkhize (2011, p. 1) clarifies the connection where, “Umsamo [indawo esendlini yesintu yesiZulu lapho abomuzi ba hambela khona isikhathi esiningi beyoethetha nabadala abangasekho, lakushiselwa khona impepho weyame ngezinsika ezine: Umuzi, Ikhaya, Iziko namaThongo]” (translated as: *Umsamo* being the critical place within a Zulu house where the family members mostly visit to consult with the ancestors and burn incense has four pillars: the household, the homestead, the ash place and the ancestors). These traits are not specific within Western culture. From time immemorial, African spirituality and culture have complemented each other in advancing the above connection. As Hadebe (2010, p. 24) noted:

“The prayers offered to the ancestral spirits are one way of venerating them so that they can communicate our message to *uMvelinqangi* (God)... and.... The ancestral veneration and belief in *uMvelinqangi* offered the *amaZulu* a practical way of life to address and overcome tribulations of the day.”

Shumba and Lubombo (2017) also support, placing emphasis on the complementary role of African culture and spirituality where in their study, participants reported how spirituality over generations played an active role in sustaining their culture.

The African novel by the Nigerian author Chinua Achebe (1958), *Things fall apart* provides a clear illustration of the transition of Africans who once consulted with the spirits of their gods and ancestors through the Oracle of the Hills and Caves (Agbala). With the arrival of missionaries and colonial governors, Africans began to abandon these Afrocentric healing practices (Achebe, 1958). The excerpts cited below are examples of life before and after the arrival of the missionaries and colonialists from Achebe (1956, p. 13 & 106):

“People came from far and near to consult it. They came when misfortune dogged their steps or when they had a dispute with their neighbours. They came to discover what the future held for them or to consult the spirits of their departed fathers.”

“He told them that they worshiped false gods, gods of wood and stone.... He told them that the true God lived on high and that all men when they died went before Him for judgement. Evil men and all the heathen who in their blindness bowed to wood and stone were thrown into a fire that burned like palm-oil. But good men who worshipped the true God lived for ever in His happy kingdom.”

In the former excerpt, the life of an African was ordinary and contained no influenced beliefs that trivialised their being. However, the latter excerpt not only provides an illustration of an imposed ideology, but also of a life punishable beyond the grave.

The colonialists regarded African practices as barbaric and subsequently demoted it to mean nothing (Makhubele, 2011). Prominent scholars such as Ndlovu-Gatsheni (2014) and Kang’ethe (2014a) argued that African practices no longer enjoy their initial position among Africans due to the social and economic disruptions stemming from colonialism. According to Ndlovu-Gatsheni (2014), in addition to denying African people their history and humanity, colonialism remains a limitation to African identity and agency. This is because colonialism influenced some Africans to lower their cultural standards due to being convinced that it was inappropriate and anti-progressive (Kang’ethe, 2014a). Similarly, Mohamed (2018) stated that Africans internalised oppression because of their colonial masters who portrayed African ways of living as being backward and useless, and served no good purpose in their lives. Kang’ethe (2014a) argued in a systematic literature review of traditional leadership that due to the deeply-rooted colonial persuasion of Africans that their culture is replaceable, it remains a challenge to reclaim many lost African cultural practices.

When reflecting on the role of traditional leaders in post-apartheid South Africa, Ntonzima and Bayat (2012) refuted the often-discussed claim that during the pre-colonial era, African traditional leaders were both autocratic and tyrannical. In supporting such refutation, Twikirise (2014a) and Sesanti (2016) blamed the colonialist mentality and influence for the disruptions caused to the lives of Africans (2012). These disruptions suggest that the effects of colonisation on the lives of Africans are deeply entrenched. This has been observed over time by prominent African scholars such as Mamdani (2011), Ndimande-Hlongwa, Mkhize and Kamwendo (2014) and Ndlovu-Gatsheni (2013 and 2014).

Among other roles that the colonial era successfully diluted was that of the “traditional chief,” the positions of women and the role of African customary laws in order to serve the *status quo* of the British colonial government (Sesanti, 2016). African males were portrayed as oppressors of women who failed to acknowledge and respect the human dignity of women. This is the view that Nego-feminists reject while advocating for the need to address human rights violations and several injustices imposed on African women (Asiegbu, 2017) and perpetrated by African men. Mutua (2016, p. 169) offered an alternative claim that due to “a poisonous mix of culture, colonial-era laws, and religious practices,” African women and girls have been relegated, side-lined from public life and atrociously subjected to “domestic violence and exclusions from land and property ownership.” As a result, it can be argued that by violating African women, a contribution was made to break down communities and split “links between families and clans” (Dodo, 2013, p. 39). This implies the erosion of cohesive African community lives built on the strengths of togetherness, trust, communality reverence and peace. Clearly, colonialism not only robbed Africans of their moral fibre, but deeply disrupted and diluted customs, rituals, tradition and culture, thereby causing irreparable damage to African life.

European systems permeated many African lives and influenced Africans to ignorantly appropriate and internalise foreign culture, which they confounded as originally African (Sesanti, 2016). To this effect, some African men adopted the Hebrew culture while others distorted facts on the status of African women, so they could gain power (Amadiume, 2015). As recounted by Hawkins (2002) this resulted in the status of African women being reduced through the support of colonial courts to that of household minders and excluded them from public and leadership roles. This was also used to advance patriarchy, which as a worldwide social system, accorded men a dominant position over women in society (Ahmad, Riaz, Barata and Stewart, 2004). Colonialism entrenched the patriarchal system in Africa, where men were considered as superior over women and that internalised oppression of African women is still rife in contemporary times. That is why Ray (2003, p. 5) argued that the “colonial state would have to admit that its claims to sovereignty were based in the main on violence, racism, and diplomatic trickery.” Ray (2003, p. 5) further asserted that colonial claims to legitimacy as to why the indigenous people should obey its dictates were usually based on (1) the rights of the conqueror rather than the consent of the people, (2) assertions of

culture or racial superiority of the colonisers over the indigenous people, and (3) the use of a constitutional and legal order based on or rooted in the imperial power.”

Scholars therefore summarise that colonialists diluted many aspects of African culture (Kang’ethe, 2014a) such as relegating the position of women in African society, the relegation of African languages (Ndimande-Hlongwa et al., 2014), and traditional disruptions through the introduction of patriarchy (Petersen, 2016). However, as Ray (2003) argued, the total defeat by colonisation was not realised because not all elements or traces of indigenous heritage were wiped away. They continued even though political expression may have been chosen for legislative policy development, due to Africans preferring traditional leaders to oversee local matters and those relating to custom and land (Ray, 2003). As Ndlovu-Gatsheni (2013a) indicated, African scholars also place emphasis on the need to logically analyse African origins from pre-colonial times to properly inform, enhance and underpin the African knowledge within its indigenous roots.

Although colonialism in South Africa officially ended in 1961 with the establishment of a politically independent Republic, the distorted roles and functions of the institution of traditional leadership continued and were advanced by the apartheid regime. The discussion which follows will highlight how post-colonialism, the apartheid era continued to influence traditional leadership.

#### **2.4. The apartheid era influences on traditional leadership**

When the apartheid regime came into power in 1948, it further contributed to distorting African customs and tradition. As Houston and Mbele (2011, p. 86) stated:

“In 1951, the white parliament passed the Bantu Authorities Act without any consultation with the African people. This Act changed the traditional forms of African tribal and rural local government without providing for any form of African political expression. It also called for the setting up of tribal and regional authorities under chiefs or headmen, with all appointments subject to the Department of Native Affairs’ approval. These Bantu ‘authorities’ replaced the traditional tribal gathering, or kgotla, as the final tribal forum. It thus completed the process begun by the Native Administration Act of 1927, which brought tribal chiefs under the control of the Governor-General as their ‘Supreme Chief’ and made them liable for dismissal at the slightest sign of opposition.”

This attests that while the colonial authorities tampered with Afrocentric communitarian practices of solving problems such as the abuse of women and gave rise to institutions that eroded the African belief system, the apartheid administration came in and advanced colonial intentions. Williams (2010) argued that the advancement of the colonial agenda gained increasing momentum under apartheid. Apartheid began to gain total control by putting in place racially-based legislations which controlled the core of established African structures. With the knowledge that traditional leaders were the gatekeepers to accessing indigenous people, the apartheid regime used the institution of traditional leadership to provide it with infrastructural latitude, so it could control assets (particularly land) and implement its racist legislation (Ehrenreich-Risner, 2013). For example, the ousting of chiefs who opposed apartheid policies was a common practice by the State during apartheid and those ousted were replaced with loyalists and supporters of apartheid who obeyed racist laws without question (Houston and Mbele, 2011). The acts of ousting and replacing traditional leaders are to this day what constitute disputes within the institution of traditional leadership because according to Ehrenreich-Risner (2013), the demands by royal families are for the legitimate heirs to be enthroned. Two South African court judgements, (CCT 167/17 (2018) and Case 563/17(2018) are such examples of succession disputes within the institution of traditional leadership. In one case, CCT 167/17 (2018), the Constitutional Court judged in favour of Zanzuko Sigcau as the king of the amaMpondo aseQaukeni and not the deceased Mpondombini (represented by his daughter Weziwe Sigcau). Another case was that of Netshimbupfe and another v. Mulaudzi Case 563/17(2018), being a dispute between two cousins who were grandchildren of the former senior traditional leader fighting over succession as members of the royal family within the Tshimbupfe traditional community in Limpopo. The two cases presented evidence where court battles encircle the institution of traditional leadership and attempts were made to reclaim legitimacy and rectify the wrongs that were brought into it by oppressive regimes. Therefore, as with colonial rule, apartheid not only continued to cause division between traditional leaders and traditional communities but there is clear evidence that it created rivalry within royal families on the succession of heirs. The relevance to this study is that SWTL find themselves in such spaces of succession disputes where their appointment is questioned (Chauke, 2015). This is because even if they were first-born children of reigning senior traditional leaders, women would not succeed their

fathers because as females, they were not allowed to take up their rightful roles as senior traditional leaders (Chauke, 2015).

The discussion which follows focuses on the existence of traditional leadership within the democratic South Africa, post-1994. The discussion also contributes to the debate on the continuing control exercised by the State on the institution of traditional leadership. It further gives insight into the status of women within traditional leadership during post-apartheid South Africa.

## **2.5. The democratic state, traditional leadership and the status of women in South Africa**

### **2.5.1. The relationship between the State and the institution of traditional leadership**

Ndlovu-Gatsheni (2014, p. 181) posed the question as to whether Africans would be able to, “create African futures within a modern world system structured by global coloniality?” This question is placed alongside scholarly debates by du Plessis and Scheepers (1999); Moodley (2002); Williams (2010); Dodo (2013) and Sizani (2017) suggesting that even within contemporary African governments who draw influence from the Eurocentric ideology, traditional leadership continues to endure some degree of external control. The continued control over the institution of traditional leadership influences some writers to maintain a pessimistic view over the seamless future of traditional leadership. Scholars such as Igboin (2016) have thus argued that traditional leaders are far removed from their subjects through language and religion, which were particularly the strong aspects of traditional leadership and culture. According to Lawrings (2016, p. 734), “cultural values in Africa...are best identified in their artistic symbols, religious beliefs, myths, maxims (proverbs), folktales and indeed social practice” and language was the instrument used to inculcate these from generation to generation. However, according to Ndimande-Hlongwa et al. (2014), colonialism reduced and marginalised African languages to an inferior status against that of European languages. This is to the extent that observations have been made on some contemporary traditional leaders making the choice to turn away from believing in African indigenous religions and follow Christianity or Islam (Igboin, 2016). Others are unable to communicate in their indigenous languages and rely on interpreters within their communities (Igboin, 2016). As such, Igboin (2016) pointed to the difficulty that apart from installations of traditional leaders



that are performed by modern States, the foundations and legitimacy of traditional leaders in contemporary Africa cannot be traced back to pre-colonial era because the disruptions are continuing. According to Ndlovu-Gatsheni (2014, p. 184), this is because, “as colonial subjects for over 300 years, Africans were forced to reproduce a colonial future that was inimical to their aspirations.”

Traditional leadership currently finds itself faced with various new expectations affecting the nature of its rule (Williams, 2010). One can argue that this is exerting enormous pressure within the institution. Examples can be drawn from several African countries that stay in control of traditional leadership at varying degrees. In Zimbabwe for example, the selection of traditional leaders is conducted by their families but eventually gets confirmed and endorsed by the State; while in Kenya, the State appoints and remunerates traditional leaders like all other civil servants (Dodo, 2013). Botswana also faces a situation where traditional leaders' powers have been taken over by the State which among other things, decides on their recognition and selection (Dodo, 2013). A difference is observed in Ghana and Swaziland. In Ghana, traditional leaders participate in governance in accordance with African tradition, but are prohibited from meddling in politics (Dodo, 2013). In Swaziland, it is His Majesty, King Mswati III who is the head of State and has all government powers vested in him to first approve legislation before it becomes law (Selepe, 2009).

In South Africa, the current roles and functions of traditional leaders are enshrined in both National and Provincial legislative measures, under The Traditional Leadership and Governance Framework Act (Act 41 of 2003) (George and Binza, 2011). The State has considered restoring the dignity of the institution of traditional leadership as a custodian of African customs, cultures, traditions and heritages (Department of Traditional Affairs, 2011). The State has also envisaged as an objective, transforming the institution so that in partnership with government and other significant role players, it may be able to play its statutory role in the reconstruction and development of the country (Department of Traditional Affairs, 2011). However, such transformation implies that the institution of traditional leadership is viewed as a non-fitting partner unless it is changed by the State into becoming a collaborative State partner. While this objective seems to aim towards enhancing cooperation between the State and the institution of traditional leadership, it appears

imposing and strongly implies that the institution requires the State's management and leadership to maintain its status. Also, the State is continuing the control measures that existed under colonialism and apartheid because while traditional leaders' positions are recognised in terms of the Constitution, the repeal and amendment of these positions and the regulation of customary law is done by statute (du Plessis and Scheepers, 1999). Williams (2010) also noted the State's involvement and tampering with the roles of traditional leaders through The Traditional Leadership and Governance Framework Act (Act 41 of 2003). According to Williams (2010, p. 7), the roles are for traditional leaders to "provide order and security, solve disputes and allocate land in the community." This seems to be rather mingled (traditional-State) orchestrated roles because traditional leaders are to ensure that those who break the rules are held accountable in customary or State courts, ensure placement of development projects and give a permission to occupy certificates (Williams, 2010). This implies that ultimately; traditional leaders are limited in terms of finalising some traditional court cases they preside over and are also required to give written proof of their decisions. In the past however, the outcome of court cases were announced verbally and were based on the principles of trust and mutual respect.

For Ehrenreich-Risner (2013, p. 8), the apartheid laws imposed on Africans were complex and intimidating; hence, traditional leaders had, "to smile and bow to a white Bantu commissioner...when handed certificates of sovereignty with a promise of funds for development." The issuing of certificates to traditional leaders continues in South Africa as per The Traditional Leadership and Governance Framework Act (Act 41 of 2003) and is a legislative requirement. As Sizani (2017) maintains, the post-1994 democratic government shifted power responsibilities within its ranks, while continuing to control and endorse the recognition and appointment of traditional leaders and traditional councils. This suggests that even though traditional leadership co-exists alongside a democratic State as embedded within the Constitution of the Republic, when recognition and appointment is not sanctioned by the State, they are regarded as illegitimate. This was the *status quo* during the apartheid era and continues to be sustained in the new democratic era.

Sizani (2017) observed that apartheid legislation continues its control in the functioning of traditional courts which have limited criminal jurisdiction and function under the Department

of Justice and Constitutional Development. Although Section 39(2) of the Constitution of South Africa implies that customary law can be developed by courts, tribunals or forums within traditional communities, these institutions including the Royal family or councils are non-judicial bodies with no jurisdiction over the development of customary law (Moodley, 2002). It therefore suggests that judicial bodies are interpreted differently as Moodley (2002) pointed out that It therefore suggests that judicial bodies are interpreted differently, as Moodley (2002) pointed out that only a traditional court might qualify as judicial body to develop customary law; even though the case of *Shilubana vs Mnwamitwa* (SA 66 (CC), 2008) (to be elaborated on in later discussions) was not presided upon by a traditional court. Another legal case whose outcome was based on the constitutionality of actions is that of King Buyelekhaya Dalindyebo of the AbaThembu in the Eastern Cape who was never tried by any traditional body, but found guilty in a court of law that observed common law. The pertinent question is whether it would not have been more appropriate to first constitute a court/commission consisting of various clans of *AmaXhosa* or indeed the Nguni tribe to give credit to application of customary law, before the case could be referred for judgement by a court observing common law? While such a question needs serious legal contemplation by law experts, they may not have specific training in such traditional matters. A concomitant factor is that there is no curriculum in place to produce lawyers for customary law related matters. As Mutua (2016, p. 164) positioned, when establishing schools of law through, “training of legal professionals such as judges and lawyers...no attempts were made to view law in the wider social context both domestically and internationally.” It is along this vein that Williams (2010) claimed that despite the belief that traditional leaders exercise power, such is not a legitimate power as it emanates from the State rather than the local community. Hence, Nhlapo (n.d) suggested avoidance of the inconsiderate expulsion of African values in favour of common law substitutes because it deems common law as a desirable intervention.

Another contentious issue within the institution of traditional leadership is the political control exercised within the sphere of local government. According to George and Binza (2011, p. 948), “traditional leaders had control over political functions, and safety and security, governance and development were their responsibility.” With the establishment of the democratic State, the responsibilities of traditional leaders were shifted to municipalities. Mathonsi and Sithole (2017) also pointed out that the establishment of municipalities in terms

of Section 151 of the South African Constitution led to the conflictual shift of responsibilities of traditional leaders when their communities began to be placed under municipalities. As a result, there are the beliefs that “traditional leadership provides a challenge for local municipalities, as the role that should be played by the institution is still not clear” (George and Binza, 2011, p. 960). Mathonsi and Sithole (2017) also contend that in a post-apartheid South Africa, there is more incongruity, confusion and tension regarding traditional leadership roles and positions. Tshitangoni and Francis (2017) have thus stated that “tensions and conflicts continue to characterise the relationship between the two institutions.” As such, Ray (2003) has long urged for the harmonising of the two by addressing concerns relating to the benefits of co-existence. Similarly, George and Binza (2011) also called for strengthened partnerships through legislation and other measures between local municipalities and traditional councils to enable good governance and rural development.

Considering, The KwaZulu-Natal Traditional Leadership and Governance Act (No. 5 of 2005) which draws from The Traditional Leadership and Governance Framework Act (No 41 of 2003), there is grave concern about the level of control imposed on the institution of traditional leadership. In particular, the recognition and removal of traditional leaders (whether *Isilo*, *Inkosi*, or *Induna*) as well as the recognition of traditional councils are dependent upon the endorsement by the provincial premier and/or the member of the executive council (MEC) who are political heads within the governance of the province. Starting with traditional councils, The KwaZulu-Natal Traditional Leadership and Governance (Act 5 of 2005, p. 103) indicates that, “the support of traditional councils may be offered by the Provincial Government or the relevant municipal council to (a) strengthen capacity of the traditional council/s to fulfil their functions and (b) enable the traditional council/s to perform their functions.” This verifies that for their existence and sustainability to perform functions as required by the Act, traditional councils are dependent on the government of the day to provide support.

Moving on to traditional leadership positions, such as an *Isilo*, *Inkosi* to an *Induna*, the president of South Africa, the provincial premier and the MEC for local government in each province have been assigned extensive powers to recognise and/or remove incumbents in these positions. In terms of The KwaZulu-Natal Traditional Leadership and Governance Act

(No. 5 of 2005), the imposing control from government is implied in sections 23(1) and 23(13), which relates to the, “inquiry into misconduct by the traditional leader.” While section 23(1) states that, “whenever there is reason to believe that a traditional leader is guilty of misconduct in that he or she” (e) “displays insubordination”; section 23(13) states that, “the finding of the presiding officer and the sanction imposed by the Executive Council is final”!

The above deliberations bear testimony to the distinctive position of the State’s power by implication that while within the communities, a traditional leader is held in high regard; the word insubordination in section 23(1) is patronising in this regard. In section 23(13), a traditional leader, whether legally represented or not, is legally bound to submit to final decisions taken by the presiding officer and the Executive Council. A powerful point raised by Nhlapo (n.d. p. 1) resonates well in that:

“It is not easy to get into the “mind” of the South African legal system ... and fathom what this legal system “thinks” about customary law and its place within it. A question that arises in this respect includes the over-arching issue of whether there is commitment within the system to a proper mainstreaming of customary law as part of the South African legal system, rather than a junior partner in it?”

To this extent, Nhlapo (n.d) concluded that a different mind-set needs to be legally adopted because despite all efforts taken by courts and the legislature, the integration of African values such as the protection of women against violence and abuse into the South African legal system remains pointedly absent.

### **2.5.2. The co-existence between the State and traditional leadership**

The co-existence of the State and traditional leadership in South Africa continues to occupy a contested space in policy debates. Logan (2008) located the complexity of the co-existence in the strong opinions posed by those favouring traditional leadership and those favouring modernisations, agreeing and acknowledging that it is a difficult relationship. As argued by Tshitangoni and Francis (2017), it needs to be acknowledged that the existence of the institution of traditional leadership parallel to that of modern State structures has in some cases resulted in conflicts and duplication of duties.

Run (2013) suggested that the colonial legacy needs to be interrogated for proper reflection on African approaches such as conflict resolution. This validates that the mechanisms established to ensure a certain measure of integration and co-operation between democracy and the institutions of traditional leadership sometimes do not always bring the desired results that are necessary to forge common goals. The interrogation of the colonial legacy will assist in purifying African traditional ways of living as suggested by Afrocentrism to be seen for what they were prior to being tampered with. For example, Meer and Campbell (2007) suggested that the future of traditional leadership within the South African State seems uncertain given the debate that traditional leadership has no role to play within democracy. Ndulo (2011, p. 96) also purported that, “the co-existence of common law and customary law in the same country raises the problem of when the laws apply and to whom.” This is because while the democratic governance seeks to uphold equality and individual rights, according to Ndulo (2011) certain African customary practices are discriminatory and violate women’s rights. Virginity testing provides an example as one such practice that is seen to occupy the narrative of discrimination and the violation of women’s rights in South Africa, while those practicing it are content. Although its goal was clear in ensuring that women abstain from sexual intercourse, it nevertheless suffered major criticism (Kang’ethe, 2014a).

Dodo (2013) noted the limited or controlled authority of traditional leaders within the current South African State. However, Dodo (2013, p. 42) does not advocate for autonomy when suggesting that “higher level authorities could help ensure accountability by monitoring the activities of traditional leaders.” Instead, Dodo (2013, p. 42) justified this statement based on the “various cases whereby traditional leaders...have either deliberately abused office or dismally performed purely out of ignorance.” The remaining question is who these “higher level authorities” are or what should they be? These are posed given that while cautioning around the complexities and expectations of people within the traditional domain, Dodo (2013) suggested integrating traditional and the justice systems.

There is however an acknowledgement that the social and political role played by traditional leaders cannot be ignored but could rather be considered as useful for encouraging public participation at the local government level (Meer and Campbell, 2007). Meer and Campbell (2007, p. 19) made this proposal because, “the politics of traditional leadership is critical in

the quest for a stable and transparent democracy in South Africa.” Tshitangoni and Francis (2016, p. 244) also argued that “traditional leadership always tried to ensure that there was effective community engagement and also believed in promoting the cultural practices that imparted a unique identity to the local people” as they govern in their areas. As noted by Ray (2003), this attests that the democratic government needs traditional leadership to assist in improving structures, policies and development at the local level through the mobilisation of people. Therefore, traditional leaders have a significant role to play in the development of rural areas (Tshitangoni and Francis, 2017).

Mutua (2016) suggested that the current culture within the democratic State governance is at war with itself. Mututa (2016) justified that contrary to people’s expectations; there is feared public power instead of respect. This is because public servants are playing master roles, thereby inciting continued misunderstandings between the State and the people. Mutua (2016, p. 168) further asserted that within the current democracy:

“Judges are regularly for sale, and lawyers facilitate the corrupt deals. Large segments of the population that cannot buy justice have no access to the courts. Women and the poor, often the largest segments of the population, are shut out. It is not unusual for litigants to wait for a decade before a case is heard.”

This point puts traditional leaders in a critical position. According to Matshabaphala (2017, p. 289) traditional leaders are to date continuing to play a critical role where they ensure that, “there is cohesion and an enabling environment for the creation and delivery of public value to the public at local government level, particularly in the rural areas of South Africa.” The role of the institution of traditional leadership is therefore suggested to remain largely relevant in modern day society.

### **2.5.3. Traditional leadership and the status of women**

While the persistent role of the institution of traditional leadership is acknowledged, it is also fitting to mention that the institution has over the years been pre-dominantly known for succession through the male blood-line with respect to the inherited positions of senior traditional leaders. According to Chauke (2015, p. 35), “the institution of traditional leadership was founded and grounded in the patrilineal system, whereby only the firstborn

male children were afforded the opportunity to succeed their fathers”. The colonial and apartheid eras exacerbated the situation through defining women as being of less importance than men (Chauke, 2015). Lambani and Nengome (2018, p. 10956) attested that:

“Most firstborn women are overlooked when it comes to the inheritance of the estate of a late father or from occupying the position of traditional leadership if there is a male child born in the family despite the existence of an elder sister.”

While succession disputes have been historically the case within the institution of traditional leadership as noted by Bekker and Boonzaaier (2008), the inclusion of women has been met with far more resistance. Matshidze (2013) pointed out that there is no automatic succession within the institution of traditional leadership. This is because, “even if it is understood that a particular person will be the successor because his mother was the *dzekiso* wife and he is the first-born in the family; it is usually preceded by some struggle for succession” (Matshidze, 2013, p.159). This suggests that even when the rightful heir is known, accession to the throne is often typified by disputes between royal family members and can even be worse when women are to assume the positions. It is therefore assumed that the Nego-feminist lens, in line with Afrocentric beliefs, could interrogate this space to see how best a common understanding to the practice can be facilitated without oppressing and abusing women. This is particularly the case since South Africa has harmonised male primogeniture with equality (Chauke, 2015). An illustration of such harmonisation is the landmark case in *Shilubana v Mnwamitwa* (SA 66 CC, 2008) on the rights of women as heirs to the throne within the institution of traditional leadership. Subsequent to its ultimate ruling, there have been strong arguments presented for and against. Bekker and Boonzaaier (2008) argued against this judiciary intervention that the evolutionary process rather than a firm court judgement was to be followed. However, Moodley (2012) favoured its outcome (although with caution for future sustainability) in that the ruling a) was in line with sections 2452 and 39(2) of the Constitution of the Republic of South Africa which mandates customary law to be consistent with it, and b) gives communities the power to develop own customary rules. Chauke (2015, p. 37) supported and applauded the above Constitutional judgement as a “transformational judgement celebrating gender equality.” The benefits of the case were applicable to all women given its potential to unblock more opportunities for women to participate in projects at the community level (Chauke, 2015). Therefore, more than the negativity, the above case



provided evidence of an amicable alignment in integrating customary law and the South African Constitution. As Ncapayi and Tom (2015, p. 88) suggested:

“The inclusion of women in traditional government structures by the democratic government adds democratic value and credibility to the institution of traditional leadership, which for many years remained essentially male-dominated.”

Despite the male primogeniture which Maluleke (2012) argued has been imposed on Africans, there is an acknowledgement that women have always played a critical role within traditional leadership. The research conducted by Dodo (2013, p. 29), noted that, “women have always been part of the traditional leadership though they have been behind the scenes.” As such, Dodo (2013) proposed further research into female traditional leaders with a concern that they now emerge as if they were never there before despite having been eroded by factors among which is colonialism. Kasongo (2010) suggested that the critical role played by women in most African States such as Ghana, Rwanda and Egypt as Queen Mothers married to African Kings in royal decisions and public policy is worth noting. In an article that focused on the role of African women in peace building and conflict resolution, Agbalajobi (2009) recorded that Burundi women played an important role of negotiating and educating about peace within families and society. Dodo (2013) claimed that although traditionally, the wisdom, ability to make popular decisions, personal appearances and etiquette accrued respect for leaders (men), in many instances; they received support from their wives. This implies the powerful influence women have had although mostly in the background of male leaders. As such, Matshidze (2013, p. 7) thought it is, “imperative to understand the role of *makhadzi* in leadership because in South Africa today, some key political, cultural and social decisions are predominantly made by a large majority of men, with only peripheral participation by women” even though, “men and women should be involved to protect the interests of all.” Dodo (2013) maintained that when African women were in leadership, they surpassed their male counterparts. This can be traced back to the times of the Zulu Regent Queen Mkabayi [*sic*] and her twin sister Queen Mmama illustrated by Ndlovu (2008, p. 115) in that:

“During the 1820s and 1830s, Queen Mkabayi ruled over ebaQulusini while Queen Mmama oversaw enTonteleni on behalf of their brother Chief Senzangakhona. During these times, their roles were much more powerful

than a mere trivialisation of women's role confined to domestic environment. Queen Mmama played a critical and seemingly compulsory consultative role given that the Zulu commanders would not launch a military campaign prior to consulting with her. On the other hand, while there was a general belief of men controlling agricultural production, Queen Mkabayi [*sic*] (“for she was recognised as the guardian of the royal Zulu mantle”) officiated over the annual first fruit ceremony “the grand ceremony.”

Ndlovu (2008) asserted that extracts from *Izibongo zikaMkabayi* position and celebrate her capacity to solve problems, as well as her fearless and confrontational fight against corruption that would undermine the power of the Zulu nation and her direct participation in war within the Zulu Kingdom. The above argument is contrary to the presentation of women as weak and unable to lead and is suggestive of decisive measures that they took to protect the Zulu Kingdom. As a result, Sesanti (2016) argued that there is historical evidence that African women utilise their right to self-determination and agency in their private spaces as well as public lives. That is why Sesanti (2016) held colonialism responsible for seizing this cultural practice away and contributing to the vulnerability of women to violence and abuse. Kasongo (2010) concurred that blame should be placed on colonialism since it came with the belief and socialisation of Africans to undermine women which was misaligned in pre-colonial times and the African conceptualisation of women in society. Nnaemeka (2006) also argued that for centuries, African women have played a role within politics and art. It was therefore within the confines of colonialism that women should stay behind closed doors busy with domestic duties, while men attend to politics and economics of the nation (Kasongo, 2010). The findings of Logan (2008) revealed that male domination within the institution of traditional leadership was regarded as harmful to the interests of women. Therefore, the example presented by Dodo (2013) of the belief that only men had the capacity to govern and make decisions, that the position of being a head of family was for men alone because they were stronger and wiser than women illustrated the fact that the agency of women was marginalised to promote the much-orchestrated male hegemony. To this effect, Sesanti (2016) added that the false philosophy of African culture promoting oppression and relegation of women is Eurocentric and is unfortunately still being promoted by African men who claim to be revolutionaries when they are justifying their actions using African culture. In addition, the deliberate misuse of African culture is misrepresented for selfish ideological gain, particularly that of male hegemony (Lambani and Nengome, 2018). In order to support

and emphasise the Nego-feminist abilities of African women, Nnaemeka (1994) points to the West who have deliberately designated African women's multi-tasking, child-bearing and childcare roles as a strain and her life confined within a village.

Dodo (2013) and Sesanti (2016) maintained and supported that female traditional leaders within the African diaspora have always existed. Sesanti (2016) firmly opposed distorted views that in African culture, women were marginalised, rather than advancing the view that power sharing in respect of roles between women and men was historically a practice of African culture and tradition. Sesanti (2016) also discarded the popular distorted view that women were merely subordinates to King Shaka. In fact, Sesanti refers to Weir (2006) who re-counted how Shaka punished anyone who sought refuge at the graves of Nqumbazi and Mkabayi. This signifies that even at the point of death, African women continued to be sacred and respected. Respect is a value of *ubuntu* and is foundational within communities as, "it delegates the position of the person within the hierarchical society" (Haselau, Kasiram and Simpson, 2015, p. 176). Segueda (2015) also attested that in most African cultures, respect for women has always been an inherent aspect. Ndlovu (2008, p. 112) as well as Ntwape (2016) have thus warned that contemporary Western scholars actually, "too often disregard that historically, Zulu women were workers, decision-makers exercising agency in the agricultural economy and were also leaders in the family homestead...and formed part of military zones." In fact, Ntwape (2016) criticised the unfair views of Eurocentric scholars in their reflections on the role of African women during pre- and post-colonial times.

Hammond-Tooke (2008) reflected on the powers that women possessed within a polygamous homestead. Women had their allocation of property and one or two cows allocated to them by their husband for themselves and their children (2008). Essentially, the husband would not use any of the cattle without getting permission from his wife (2008). This illustrates that women's voices were prominent over their property and men respected their decisions. The power and significance of women is also noted in the novel by Achebe (1958, p. 98) who illustrates that "Nneka (meaning mother is supreme)" symbolised the power of women. When all was well, the child belonged to his fatherland; but in time of sorrow and bitterness, refuge and protection was sought in his motherland given the power of a mother to protect (Achebe, 1958). Along these lines, Kasongo (2010, p. 318) argued that women in most

African societies are “life givers.” Garnered within this presentation is that in the absence of Western tampering with African identity, tradition and culture; African women’s roles and maternal instincts enjoyed an exalted status.

In post-apartheid South Africa, enough ground exists for women to assume the position of senior traditional leaders within the institution of traditional leadership. The assumption of the position of senior traditional leaders has occurred on the grounds of women either being the rightful heirs by birthright or holding acting positions for their sons/brothers/nephews etc., who may still be too young to be enthroned. The case of *Shilubana v. Mnwamitwa* (2008 (2) SA 66 (CC)); *Bhe v. Magistrate Khayelitsha* (2004 (1) SA 580 (CC)); and *Shibi v. Sithole* (2004 (1) SA 580 (CC) provided victory when the Constitutional Court judgement ruled in favour of women (Ndulo, 2011). Bauer (2016) has therefore noted the increased proclamation of African women on their right to become traditional leaders. Bauer (2016) further argued that women who are in senior leadership play a critical role within both high structures and communities in essentially representing the interests of women. This position affords them the space to nationally and provincially represent the interests of women and to mitigate the cases of women abuse. This implies that women and SWTL also serve as agents of peace and nation building particularly through being the voice of abuse survivors. The global agenda for social workers equally acknowledges the strength and ability of all persons including women to lead and contribute as capable leaders within communities (IASSW, 2012). The key outcomes from the International Development Law Organisation (IDLO) (2013) also suggests legal empowerment programmes that incorporate both women and men as community leaders can improve justice outcomes for women. This is in line with the discussed Afrocentric and Nego-feminist theoretical perspectives, that Africa requires concerted efforts on the part of both its men and women to operate collaboratively and build a society that weakens the plight of abused women.

## **2.6. Chapter summary**

This chapter discussed the institution of traditional leadership during pre-colonial times. It has also examined the changes that were introduced within the institution during the three waves of historical change: the colonial, apartheid and democratic eras. The chapter presented evidence indicating that the institution of traditional leadership has continued to

exist alongside imposed regimes with power dynamics that distorted how Africans lived their lives. The chapter also presented debates on the co-existence of traditional leadership and democracy. Continued control maintained by the State over the institution of traditional leadership was highlighted. A presentation on how the democratic regime through the introduction of The Traditional Leadership and Governance Framework Act (Act 41 of 2003) has given effect for recognition of women within the institution was made. This chapter also offered arguments advancing Nego-feminist perspective that the role of African women and their marginalisation was not originally an ideal within African communities. African women were respected and played key important roles, which were tarnished, distorted and subjected to patriarchal control to give men authority and control over them. Evidence presented from Ndlovu (2008), Hammond-Tooke (2008) and Sesanti (2016) has shown that gender roles are significant to Africans and therefore in their specific roles, women exercised power that even men could not overrule before consulting or getting permission from them. The issue of limited reflections and failures by historical scholars on the role of Africa women was also emphasised.

## **CHAPTER THREE**

# **GLOBAL STATISTICS, LEGISLATION AND COMPLEX LIFE CHOICES MADE BY WOMEN IN RELATION TO WOMEN ABUSE**

### **3.1. Introduction**

The abuse of women is a long-standing and prevailing social development and health challenge both in the global north and global south countries. According to the United Nations (2015), the complex social underpinnings related to this social development challenge implies that the situation is not simply about improving changes to legislation and access to social work and health services. But implications are that socio-cultural and economic obstacles need to be considered (United Nations, 2015). Raniga and Mathe (2011) have thus concluded in a qualitative study conducted in KZN that gender discrimination, economic hardship, and poverty are primary factors that contribute to sexual violence and abuse against women with consequent high rates of unwanted adolescent pregnancies.

As reflected under the definition section, women abuse, domestic violence and gender-based violence are inseparable terms for advancing the purpose of this study. It needs to be acknowledged however that these terms are not synonyms and therefore not treated as such. This chapter presents literature on the global statistics and the prevalence of gender-based violence in Africa and South Africa. The chapter goes on to consider the progress of intervention strategies made by African countries to curb violence against women and the situation of South Africa's legislation that addresses women abuse. The chapter concludes by presenting literature on the consequences of women abuse and the complex choices made by women to remain in abusive relationships.

### **3.2. Global statistics and the prevalence of gender-based violence in Africa and South Africa**

It is important to consider statistics on women abuse and gender-based violence. Kaeflein (2013) claimed that statistics fell short of illustrating the extent of gender-based violence, but the same statistics play a pivotal role in raising awareness and the human costs and consequences of such violence in a society. A study conducted by the United Nations (2015) revealed that 35% of women worldwide continue to experience physical and/or sexual

violence at the hands of their intimate partner or they experience sexual violence by a non-partner at some point in their lives. CARE (2013, p. 9) also provided a global estimate that, “one in three women will be raped, beaten, coerced into sex or otherwise abused in her lifetime.” Similarly, estimates in Australia projected that approximately 1-in-3 women will be affected by violence in their lifetime and 1-in-5 experience sexual violence (Manningham City Council, 2013).

The above attests to increased violations experienced by women within their domestic spaces. However, the scourge of women in intimate partner relationships seems to be doubled. This is confirmed by the United Nations (2015) stating that although physical violence is more prevalent than sexual, both these forms of violence are experienced by women in intimate relationships. In 2013, the global prevalence rate of physical and/or sexual intimate partner violence was estimated at 30% among women in long term relationships and 7.2% among women who experienced this abuse from non-partners (World Health Organisation (WHO), 2013). Such prevalence was said to be highest among African, Eastern Mediterranean and South-East Asian countries by approximately 37% (WHO, 2013). This paints a picture that instead of change and witnessing statistics dwindling as the years go by, estimates continue to escalate as a sign of the problem deepening. It therefore becomes important to contextualise the prevalence of gender-based violence in Africa and South Africa.

The high prevalence of violence in Africa has led to it being a region depicted as a violent and war-stricken zone for many years. As Sigsworth and Kumalo (2016, p. 1) stated:

“Africa has been a violent continent for well over a century. Colonialism, liberation movements, independence struggles, intra- and inter-state conflict, armed violence between state and non-state armed actors, ethnic conflict, political violence, religious tension and violent extremism have been experienced at different times and to different degrees across the continent. These cycles of violence and conflict, combined with entrenched social systems of patriarchy have impacted most significantly upon women.”

As SGBV is a human rights violation, Sigsworth and Kumalo (2016) claimed Africa to be tolerant of it and concluded that the structural inequalities between women and men endorse the acceptance of violence as a mechanism to resolve conflict. These may have immediate ramifications on individuals, their families and communities, and ultimately the development of States. As it presently stands, Africa is among the top three Continents by 64% following

Oceania (68%) and Asia (67%) where high percentages indicate that intimate partner violence has been experienced by women at least once in their lifetime (United Nations, 2015).

The high percentages are also exemplified in the work undertaken by Human Rights Watch (2014) noting that in Tanzania, 45% of women between the ages of 15-49 had experienced either physical and/or sexual violence. Also, 1-in-2 of married women of the same age reported experiences of either one or a combination of emotional, physical, and sexual violence by their current or former husbands (Human Rights Watch, 2014). Furthermore, witchcraft-related abuse and killings directed to older women were also on the increase, where out of the 765 reported cases of killing in 2013, 505 were of women as compared to only 260 for men (Human Rights Watch, 2014).

Findings by the Zimbabwe Demographic Health Survey of 2015 revealed that more than 35% of women aged 15-49 years in Zimbabwe had experienced physical violence (Home Office, 2018). Samuels, Ndubani, Walker and Simbaya (2015) also indicated that in Zambia, the Demographic Household Survey (DHS) found almost half of women experienced physical violence as young as 15 years-of-age. Among others, the inadequate laws and lack of law enforcement in dealing with gender-based violence were blamed (Samuels et al., 2015). Moreover, Zambia also rated the highest among twenty-five countries that provided survey statistics as 48% of its women were subjected to violence from intimate partners and some 57% women were exposed to physical violence throughout their lifetime (United Nations, 2015).

A study conducted by Cantalupo, Martin, Pak and Shin (2006) indicated that the Gender Centre discovered 1-in-3 Ghanaian women had suffered physical violence from a previous or current partner. Twelve years later, the same statistics are still reflected by Alangea et al. (2018) which relate that either not much has been done to change the *status quo* or intervention efforts are failing altogether. Moreover, 3-in-10 women admitted to having experienced forced sex from their male partners and 27% experienced psychological abuse (Alangea et al., 2018). Ajayi and Soyinka-Airewele (2018) also found that women in Ghana continue to suffer high rates of abuse within their homes. Women are often disciplined with violence for daring to gain economic independence, for being “disobedient”, for refusing



sexual advances and denying men of their “conjugal rights” (Ajayi and Soyinka-Airewele, 2018, p. 4106). This also implies that women’s rights as well as their efforts to gain dignified lives are controlled through well-orchestrated denial.

In Mozambique, a cross-sectional study by Zacarias, Macassa, Svanström, Soares and Antai (2012, p. 6) recorded that in a period of twelve months prior to their study, one or more intimate partner violence was experienced by 70.2% of women and of these cases, 55.3% experienced severe acts of violence. Sigsworth and Kumalo (2016, p. 9) also revealed that:

“The high incidence of SGBV was consistent with the high proportion of women who are accepting domestic violence where 54% of women aged 15-49 years said that it is justified to be beaten by their partners for reasons such as stealing food, arguing, leaving the house without notice, refusing sex and not looking after the children.”

Like other Southern African Development Community (SADC) countries, South Africa’s statistics reveal that it has extraordinarily high levels of violence to which many of its women are exposed during their lifetime (van der Heijden, Abrahams and Harries, 2016). StatsSA (2017b) reported that 1-in-5 women experienced physical violence by a partner. Makongoza and Nduna (2017) also conducted a qualitative study using in-depth face-to-face and semi-structured interviews among seven young women aged 15-20 years of age. The study found that the research participants reported both direct (from own relationships) and indirect (from parents/friends/strangers) exposure to violence (Makongoza and Nduna, 2017). The study further revealed that infidelity, pregnancy, and sex demands from partners were the main reasons for subjecting women to intimate partner violence (IPV) (Makongoza and Nduna, 2017). Van der Heijden et al. (2016) also found in their repeated in-depth qualitative interviews with thirty physically disabled women in Cape Town, that participants were exposed to psychological/emotional, financial, neglect and deprivation, sexual and physical abuse. Similar findings were recorded by Leburu and Phetlho-Thekisho (2015) where physical violence was the second leading cause for both death and disability among women. In another study, for the period 2011 to 2014/15, it was noted that women aged 65 years and older were more likely than males of the same age to be assaulted (StatsSA, 2016c). Such findings prompted StatsSA (2016c) to suggest a need for policy considerations for the protection of women specifically among the elderly population.

In its Victims of Crime Survey Report, StatsSA (2017b, p. 25) indicated that from a total of 16 201 males and female-headed households, some 0.16% or “over 10 000 female-headed households were victims of murder” as compared to 0.06% for male-headed households in the same category. These statistics depict that there is an increase in the murder of women as heads of households compared to the murder of men who head households.

According to Mogale, Burns and Richter (2012), irrespective of human rights-focused laws such as the Domestic Violence Act (DVA) (Act 116 of 1998) passed by the South African government, violence against women is pervasive. Bower (2014) also claimed that violence against women and children in South Africa is still pervasive with about 265 rapes of women taking place daily per hour at the hands of their intimate partners. Four women continue to die daily; women experience the burden of HIV and are the hardest hit by poverty particularly those living in rural areas (Bower, 2014). The link between poverty, HIV and vulnerability of women to violence has been shown by Leburu and Phetlho-Thekisho (2015, p. 415) who posit that, “poverty acts as a preconditioning factor for violence against women in instances where women compromise their actions and behaviour for material gain and survival.” This view followed the summarising of findings in a study where women engaged in transactional sex and had a 100% chance of testing HIV-positive.

Retief and Green (2015, p. 138) also raised the concern that, “more cases of domestic violence are reported and attended to in urban than in rural areas because of the difference in geographical size and access to resources.” It is even more concerning that South African statistics has limitations in terms of extrapolation of data by urban and rural areas (StatsSA, 2018b). This StatsSA’s report on crime against women in South Africa provides a generic picture and does not give in-depth information on rural and urban levels of reporting crimes committed against women. It is therefore difficult to confirm the true reflection of the extent of reporting crime against women in rural areas (particularly in KZN) for interest of this study. However, reports are revealing of the persistent endurance of abuse in many women’s lives. They are also suggestive of the fact that women at all levels are at risk and their safety is compromised despite reports that women abuse is a national priority in South Africa. Such South African statistics are revealed despite the programme of Sixteen Days of Activism aimed to address women abuse being observed each year. Also, although it has been hard to

reach rural areas, the above is continuing despite efforts to extend national emergency response (Sibanda-Moyo et al., 2017). This is done through the introduction of mobile support services where social workers and psychologists offer trauma counselling to survivors in their private spaces such as homes (Sibanda-Moyo et al., 2017).

### **3.3. Progress made by African countries on intervention strategies used to curb violence against women**

The United Nations (2015) classifies violence against women as a fundamental manifestation of a lifetime historically unequal power relations between women and men. It further condemns violence against women as, “an obstacle to the achievement of the objectives of equality, development and peace” (United Nations, 2015). The WHO (2013) also indicated that women and girls in all countries are targets within homes, workplaces, schools and communities. To this end, the developments of policies and legislation that address the scourge of women abuse have become popular in many countries. Burnett, Ford-Gilboe, Berman, Ward-Griffin and Wathen (2015, p. 13) supported that:

“Given the extremely complex needs and vulnerabilities of abused women..., their circumstances call for policies that integrate diverse types of knowledge and consider the context of these women’s lives.”

This implies that policies need to be contextually relevant and be operationalised to mitigate the complexity of women abuse.

According to the WHO (2009), for a society to realise that violent behaviour is not acceptable and should not be tolerated, the criminalisation of such behaviour as an offence needs to be reflected within its laws and policies. However, it would also seem that many countries, particularly in Africa are still battling to tighten laws dealing with violence against women. As argued in chapter two, African countries face the challenge of having to draw the line between customary law and common law practices. For example, the Zambian Constitution discourages gender-based discrimination but allows customary law to be applied on matters relating to marriage, divorce and disposal of property (UNDP, 2016). As such, Zambia has been criticised because its customary law allows for early marriage of girls and *ilobolo* payment that favours male property inheritance, and in turn, these perpetuate high level of violence against women (UNDP, 2016).

In Ghana, Amoakohene (2004) noted violence against women was reportedly denied media publicity because such incidents were previously trivialised and considered insufficiently newsworthy. On the legal side, Cantalupo et al. (2006) has noted that Ghana took the task of amending its criminal code several times in an aim to increase protection for women. However, Ghana is allegedly continuing ignorance when it comes to damage resulting from marital rape by imposing lenient sentencing (Cantalupo et al., 2006). It is also reported that women rarely report cases of marital rape for fear of being mocked by police given that it is culturally accepted that a wife's marital status is an automatic consent to sex with her husband (Cantalupo et al., 2006). The Institute of Development Studies (IDS) (2016, p. 236) also argued that although the introduction of the Ghana Domestic Violence Act (Act 732 of 2007) had observed a decrease in domestic physical abuse, certain acts such as, "wife-beating was accepted as a valid punishment against disobedience." Further, "rape was considered... to be the fault of the woman if she wore revealing clothes" (IDS, 2016, p. 236).

In Tanzania, the Human Rights Watch (2014) found that despite the Sexual Offences Special Provisions Act of 1998, some sixteen years later, cultural practices (such as those subjecting girls and women to female mutilation) and attitudes condoning violence against women remain major challenges for preventing women abuse. The next discussion considers legislative progress in South Africa.

#### **3.4. A view on South Africa's legislation addressing women abuse**

Raniga and Ngcobo (2014, p. 518) reflected that South Africa is signatory to the following international laws and treaties on women's rights:

- "the 1979 Convention on the Elimination of All Forms of Discrimination Against Women;
- the 1980 Second World Conference on Women;
- the 1993 United Nations Declaration on the Elimination of Violence Against Women; and the 1995 Beijing Conference".

These are meant to address all forms of gender inequality and violence but "dominant socio-cultural norms continue to prevail and define women in relation to their reproductive function" (Raniga and Ngcobo, 2014, p. 518).

At the helm of the new democratic dispensation, South Africa rolled out the DVA (Act 116 of 1998) legislation, which was enacted in 1999 to replace the Prevention of South African Family Violence Act (Act 133 of 1993). The DVA:

“Recognises that domestic violence is a serious social evil; that there is a high incidence of domestic violence within South African society; that victims of domestic violence are among the most vulnerable members of society; that domestic violence takes on many forms; that acts of domestic violence may be committed in a wide range of domestic relationships and that the remedies currently available to the victims of domestic violence have proved to be ineffective.” (p. 2)

The purpose of the DVA is:

“To afford the victims of domestic violence the maximum protection from domestic abuse that the law can provide; and to introduce measures which seek to ensure that the relevant organs of state give full effect to the provisions of this Act, and thereby to convey that the state is committed to the elimination of domestic violence”. (p. 2)

The DVA has been hailed for its ability to provide clear measures that ensure the safety of complainants and that they are informed of legal options and remedies at their disposal (Artz, 2015). In summary, the DVA obliges any member of the South African Police Services (as soon as they become aware and the circumstances at hand dictate), to make proper judgement in terms of urgency for the complainant to receive immediate and proper assistance. It extends power to peace officers to arrest without a warrant of arrest. It gives liberty for complainants to apply for protection orders and extends accessibility of court to complainants outside the normal court hours or days. In addition, the definition of domestic violence as reflected in chapter one of the DVA has been broadened. It is inclusive of all types of abuse as well as circumstances where entry is gained into a complainant’s residence without consent. Njezula (2006) supports this definition arguing that domestic violence cannot be narrowly defined given that it is a multi-dimensional phenomenon.

The DVA however laudable it may be has been subjected to criticisms. Partab (2011) and Rasool and Suleman (2016) observed that the implementation of the DVA has not mitigated the levels of violence against women. It is therefore understood that to change the scourge of women abuse that manifest in gender-based violence and intimate partner violence in South Africa, “substantial rethinking and conceptualisation at a structural level on constructions of

masculinity and femininity and the value placed on women and their human rights” (Karim and Baxter, 2016, p. 1152) is essential. Artz (2015) also viewed the DVA as a civil, rather than a criminal remedy for its failure to criminalise domestic violence.

As Petersen (2016, p. 52) noted, “the aftermath of this progressive, yet in many ways ineffective legislative tool, is that for a large majority of women for whom leaving is not an option or a choice, access to safety remains out of reach.” By implication, this suggests that the Act also subjects women to further victimisation through ordering for their removal to places of safety instead of being swift in removing perpetrators. Such was the challenge already addressed in other countries. For example, Murray (2008) identified that complainants used to be removed to shelters in Australia instead of taking perpetrators to places of incarceration. When women were removed, their lives and their sense of belonging to a place and family together with their children were disrupted (Murray, 2008). However, Australia has replaced such an intervention by opting for women and their children to remain safe in their homes and men (as perpetrators) removed (Murray, 2008). Since 1981, Scotland has also addressed the issue with laws that allow women to apply for the removal of male perpetrators from their homes (Brooks et al., 2014). According to Brooks et al. (2014), such exclusionary laws proved effective in that women were no longer re-victimised by being homeless.

A common practice in South Africa is that when abuse of women has been reported, women are taken to shelters for protection while perpetrator men remain within communities and homes. The commitment made by President Cyril Ramaphosa during the 2019 State of the Nation Address (SONA) to increase and dedicate more funds to places of support and improving the quality of services provided within shelters for abused women (Ramaphosa, 2019) suggests continuation with the approach of shelters for women. Other identified limitations are that of criminalising the breach of protection orders instead of the act of violence, and the inconsistent and false application of the DVA by legal authorities (Artz, 2001). I also contend that the Act imposes heavy reliance on complainants who are able to (formally or otherwise) stop protection orders. In other words, the reality is that complainants can cancel protection orders for various reasons (including when persuaded by perpetrators) without the courts verifying the validity of these cancellations.

According to Morei (2014, p. 929), the Act, “fails to provide strategies that take into consideration cultural, social and economic factors as the forces within which domestic violence is embedded.” The Act further “assumes that women will seek formal help, and that when they do, it will be from the criminal justice system” Rasool (2015, p. 2). However, as Mutua (2016, p. 168) argued:

“Lack of access to justice is compounded by the paucity of courts in rural areas where the majority of Africans live. Yet this is where courts are mostly needed to settle...and protect the vulnerable such as women who are often disinherited; or subjected to severe exclusion.”

By and large, this means that the DVA falls short in terms of embracing the institution of traditional leadership. This gap then supports the view of Gadinabokao (2016) that common law (courts) is the only space dictating what should occur. As it is therefore, the DVA needs to be cognisant of other sources of intervention such as SWTL because of the plight and lack of immediately accessible resources in rural areas. This suggests the institution of traditional leadership is a meaningful alternative system of protection for abused women. Because the role of social workers is to provide, “early intervention for abused women” (Mhango, 2012, p. 52), they are also best positioned to facilitate the role of referral with traditional leaders. Edleson et al. (2015) also suggested that because it is difficult to measure the progress of social interventions, the social work profession needs to make every effort and be innovative in its research, practice, and policy development because it is well-positioned as a link between communities and other professionals.

I also contest the broad definition of DVA because by being broad, it fails to explicitly identify unique circumstances where women become vulnerable outside places of residence. Also, the Act fails to isolate types of violence perpetrated uniquely against women because it accommodates male victims even though women are the majority victims. Thus, power differentials and the extent of brutality exerted on women during abuse incidents receives minimal attention from DVA because the Act cannot be elevating the one sex over the other. Supporting the above view, an argument by Johnson (2007, p. 259) also identified an impediment into the broad use domestic violence in that, “most people refer to intimate terrorism when they use the term domestic violence although intimate violence is embedded in a larger pattern of power and control that permeates the relationships.”

Johnson (2007) suggested that policies and intervention strategies need to be tailored to the specific characteristics of each of the types of violence. In line with this view, the DVA is found wanting in its broad definition given that it excludes in principle the abuse perpetrated to women by people unknown to them and those without intimate links to them. Reference to this argument is made against the exclusive definitions in terms of Section 1 of the DVA (Act 116 of 1998) referring to any person in a domestic relationship with a respondent as a complainant, as well as the domestic relationship between the two provided it resulted from marriage, having lived together, being parents or having parental responsibilities, are family members, in an intimate relationship, ever shared the same residence and the respondent being any person having a relationship or having committed an act of domestic violence against the complainant. StatsSA (2017a, p. 53) reported that, “gender-based violence is a violation of human rights; that violence against women occurs across socioeconomic status, race, age, and religion.” However, the manifestation of the problem at the current rate and the broad definition of DVA suggest that the South African Constitution which mandates equality for all, has fallen short as far as the redress of this scourge is concerned. Hence, the South African Constitution cannot yet claim any victory on the status of women abuse in the country.

The CSVR (2016) reported that despite the popular knowledge of South Africa having effective policies aimed at addressing gender-based violence, the country is weak when it comes to the implementation of these policies. StatsSA (2017a) also reported that it is only post-2010 that the South Africa State began to place the prevention and reduction of violence levels as a priority in its national agenda for transformation. The establishment and location of the Ministry of Women in the Office of the State President is a sign of the priority given to violence as a national agenda item, although sixteen-years post-democracy (1994-2010) is a big delay. Given the highlighted narrow definition of domestic violence and the on-going escalation of statistics on women abuse; this implies that putting violence as a national priority is still not yet effective at aggressively tackling women abuse.

Unlike other African countries such as Ghana however, South Africa bears witness to the revered importance of the print and broadcast media giving attention to cases of violence against women. The case of the Paralympian Oscar Pistorius murdering his girlfriend Reeva



Steenkamp in 2016 displayed such an important attention where court proceedings were internationally televised live. Another case that was televised was that of Cheryl Zondi against a prominent church leader. Televising these cases gained social and community interest where the public voiced their views against women abuse. A more worrying factor that needs considerable attention is the consequences of women abuse presented in the next discussion.

### **3.5. Consequences of women abuse**

As reported by the CSV (2016, p. 15), “the consequences of gender-based violence are profound.” The CSV cites various studies that have documented direct physical, psychological, emotional and behavioural consequences on women’s health and well-being. According to Artz, Hoffman-Wanderer and Mout (2011, p. 12), it does not matter where women are (they can even be in prison or outside), they “experience extreme forms of physical, sexual and psychological abuse, from childhood to adulthood, and are forced to live with the consequences and effects of these violations.” The United Nations (2015) declared that long term physical, mental and emotional health problems, and in some extreme cases, death can be suffered because of violence. For example, Chmaika, Hill and Johnson (2018) found that depending on the type of abuse experienced and the coping strategy used, abused women experienced specific symptoms of post-traumatic stress disorders. In another study conducted by Lesse (2018) on prison officials, it was found that the history of abuse and trauma created vulnerability of female offenders to want to commit crime.

Concerning relationship sexual abuse, Campbell (1998) identified the risk of increased pelvic inflammatory disease, STIs including HIV&AIDS, vaginal and anal tearing, bladder infections, sexual dysfunction, pelvic pain, urinary tract infections and other genital and urinary-related health problems as resultant consequences. Other studies have also extensively identified the consequences of women abuse and their ever-lasting effects on the gift of life. The United Nations (2015) registered a concern of violence causing harm to women as it prevents them from fully enjoying their human rights and fundamental freedoms. The WHO (2013) also indicated that injuries, mental disorders, illnesses, cardiovascular diseases, hypertension or the development of insulin-dependent diabetes were among the physical consequences of gender-based violence. These are the most painful effects that are

at the fundamental level of just being a person, where women are subjected to not feel worthy of living. Moreover, other consequences of women abuse are its direct and indirect effect on children. For example, Hanson (2011, p. 271) argued that when women are abused, there is a high likelihood that their children, “will be exposed to, or hurt by, the abuse in some way.” Such effects are classified as intergenerational abuse (Partab, 2011); Woollet and Thomson, 2016) and Hoosain, 2018) learned from a young age and potentially culminating into repeated behaviour patterns as it may be deemed the right thing to do.

A few other poignant examples can be gleaned from other African countries. In 2013, Samuels, Ndubani, Walker and Simbaya (2015) cited UNFPA findings in Zambia that gender-based violence imposed serious health risks for victims, families and communities, contributing as a key factor to STI/HIV infection. This exposes that abuse not only affect women but families and communities also suffer the rippling effects. The UNDP (2016) also confirmed that during conflict in Uganda, women and children were sexually assaulted, mutilated, abducted and forcefully recruited into the armed forces. The resultant consequences have been the prolonged emotional trauma, unwanted pregnancies and sexual diseases including HIV&AIDS (UNDP, 2016).

Specific to South Africa, Adams and Hickson (1995) conducted a study that examined wife-beating and its impact on the marital relationship in South Africa among the Coloured (mixed race) population. Adams and Hickson (1995) argued that South Africa has a culture where wife-beating and violence is a learned response to stress, increasing the possibility of violence against women. The study found that greater levels of disharmony in relationships with their partners were experienced by unhappily married abused women as compared to those happily married and not abused (Adams and Hickson, 1995). Another study conducted in Durban by Groves, Kagee, Maman, Moodley and Rouse (2012) found that elevated emotional distress was reported by 33% of women who experienced violence during pregnancy. Peltzer and Pengpid (2013) studied the severity of violence against women by an intimate partner. The study found that among women who consecutively received protection orders, drinking problems and drug use was associated with greater physical intimate partner violence as well as increased psychological intimate partner abuse (Peltzer and Pengpid,

2013). The CSVR (2016, p. 3) also argued that, “cultural, religious, social and economic factors play a role in driving GBV in South Africa.”

As the UNODC (2010, p. 2) confirmed, “gender-based crimes have long-term effects not only on the victims and their families but on the entire community... and that if they continue without being punished, these crimes feed a culture of impunity and lawlessness.” It is when women abuse is treated as a norm and adaptable that it is modelled by the younger generation. The UNODC (2010) reported community attitudes reflected when victims face secondary victimisation at the hands of police through to the judiciary where domestic violence is considered a private matter leading to cases being dismissed, or perpetrators given lenient sentencing. As such, the United Nations (2015) found that in most countries, only about 40% seek some sort of help; but among those who seek help, family and friends are relied upon as opposed to police or health services...and only less than 10% of women seek help from the police.

The problem of non-reporting to police has since been a surfacing factor for many women that experience abuse. In KZN, the Planning Commission (2016:39) recognised gender-based violence (GBV) as a social problem, “with significant under reporting.” StatsSA (2018c, p. 19) also acknowledged that, “failure of victims to report crime to the police is a major challenge for crime statistics.” The report went on to state that crime would not be reported to police either because victims had previous bad experience with police or they did not believe that the police would do anything (StatsSA, 2018c). Other reasons found by Birdsey and Snowball (2013, p. 7) were that respondents, “were afraid of revenge or said they feared further violence from the offender (13.9%); were too embarrassed or ashamed (11.8%); and/or thought the incident was too trivial or unimportant (11.8%).” In another study, Kempen, (2018, p. 12) indicated that among the reasons given for not reporting abuse and other crimes to police were:

“The police failure to recover goods (58.8%); not responding on time (15.2%); while not coming to the area; being corrupt; being lazy; cooperating with thieves; and releasing suspects early comprise a combined 20.7% of the reasons why the respondents were not satisfied with the police.”

CARE (2013, p. 9) asserted that not only is GBV perpetrated against women considered a human rights abuse, but it is also an “economic drain.” This is simply because direct costs

are often imposed on Nation States to put in place various measures to restrict or eliminate this crime. The CSVR (2016) reported that it costs the State money to imprison perpetrators and GBV victims are also dependent on various government services as interventions to abuse, which adds burden and cost to an already overburdened system. Besides, the findings of Bell, Perez, Goodman and Dutton (2011) also revealed that imprisonment alone is inadequate to solve problems. Their findings were based on a qualitative longitudinal study conducted in a mid-Atlantic city with 406 women who after experiencing violence, sought help from civil and criminal courts, and/or shelters. In another study conducted in Tanzania by the UNDP (2016), income brackets were found to be less by 29% for women experiencing intimate partner violence (IPV) and even less by 43% for those experiencing severe IPV than their counterparts who had never been abused by a partner. It was also noted by Dodo (2013, p. 37) that:

“Economically, women have been discriminated against so much so that they have failed to rise to the same levels as their male counterparts. This has been perpetuated by the fact that traditionally, women were not allowed to own valuable assets as they were considered to be either their husbands or fathers’ properties.”

Given that South Africa still has a problem of the wage gap between the rich and the poor, “there is a direct relationship between low wages and poverty” (Cohen and Moodley, 2012, p. 328) causing the plight of abused women to be deepening. According to the CSVR (2016), it is difficult for women who are financially dependent on their male partners to break loose from abusive relationships. The report found that educated and financially independent women were less likely to be abused because of their confidence in either leaving the abusive environment or reporting the crime to the authorities (CSV, 2016). These findings were contrary to those of Amoakohene (2004) who found that educated, employed and married women in Ghana experienced domestic violence although its impact was found to be mainly psychological and emotional. According to Amoakohene (2004), women who were less well-off financially looked at the physicality of violence while those who were better-off financially, concentrated on its psychological implications. Yet, at least these two studies commonly acknowledged that class and social status does not matter when it comes to women abuse and the studies only differ on the choices that can be made by independent women as opposed to those trapped in the cycle of poverty.

As noted by the CSV, (2016), women may suffer a change in behaviour because of gender-based violence. Of interest is the manifestation of their behaviour resulting in themselves not realising their worth and blaming themselves which is in fact self-punishment. It was further noted by Sampelle (1992) that whether raped or battered, women were not immediately concerned about the violation of their privacy or sense of being or becoming angry, but would rather feel guilty and ashamed as an initial response to the violence. Self-blame still exists among abused women as later studies such as that of Javaid (2015) also show that women survivors of abuse put blame on themselves for being abused. As a result, Sampelle (1992) argued that violence, particularly intimate violence, can rob women of critically needed sanctuaries because it disturbs their confidence leading to inability to correctly judge other individuals. According to the United Nations (2015), intimate partner violence suffered by women carries particularly serious and potentially long-lasting consequences, because it is repeatedly performed, does not go alone, but accompanied by psychological and sexual violence. The long-suffering that women are made to endure while being abused thereby renders them incapable of defending their inner selves. Instead, women direct their energy towards mending their outer image that can be seen by the outside world, while they remain deeply and psychologically hurt on the inside.

### **3.6. Complex life choices made by women to remain in abusive relationships**

According to Whiting (2016, p. 1-2), “distorted thoughts, damaged self-worth, fear, wanting to be a saviour, children, family expectations and experiences, financial constraints and isolation” are identified as eight major reasons why women stay in abusive relationships. However, there are other reasons that have been highlighted across societies and some are similar while others shed light on new dimensions. One can argue that Nego-feminism calls for these reasons to be seriously considered in the fight against women abuse. A study conducted by Khan and Hyati (2012) in Timore-Leste found that the negative effect of *lisan* and *adat* (the laws or rules created by the ancestors) dictated much that was unjust towards women. Women experiencing domestic violence and seeking the application of these rules to resolve matters would be discouraged because through these rules, they may be the ones found guilty (Khan and Hyati, 2012). This was because these rules perceived no wrong doing or violence perpetrated by husbands to their wives and as a result, women reporting

such crimes may end up being fined for falsely reporting a crime and wasting police time if it is not deemed serious or not considered a crime (Khan and Hyati, 2012).

Nyiramutangwa, Katengwa, Mukiga and Abrahams (2011, p. 28) found that in Rwanda, “poverty, concern for children and dependence on male partners play a huge role in women’s decisions to stay in violent relationships.” While there were repeated efforts by women to leave, they often returned to abusive environments because social systems of support such as families had little to offer (Nyiramutangwa et al., 2011).

In another study, Moore (2008) reported that Togo did not have a legal system requiring husbands to pay towards child support. As a result, women with high numbers of children experienced reduced levels of physical abuse because they compromised more in their relationships for fear that they might not be able to support their children alone (Moore, 2008). The other reason mentioned by Moore (2008) was that based on the unlikelihood of women with more children to get married again, they would avoid situations where their partners get upset. Another study by Burgos-Soto et al. (2014) found that submissive attitudes and intimate partner violence were still prevalent among Togolese women.

In a study conducted by Boonzaier and de La Rey (2003) it was found that the total financial reliance of unemployed women on their partners influenced the controlling and manipulative behaviour by their partners and left women to endure the situation. Curran and Bonthuys (2004) also reported that economic reasons forced many women in rural areas to remain in abusive marriages because not only were they unable to find employment, but there was also chronic economic immobility within rural areas. In another study, Boonzaier and van Schalkwyk (2011) found that financial dependence on partners restricted women from leaving or seeking help in violent relationships. Moreover, Mesatywa (2014, p. 242) also found that because women had children and depended on their male partners for shelter, they “felt trapped in their abusive relationships.”

Other decisions made by women to remain in abusive relationships are attributed to the fading of their assertiveness and agency (Makongoza and Nduna, 2017). This followed a discovery in a study conducted by Makongoza and Nduna (2017), that participants’ rights were compromised because their partners claimed sexual entitlement through violence

leading to the dismissed agency of women within such relationships. It then seems that the continued endurance of abuse renders women's environments dictators for opting and justifying their remaining in abusive relationships. For example, in a rural-based study, Champion, Artnak, Shain and Piper (2002) found that the reasons why women living in rural areas remained in abusive relationships were because they lacked family support when wanting to end relationships or their options were limited if they wanted to leave those relationships and relocate. Champion et al. (2002) revealed that poverty, lack of mental health services and transport place women living in rural areas in need of special social support. Also noted with concern is that even when there was a form of assistance available, it was "often difficult to identify abused women in rural areas because of concerns regarding confidentiality and limited access to shelter services" (Champion et al., 2002, p. 312). In a study conducted in Vhembe district, Limpopo province, Shivambu (2015) also found that lack of family support, desires for children to have fathers, financial support and learned helplessness to be among the reasons compelling abused women to remain in abusive relationships. The study of Pugh, Li and Sun (2018) also echoed that learned helplessness and having positive beliefs and hope about the future of the relationship contributed as reasons why women stayed in physically abusive relationships.

### **3.7. Chapter summary**

This chapter has discussed global trends of women abuse. It has considered progress made by African countries in terms of legislation to address women abuse. A critique was offered on South Africa's Domestic Violence Act in terms of its broad definition, its inclination towards sheltering women and the possible breach of protection orders. Also, the failure of the Act to acknowledge traditional leaders as important stakeholders within the fight against women abuse was raised. The chapter also discussed the consequences of women abuse and the complex life choices made by women to remain in abusive relationships.

The chapter which follows will discuss the abuse of women under false pretext of culture and tradition. It will look at how the developmental social work practice can align with culture and tradition through the lenses of Afrocentric and Nego-feminism approaches to deal with women abuse.

## CHAPTER FOUR

### CULTURAL LENS ON WOMEN ABUSE AND DEVELOPMENTAL SOCIAL WORK SERVICES

#### 4.1. Introduction

South Africa has a human rights-based Constitution (Nadar and Gerle, 2016) which shares synergy with social work values and ethics outlined by the South African Council for Social Services Profession. The social work profession has the responsibility to challenge the abuse of women and must explore existing community-based interventions that will improve its response (Slabbert and Green, 2013). Co-operating with other government departments, the private sector and civil society, it needs to render related services of developing legislation, creating awareness and providing support services. According to Lombard and Wairire (2010, p. 106):

“Social workers’ responsibility and role regarding removing the social, political, economic and cultural structural determinants of poverty and inequalities should be demonstrated in their strategies, actions and achievements in addressing injustices, marginalisation and social exclusion.”

While this point substantiates social work as a non-complacent profession, it is nevertheless automated by the dire needs of communities such as the addressing of women abuse. Some of the central arguments that I present in this study challenge the taken-for-granted assumptions about culture and human rights in rural traditional communities. The arguments also interrogate the implications of these assumptions for social work practice, research, education and policy. Based on interest in Africa, I argue that an authentic commitment to Afrocentricity and Nego-feminism must serve as guiding frameworks in stemming the abuse of women in the name of culture. Therefore, interrogating the intersection of culture and gender equality in Africa, with country specific examples, and the kinds of pedagogical and practice strategies that social work researchers and practitioners might use, hold promise for interventions in other contexts.

This chapter will commence with a discussion on how culture and tradition have been distorted to perpetuate actions of abuse against women. The chapter will discuss the correlation between hegemonic masculinity and women abuse and consider the contested



views on marriage and *ilobolo*. The African mechanisms for resolving conflict will also be presented followed by a view on developmental social work services in line with women abuse. The chapter will conclude with a discussion on proposals made towards aligning Afrocentric and Nego-feminist views with the role of social work.

#### **4.2. Women abuse in the name of culture and tradition**

Zechenter (1997) argued that human rights violations such as women abuse occur in the name of culture on the African continent. Although such violations also occur on a global level, many African countries such as Ghana, Malawi, South Sudan, South Africa, and Somalia have practices that are invariably believed to still have power in influencing and maintaining the scourge of women abuse. Rwafa (2016) is of the opinion that within African countries, domestic violence against women has aggravated inequality which has been facilitated by African culture. Consequently, this has had multiple effects on the deprivation of women in respect of access to education, land and family wealth, as well as served to maintain their economic, political and social subjugation (Mushunje, 2017).

Traditional and cultural practices in Africa have played a role particularly in rural areas in preventing women from, “enjoying their rights and improving their lives” (Segueda, 2015, p. 12). According to Maluleke (2012, p. 2), such harmful traditional cultural practices “include early and forced marriages (*Ukuthwala* as practised currently), virginity testing, widow’s rituals, *ukungena* (levirate and sororate unions), female genital mutilation (FGM), breast sweeping/ironing, the primogeniture rule, practices such as ‘cleansing’ after male circumcision, and witch-hunting.”

According to Landenburger (1998, p. 61), the experiences of abuse, “are affected by the culture in which we live and demands made on women through ascribed roles of behaviour.” This means the potential of being abused is exacerbated when people become accustomed to common cultural practices, which go unquestioned because they have for a long time been in place. Wadesango, Rembe and Chabaya (2011) also claimed the subordination of women in society is maintained by harmful traditional and cultural practices, which legitimise and preserve gender-based violence. At the same time, negative attitudes that go un-questioned have long been identified to be supported by traditional values that are deeply entrenched (Sampselle, 1992). But more than just attitudes, the threat and danger relate as much to the

consequences of cultural practices, as they do to the possible threats and dangers of giving up customs, traditions and norms that have come to be inscribed as part of core identities and entangled with socio-economic realities. It is therefore important to note that culture does not exist in isolation. This suggest that it is inter-linked with histories, socio-economic and political structures; and can contribute to the development and flourishing of women's rights or add to the daily threats and dangers faced by women.

#### **4.2.1 The influences of patriarchy on women abuse**

Patriarchal views have been blamed for having maintained over a long period of time, that women are subspecies with less capability than men (Sampelle, 1992). The UNDP (2016) asserted that patriarchy grants men privilege over women when it comes to sexuality. This means that patriarchy qualifies men to demand sexual satisfaction from women who in turn cannot do the same. According to the UNDP (2016), this perpetually influences undesirable non-consensual sexual relations even within marriages.

Because of patriarchy, Sigsworth and Kumalo (2016, p. 2) argued that women's rights in Africa "have historically been at best ignored and at worst actively denied or violated." Sigsworth and Kumalo (2016) further assert that women's rights are initially forfeited within homes which are the initial core where political economic violence starts. Women who forfeit rights within homes cannot proceed to claim any rights at community, national or international level (Sigsworth and Kumalo, 2016). In their survey of some African countries, Sigsworth and Kumalo (2016, p. 9) found that:

"Because of patriarchal nature in South Sudan, women are left vulnerable when they find themselves in abusive situations or deliberate ill-treatment from their husbands because of the subservient status assumed as a norm for women and their husbands regarded as heads of households.

In Somalia, female genital mutilation was the highest in the world (at 98%) and that cultural beliefs, social discrimination and gender inequality contributed to intimate partner violence as the most common form of SGBV that happened in the homes of victims.

The injurious practices that continue to be favoured and practices in Malawi are *nhlazi* (giving into marriage a young relative of the wife as a reward to her husband for being good to her family); and *kulowa kufa* (sexual intercourse

between a newly widowed woman and a designated man to ‘cleanse the village of death’).”

Idialu (2012) also noted the home-level trauma suffered by African widows because of injustice practices following the death of their husbands. These practices invariably attack the women’s worth through risking their security, privacy and human dignity.

It is important to note that “hegemonic masculinity has been a breeding ground for gender violence” (O’Toole et al., 2007, p. 8) in Africa. Examining male hegemony, Londt (2014) conducted a study collecting data from forty-seven female respondents from an NPO and private psychiatric clinic providing family and marital counselling in Cape Town. This study found that married women were punished through forced sex because their husbands either wanted to show them who the boss was or felt their wives were defiant. One can argue that such occurrences cannot be qualified as cultural or traditional practices and are what have arguably led to distorted views about African culture that Afro-centrists consider as diluted Western hegemonic perspectives. Fleischack, Macleod and Bohmke (2017)’s study where counsellors of abused women believed African culture subject women to offer demanded respect for men and submit to marital and sexual relationships offers an example. This illustrates the importance of applying proper understanding and differentiating between what cultures are and what they are not. Locating and understanding the social acceptance of violence against women from local societal contexts is therefore important in order to determine localised meaning attached to women abuse. This approach is prompted by Rajan (2018) arguing that in contemporary times, the scholarly realm has ignored localised meanings attached to abuse by communities where violence is taken as part of daily living. Rajan (2018) conducted a qualitative study using in-depth, unstructured interviews with 76 Tibetan women and 24 Tibetan men respectively. Rajan (2018) found that among Tibetan households, terms used for abuse bear different meaning where incidents such as wife beating were regarded non-abusive, suggesting context specific meaning important. Also, the findings further infer that hegemonic masculinity has been passed across generations and triggering women abuse with dire consequences (Rajan, 2018). Leburu and Phetlho-Thekisho (2015) concur that men learn violence through witnessing it from their parents while still young.

#### **4.2.2 Practices maintaining women abuse**

Unjust cultural and religious practices that maintain women abuse can be highlighted from three African countries i.e., Ghana, South Africa and Malawi. For Ghana, Amoakohene (2004) highlighted the following:

- Widow inheritance where following the death of their husbands, widows are expected to become sexual partners of the husband's brother. The woman is punished for the husband's death through being excluded, hurting their eyes or genitals with pepper and starved of food as signs of mourning.
- Forced marriages are arranged by families without the bride giving consent and such arrangement are made for girls from infancy to protect family wealth.
- Other acts include FGM to reduce the sexual drive of girls and young women, witch camps where women are suspected of being witches, and the enslaving of women and giving them away to priests as sexual tokens in payment for family crimes.

In South Africa, the CSVR (2016) noted various practices amounting to the abuse of women:

- *iLobolo* as the practice of providing money or livestock to the parents of the bride-to-be by the groom's family and men later uses it to justify actions of abuse on their women;
- *uKuthwala* is the practice in which women and under-age girls are forced into marriage through abduction;
- Virginty testing where girls are checked whether they are still virgins;
- FGM, where part or all genitalia are removed; male circumcision performed on men and young girls or unmarried women used to have sex with the initiates; and
- The imposition of Muslim Sharia law in which husbands are allowed to marry more than one woman and in the event of divorce women forfeit everything.

In Malawi, Mellish, Settergren and Sapuwa (2015) highlight among other practices, the:

- Mourning traditions where women for a lengthy time are prohibited from bathing;
- Forced marriages where girls are pressured to get married by relatives; polygamy where men can have multiple wives and economically or otherwise abuse women;
- Ceremonial dances where girls are forced to dance naked; and *fisi* in which elder men are arranged to have sexual intercourse with girls to remove their virginity.

The above are African practices that over the years to date have been practised despite calls for their abolishment. For example, Lubombo (2018) noted the prohibiting of virginity testing by South Africa's Children's Act (Act 38 of 2005 as amended); the Universal Declaration of Human Rights (UDHR); the Convention on the Elimination of All forms of Discrimination against Women (CEDAW) and the International Convention on Civil and Political Rights (ICCPR). However, virginity testing as, "a cultural form of social interaction" continues as a practice in South Africa, "conferred with high prestige by the Zulu indigenous communities in KwaZulu-Natal" (Lubombo, 2018, p. 93). This attests that there are opposing views among those believing for such practices to be worthwhile and those who perceiving them as harmful or in-human towards women. Lubombo (2018) has therefore challenged initiatives created to intervene on challenges such as teenage pregnancy or HIV infection to consider interrogating possibilities of advancing IKS as resources within local cultures that could yield victorious outcomes. The same challenge can be extended within this study where initiatives that are culturally based are afforded exploration to see how they can yield positive outcomes for women abuse. Like Kang'ethe (2014a), Lubombo sought not to endorse cultural practices that promote women abuse but suggested instead that critical engagements with these practices may provide better solutions as opposed to constantly attacking and labelling them. This is so given that the social workers profession according to Edleson, Lindhorst and Kanuha (2015, p. 9), "must test fresh approaches and develop new scientific tools to solve this Grand Challenge for current and future generations."

#### **4.2.3 Other life choices encouraging women abuse**

Apart from traditional, cultural and religious beliefs that are said to maintain violence against women, there are also detrimental lifestyle choice behaviours that become precipitants and perpetual factors of women abuse. Peltzer and Pengpid (2013, p. 14) conducted a survey among South African men and found that, "perpetration of violence against women was correlated with a greater likelihood of problematic drug and alcohol abuse by the male perpetrator." In another study, Leburu and Phetlho-Thekisho (2015, p. 414) argued that, "alcohol increases sexual aggression as much as it increases the desire to commit violent sexual acts, and some men purposely drink as an excuse to engage in non-consensual behaviours." Because of increasing women abuse incidents where alcohol is a maintainer,

Watt, Sikkema, Abler, Velloza, Eaton, Kalichman, Skinner, and Pieterse (2015) recommended increased policing of alcohol-serving venues as one added method among initiatives addressing the risk and vulnerability of women becoming easy targets.

### **4.3. Contested views of *ilobolo* and marriage**

*iLobolo* (also referred to as bride price) occupies a contested space, with multiple explanations for its practice in contemporary times. Those opposing it say it perpetuates the exploitation of women and has been commercialised (Chireshe and Chireshe, 2010). The opposing views around *ilobolo* have been observed to mainly revolve around beliefs that men use its payment as a yardstick for maintaining power over women. As Mazibuko (2016, p. 3) puts it, “the custom of *ilobolo* underscores the power dynamics in African communities.” The male power associated with payment of *ilobolo* often resulted in women being abused as husbands felt entitled and viewed their wives as their properties (Lowe and Nunn, 2018). Although their own study found bride price to be associated with better quality marriages, Lowe and Nunn (2018) noted that even if married women wished to leave their abusive marriages, they felt trapped especially if their parents cannot afford to return bride price. Others also believed it was used as a token to incentivise parents who sold their girl children for it (Lowe and Nunn, 2018). Another study which agreed with male superiority over females because they had paid *ilobolo* was that of Asiimwe (2013). This study noted that males not only dominated females in relationships where bride price was paid but gender disparities were reinforced, women had fewer powers in making decisions and were subjected to abuse and it had become a commercialised practice (Asiimwe, 2013). Abuse and the limitations of women in taking decisions were also identified in a study by Khan and Hyati (2012). In their study, bride price was a barrier to the protection of women as they kept abuse to themselves and even extended limits to their families because when it was paid in abundance, it lowered “the ability of the woman and her family to speak against the man’s family” (Khan and Hyati, 2012, p.48). This implied that men and their families could do as they wished about women as they enjoyed liberty of having paid bride price. Participants in the study by Sathiparsad, Taylor and Dlamini (2008) also attested to male power claims when *ilobolo* had been paid. In addition to the above identified limitations that fuel arguments opposing *ilobolo*, Posel and Rudwick (2011) found that although *ilobolo* remained highly

valued, it was a barrier to marriage given that men could sometimes not afford to pay it as it had become expensive.

The supporters of *ilobolo* argue that it is central to black African cultural identity (Chireshe and Chireshe, 2010). I support this argument as *ilobolo* is indeed an African traditional and cultural practice that carries a central meaning within African families. As a practice, *ilobolo* affords both African men and women a marriage status (Chireshe, 2015). The practice of *ilobolo* is therefore Afrocentric, used by African people to exalt the marriage union. The process of marriage is believed to be luck where the payment of *ilobolo* is dedicated to the affirmation that the ancestors are alive and have given their blessings to the couple (Mkhize, 2011). The ancestors have brought the daughter-in-law and pointed their son to the right girl (Mkhize, 2011). Cows are symbolic for this gesture as they are a demonstration of how hard a man has worked in preparation for marriage and similarly, the woman would have to show that she is going to the house of a man, coming from a house of a man (Mkhize, 2011). Zibani (2002) expressed that among the *amaZulu*, it is after the *ilobolo* payment that all processes must be observed before a traditional Zulu marriage is finally confirmed. The process includes *ukuthwala*, which has been distorted by the criminal elements of abduction but was originally used to open negotiations for marriage (Nkosi, 2011). Following within the process is among others, the traditional engagement ceremony marking a maiden transitioning into a wife (*umkhehlo*); the *ilobolo*; thanksgiving ceremony (*umbondo*) and the marriage ceremony which is officiated by the king's messenger (*iphoyisa lenkosi*) (Zibani, 2002).

Zibani (2002) linked marriage within the Zulu culture with home and family which are important spaces where discipline, honesty, conscientiousness, loyalty, respect, patriotism, sharing of responsibility and teaching of the nation are inculcated from youth. The central ethos of these fundamental traits is *ubuntu* which is taught as a hub of all social entities within the Zulu cultural tradition (Zibani, 2002). *Ubuntu*, “speaks to the idea of universal being” (Washington, 2010, p. 32) and “symbolises being human” (Mugumbate and Nyanguru, 2013, p. 85) among the *amaZulu*. As noted by Isike and Uzodike (2011, p. 37), *ubuntu* include “personality traits such as integrity, responsibility, trustworthiness, commitment, selflessness, truthfulness, loyalty and discipline...love, tolerance, sharing,

wisdom, imagination, creativity and collegiality that enhance human performance.” It is worth noting the similarities of marriage and *ubuntu* as they both demand integral obedience to be observed throughout life. *iLobolo* as a cultural and traditional practice among the *amaZulu* advances marriage from the foundations of *ubuntu* thus symbolising the intolerant nature of these to any form of abuse or violence. By demanding that for one to enjoy own integrity and dignity, the same should be reciprocated in the view and treatment of others (Dalamo, 2013), *ubuntu* mitigates abuse and violence towards other human beings. This suggests that men who wish to secure their dignity and self-worth would not abuse women but will promote their dignity. *iLobolo* on the other hand is one of the processes that confirm marriage, which is a union between a man and a woman. The union of “marriage was geared towards the procreation and promotion of life” (Kyalo, 2012, p. 211). Life is the community (Kyalo, 2012) and “Africans are always in community” (Dalamo, 2013, p. 4). These elements rule out the possibility of abuse. As Kyalo (2012) argued, when a man marries, the rights of a woman as the giver of life are protected and the man must therefore provide care and protection. If a man fails to perform and deliver on such rights, he would render the marriage itself a failure, which will annul the combined families and bring shame (Kyalo, 2012).

According to Dalamo (2013, p. 5), *ubuntu* was altered subsequent to “the arrival of colonists, traders and missionaries in Africa”. The distortions of *ubuntu* also affected *ilobolo* which according to Chireshe (2015) has been abused to give the husband and his family a sense of ownership over the wife. Sesanti (2016, p. 491) also cautioned that, “while the intention of a cultural practice may be good, this does not stop a cultural communities’ members from misusing it.” These contestations suggest therefore that the African traditional practices such as marriage and *ilobolo* have been challenged to lose their original meaning which the SWTL stand to correct and restore. The lost original meaning as Mawere and Mawere (2010, p. 225) argued in their study using questionnaires to examine African marriage, demonstrated, “love and commitment of men in marriage, builds affinity and social capital rather than creating animosity between families, do not cause abuse of women in marriage but respects women’s human rights.” It is therefore important for those opposing the African culture to realise that these have been lost due to preferences where colonially introduced “formal marriage” gained popularity and respect as it is viewed to be sacred (Mawere and Mawere,



2010). Nkosi (2011) added that distortions have even resulted in confusion being created where practices such as *ukuthwala* have been labelled a malicious practice as opposed to directing such an obscure label to the criminal abduction practice.

#### **4.4. African conflict resolution and the role of families**

History has shown that African tradition possessed its own methods and approaches to governance and conflict resolution. According to Bukari (2013, p. 89) “conflict resolution aims at identifying the main causes of a conflict so as to put an end to the conflict to ensure sustainable peace.” For Ajayi and Buhari (2014), mediation, adjudication, reconciliation, arbitration and negotiation methods of conflict resolution were great foundations towards harmonious co-existence among African people than what is currently offered by modern courts. Peace was central to the idea of co-existence among Africans. As Ademowo (2015, p. 2) suggested:

“African societies had well-established mechanisms for conflict management, peace-making; peace education, peace building, conflict monitoring and conflict prevention.”

According to Bukari (2013, p. 89), the mechanisms to resolve conflict took the form of rituals where the entire community got involved in a “process led by leaders of the community such as traditional chiefs, kings, priests, healers, elders and other tribal leaders.” Mechanisms also comprised “social, economic, cultural and religious-spiritual dimensions in accordance with the entirety of traditions, customs and world views of a society within the different spheres of societal life” (Bukari, 2013, p. 89).

Families play a pivotal role in conflict resolution within traditional societies as it is central to putting in place mechanisms for resolving disputes which extends to the entire community (Mkhize, 2003). According to Moodley (2012, p. 264), “the family is the most important social construct in all African societies.” Even though urbanisation has caused the concept of the nuclear family to become established among African families, the concept of the extended African family continues to be community oriented and the responsibilities of resolving and taking decisions during conflicts are still the role of the extended family and not of the nuclear family (Moodley, 2012). In this regard, Rupande and Tapfumaneyi (2013) indicated that because strangers are regarded as being unqualified to know family secrets, many in

African societies use relatives and family friends as preferred counsellors rather than going to professional counsellors. Ademowo (2015) also attested that within many African societies, the extended family acquires an important role in conflict management.

With socialisation being influenced by families, an interesting aspect of women abuse concerns the mechanisms of conflict resolution within the family environment. This has been a moot issue placing the family at the centre of conflict resolution particularly in relation to domestic violence. For example, Cantalupo et al. (2006) found that although there was much awareness of domestic violence in Ghana, there was still the understanding that it was a matter that should be resolved within the family, to the extent that the criminal justice in Ghana continued to treat domestic abuse related cases less seriously than other violent crimes. As such, cultural beliefs that treat domestic violence as a private and family matter to be resolved outside the criminal justice are considered influential factors in the non-reporting of domestic violence crimes by Ghanaian women (Cantalupo et al., 2006). Similar findings emerged from a study conducted by Chitashvili et al. (2010) revealing a widespread belief not to take domestic disputes outside homes and treating them as private family matters in the Republic of Georgia. To this extent, the Georgian government was reported by Amnesty International in 2006 to have failed through its policies to protect women from domestic violence (Chitashvili et al., 2010).

#### **4.5. Developmental Social Work services and women abuse**

The African worldview places a ubiquitous importance on human dignity, recognises our common humanity, and the importance of doing no harm. This fundamental, 'we-centred approach' is inconsistent with some of the traditional cultural practices that violate the rights of women. As Fanon (1963) pointed out however, we need to reject those traditions that are violations of human rights. The welfare sector therefore has a moral and ethical obligation to engage with, challenge and change those practices. Social work's respect for cultural diversity is one of its most unifying aspects, and debates around universal human rights abound in the literature (Hugman, 2013; Tasco'n and Ife, 200; Ife and Fiske, 2006; Sewpaul, 2016). Social workers must therefore challenge the violations of women's basic rights to bodily integrity, to security and to life occurring in the name of culture.

Women abuse is a global concern for social workers. According to Gerlach (2015), social workers play a caring role and while carrying their own scars, they master compassion and care for the needs of others. The carrying of one's own scars symbolises the 'wounded healer' concept and applies to the social workers role in enabling meaningful change in the lives of clients (Newcomb, Burton, Edwards and Hazelwood (2015). According to Zerubavel and Wright (2012, p. 489), "the wounded healer represents not only pain and suffering, but also the possibility of resilience, ..., and the ability to use the knowledge acquired through one's own suffering in the service of clients' recovery."

Primarily, social work is a helping profession anchored by a mission to enhance well-being and meeting everyone's basic human needs (Wilson and Webb, 2018). As such, an approved definition of social work by the International Association of Schools of Social Work (IASSW) adopted in 2014 is that:

"Social work is a practice-based profession and an academic discipline that promotes social change and development, social cohesion, and the empowerment and liberation of people. Principles of social justice, human rights, collective responsibility and respect for diversities are central to social work. Underpinned by theories of social work, social sciences, humanities and indigenous knowledge's, social work engages people and structures to address life challenges and enhance wellbeing" (IASSW, 2018).

According to Bhandari and Hughes (2017, p. 24), the responsibility lies with social workers who, "need to educate, train and sensitise the systems both at a formal level like health care, police, and courts and at an informal level like friends and families to respond to violence among women." This implies that social workers are responsible for the development and lobbying of legislative interventions. It also suggests social work's provision of holistic counselling, and emancipation of women to be aware of their rights and being able to activate and access support at any point of experiencing abuse. The obligation of social work services is located within the South African Government's White Paper on Social Welfare (1997, p. 73) which directs for the development of strategies that will respond to all types of abuse and violence against women. In particular, the South African government adopted the developmental social welfare approach so that it can address various social and human rights challenges (Patel, 2015). These social challenges are gender inequality, poverty and unemployment (Patel and Hochfeld, 2012). Patel (2005, p. 206-207) defined developmental

social work as a “practical and appropriate application of social development knowledge, skills and values to social work processes to enhance the well-being of individuals, families, households, groups, organizations and communities in their social context.” In its approach, “social development approach is explicitly redistributive and inclusive” (Patel and Hochfeld, 2012, p. 691). The approach implies that everyone and all stakeholders have the moral obligation to contribute towards successful intervention strategies to promote optimal social development. It is through this approach that the social work profession accepts the responsibility to “advocate for the equitable distribution of resources and wealth” in order to achieve social justice (IFSW, 2014; IASSW, 2014).

The problem though is that while having to intervene appropriately to curb abuse of women, social work professionals in South Africa often experience burnout due to high caseloads and added frustrations such as poor salaries, lack of resources and appalling working conditions (Dlamini and Sewpaul, 2015). Calitz, Roux and Strydom (2015) and Partab (2010) also observed compassion fatigue and feelings of emotional drain and being un-reproductive among social workers resulting from increased workloads and cut in subsidies by the State. The situation suggests that instead of keeping optimally responsive to the needs of their clients, social workers are overwhelmed and are unable to meet targets of providing services to clients (Dlamini and Sewpaul, 2015). The situation is also sustained according to Rwomire and Raditlhokwa (1996), by the fact that the State has taken away the responsibility of family to meet the needs and social problems of its members when it assumed total responsibility of providing welfare. However, despite the challenges, the social work profession has continued working with families through recognising that, “most families are formed as a way of meeting various needs such as physiological needs, emotional needs; safety needs and other needs” of individuals (Eneh, Nnama-Okechukwu, Uzuegbu and Okoye, 2017, p. 185). As such, social work recognises through family therapy that there are, “five generic principles of family systemic practice: 1) persons are inherently relational; 2) families have resilient strengths; 3) family life cycles proceed systemically generating relational tasks for family members; 4) repetitive family interaction generates relational structures; 5) cultures” (Constable, 2016, p. 147).

Social workers are also expected to provide services to rural areas, which are often spatially located far from each other as compared to urban areas that enjoy spatial road network links. As noted by Naidoo and Kasiram (2006), the spatial location of rural areas results in an inadequate and biased resource allocation as compared to urban areas. This condition is still observable to this day as Todesa and Turok (2018, p. 9) argued that “expenditure on most social programmes has been skewed towards rural areas, reflecting higher levels of poverty and need for public services.” Such skewed expenditure allocation results in rural areas being more vulnerable and desperate for resources, a situation in which abused women bear the full brunt. One key argument that should be highlighted in this study is that the plight of women in rural areas is dire as they tend to face relentless attack to their human dignity and are subject to atrocious forms of abuse misconstrued in the name of culture and tradition. This amounts fundamentally in and of itself to a human rights violation.

The other identified challenge hindering the delivery of developmental social work services revolves around availability and access to social workers and shelters within rural areas (Alpaslan and Schenck, 2012). In a study conducted among abused women in Cape Town and Johannesburg shelters, Rasool (2012) found that abused women lacked knowledge about social workers and intervention programmes. The situation is concerning because the South African White Paper for Social Welfare (1997) had since noted the scarcity of locating services in underprivileged communities and leading to inaccessibility of social workers. In rural areas, having no access to protective houses or shelters imply that women as victims of abuse have their rights to equality and freedom severely compromised. In an article highlighting the slow progress of realising the full rights of women and children in South Africa, Bower (2014) argued that women in rural areas are worst placed in experiencing abuse. The slow progress paints an oblique picture of the social work profession whose developmental lens according to Lombard and Wairire (2015) affirms its commitment to social justice, human rights and the alleviation of poverty and inequality. The profession particularly gives attention to empowering the most vulnerable, oppressed, and those living in poverty (Wilson and Webb, 2018).

A developmental social work programme initiated in South Africa to address women abuse is the Victim Empowerment Programme (VEP), aimed to set up centres for victims of domestic

violence and elder abuse (Nel, 2009). The programme, “aims to establish multidisciplinary services to address the most important needs of victims as a crime prevention strategy” (Nel, 2009, p. 26). It is also an “initiative aimed at correcting the unintended inequality with regard to the position of victims and perpetrators within the criminal justice system” (Nel, 2009, p. 29). However, a major setback of the VEP has been its “top-down fashion” (Nel, 2009, p. 29). This implies that the thinking around it comes not from the community level but from the State, thus failing to be embraced by community members. In addition, even within it, the VEP only identifies key role players as the, “departments of Health, Safety and Security, Justice, Public Works and Housing, as well as NGOs and local health authorities” (Vetten, 2013, p. 69). In line with this study, VEP also fails to identify the institution of traditional leadership as a key role player. These failures qualify Sipamla (2012)’s view that the VEP has failed in achieving its intended purpose.

#### **4.6. Embracing Afrocentric and Nego-feminist approaches to social work practice**

Various scholars hold to the notion that the Afrocentric paradigm in social work is relatively recent with limited scholarship within the professional literature (Schiele, 1997; Graham, 1999; Moore, 2001; Borum, 2007). Bar-On (2003) argued that the leading impediment is that formal social work has been exclusively Eurocentric. This contention had been advanced by Gray and Allegritti (2002, p. 324) identifying that “social work is a Western invention and product of modernity while indigenisation is a postmodern notion.” Shokane and Masoga (2018, p. 2) also supported that although, “social workers appreciate the knowledge local people have to solve local problems,” the historical knowledge models of the profession in South Africa are drawn from foreign countries such as the United States of America, Australia and the United Kingdom. The Eurocentric rootedness of social work has most probably been the cause of delay in attempts for the social work profession to firmly develop African-centred models given that changes needed to be stimulated at the curriculum and practice levels.

Gray and Coates (2010, p. 615) argued that indigenisation of social work meant knowledge would, “arise from within culture, reflect local behaviours and practices, be interpreted within a local frame of reference and thus be locally relevant”. Social workers would therefore apply context specific culturally specific approaches to problem solving. Shokane and

Masoga (2018, p. 2) also support that the integration of “culturally-sensitive and Afro-sensed approaches” in social work is needed because African indigenous knowledge can serve as an important tool for relevant social work interventions. The implication is that as social work has moved from residual welfare to developmental social welfare; its success would be through adopting a culturally relevant global agenda and acknowledging strengths embedded within African communities (Global Agenda, IFSW, 2012).

Pellebon (2011, p. 36) maintained that as the social work paradigm competes for theoretical recognition, “it remains to be seen whether social work will considerably develop Afrocentric and African-centred practice models.” Mathebane and Sekudu (2018) observed that despite the notable progress to internationalise social work, the inclusion of IKS within the social work curriculum has not been prominent and thus of minimal value. On the contrary, the Eurocentric paradigm remains hegemonic and intact (Mathebane and Sekudu, 2018). Therefore, while it needs to be acknowledged that the White Paper for Social Welfare in South Africa argued for social work curriculum changes (Masoga and Shokane, 2018), its deepened Eurocentric roots still lacked social infiltration.

Osei-Hwedie (2002) warned that there has never been an automatic acceptance of alternative voices and the same is faced by indigenisation, which must also be debated and founded on its own merits. To this end, Osei-Hwedie (2005) asserted that instead of suppressing indigenous cultures, it is important to effectively harness, harmonise and rationalise them in order to appreciate their added value. However, Bent-Goodley et al. (2017, p. 1) claimed that:

“African-cent[e]red theory should be placed alongside long-standing theories that are taught in social work education.... as it is vital to continue to advance African-cent[e]red social work.”

The absence of a relevant Afrocentric curriculum could imply that the proposal made by Gray and Allegritti (2002) on the development of an indigenous social work model has not been robustly challenged. Gray and Allegritti (2002) proposed the need to:

- i. Consider an extensive dialogue on principles, ethical norms and appropriate practice; develop a clear definition of African culture and making comparison of understanding between it and the Western definition of culture;

- ii. Define indigenisation as a reform process and reactivation of tradition;
- iii. View indigenisation as a form of resistance to the context of globalisation;
- iv. View the usefulness of considering social work education and begin to use and teach from indigenous case studies.

These proposed actions infer that the pace of indigenising social work and claiming its cultural relevance within communities still needs to be regarded as an urgent agenda through more research being undertaken. Hence, the Review of the White Paper on Social Welfare in South Africa recognised that the culture of people is among those factors which continuously influence diversity particularly at the family level (Department of Social Development, 2016). Shokane and Masoga (2018, p. 1) have thus called for:

“a transformed social work education in South Africa that embraces notions and discourses such as decolonisation, indigenisation and Africanisation in order to be in aligned with the current emerging transformative agenda in South African higher education.”

Since South Africa is a diverse country with culture and tradition resonating with many of its citizens, culturally sensitive social work with effective interventions is needed as echoed by Bar-On (2003); Thabede (2005); and Shokane and Masoga (2018). For example, Thabede (2005, p. 37) proposed an Afrocentric alignment to social work by suggesting that the South African social work profession:

“Acknowledge the significance of African culture in social work practice among the African people; to accommodate the Afrocentric part of the social work knowledge base and practice alongside current Eurocentric theories and practices; to predicate the theory and practice of social casework in South Africa on African culture, so that social work will reflect the world-view and cultural values of those who mostly are recipients of social work interventions in South Africa; to acknowledge that African cultural knowledge is important in addressing the psychological, intellectual, spiritual and emotional needs of African people; and to move away from foreign frameworks and notions used to analyse Africans’ psychological, social and psychosocial problems.”

Mabvurira and Makhubele (2018) also argued for social workers to be cognisant of the differences that exist between the African and Western worldviews. This study therefore becomes relevant towards advancing the above aspects considering that it will root out and register whether social work interventions are similar or differ with the cultural context



within which the institution of traditional leadership operates. As Bar-On (2003, p. 299) warned; “to ignore the importance of culture in social work is foolish, but the danger of it dominating the field must be given equal consideration.” This view acknowledges the balance that needs to be maintained to offer a more holistic approach.

Bent-Goodley et al. (2017) have therefore identified the dearth of African based scholarship, but also argued that Afrocentricity has always been applied as a theory within social work academia. Through it, social work students have been challenged to embrace African-centred social work not only through education but within their way of living and in their worldview (Bent-Goodley et al., 2017). Bent-Goodley et al. (2017) advocated both for engagement and research in advancing the understanding and contribution that Afrocentricity can make into various academic fields, including most importantly, that of social work. This is while Mathebane and Sekudu (2018) acutely proposed that a contrapuntal social work approach be utilised as a way of positioning an African worldview at the ecological centre. Thabede (2005, p. 3) has thus noted that, “the conventionally accepted paradigms and approaches of Western thought (within social work), do not provide an adequate understanding of African people.” Based on such a premise, Thabede (2005) called for the urgent need to contextualise/indigenise/Africanise social work approaches for the purposes of providing interventions that are sensitive and responsive to the needs of the majority of South Africa’s population. In other words, the need for culturally appropriate social work interventions in Africa is no longer a matter of mere advocacy, but instead needs to be put into practice and compliance. According to Mathebane and Sekudu (2018), Afrocentricism is best suited to harness developments due to its foundational vantage point within Africa.

While acknowledging these views on the advancement of Afrocentrism, it is also critical to consider the integration of Nego-feminism in social work practice. Within its nature, social work is a profession of negotiation as it strives to harmonise societies and emancipate the down-trodden. This thought befits the sentiment of Muhammad et al. (2017, p. 127) in that, “Nego-feminism seeks to establish peace between the disagreeing parties through negotiation, reconciliation and cooperation.” Bearing in mind these qualities, no other profession can better apply and advance Nego-feminism than social work.

In explaining the skills of social workers, Watson and West (2006, 47-48) have stated that:

“Negotiation, however, is an activity that is also based on what is possible, something that will be influenced by the statutory and agency context, the workers’ skills and abilities, and the service users’ willingness and ability to be part of the process. It is not about giving people what they want but finding a solution acceptable to all parties with the intention of making change real and possible. In essence, it implies that all parties are willing to compromise in order to achieve a workable consensus. This is a task that is more difficult for some social work approaches than others. In particular, the individual pathology and procedural approaches, with their reliance on worker expertise, can be problematic. Workers holding these approaches will have to review their own power and acknowledge the expertise that the service user has to contribute to the process of assessment and intervention. Negotiation is a social work skill that is not just confined to the relationship between the service user and worker....In order to be an effective partner in any negotiation, each side needs to have a clear understanding of their own situation, the areas where there is the potential for compromise and those areas that they regard as non-negotiable. Negotiation is part and parcel of any approach that claims to work in partnership with service users, as it brings them into the heart of the social work process by acknowledging and valuing what they can expect to receive and contribute to their situation.”

Thus, by, “recognising that culture often serves as a disguise to violate human rights, social workers serve as cultural mediators to enable consensus building, to find an appropriate balance between competing human rights, and to advocate for the rights of women who are victims of abuse” (IASSW, 2018). The above argument provides a clear identification of social worker’s skills and is infiltrated with what Nego-feminism stands for. Not only is the negotiation realised, but also the compromise, the no-ego as well as the exact understanding of an individual’s situation.

#### **4.7. Chapter summary**

This chapter focused on how abuse of women is justified as culture and tradition and further discussed views on ilobolo and marriage. The chapter has highlighted the community-based approaches followed by African families to resolve conflict, including how the concept of family plays a central role to this function. The chapter has also discussed the implications of women abuse on the further development of social work services. It has presented the challenges faced by the profession in its endeavour to roll-out services and reach abused women, especially those residing in rural areas. Furthermore, the chapter considered ideas on how Afrocentric and Nego-feminist perspectives align with social work practice.

Changes in the social work curriculum can be made possible when IKS are robustly documented and integrated through social and academic platforms and translated into policy and the training of the next generation of social workers. It is this aspect that makes this study unique as the findings contribute towards documenting methods and strategies applied within the institution of traditional leadership that is charged with preserving customary law when addressing women abuse. This recommendation is discussed further in chapter nine.

**SECTION III**  
**METHODOLOGY**

# CHAPTER FIVE

## RESEARCH METHODOLOGY

### 5.1. Introduction

This chapter presents the methodological approach utilised in the study. The chapter begins with an outline explaining the profile of the study area. Then, the research journey reflecting on the design, data collection process (including the designing of data collection tool, sampling, fieldwork preparations and the actual data collection) for the study is outlined. The chapter further presents the process of analysing data. It then considers trustworthiness, ethical considerations, reflexivity, limitations, and conclusions to the study.

### 5.2. Profile of the study location

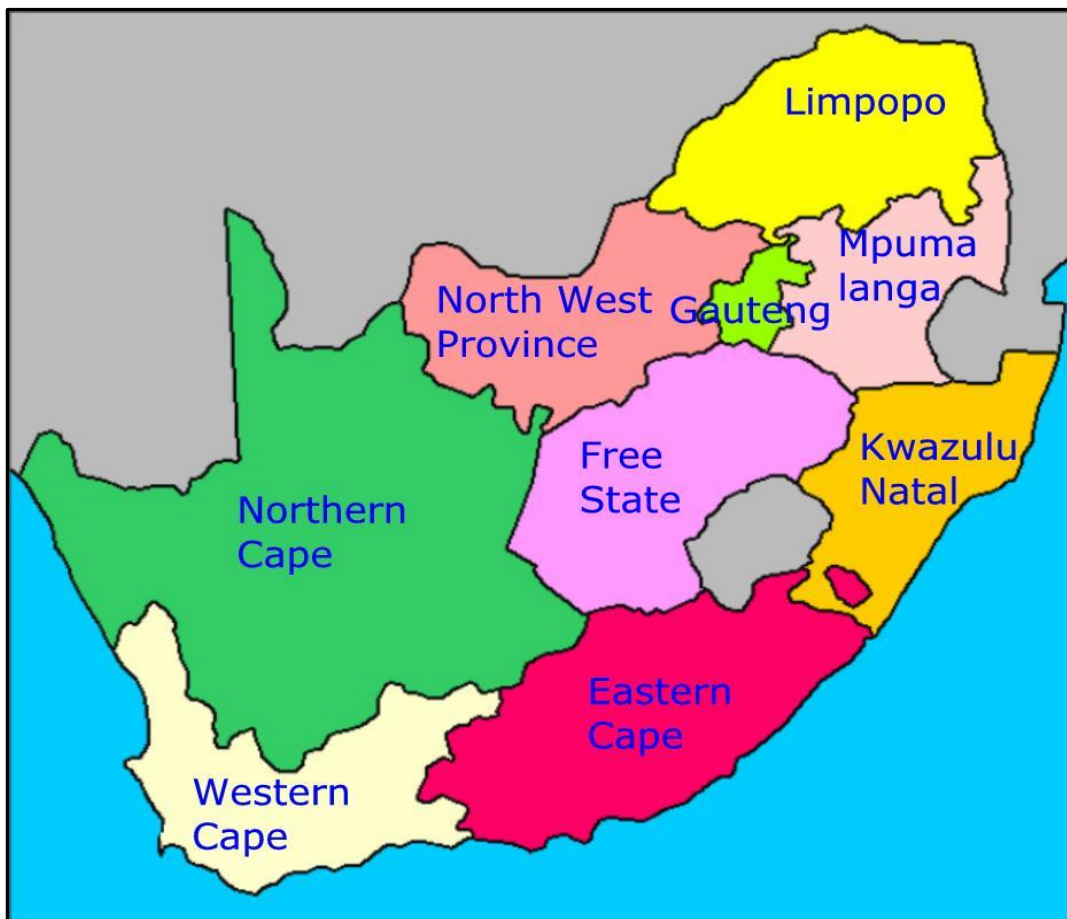


Figure 5.1. Map of South Africa showing its nine provinces

(Source: <https://www.southafrica.to>)

This study was undertaken in South Africa within the province of KwaZulu-Natal. As depicted in Figure 5.1 above, South Africa is a country divided into nine provinces: Eastern Cape, Free State, Gauteng, KZN, Limpopo, Mpumalanga, Northern Cape, North West and the Western Cape. The institution of traditional leadership exists in eight of the nine provinces, except in the Western Cape. The representation of the institution suggests that South Africa is diverse in culture and tradition. In relation to the topic of women abuse, South Africa has significant number of communities where domestic violence finds its roots within culture (Mazibuko, 2016).

Table 5.1. Breakdown of the number of traditional leaders and traditional leadership structures per level in each province

Province	Senior traditional leaders / Traditional councils	Headmen / women	Kings and Queens / Kingship and Queenship councils	Principal traditional leaders / Principal traditional leadership councils	Total
Eastern Cape	215	1193	4	2	1414
Northern Cape	8	25	0	0	33
Limpopo	183	2118	1 (1 Court Interdict)	0	2303
Mpumalanga	58	522	2	0	582
Gauteng	2	14	0	0	16
KwaZulu-Natal	296	3372	1	0	3669
North West	54	59	0	0	113
Free State	13	96	2	0	111
<b>Total</b>	<b>829</b>	<b>7399</b>	<b>11</b>	<b>2</b>	<b>8241</b>

(Source: Traditional Affairs Annual Performance Plan, 2017)

Table 5.1 illustrates that there is a total of 8241 traditional leaders in South Africa with identified positions of kings/queens, principal traditional leaders, senior traditional leaders and headmen/women (Traditional Affairs, 2017). Apart from the Gauteng province, all the other provinces have women occupying the position of a senior traditional leader. The province with the highest number of SWTL is that of the Eastern Cape (46) followed by Limpopo (40) and KZN (26). Both Mpumalanga and North West have four SWTL followed by Free State and Northern Cape with one each (Traditional Affairs APP, 2017/18). The

concentration of SWTL in seven of the eight provinces attests that gender equality is being realised within the institution of traditional leadership.

Table 5.2. Gender breakdown of traditional leaders in the country by rank (Source: Traditional Affairs, 2017)

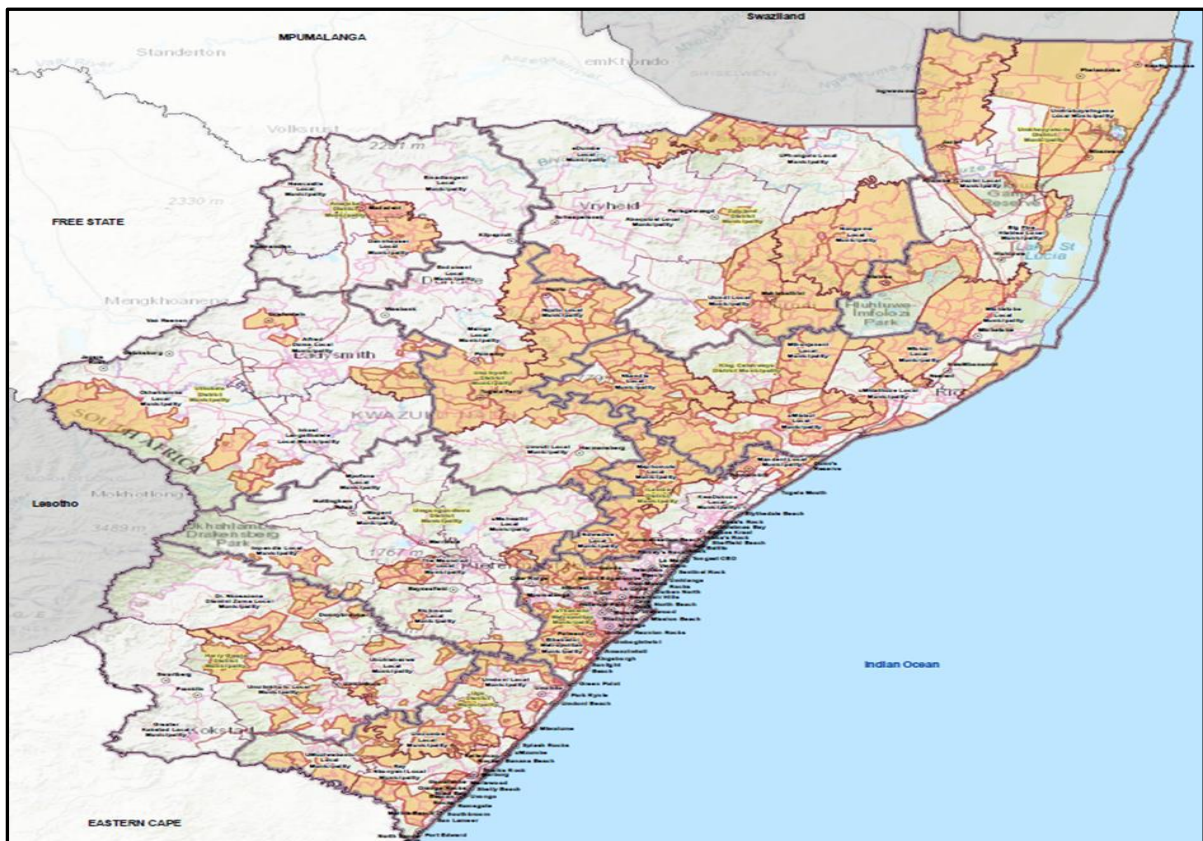
Province	Headmen / women		Senior traditional leaders		Kings / Queens		Total
	Male	Female	Male	Female	Kings	Queens	
Free State	88	21	12	1	2	0	124
Gauteng	2	0	2	0	0	0	4
Eastern Cape	1193	0	125	46	4	2	1370
Limpopo	2118	0	147	40	2	0	2307
Mpumalanga	494	28	50	4	2	0	578
Northern Cape	24	1	19	1	0	0	45
North West	81	3	54	4	0	0	142
KwaZulu-Natal	3372	0	272	26	1	0	3671
<b>Total</b>	<b>7372</b>	<b>53</b>	<b>681</b>	<b>122</b>	<b>11</b>	<b>2</b>	<b>8241</b>

The current study was conducted in the province of KwaZulu-Natal. KZN comprises one king (His Majesty the King Zwelithini Goodwill kaBhekuzulu), a total of 296 senior traditional leaders and 3372 headmen/women. It is the province with the largest number of traditional leaders. From the total of 296 senior traditional leaders as reflected in Table 5.2, 272 (of which two are vacant positions) are male while 26 are female (Traditional Affairs APP, 2017/18).

The province of KZN borders three countries, namely Lesotho, Mozambique and Swaziland and three South African provinces, Free State, Eastern Cape and Mpumalanga. The province of KZN is divided into ten district municipal areas, within which there are forty-three local municipalities and one metro region. According to the World Bank (2018) it is one of the three provinces alongside the Eastern Cape and Limpopo that is consistently the poorest economically. KwaZulu-Natal is the third smallest province by land area but the second largest in terms of population with a record increase in the ten-year period 2011-2016 from

10.3 to 11.1 million people (StatsSA, 2016b). The province covers in total a 62 305 square km area of South Africa’s land (StatsSA, 2016b). The total landscape of KZN covers 640 kilometers of the coastline along Indian Ocean and the most spoken language is isiZulu (KZN Planning Commission, 2011).

As reflected by the KZN Planning Commission (2011), 54% of the total population in KZN live in rural areas, where women and school children are the majority residents. Eight of the ten district municipalities in KZN comprise rural populations as opposed to urban populations (KZN Department of Human Settlements (KZNDHS) Annual Performance Plan, 2017/18-2019/20). Evidence presented in earlier chapters attested to women abuse being experienced equally by women living in rural and urban areas. However, it was also argued that women in rural areas face dire challenges with regard to access to health and social work services that can assist them to deal with the problem. This study is thus important as the majority of residents in rural areas are women.



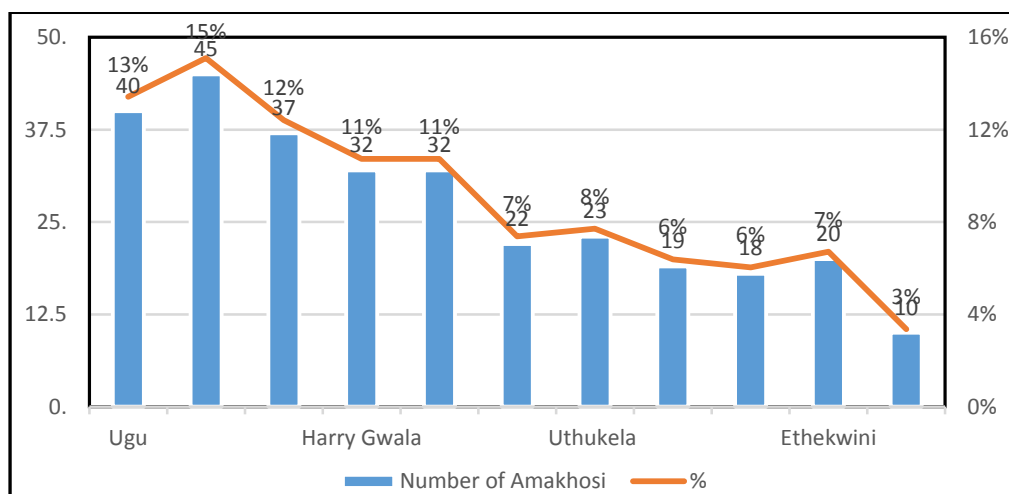
**Figure 5.2. Traditional communities in KwaZulu-Natal South Africa**

Source: Department of Cooperative Governance and Traditional Affairs (2017)



Figure 5.2 depicts the map of KZN. The map is intended to illustrate the large scale of rural land shaded in orange. In KZN, 40% of rural land is controlled by traditional leadership, held and administered by the Ingonyama Trust Board.<sup>1</sup> The choice of locating the study in KZN is firstly justified by the large number of senior traditional leaders under whose authority people in rural areas live. Secondly, it is justified by the large population percentage in KZN residing in rural areas that observe traditional leadership and where women also form the majority of residents.

The KZNDHS Annual Performance Plan (2017/18-2019/20, p. 29) records that, “the biggest share of the population living below the poverty line” is found within traditional areas. In addition, “female headed households and those headed by individuals aged 18-39 years are poorer than other categories” (KZNDHS Annual Performance Plan (2017/18-2019/20, p. 29). Statistical records also support that, “in 2011, 36.6% of the rural population lived below the FPL (Food Poverty Line) and this increased to 45.6% in 2015” (StatsSA, 2018a, p. 7). The World Bank (2018) observed much deeper and higher unequal levels of poverty rates, which widened the gap between 2006 and 2015 among the rural and urban population of KZN.



**Figure 5.3. Distribution of Amakhosi within the province of KwaZulu-Natal**

The distribution of *Amakhosi* within the province of KwaZulu-Natal is depicted in Figure 5.3 above. The Figure reflects the total number of *Amakhosi* within KZN segregated by district municipalities. King Cetshwayo DM has the largest number of *Amakhosi* (45/15%) followed

<sup>1</sup> See: Ingonyama Trust Board, <<https://www.ingonyamatrust.org.za/>>, [Accessed: 23 August 2019].

by the Ugu DM (40/13%), Ilembe DM (37/12%) and Harry Gwala DM and Zululand DM with each having 32 (11%) *Amakhosi*. The rest of other district municipalities and the Metro have total numbers below 25 with the smallest number found in Amajuba (10/3%) (KwaZulu-Natal Department of Cooperative Governance and Traditional Affairs (KZNCogta), 2017).

### **5.3. Descriptive and interpretive qualitative research design**

This study adopted descriptive and interpretive design within qualitative methodology. Its aim was to explore the experiences of SWTL in addressing women abuse in KwaZulu-Natal, South Africa using an Afrocentric and Nego-feminist approach. According to Patten and Newhart (2018, p. 22):

“The strengths of qualitative research are in its ability to provide insights on interpretation, context, and meaning of events, phenomena or identities for those who experience them.”

The research design was appropriate to probe the experiences of SWTL in how they perceive their role and relate the challenges they experience when addressing women abuse. With the intention to explore the support required and suggestions SWTL have towards contributing to how South Africa can position itself against women abuse, locating the study within traditional communities was important. The choice of a descriptive and interpretive design was essential for this study because besides being concerned with interpretive aspects, the approach also calls for exploration and description of “participants’ understanding and interpretations of social phenomena in a way that captures their inherent nature” (Ritchie and Lewis, 2003, p. 28).

Creswell (2014, p. 32) defined qualitative research as, “an approach for exploring and understanding the meaning individuals or groups ascribe to a social or human problem,” and therefore differs from quantitative research as it does not aim to generalise findings (Koonin, 2014). Du Plooy-Cilliers (2014) states that qualitative research place emphasis on words rather than numbers. Therefore, in terms of this research project, the value of qualitative research rests on its ability to offer the researcher an opportunity to probe through questions that call for thick description (Ritchie and Lewis, 2003) and interpretation to understand a phenomenon from the research participants own perspectives (Patten and Newhart, 2018).

The problem of women abuse requires the use of this approach because it is a phenomenon that affects personal and private spaces of women and renders them vulnerable. The qualitative approach also assisted in understanding the subjective experiences (Strydom and Bezuidenhout, 2014) of SWTL in addressing women abuse.

#### **5.4. Research approach: A synergy between Qualitative and Afrocentric methodology**

The study was guided by an Afrocentric research methodology, which is linked to the critical qualitative research. According to Mabvurira and Makhubele (2018), Afrocentric and critical research methodology share similar characteristics. The two require for researchers to interact with research participants (Mulemi, 2011) and their lived experiences, and share qualitative techniques (Maroun, 2012). According to Mason (2002), qualitative research is an activity concerned with reality matters while “Afrocentric methodology recognises...important social and cultural variables that impact on the subject matter...” (Maroun, 2012, p. 2). The two complement each as they allow for studying and collecting a variety of empirical data with meaning in individuals’ lives (Denzin and Lincoln, 2013). As such, the two advocates for the researcher to embrace life as lived by participants. This study was located within an environment where culture and tradition are observed. This implied that the nuances of culture and quality meaning attached to the lives of people within traditional communities could not be ignored when seeking alternative measures to address women abuse. This is particularly important considering that unlike Eurocentric research methods where African cultures are not considered, Afrocentric methodology allows for their accurate understanding (Mabvurira and Makhubele, 2018). With the issue of women abuse having “reached epidemic proportions” (Ramaphosa, 2019) in the lives of many South Africans, and solutions needed to reach women in rural communities, qualitative and Afrocentric research approach becomes critical to excavating deeper and finding answers to critical issues.

Mkabela (2005) argued that from long time ago, Africans have not been judged from their African context, but from European perspectives. Hence, according to Asante (2014, p. 4):

“Afrocentricity conveys African peoples’ sense of the world and of their existence and provides an epistemological tool to deal with social and cultural manifestations either from a cultural/aesthetic, social/behavioural, or even a

political/functional perspective, in search for the foundations of African identity.”

Alignment and sensitivity to the deep sense of culture within traditional communities was therefore pivotal in this study so that the pre-colonial foundations of traditional communities can be uncovered. For this to occur, Reviere (2001, p. 711) suggested that the researcher needs to allow for self to be, “used as a tool in pursuit of truth and justice.” As the researcher, I was consciously aware of the critique by Hamby (2000) that non-native researchers in the USA interacted with Native American Indian culture from a position of power and privilege, spent little time and interacted briefly as professionals and left following data gathering. As an employee of KZNCogta my position allowed me constant interaction and prolonged engagement with SWT and this increased the trustworthiness of the data. Therefore, the spirit of finding alternatives towards alleviating the scourge of women abuse, supported by my orientation with women abuse as a sensitive and ill-gotten matter guided my engagement and commitment within this study. During the data collection phase, interviews with SWTL became conversations in which I as the researcher allowed myself to be educated on African ways used to address women abuse within traditional communities.

As the principal researcher, I followed the principles of Afrocentric research that has five canons. According to Reviere (2001), these canons ground the research process to base its quest for the benefit of African people and refrain from compromising their well-being where methodology and knowledge acquisition are elevated as important. Identified in Swahili language, the canons are as follows:

- i. *Ukweli*: Grounding research in the lived experiences of communities;
- ii. *Kujitua*: Consideration of how knowledge is structured;
- iii. *Utulivu*: Requires the researcher to avoid creating divisions and ensuring harmony within communities;
- iv. *Uhaki*: Requires for a fair research process for all participants;
- v. *Ujamaa*: Requires the researcher to be part of and be informed by community interests (Reviere, 2001).

These principles guided me during one-on-one interviews with the research participants as I probed deeper to allow for participants’ engagements and reflections on the nuances of

culture that needed to be challenged to restore the rights and dignity of women. The research participants drew from their experiences of life within their communities and from interventions they knew were best applicable in addressing women abuse. As a researcher, I also allowed participants to express their feelings and perceptions on women abuse without fear of judgement and for them to make suggestions on actions they thought would be appropriate in addressing women abuse. Further exploration about women abuse also necessitated for SWTL to introspect their role in addressing women abuse, thereby reasserting their commitment and realisation of their importance in representing women, being advocates for peace and *ubuntu* within traditional communities. Grounding my research within an Afrocentric qualitative research therefore became appropriate for affording African participants an opportunity to locate African meaning and context into their lives.

Mkabela (2005, p. 182) suggested that the recognition and respect for:

“The indigenous way of life is fundamental to good research practice...and that the exclusion of indigenous communities from research processes has led researchers to take cultural information out of context and have, as a result, created published documents that were factually incorrect.”

The choice of qualitative research enquiry therefore advantages this study in that the experiences of participants were considered from their cultural perspective as endorsed by the Afrocentric methodology and interpreted within that context. As this study explored the experiences of participants, it is in line with Pellerin (2012)’s suggestion that the methodological frame of Afrocentricity is foundational for exploratory, explanatory and descriptive research.

The above also resonates with the social work profession because its intuition is to promote the wellbeing of people and root out social injustices. Lombard and Wairire (2010) argued that social work should recognise and respond to the interconnection between the person and the environment and thereby promote strength-based and non-oppressive approaches. Thus, the social work discipline stands to be the liberator through its intention to dismantle oppression and produce new knowledge grounded within reality and truth. The inclusion of an Afrocentric worldview into social work practice according to Daniel and Lowe (2014) stands to yield similar benefits of social work encompassed within multiculturalism, feminism and gender equality. It is ultimately Afrocentric research, which calls of the

appreciation of experiences of people and therefore enabling social workers to understand and empathise with the world and the experiences of people (Mabvurira and Makhubele, 2018).

### **5.5. Population, sample and recruitment of participants**

According to Tracy (2013, p. 138), and in line with Afrocentric methodology, “qualitative researchers conducting interviews or focus groups usually design a sampling plan at the onset of their projects.” A sampling plan at the beginning of a study assists the researcher to properly make projections in terms of time and length that will be required to finalise the collection of data. As part of the plan, non-probability purposive sampling strategy was employed within this study. Yin (2011, p. 88) stated that purposive sampling is deliberate and specifically allows for choosing units that, “will yield the most relevant and plentiful data.” At the time of preparing for data collection, information gathered indicated a total of 21 SWTL in KZN. The study therefore purposely selected all these women occupying positions of senior traditional leaders within communities observing customary practice. Data saturation was reached after 17 interviews were done. But given the uniqueness of the SWTL position, the already set appointments could not be cancelled and data collection continued with the envisaged 21 participants. According to Tracy (2013), sample size is more of a concern for quantitative researchers to meet their desire to generalise findings, but not for qualitative researchers because quality is often more important than quantity. The quality of data from these types of participants should not be undermined as they represent culture and have the responsibility to ensure that women are protected from abuse within cultural settings. Also, Afrocentric and Nego-feminist theories are appropriate because it is African women who are charged with the responsibility of unleashing strategic solutions to the plight of women who are survivors of abuse.

Clark and Creswell (2018) suggested that many qualitative researchers use gatekeepers because at various levels, they need to request and be granted permission to conduct research. In this study, entry and access to participants was first sought from the KwaZulu-Natal Department of Cooperative Governance and Traditional Affairs (KZNCoGta), as a gatekeeper given its Constitutional mandate of supporting and capacitating the institution of traditional

leadership. Permission was granted on the 08 August 2016.<sup>2</sup> After obtaining permission and ethical clearance, individual letters were written to request permission and appointments with the respective participants and inviting them to participate in the study. Senior traditional leaders as chairpersons preside over traditional councils within their communities. These traditional councils appoint secretaries who mainly facilitate appointments with senior traditional leaders and are also points of contact in terms of follow-ups to the appointments. Requests for appointments were directed to participants through KZNCOgta district officials (via E-mails) who thereafter forwarded communication to the secretaries of traditional councils in the areas of the SWTL. Appointments and availability were confirmed by the KZNCOgta district officials who also indicated for final confirmation to be done directly with participants. As the principal researcher, I personally communicated with prospective participants via the telephone to confirm the appointments. I drafted a schedule of appointments from November 2016 and February 2017 where dates were classified according to the availability of participants and all appointments took place.

## **5.6. Data Collection Method**

According to Tracy (2013, p. 132):

“Interviews provide opportunities for mutual discovery, understanding, reflection, and explanation... elucidate subjectively lived experiences and viewpoints from the respondents’ perspective...[and] provide a forum for probing.”

Interviews are essential within Afrocentric research because they enable the researcher and participants to hold conversations (Mabvurira and Makhubele, 2018). A semi-structured interview guide was used to collect data for this study.<sup>3</sup> The interview guide was prepared in English and translated into isiZulu and adopted as a guide during the interviews.<sup>4</sup> The translation was undertaken by a professional isiZulu language specialist within the KwaZulu-Natal Department of Arts and Culture. According to de Vos et al. (1998), this type of

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<sup>2</sup> See: Annexure D.

<sup>3</sup> See: Annexure A and B.

<sup>4</sup> See: Annexure A and B.

interview provides an opportunity for the researcher to explore matters using pre-drafted open-ended questions posed to participants in a similar sequence. The advantage is that semi-structured interviews are flexible, allow for the researcher to be spontaneous, pose a range of questions based on the objectives of the study, and permits comparison across interviews (Lune and Berg, 2017).

A research assistant was recruited and trained to conduct the interviews with the participants as she was isiZulu speaking. The research assistant signed a confidentiality form.<sup>5</sup> The research assistant was fully conversant in the language of isiZulu, was experienced in qualitative data collection and familiar with the institution of traditional leadership. The training sessions with the research assistant was conducted over two days in October 2016 and covered topics such as literature and legislative information on the institution of traditional leadership, appropriate protocol as an orientation into prominent aspects to abide by with the participants and role plays on using the instrument during the interviews.

Once the appointments were confirmed, each participant was visited in their home community and the interviews were conducted at a time and venue convenient to the participants. Almost all the participants preferred the interviews to be conducted at their places of residence except for three participants who preferred to be interviewed in a restaurant as they had other appointments prior to our meeting. I took heed of Mabvurira and Makhubele (2018, p. 19) suggestion that, “a good Afrocentric researcher should deliberately and consciously study African people from their standpoint” and quality time offered to such interviews is important. The average duration of the interview was two hours with thirty minutes being allocated for cultural and traditional protocol prior to the commencement of the interview with the SWTL. Each interview was unique given the position of SWTL that commanded respect and authority. Although all participants were easy to talk to, I was always conscious of my conduct during the interviews. For instance, discussions became relaxed at certain points where I would feel the sense of woman to woman kind of engagement, yet I would remind myself that I am talking to someone occupying the highest position within the community. Reminding me often came with a brief pause or a response

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<sup>5</sup> See: Annexure H.



that says '*yebo Ndlunkulu*' (yes, my queen) during the proceedings. I also ensured that my sitting posture demonstrated that all attention was paid and my confidence while conducting interviews does not clutter my sense of being humble at all times.

### **5.7. Data analysis**

Qualitative data analysis is not a rigid process that begins after data collection is complete but may continue alongside other steps of qualitative study such as during data collection and while a report is being prepared (Creswell, 2014). Since all interviews were voice-recorded, it was important to transcribe the interviews, which became the initial process of data analysis. All the interviews conducted in isiZulu were translated into English by a professional while doing data capturing to limit the loss of meaning and for the purposes of writing up the data. Thematic data analysis was utilised. Braun and Clarke (2006, p. 79) define thematic analysis as a "method for identifying, analysing and reporting patterns (themes) within data." Within this method, sequence is essential to follow. Chambliss and Schutt (2003) warned that qualitative research can generate voluminous information that potentially leads to research projects being halted because the researcher starts to feel overwhelmed. Repeated and continuous engagement with data was an exciting process as ultimately, moments during interviews were revisited. Lune and Berg (2017) have thus argued that regardless of any difficulty, qualitative data analysis is the utmost creative. It is an exciting stage of qualitative research where main ideas are grouped into themes (Clark and Creswell, 2015).

Following the transcribing of interviews, thematic analysis steps as proposed by Braun and Clarke (2006) guided the analytical process of the study (Javadi and Zarea, 2016) as explained below. This was within the backdrop of the two theoretical frameworks embraced for the study:

- i. Phase One: Familiarisation with data.
- ii. Phase Two: Generating initial codes.
- iii. Phase Three: Searching for themes.
- iv. Phase Four: Reviewing themes.
- v. Phase Five: Defining and naming themes.
- vi. Phase Six: Writing the report.

### **5.7.1. Phase One: Familiarisation with data**

According to Spencer, Ritchie and O'Connor (2003), the researcher needs to gain the gist of the data coverage and become meticulously acquainted with the dataset to construct themes. Transcripts are important as they facilitate familiarity with the recorded data and “is also a process used to understand the participants’ various cultures and subcultures” (Makofane and Shirindi, 2018, p. 47). Following the process of conducting interviews, transcription was an important task undertaken utilising services of a professional to translate from isiZulu into English. I then went through the transcripts to double check that proper translation was done and this strengthened my familiarity with the data. Following transcription, as the principal researcher I read the transcripts while listening to the audio recordings to double check if the same voices of participants were well captured. As I began to analyse the content, I again listened to the audio recordings, read and re-read the transcripts to gain full understanding of each interview.

### **5.7.2. Phase Two: Generating initial codes**

Having immersed myself with the data, I started to identify similar phrases and statements. These were grouped together as emerging pattern threads and similarities within the objectives of the study. Using the qualitative data analysis software (NVIVO version 16), I colour coded the initial statements of the research participants that contained similarities to each other. I again read the codes in line with the objectives of the study to ensure that the data answers the questions of the study. With the initial codes, I ensured that data was grouped by its relevance to the objectives and the underlying meaning.

### **5.7.3. Phase Three: Searching for themes**

This step involved the grouping together of codes into themes. I probed all the generated codes and started making sense of them. This step enabled the generating of themes that captured the central meaning of all grouped codes. The process of member checking was done through sending three transcripts to participants using the electronic mail system (e-mail) to ensure that meaning of the raw data from the transcripts is maintained for relevance and reflection of the participants. The research assistant also assisted with reading through the transcripts to confirm their appropriate reflection of interviews.

#### **5.7.4. Phase Four: Reviewing themes**

The mapping of themes was central to this phase. I ensured that themes became unique in order to avoid needless repetition. Poggenpoel (1998) pointed that following the generation of data, the researcher needs to discover relationships or patterns by scrutinising the data closely. This is where I began to re-group common themes from each other and came up with key themes.

#### **5.7.5. Phase Five: Defining and naming themes**

Following the reviewing of themes, a thematic map was developed. This process of giving meaning and naming to the themes was the last step to be undertaken. Because this study is conducted and analysed through the literature and the Afrocentric and Nego-feminist perspectives, it was imperative to align the defining and naming of themes with these two theoretical frameworks. This was achieved through re-visiting the main principles of each theory and identifying how each relates to the main theme/s and the sense theory that makes a theme relate to it. By so-doing, the interrelatedness of each theme was ensured.

#### **5.7.6. Phase Six: Writing the report**

This final step is concerned with packaging all the information and data generated within the study into a research report. As discussed above, Afrocentric and Nego-feminism perspectives complementarily challenge an African descendant to take a step back into their African roots. These two perspectives advocate for an engagement with African problems in a manner that seeks to uncover truth and aim for an inclusive and negotiated African grounded position where harmony, peace and respect for human life through *ubuntu* are in the end realised. In this study, I embraced the African traditional principles where I viewed my participants first as human beings, deserving respect (not only because of the position they were in, but also as adults). Talking (addressing and engaging participants), listening, probing and observation of protocol were therefore central to my conduct as a researcher. All these found meaning in the final writing of the report.

Creswell (2014) has advised that when analysing qualitative data, fictitious names should be assigned to participants as a way of respecting their privacy and anonymity. When writing up

the report, random codes of RP#01 to RP#21 were assigned to participants to ensure the anonymity of the research participants and in terms of confidentiality. The narratives of the research participants were labelled, indented and italicised to differentiate from the textual analysis. Where general findings emerged, the most direct narratives from the transcripts were used for the purposes of capturing meaning for the study specifically on the discourse of women abuse.

## **5.8. Trustworthiness**

Koonin (2014, p. 254) contends that a “research process is worthless if the design and methods used are not reliable and valid.” The concept of trustworthiness is thus central to all qualitative research projects because it is a vehicle through which a researcher can prove that their studies are worth contributing to the body of knowledge. Trustworthiness in qualitative research is ensured through credibility, transferability, consistency/dependability and confirmability (Lincoln and Guba, 1985). Koonin (2014, p. 254) argued that:

“Qualitative researchers just use different terminology (trustworthiness) to express the same meaning as validity and reliability and because the intention of qualitative is not to generalise findings, these terms are not useful to use but rather trustworthiness.”

Trustworthiness is connected to Afrocentric research in that it too calls for thorough consultation with participants and believes that information shared by participants serves as their true perspective drawn from their true-life experiences (Mabvurira and Makhubele, 2018).

According to de Vos et al. (1998), credibility is achieved through demonstrating that the research was conducted in such a way that accurate identification and description of phenomena was ensured. Koonin (2014) also adds that participants must find the way in which the researcher described their lives believable. To ensure credibility, as the principal researcher, I sent three transcripts to each of the research participants to enable member-checks on the accuracy and correct capturing of data, and to create a sense of ownership of data by the participants. Also, the research assistant assisted with reading the transcripts to validate presentation of data in a manner that it was during the interviews.

Transferability refers to the ability to demonstrate that findings may be applicable to other settings other than where the research was conducted (de Vos et al., 1998). However, as Koonin (2014) warned, it is not possible to repeat a qualitative study and obtain the same results given that responses provided by each of the research participants comprise of unique individual experiences. To this end, Creswell (2014) suggests using rich, thick description when communicating the findings which affords readers to imagine the setting and the ability to discuss and share experiences (in other words, to replicate the study). Accordingly, I used rich and thick descriptions during the interpretation of findings which according to Barbie and Mouton (2001) provides adequacy of data when reporting.

Ritchie and Lewis (2003) advise that the researcher should ensure there is no bias in the selection of the target population, which in itself provides clarity as a way of proving trustworthiness. This would ensure that the study is dependable. Farrelly (2013) concurs that quality in qualitative research is judged by how consistent and honest the researcher is. The study therefore followed a clear process of ensuring that all 21 women serving as senior traditional leaders in the province participated. The same semi-structured interview schedule was used to guide all interviews and covered topics on the perceptions on the involvement of traditional leaders in addressing women abuse, challenges faced when addressing women abuse, support networks required and suggestions on how the country should address women abuse. Enough time was afforded for each participant to express themselves at their own pace.

Confirmability refers to the ability of another to confirm the findings (de Vos et al., 1998). For this to be facilitated, Barbie and Mouton (2011) suggested leaving an audit trail where intention materials (i.e., proposals, interview schedules, etc.) can be shared with others. During the study, as the principal researcher, I arranged for peer reviews where I allowed for my work to be read and criticised by other researchers other than my own supervisors. Accordingly, the research assistant and supervisors played a key role in giving input to the research instruments, data collection, analysis and report writing. I also attended colloquia and conferences where aspects of my study were presented and critiqued by researchers in the academic community. In addition, I maintained a journal of my own reflective experiences during the data collection phase of the study.

## **5.9. Ethical considerations**

Chambliss and Schutt (2003) point out that ethical dimensions which question whether research projects are morally justifiable, exist in both natural and social sciences research and should be given the necessary attention. In Afrocentric research, ethical considerations call for researchers to be cognisant of *ubuntu*, which is a crux of African life (Mabvurira and Makhubele, 2018). This refers to paying attention to one's conduct and being attentive to how one's own interests are not violating several critical aspects within the research process. The suggestion made by Chambliss and Schutt (2003) is that from the onset, a researcher must apply critical thinking on the possible ethical dilemmas, establish clear mitigating factors, and inform the research participants about any risks associated with the study. Thus, Das (2010, p. 5) points out that researchers are required:

“To provide information and transparency with regards to the purpose and intended outcomes of the research, procedures in place to protect the anonymity and confidentiality of participants, as well as informing participants about the risks and/or benefits of the research.”

Bearing these principles in mind, as principal researcher, I followed protocol and obtained ethical clearance from the University of KwaZulu-Natal, Research Ethics Committee on 08 September 2016: Reference No. HSS/1349/016D.<sup>6</sup>

During the study, the following ethical considerations were adhered to:

- i. *Ubuntu* and hospitality.
- ii. Confidentiality.
- iii. Informed consent, voluntary participation, freedom of choice and expression.

### **5.9.1. *Ubuntu* and hospitality**

Ziegler (1995) suggested that the Afrocentric method requires for the researcher to immerse self into culture to retain ethical value. Also, introspection and retrospection are pivotal for the researcher to acknowledge own biases brought into the research sphere and be able to confirm the status of those preconceptions at the end of enquiry (Ziegler, 1995). For

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<sup>6</sup> See: Annexure C.

Wasunna, Tegli and Ndebele (2014, p. 58), researchers should understand the “cultures and beliefs of the communities from which they recruit research participants” as a way of ensuring meaningful informed consent. This research was conducted within a cultural and rural setting of KZN where culture and tradition are observed. The cultural immersion implied that I must embrace full understanding of the ways of life within the community where research is being conducted and view the study through a lens guided by the experiences of people. The elements of *ubuntu*, that is, a respectful and humble approach were key in terms of my self-conduct. Through these elements, shared characteristics of qualitative and Afrocentric methods place people within their local context and at the centre of enquiry (Mkabela, 2005) were realised.

Thabede (2005) made us aware of the absence of indigenous theory teaching from the social work curriculum particularly in South Africa. Indigenous ethical standards that include relationship, respect, responsibility and reciprocation values are important considerations of social work research (Weaver, 2016). As I have argued in chapter four of this study, the increased attention given to Afrocentrism as a framework for social work has not yielded enough results to infuse Afrocentrism into social work research (Daniel and Lowe, 2014). Without cultural immersion, the researcher loses all sense of ethical value and ends up becoming a researcher for the sake of research (Thabede, 2005). Idang (2015) also argues that it is an African practice to demonstrate and treat an environment one finds oneself within with respect, because Africans cooperate with nature without trying to conquer it. African practice requires observing protocol such as dress codes, providing food or gifts for a senior traditional leader, on how to greet and address a senior traditional leader when arriving and leaving the area as being of utmost important to demonstrate respect within the institution of traditional leadership. Shokane and Masoga (2018, p. 6) have thus urged social workers:

“To possess appropriate skills and knowledge, which include establishing rapport with the community, adhering to local community protocol, and observing and endeavouring to speak the language to work with the people who often follow cultural beliefs and practices.”

Furthermore, Mabvurira and Makhubele (2018) argued that these bear reference to and remain important gestures of Afrocentrism. As principal researcher, I therefore adhered to protocol and dressed appropriately (in my traditional attire) and observed the practice of

greeting and calling out praise/clan names from the gates (*ukukhuleka*) when arriving at the premises of participants as senior traditional leaders. *Ukukhuleka* is done as a sign to relay a message of humbling oneself and demonstrating respect for the senior traditional leader. I also had to ensure that I arrived before the scheduled time for every appointment with participants as it would be un-African and a sign of disrespect to arrive after the senior traditional leader had arrived. Where appointments were held at participants' homes, we were welcomed into a separate house and waited for the senior traditional leader to arrive.

It is a tradition that when visiting any homestead, it is important to be offered something to eat or water to drink as part of traditional courtesy. While I was cognisant that it was not good research practice not to accept gifts from research participants, with every visit we made to areas of SWTL, food was offered to us after conducting interviews. On two occasions, the other two participants gave us R50.00 to purchase refreshments on our way out. We could not resist any of these because refusal would be deemed disrespectful. Mkabela (2005, p. 186) echoes these actions as a reflection of “*ubuntu* which is the ground principle of the collective orientation and should guide the spiral method.” Mkabela (2005, p. 186) further asserts that “in the context of *ubuntu*, mutuality between the participants, a feeling of tolerance, hospitality and respect for others, their language, opinions, and conversational style is highly regarded.”

### **5.9.2. Confidentiality**

In this research study, I was honest with participants from the inception and revealed that information was to be collected for academic use and data would be included into a report. I also assured the participants that none of their real names would to be mentioned. This is supported by the WHO (2009, p. 42) which proposed, “a consideration to replace individual names with number codes when identifiable information is collected.” It was also mentioned to the research participants that information was to be carefully presented through coding and in such a manner that it would not be linked or could not be traced back to an individual participant.

Due to the nature of the topic and the importance on the outcome of the study that may imply that the findings are shared with relevant government authorities and the academia for



possible enhancements into interventions and relevant programmes, I also declared to the participants that the report may be disseminated widely (through publishing). As another form of ensuring confidentiality, I also ensured that the employed research assistant sign a confidentiality document in which she committed to not disclosing any information or the identity of participants in relation to the study to anyone.

### **5.9.3. Informed consent, voluntary participation, freedom of choice and expression**

According to de Vos et al. (1998), a researcher would have obtained informed consent when all information on the goal of the study, processes to be followed, advantages and possible risks that the participant may experience and the credibility of the researcher are disclosed to the participants. Before commencing with all interviews, participants were provided with enough information outlining the aims and objectives of the study, my identity and the contact details of my supervisor. Ennis and Wykes (2016) suggest that enough details must be provided within information sheets so that participants can take proper decisions about participating. Each of the research participants was given copies of the KZNCOgta permission letter, the UKZN Ethical Clearance letter, the information sheets<sup>7</sup> and informed consent letters.<sup>8</sup> The research participants were requested to sign consent forms<sup>9</sup> to indicate their agreement to participate in the study. In addition, permission was obtained from participants to be voice recorded and they were informed that the recordings would be used to produce verbatim transcripts after each interview. Voluntary participation, the right to at any time withdraw from participation and the importance of participating in the study were shared with participants. As principal researcher, I also communicated the core purpose of the study was academic in nature and there were no financial incentives for participating in the study.

Mabvurira and Makhubele (2018, p. 12) maintain that:

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<sup>7</sup> See: Annexure E1 & E2—English and isiZulu respectively.

<sup>8</sup> See: Annexure F1 & F2—English and isiZulu respectively.

<sup>9</sup> See: Annexure G1 & G2.

“For a very long time, Africans have been researched from a Western standpoint using Western methodologies, some of which do not recognise beliefs, values, traditions, mores and taboos that are central in African life.”

In terms of this research, this would imply disrespect and arrogance towards Africans that is challenged by Afrocentric and feminist research. Because the institution of traditional leadership is unique in terms of following protocol it became important for the research participants concerned in this study to be accessed through observing protocol. Matshidze (2013) notes the difficulties experienced with securing appointments with participants (*boMakhadzi*) within a study looking at the role of Makhadzi within traditional leadership in Venda. These challenges range from appointments being cancelled prior to the interview or rescheduled and sometimes even without any communication unless the researcher enquires (Matshidze, 2013). To seek entry and permission to conduct research, preparations were done through and working closely with the Traditional Affairs unit within the KZNCOgta. Through this channel of communication, requests were sent to each of the research participants directly through the secretaries of their traditional councils who facilitated the scheduling of appointments with the participants. A period of four months was allocated to the process of data collection to allow for rescheduling and suitability of appointments at a time convenient to the participants. The interviews were also conducted at their preferred venues. Gray and Allegritti (2003) suggested that the process of communication is one profound way of gaining an understanding of other’s culture. According to Idang (2015, p. 98):

“Culture...entails a totality of traits and characters that are peculiar to a people...These peculiar traits...include the people’s language, dressing, music, work, arts, religion, dancing and so on. It also goes on to include a people’s social norms, taboos and values.”

In line with the above, it was critical that the isiZulu language was used in all interviews with the research participants. Only in exceptional cases was English used during the interview sessions and this was particularly when participants initiated the use themselves.

### **5.10. Reflexivity**

Reflexivity is when the researcher recognises and examines her/his role within the research process, the assumptions they have, the identification and dis-identification and possible

influence on the research process (Durrheim, 1999). Within qualitative research, the researcher meets with participants who present their voices directly. Self-reflexivity by the researcher is therefore important because according to Tracy (2013, p. 2) it:

“Refers to the careful consideration of the ways in which researchers’ past experiences, points of view, and roles impact these same researchers’ interactions with, and interpretations of, the research scene.”

Considering alternative ways to curb incidents of violence against women have over the years become of special interest to me. Having previously worked in a centre for women abuse some years ago as a student social worker, the sharing on the types of women abuse cases participants encountered reminded me and intensified the realisation that much still needs to be done. Some cases evoked horror due to their brutality. When RP#10 shared that one woman’s case of abuse involved ‘*a woman being beaten while pregnant which forced immediate delivery and then the man took the little dead body and buried it ....*,’ I found it difficult not to react emotionally.

As an African woman, I grew up observing culture and traditional practices which are embedded in my identity. My upbringing became useful in connecting with the participants during interviews as well as with their shared experiences during data analysis. The life experiences were useful in allowing for a professional approach towards the data and acknowledging and understanding the meanings therein attached. I reflected on my role as an official working within the KZNCOgta that supports traditional leaders. Being located within the unit of Policy and Research as a researcher within KZNCOgta was an advantage in that I was familiar with conducting research among participants. But for the benefit of this study and as it is with all other studies, I conducted myself in a professional manner that is often accorded to all other studies when undertaking research among traditional leaders. To eliminate possible participants’ bias, clarity was given in each interview that the study was undertaken purely for academic purposes and that I was not representing the KZNCOgta in any way. In line with Afrocentric research methodology, I minimised my quest for seeking information for the study by allowing the research participants to also share on matters of concern without deviating from the study intentions. This approach facilitated fluency in sharing of experiences, thus allowing myself as the researcher to be used as a tool (as suggested by Reviere, 2001) for participants to unpack indigenous knowledge and wisdom.

Also, my understanding of culture and beliefs of participants as suggested by Wasunna et al. (2014), allowed participants to meaningfully contribute to the study.

### **5.11. Study limitations**

The journey of conducting this study was not without its limitations. Lune and Berg (2017, p. 17) posited that:

“We design and conduct careful, qualified research that indicates partial relationships among important social variables and which sets these relationships in a context. Other people ...tear these results out of context and claim too much for them. Then the researcher is blamed for the excesses. The moral, though, is to do careful work, note its limitations, and try not to be quoted out of context.”

Finefter-Rosenbluh (2017) also noted that while conducting research, researchers need to acknowledge and monitor their own biases, beliefs and experiences to accurately consider the views of others. Therefore, Finefter-Rosenbluh (2017) goes on to suggest that researchers must do perspective taking where they would be fully aware of their insider and outsider researcher role. It was therefore critical for me as the principal researcher to acknowledge that although careful considerations were taken, this study had its own limitations that needed to be recorded. The purpose of recording the study limitations serves to inform other researchers who may wish to replicate the study as well as giving clarity to other readers. The limitations of this study therefore were that:

- As a researcher within the KZNCogta, I was exposed to legislative expectations on the role of senior traditional leaders such as having to apprise community members on the requirements of any new laws and ensure compliance with all existing laws (KZN Traditional Leadership and Governance Act 5 of 2005). When the research participants shared their experiences, I imagined the role of senior traditional leaders was not adequately receiving focused programme support. I therefore felt a certain degree of guilt as an employee of an organisation that is tasked to support traditional leaders yet, discovering that the mandate is not adequately executed. However, under the guidance of theoretical frameworks, I positioned myself to be objective on exploring the experiences of SWTL in addressing women abuse as an issue under examination (Creswell, 2014).

- Data was translated from isiZulu to English for writing up and analysis purposes. Through translation from one language to another some original meaning may have been lost. In trying to minimise this, I used the services of a professional for the data capturing and also personally went through all transcripts repeatedly to ensure that information was well captured. I also kept a journal which assisted me recall the interview environment when participants expressed themselves. I also opted to leave some of the isiZulu words in their original presentation during write-up.

### **5.12. Chapter Summary**

This chapter presented the methodological approach for the study. It reflects a journey that highlighted the importance of embracing the uniqueness of the research participants and respecting their views when undertaking research studies. The chapter presented the important synergy existing between Afrocentric and qualitative research in relation to how the context dictated. The data collection process, analysis and important ethical observations were outlined. The chapter also presented the limitations of the study.

In the following Section IV: Analysis and Interpretation of the Findings, I present the findings of the study. It comprises chapters six, seven and eight. Chapter six focuses on the biographical profiles, the types of abuse cases and intervention methods applied by each of the research participants to address women abuse. Chapters seven and eight continues to present and interpret the information shared by the research participants.

**SECTION IV**  
**ANALYSIS AND INTERPRETATION OF THE FINDINGS**

## **CHAPTER SIX**

### **BIOGRAPHICAL PROFILES, TYPES OF ABUSE CASES AND METHODS OF ADDRESSING WOMEN ABUSE**

#### **6.1. Introduction**

This study employed thematic analysis to understand the experiences of SWTL when addressing women abuse. The Afrocentric and Nego-feminist frameworks were used as the theoretical lens to conceptualise the study. Section three presented literature indicating, women abuse as a challenge still requiring more attention to address the socio-economic and cultural obstacles relating to it. Section four presents chapters six, seven and eight, which provide the presentation and interpretation of the study findings. The analysis of data yielded four main themes:

- i. A synthesised approach to address the scourge of women abuse;
- ii. Multi-layered challenges;
- iii. Afrocentric and Nego-feminist support networks;
- iv. Aligned and proactive interventions.

Under each of these main themes, relevant sub-themes will be discussed.

Chapter six serves as the initial chapter for presenting the findings and focuses particularly on the biographical information of participants and the types of abuse cases that participants in the study have encountered. The chapter also presents findings relating to the first theme of synthesised approach.

#### **6.2. Biographic data of the research participants**

Data was collected in 2016/2017 from 21 SWTL in KZN.

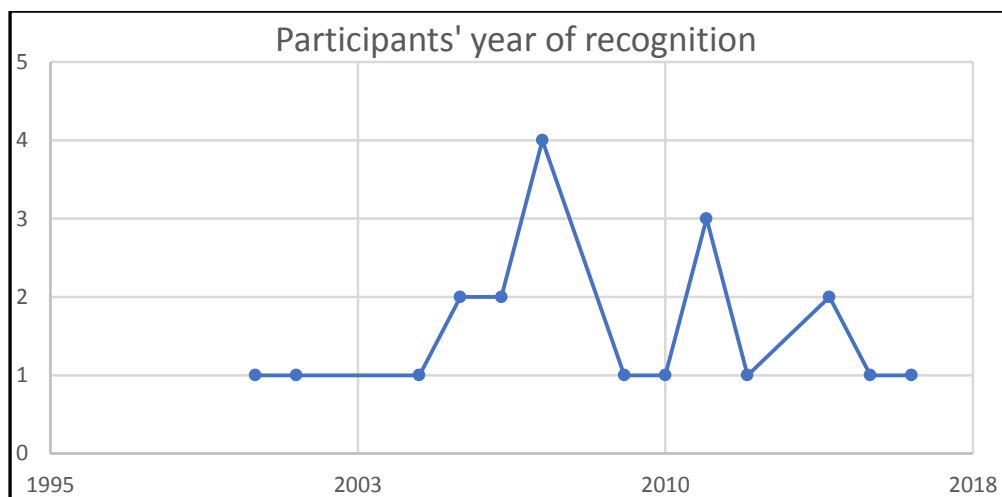
Table 6.1. Biographical profile of the research participants

Research participant number	Age	Highest level of education	Year of appointment	Number of years in position since last recognised	Age appointed to the position
RP#01	34	Std 10	2010	8	26
RP#02	37	Std 10	2011	7	30
RP#03	37	Std 10	2014	4	33
RP#04	38	Std 2	2005	13	25
RP#05	40	Std 10	2007	11	29
RP#06	40	B-Education	2014	4	36
RP#07	41	B-Education	2004	14	27
RP#08	43	Std 5	2003	15	28
RP#09	43	Std 8	2006	12	31
RP#10	45	B-Admin	2015	3	42
RP#11	45	BSocSci	2015	3	42
RP#12	46	Std 8	2007	11	35
RP#13	49	Std 2	2001	17	32
RP#14	49	Std 10	2006	12	37
RP#15	54	Std 2	2007	11	43
RP#16	55	Std 10	2012	6	49
RP#17	56	Std 10	2007	11	45
RP#18	59	Std 6	2000	18	41
RP#19	60	B-Education	2009	9	51
RP#20	60	B-Management	2014	4	56
RP#21	64	Std 6	2011	7	57

Table 6.1 presents the biographical profile of the research participants. The biographical data includes categories of age, highest levels of education, years of appointment, the number of years in their position and the participants ages when first appointment to the position.

The age, educational qualifications and the duration that SWTL have served within their positions are three important variables to consider for the purposes of this study. Four (19%) of the 21 research participants were aged between 30-39 years; while 10 (47.6%) were aged between 40-49 years and another four (19%) were aged between 50-59 years. Lastly, three (14.3%) research participants were aged between 60-69 years. The research participants were recognised as senior traditional leaders from the year 2000.





**Figure 6.1. Research participants' year of recognition**

As reflected in Figure 6.1 more females were recognised as senior traditional leaders in 2007 as compared to other years. The longest number of years that the research participants had been occupying the positions ranged from 11-18 years. The number of years in the position affirms the experience and exposure that SWTL had in addressing women abuse within their respective rural communities. Most of the research participants (16/85%) ascended to the throne following the death of their husbands and were holding the throne for their sons.

Thirteen (13/61.9%) of the research participants had completed secondary school and had attained a matriculation pass. Six (6/28.6%) of the participants possessed tertiary qualifications in teaching, development studies, human resources, and leadership and management studies. Finally, four (4/19%) of the research participants had secondary school education while four (4/19%) had primary school education as their highest qualification. Four of the research participants (RP#14, RP#10, RP#06 and RP#01) as presented in the narratives below had worked within a counselling environment, crime investigations, municipal councillor and the healthcare industry respectively. Their previous working exposures must also be acknowledged as they contributed towards how participants became involved in and addressed women abuse. Participants said:

*RP#14: Luckily, I got this position while I was doing counselling at the police station. I initiated an office there called Crisis Centre... where I was taking care of people who are abused. So, I found it easy to work because before I was already counselling about domestic violence and all other problems.*

*RP#10: I've worked a bit in investigations. I know about cases.*

*RP#06: So, I used to have cases that I came across pertaining to children, I would call a parent and when it is a mother, I would find out the mother is also abused in her own way. Then I would have to try and come up with a solution. From there I became a municipal councillor. I was a full-time councillor for fifteen years and was lucky that there used to be training done by the justice department on handling domestic violence...and ways of resolving it.*

*RP#01: I used to work as a health worker and visit families, others would disclose their problems. They trusted me, and some would even say it was the first time they shared information and the person they shared with did not go around talking about their issues.*

The above extracts revealed the need for therapy, confidentiality, privacy and deeper investigation when dealing with cases of women abuse. Combined with previous work experiences, education and the senior traditional leadership positions afforded participants a more comprehensive perspective and deeper engagements with abused women. This revealed that the research participants were informed about the plight of women abuse and therefore possessed confidence as they addressed the issues. For instance, in her previous position, RP#14 initiated and managed a crisis centre for several years. Therefore, participants' lived experiences have coherently added to their confidence when working intimately with abused women. Below is a presentation on the types of women abuse cases encountered by participants.

### **6.3. The complex nature of abuse cases addressed by Senior Women Traditional Leaders**

Each of the research participants in the study stated that since their recognition in the position, they had dealt with various types of women abuse cases that were similar but yet uniquely experienced by women. Consistent with the DVA, such cases possessed elements of physical, sexual, emotional, verbal, psychological and economic abuse, harassment and entry into survivors' places of residence without consent, and other controlling or abusive

behaviours towards survivors. The following extracts reveal the complexity of the types of abuse cases encountered:

*RP#07: You find that a married woman's husband passes away...then she gets abused by the family. Consider that she had been abused by her husband, and he is no more, she gets even more abused...like with fights over the will.*

*RP#16: Some problems that we encounter are when ilobolo is paid for the wife to be and the in-laws, ask her to come stay at their place.... they need her to stay because their mother is sick, and alone. You find that while living there, she is not yet married. She gets abused and then realises it is not desirable to get married there.*

*RP#10: The man may already have another woman staying with him and for whom ilobolo may have been paid but not necessarily that they're married. So, when there is a girlfriend in the picture, he kicks out the woman.... There are children.... that's another kind of abuse where a woman becomes homeless.*

In addition to qualifying the types of abuse as identified by DVA, the above extracts highlight abuse that assumes the nature of being inter-generational, within marriage, denying women their rights to property ownership and subjecting them to betrayal. In the case of RP#07, the abuse extends from the time the husband was alive and further sustained by his family following his death. This bears the implication that finding closure from abuse scars remained an uncertain reality to the survivor. Culture, traditional beliefs and hegemonic patriarchal power differentials are particularly noticeable.

In the case of widowhood, there is ignorance and the undermining of the woman's rights as she experiences abuse. Such results validate the findings of Idialu (2012) identifying that following the death of their husbands, women were further abused. The circumstances become fertile ground to further perpetuate abuse because the late-husband's family makes cultural claims over his possessions. Dube (2017) arrived at similar findings in Zimbabwe where family members economically rely on the well-off family member and upon his death; they deny the widow his property for their benefit. The foundations of Afrocentrism would

disagree with the abuse of women following the death of their husbands because communal connectedness extends beyond the living, to the ancestors, the living dead and those yet to be born (Mabvurira and Makhubele, 2018).

Important to note in the responses of RP#16 and RP#10 is their concerns over marriage and *ilobolo* connectedness to the nature of abuse cases addressed. In both these extract, other processes alongside *ilobolo* have not been engaged with and therefore the payment of *ilobolo* alone fails to validate cohabiting. Although the process of *ilobolo* has been initiated, it has not been concluded to qualify their partnering as a recognised and accepted marriage. In both cases, traditional processes are by-passed to feed or suit circumstances. The actions here support the view of Chireshe (2015) about the abuse of *ilobolo* where women are perceived owned as mere chattels or personal goods by their husbands and their families. In the case of RP#10, there is the presence of a third party (an extra marital affair) adding further abuse where husband “*kicks out the woman*” and rendering her homeless. This links well with the findings of Chireshe (2015) that extramarital affairs expose women to economic abuse since girlfriends begin to also benefit financially. Any form of cultural intervention in these cases would pose a challenge within the institution of traditional leadership given that marriage is not only the payment of *ilobolo*, but other processes such as *umkhehlo* and *umbondo* as mentioned by Zibani (2002) which must ensue for it to be complete. Apart from forbidding staying together before all processes are finalised, the involvement of a third-party interrupts and deems an unsuccessful conclusion of the process. This stands to bear ramifications for the extended families from both sides, as ancestors have not been united. These two scenarios validate women’s vulnerability and are revealing of the challenges that surround the institution of traditional leadership where distortions and manipulations of African practices can often lead to influence perceptions that may declare them as oppressive when viewed by outsiders who may fail to consider and understand the true context.

For cases illustrated by RP#10 and RP#16, the prospects of love and union of two people are therefore not benefiting women but men and/or their families and are thus less truthful and unfair. These findings are echoed by Dolamo (2013, p. 4) that religion and culture have the possibility of being misused to; “legitimise oppressive decisions and actions.” Concerning RP#16, culture has been used to manipulate the woman who is brought into the man’s life to

take care of his mother as, “*they need her to stay because their mother is sick, and no one is there.*” These actions reject *ubuntu* because its personality traits identified as, “integrity, responsibility, trustworthiness, commitment, selflessness, truthfulness, loyalty and discipline, love, tolerance and sharing” (Uzodike, 2011, p. 37) are not central to mutual existence. The actions are not true and original to the African milieu demanded by Afrocentrism and fulfil the warning shared by Sesanti (2016) that the good intentions of a cultural practice can be misused to serve selfish desires of certain individuals.

The extension of abuse to the children is also questionable, particularly if their mother is expected to leave the conjugal home. It links to a possibility of them suffering the consequences of abuse experienced by their mother. As she is subjected to a state of homelessness, they too stand to suffer the same because often mothers take leading role as primary caregivers. Very often, abuse is not confined to women only, but to their children who often witness the unfolding of abuse on their mothers. The study by Hanson (2011) concurs that because most abused women have children, when they are being abused; their children are also likely to be exposed to the abuse, hurt or are abused in some way.

Another abuse case was illustrated by RP#11:

*RP#11: You find a sensitive situation where someone was raped. I have a father who was sleeping with his children, three girls, and got them pregnant. It became difficult to talk to the mother because she believed that her husband was the head of the house and a source of income...she believed that if we say her husband must be arrested, her life will be over.*

When the research participant tries to deconstruct the meaning of the types of abuse encountered by women, the concomitant reality of the privileges that men in their lives exercise over women becomes particularly evident. This case particularly highlights the depth of male privilege gruesomely extended and sacrificed upon his offspring to maintain power. These results are similar to those of Nainar (2011, p. 2) who discovered that even in cases that involved fathers raping their children or uncles raping their nieces, women survivors went to the extent of declining to take legal action and/or receiving protection or

security services as they feared, “losing children, family, husband and sense of family.” When asked how she handled the situation, RP#11 said:

*RP#11: So, you find yourself having to even balance on how things were handled traditionally as things have changed. If the case needs to go to the police, you get somebody from the police. Beyond the fact that she must go to the charge office to open a case; you must try and get hold of someone who will deal with the issue on a personal level, on a one-on-one basis.*

This extract indicates that priority is given to the nature of the case where police are involved. The research participant ensured that the rights of the child as enshrined within the South African Constitution as well as prioritised through the Children’s Act No. 38 of 2005 (as amended) are protected. Under such circumstances RP#11 is cognisant that the case requires legal intervention, hence she ensured that it gets to be reported and that a case docket is opened.

Actions taken by the man are validated by Baloyi (2016, p. 7) that “patriarchal systems and structures ensure that sex, amongst other things, is used to dominate and reduce the status of women.” What is critical to realise in the above case is the endurance of pain and suffering that women carry as their plight as well as living under horrendous circumstances. While she had been able to live with the pain and the experience of multiple types of abuse, the findings also suggest that she moulded her girl children to also bear the brunt of keeping silent and to endure the sexual abuse as well. This is supported by her strong belief in her husband being the head of the household and a source of income, thereby maintaining a deeply entrenched suffering where she sees her life ending should the husband be jailed.

The finding is validated by the United Nations (2015)’s report that because women are financially dependent on their men, they become more vulnerable to financial hardship, domestic violence, and sexual abuse (such as the above rape of her children). Abuse is unacceptable within the Afrocentric paradigm where African men are assumed to be responsible for protecting at all personal cost, the wellbeing of their families. As Kyalo (2012) argued, when an African man marries, he secures the right to protect and feed his woman and children just as he would his own mother. This means that a woman being

married occupies a special place equals to that of a man's mother and is therefore afforded all the attended benefits, including respect, care and protection. But in the above narrative, the man fails to fulfil such an expectation as an African man.

The effects of abuse on children are again discovered by RP#10 who elaborated on another case where:

*RP#10: A man demanded to take her wife back after she had left him. It was only evident later at the traditional court that the man was abusing and hitting her. Everyone else had been trying to convince her that he would change and so on. At the traditional court, she disclosed that she was once beaten while pregnant to an extent that she delivered the baby. The man took the dead body of the baby and buried it.*

From this narrative, the implications of hegemonic masculinity on the last rights of the child, once again renders a woman inconsequential as the husband exercises his power over decisions making (Partab, 2011). This provides evidence of how the headship, which is also noted by RP#11, can be construed as control and power. It however deviates from the principles of *ubuntu* that charge parents with child-rearing and individuals to embrace caring for others and where empowering replaces self-power (Hugman, 2013). The man is therefore forcing an individual decision rather than a collaborative decision between himself and his wife. This is against the inclusiveness and tolerance aspects of *ubuntu* reflected by Nussbaum (2003) and which are aligned to Afrocentricity. The finding rejects Afrocentric priorities of collaborative existence of individuals within a collective and not in isolation as highlighted by (Schiele, 1997). The finding would also be rejected by Nego-feminist which advocates for men and women to complete each other as one and strive for compromise (Nnaemeka, 2003). The case therefore undermines African agency, which holds in high regard respect for human life even beyond the grave.

A two-fold silence of abuse is also noted in RP#10 narrative as it is only within the boundaries of the traditional court that the length, depth, form and type of abuse endured by the survivor is disclosed. First, she (the survivor) kept silent and endured the level of brutality she suffered even while pregnant. However, in relation to Nego-feminism, her

ultimate action relates to an African woman interpreted by Ibeku (2015) who endures maltreatment by her husband and becomes quiet and obedient; nevertheless, at a time known to her and probably unexpected by others, she reacts. The survivor's reaction in RP#10 comes at a time when others least expected, having known how much she has had to put up with, but is prompted by violent circumstances to react towards gaining her freedom. The gravity of the situation was exacerbated as she was physically abused while pregnant. Similar findings of abuse during pregnancy emerged in many other studies such as Leneghan, Sinclair and Gillen (2015) and Babu and Kar (2012). The finding is also consistent with WHO (2011)'s warning and concern over abusive male partners targeting women's abdomen when physically abusing them during pregnancy to hurt them and their unborn children.

The second silence is kept by everyone who knew that she was being abused but rather convinced her over time of the potential that her husband may change. Here again the societal dictates offered that a man should be given a chance to change and deal with his ego and masculine intolerance. This is confirmed by Partab (2011) that violence and construction of masculinity is often contradictory and complex and that there is control and power in masculinity. Moreover, the findings also support the observation by Chitashvili et al. (2010) that special conditions set by the society surrounding survivors of women abuse (be they family, kinship or social norms and values) make them prisoners given that such conditions are shared by the majority.

The narrative below, presents the occasion of male children chasing their stepmother away and thereby paving a way for their biological mother to return:

*RP#10: You may find a woman may have been married to a man who already had his own children. Then the man passes away and the male kids remain, and abuse her. They kick her out of the home. Although she has the right to be there because of her husband, they want to get their biological mother to the home.*

This incident teases out the gendered dictates of male power argued by Partab (2011). Clearly, the cultural family dynamics are centre stage and reveal homestead issues and complications around succession planning. Partab (2011) also noted the hegemony of males



inferred when male children exercise more rights over women. Familusi (2012, p. 301) also concurs that, “no matter how young a male child is, he is superior to female children” and women and their age mean nothing. Her being old means nothing to the children as they kick her out. She is also subjected to disrespect and humiliation by the children she could easily assume her own by virtue of their father having been her husband. The actions taken by children in this finding suggest learnt abusive behaviour that is normal as they wish for their mother to come back to the house. This observation is consistent with the assertion of Woollett and Thomson (2016, p. 1069) that from a young age, children watch, learn and imitate parents/caregivers behaviour and unfortunately in this regard they have learnt behaviour that is abusive towards their father’s widow. Two aspects of this case remain to be interrogated:

- Culture (what happened in the marriage of the first woman that led to her being kicked out from the house that gets to be occupied by the second wife).
- Hegemony (within the male domination, how far has culture been disrespected where the man singularly decides to chase the first woman out with her children. This is done without bothering to find alternative accommodation as culture demands that when a man marries another woman, he needs to establish a new homestead for the new woman).

Considered in the case below, is the portrayal of a woman having no say over her body and the husband availing himself of sexual intercourse with her as and when he wished:

*RP#13: Another man hit a woman... when I asked him of the reason... he simply said it was because she did not want to sleep with him... while she said she was just tired. She also shared that she got irritated by her man but wasn't sure what caused it.*

The finding concurs with Baloyi (2008, p. 1) argument that there are “men who see women as their subjects to an extent that they still humiliate and abuse them.” While the South African law currently designates the above act as rape, this is an enormous site of contestation given the assumed rights of men as opposed to women. Evidence points to the entitlement by men outside and within marriage as RP#13 reports the simplicity in the man’s response in wanting

to secure his sexual desires. This lays the groundwork to ask critical questions on negotiating the rights of women to say no and again investigate the roles and responsibilities on the when, how and the frequency of such dialogues within the confines of societal perceptions of women. This can be clearly seen in the following extract:

*RP#06: A recent incident that has just happened is of a girl who left the tavern accompanied by a certain man. On their way this man raped the girl. He stabbed her vagina and pour alcohol they were drinking on the way into it. She was taken to hospital and luckily, they were able to find the culprit and arrest him. He was a known and wanted criminal.*

To address the above case, RP#06 further indicated that:

*RP#06: You know in such cases that it's the responsibility of the police. It must be dealt with by law enforcement and the courts. But such was a case that came to a point where I took members of the community and went to court. We were there to voice our anger that as the community we did not want that criminal to be released into the community.*

In the process of intervening in such a brutal case and whereas the case was taken over by the police and courts, the participant indicated the extent where she made efforts at mobilising the community to rally behind the survivor to ensure that the perpetrator was not released from custody. Furthermore, the perpetrator is classified as being a danger to the community, hence the plea not to be released back into the community. The participant's actions are echoed by Tshitangoni and Francis (2017) who argued that when local people have been consulted, and consensus is reached that a harmful member of the community must no longer be part of the community; the traditional leader is then able to expel that member. In this case however, RP#06 exercises her powers within the ambit of the law not to expel, but rather utilise the voice of the community to appeal to the court not to release the perpetrator.

The case of RP#06 above not only attests to the aggravated rape of women that is pervasive in South Africa, but also to the controlled movements of women constricted within South Africa's unsafe environment. This finding coincides with the findings of Watt et al. (2015) that point to the forced-sex vulnerability of alcohol consuming women who attend alcohol-

serving venues in their communities. Rendered in the above narrative therefore is the confirmation for the non-guaranteed safety of women as the scenario dictates that she is unsafe to leave the tavern alone and unsafe when she is accompanied by a male person. Far worse, she stands trial for aggravated assault (stabbing) while being dehumanised (alcohol in vagina) through the ordeal. Naidoo (2013, p. 210) also found that among other things, rape survivors were, “often physically assaulted, with resultant head injuries, fractures, drug intoxication [and] penetrating organ injuries.” The above case’s brutality bears similarity to the 2013 murder of 17-year-old Anene Booysen who was gang raped, disembowelled and left for dead in Bredasdorp, a small town in the Western Cape, leading to a country-wide outcry as the case featured prominently in the press (Gouws, 2018). Clearly, from this narrative, the perpetrator is a criminal which also reveals the level of repeated criminality in the South African context. The finding reveals that rape is viewed as a woman’s issue by many and enjoys a disappointing lack of political will to practically implement law changes (Clarke, 2015). Also, the finding highlights that it does not matter where, when and with whom women are or the status they occupy within the community, they are seasoned with vulnerability. The following narratives further illustrate this finding:

*RP#12: In this particular area of ours especially, there are high incidences of rape... a girl was once raped; they broke into her house, when the mother and the elders were known to have gone to a church service.*

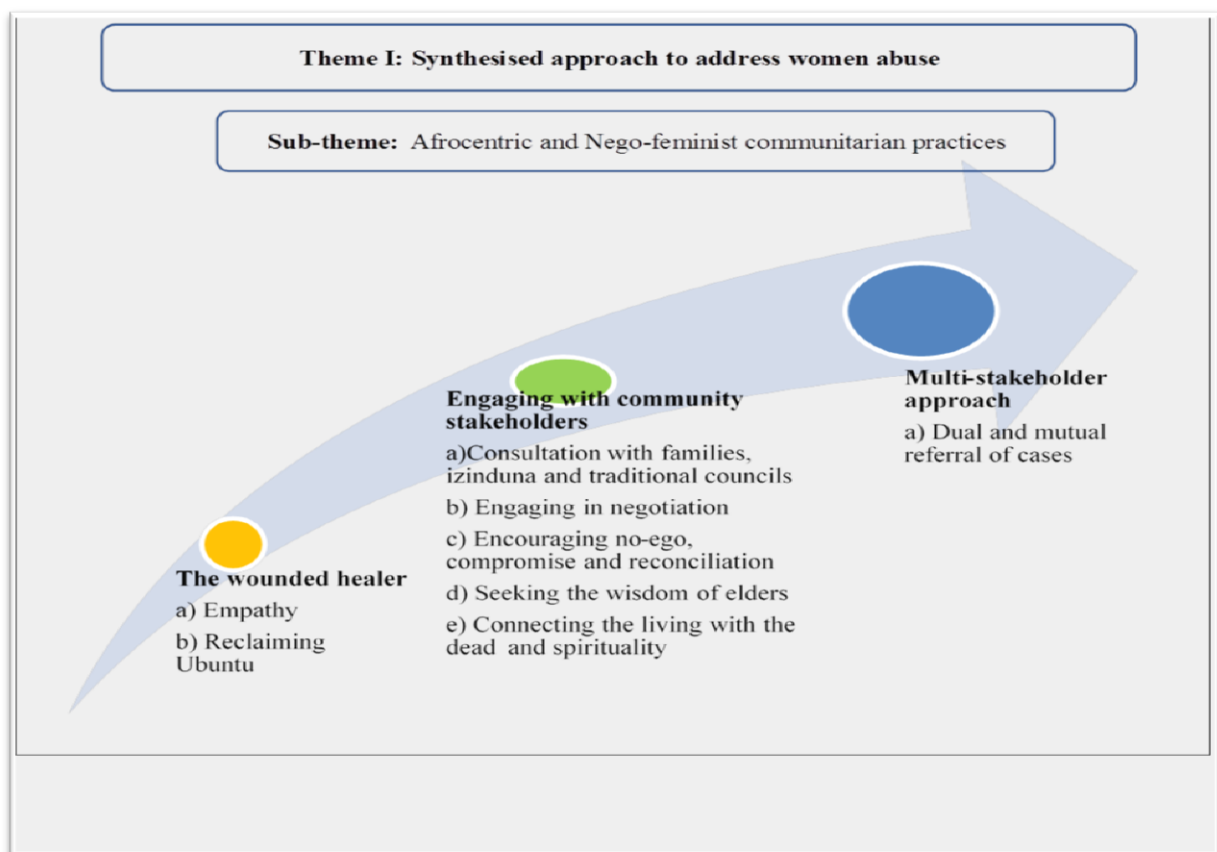
*RP#08: What was very common over here was rape. I just can’t remember which year it was, where a female elder in one of the villages was raped by a young man. That was quite a big case that really frightened the village, for such a female elder to be raped by a young man to the extent of hurting her. She eventually passed away.*

In the above extracts, rape takes place within the confines of women’s own homes and the level of safety whether inside or outside the home is not guaranteed. It is consistent with the assertions of Sibanda-Moyo et al. (2017) that the brutality and violent crimes against women in South Africa sends a particularly strong message to women and children that their safety—whether in public or in private spaces—does not exist. In addition, the level of criminality that is premeditated in both narratives once again asserts the insecurity and vulnerability of

women. As a result, Sibanda-Moyo et al. (2017) reported that the crime of rape in South Africa is prevalent among infant children to women as old as 86 years. This is contrary to African practice where the young are responsible for looking after the elderly within families (Mugumbate and Nyanguru, 2013).

#### 6.4. Theme I: A Synthesised approach to address women abuse

In their recent study, Shokane and Masoga (2018) found that rural communities would report incidents of women abuse and seek intervention from either a religious or traditional leader in line with their beliefs and culture. This study observed that cases of women abuse were brought to the attention of SWTL. When interrogated about their perceptions on the extent to which traditional leaders get involved in addressing women abuse, the synthesised approach adopted by SWTL emerged as a theme from the responses offered by the research participants.



**Figure 6.2. Schematic representation of synthesised approach theme**

Figure 6.2 presents a schematic view of the theme, which led to communitarian practices as a sub-theme. Both the theme and sub-theme are discussed in a hierarchical manner where women abuse is addressed from the personal perspective of the wounded healer, and then follows the process of engaging community members and external stakeholders.

#### **6.4.1. The wounded healer**

##### **6.4.1.1. Empathy**

Senior women traditional leaders in this study attested to how they themselves also experienced abuse within their families and communities. With them occupying this position of power, they draw from their own experiences of abuse and how they had overcome such. Thus, SWTL empathise with women who experience abuse. RP#06, RP#16 and RP#20, remarked:

*RP#06: Women abuse is something that is happening and sometimes it's difficult to avoid it. I wish to start with me and say that I also experienced it as an Inkosi.*

*RP#16: Because you've been there.... you don't just talk... it is because you have an experience that a woman can get past by it.*

*RP#20: I know through my experiences as well because I have been in such situations.*

The above extracts fit the definition of wounded healer proposed by Zerubavel and Wright (2012, p. 482) that the “wounded healer is an archetype that suggests that a healer’s own wounds can carry curative power for clients.” Having been there and talking from experience suggest that SWTL do not just address cases of women abuse to find quick solutions. Having experiences like help-seekers, wounded healers have, “a greater capacity for empathy with clients” (Hester, 2014, p. 27). The actions of participants are dense with deep-rooted sense of commitment and understanding of other women’s plight. Talking to women who are abused does not just become a talk, but the empathy comes from a place of knowing ‘*because you have been there*’ in the words of RP#16. This identifies that in drawing from their experiences, from a healer’s own wounds (Zerubavel and Wright, 2012) SWTL can transfer

healing to other women. Although they occupy senior positions in their communities, the research participants were able to humble themselves to identify with the experiences of other women and therefore give hope of overcoming challenges to survivors.

Another layer of abuse is uncovered by RP#17:

*RP#17: If I see a young woman wearing inzila (black clothes worn when loved ones passed on) it comes back that I also dressed like that while I was still young. I would know the woman is facing a problem and is still to pass the stages I went through... like not being accepted in the family... The family would come and want to take everything that was left by the husband... When I speak to her [the abused woman], she would be crying saying, 'you know they have taken all the cattle'... tell me what will happen to you when you know such a pain.*

RP#17 also mentioned the contested reality encountered by women during mourning, especially from disingenuous family members where culture maybe manipulated to advance their interests. The above is also an illustration of how heavy a yoke abuse can be on women who tend to lose everything they had once their husbands die. The above findings resonate with the perspectives of Idialu (2012) and Dube (2017) around dispossession and the treatment of widows. The research participants can empathise since they themselves have encountered similar experiences. This is an indication of women existing within troubled spaces where the implications of abuse require of them to advance principles of Nego-feminism while acknowledging the hegemony of masculinity. The deep rootedness of family that is advocated by Afrocentrism is suggested but, in this case, it works contrary to the wellbeing of the survivor. This is because family members are now becoming the point of contestation and trouble, instead of offering support and care during the trying times. RP#02 added that:

*RP#02: You look at things from a perspective of being a woman and say 'I am a woman and know what I have gone through as I am here'. So, what has happened to me could happen to another woman. Like when an abused*

*woman comes here and report that she argued with her partner. I take these problems as mine and look at where it began.*

From the above extract, it is noticeable that there is no detachment of self as a SWTL from the experiences of other women. Senior women traditional leaders therefore demonstrated their ability to empathise with abused women as not only survivors of abuse, but also based on knowing how difficult it was to be in a similar position. Hence in applying empathy, matters are looked at from a position of being a woman.

#### **6.4.1.2. Reclaiming Ubuntu**

When women experience abuse, they become vulnerable. One or more acts of abuse immediately set opportunistic avenues for unbearable consequences; hence care becomes extremely pivotal to women. Care is one other principle of *ubuntu* (Isike and Uzodike, 2011). According to Bozalek (2016), care includes moral elements of attentiveness, responsibility, competence, responsiveness and trust. Garnered from the extracts of RP#05, RP#09 and RP#12 below, as well as urgency picked from the responses of RP#06, RP#07, RP#08, RP#10 and RP#11 in other narratives, it can be established that the research participants respond immediately to the initial states of desperation presented by abused women through care provision. RP#05, RP#09 and RP#12 said:

*RP#05: She gets assistance, to the extent that if there is no other way, you keep her at your home, until you get a solution. Sometimes that is what I do to make sure a woman is safe.*

*RP#09: In cases of rape, they are of course vulnerable in those situations. But then you try and comfort them, for them not to be scared. We assure them that the perpetrator won't be near them, that social workers and medical care would be available.*

*RP#12: When a woman comes crying, naked, I become quick in attending to her. Just as she comes, she is trusting and is hurting. I am supposed to put on gloves and rush to her, get something and quickly cover her up. I call the*

*police after I have done that...I have done that to those that had been raped, as they come crying and running to komkhulu [the royal].*

Shokane and Masoga (2018) also found in their study that care provision for one another at the community level emphasised *ubuntu*. Beyond the immediate response and provision of care, the responses of RP#10 and RP#16 below provide examples of how harrowing some cases are and therefore require their intervention to focus more on the trajectory of healing:

*RP#10: You're shocked as to how a man can hit a woman so badly, she then delivers a baby, and then takes that infant and buries it like a dead puppy. So, I encouraged her to go for counselling and for her to re-visit that place to get closure instead of that haunting her.*

*RP#16: The woman is distraught. You must help her as to how she overcomes this issue. So, you console her however you can.*

The role of RP#10 and RP#16 above needs to be acknowledged as comforting, caring and offering solace and strength to distressed women. Realising the need for the abused women to receive counselling to be able to deal with deep levelled abuse, participants also encouraged survivors to go for counselling.

Below are examples from the research participants on how being a woman *Inkosi* locates them in an advantageous position to confidentially manage the situation:

*RP#14: Sometimes you realise that the availability of women Amakhosi is good because they can handle situations around women abuse.*

*RP#10: There are women who are comfortable now that there is a female Inkosi... that they can confide in me. They want me in an office where it is the two of us to be able confide personal issue... Initially, the Induna refused for people to see me but I made him understand that women won't be comfortable speaking to him [as a man] but they'll feel comfortable with me.*

In the above comment by RP#10, as much as protocol is often observed within the institution of traditional leadership, the research participant concentrates on comfort and preferences of



the women. The SWTL asserts her caring role as well as the need for survivors to gain free access to benefit from her role. This finding concurs with Bauer (2016) that when women are in senior leadership positions, they represent the interests of women. Furthermore, it suggests that by the research participants being in senior traditional leadership positions, it becomes a great opportunity for women to be able to confide on abuse issues that they might have been unable to share with male traditional leaders.

As with RP#10, RP#06 and RP#04 also presented the preferences of women in such circumstances:

*RP#06: For women to feel comfortable, they should have people they can talk to... That is because it used to be difficult to speak to a male Inkosi about a private matter. That is why a woman would sometimes take matters outside court. She would be avoiding talking about an embarrassing matter with a man.*

*RP#04: Izinduna are men and this makes it hard for a woman having a problem with her husband to report to another man... it is better to another woman. If there is a child or granny who is raped, it is not easy to talk with a man... another woman is preferred...they are able to talk to me and I help them. Even though I do not have enough resources, but I try to help them.*

Acknowledging that the institution of traditional leadership is male-dominated even within positions of *Izinduna*, RP#06 and RP#04 mentioned the need for abused women to relate in confidence and feel at ease when reporting abuse. Against the warning made by Rich and Seffrin (2013) of experiencing secondary victimisation when women report abuse, same-gendered comfort is facilitated and preferred by SWTL on behalf of abused women.

The following research participant specified the benefits of having the expertise of a female traditional leader in other circumstances, so that she may, ‘*deal with female issues*’:

*RP#10: Before, you may find a case not being accepted by a male Inkosi. He may not get involved because the case may be around female issues... But since I am a female Inkosi... I am able to pick up information about the abuse.*

*I am able to advise the other party that they are breaking the law.... If it were a male Inkosi; they wouldn't have been able to pick that up.*

According to Shumba and Lubombo (2017), in African society, it is a taboo for women to speak about men's issues as much as it is for men to speak about women's issues. This suggests that there are many abuse cases that may not be appropriately addressed simply because culturally it is not suitable to speak about such issues. Senior women traditional leaders are therefore able to fill this gap and offer safe space for women abuse matters to gain the attention they deserve. Their space is also solidified as they navigate around this cultural dictate.

The care that is extended by SWTL is outlined by RP#09 as she shares how she prioritised issues of abuse:

*RP#09: I would send an apology at a meeting attended with other Amakhosi when something in one of my areas is urgently reported.... I come back to attend to it. I care very much to help people.*

The above extract outlines the determination of SWTL when prioritising issues related to the abuse of women. Their response is immediate especially within the rural context of KZN where the services of healthcare professionals such as social workers are constantly under strain. Evidence suggests that SWTL provide care when addressing women abuse. They are attentive to the individual needs and vulnerabilities that abused women are exposed to and by drawing from their own experience, they can empathise with survivors. An Afrocentric stance ensures such actions, because provision of care and empathy are important roles of "showing softness to society, joy and motherly care, remembering everyone, and being not autocratic and corruption free" (Isike and Uzodike, 2011, p. 54) that women introduce whenever they occupy leadership positions. These are traits commonly found within the social work profession.

#### **6.4.2. Engaging with community stakeholders**

According to Bukari (2013, p. 90), within Afrocentric conflict resolution practices; "indigenous methods are holistic and consensus-based and often involve the participation of

all parties as well as the entire community.” The ability of SWTL to tease out communitarian practices became noticeable in this study and ensured that all alternatives were explored in order to adequately address women abuse. By acknowledging and embracing the need of community cooperation in resolving women abuse, the implications are that the research participants aimed for the truth towards yielding satisfactory results for the benefit of all. This even went to the extent of involving perpetrators who were given opportunities to be heard in the process of addressing women abuse. This strategy shares a synergy of Negotiated feminism, which calls for a negotiated space for resolving conflict.

#### **6.4.2.1. Consultation with families, izinduna and traditional councils**

Consultation, respect and communal living serve as foundational cultural values that over the years, traditional communities have observed and are therefore supported by Afrocentrism. Mathebane and Sekudu (2018) noticed in their analysis, that culture has long been prioritised in addressing social problem within African societies. The ethos of consultation was evident within the decisions taken by research participants when addressing women abuse in this study. Decisions were often made in consultation with families of survivors, *Izinduna* and traditional councils, which were the key decision-making forums in the community. According to Ademowo (2015), these are “third parties” within the African conflict mediation method who ensure that beyond conflict, there is peaceful compensation.

A critique of the DVA conducted by Moodaliyar (2000) stated that the DVA does not consider mediation and therefore implies that an amicable relationship between the parties is not restored. However, in this study, it is clear that mediation is often used as one of the African indigenous interventions aimed at addressing women abuse as a social problem. Consequently, this highlights the gap as the DVA fails to acknowledge the long-serving institution of traditional leadership, which has over the years been a defining factor for many Africans and has used mediation to resolve conflict. Despite the non-consideration of mediation within the DVA, it is important to note that social workers employ mediation as one of the skills applied during conflict resolution. For example, Steyn (2015) claimed that social workers use mediation to provide families with welfare services. This finding suggests that similarities do exist between social work and African approaches utilised by SWTL. As noted by Rwomire and Raditlhokwa (1996, p. 6), in the past, African families took the lead to

attend to the welfare of family members and therefore, “laid the foundation for modern social welfare” because, “over time, the nation State has gradually assumed a greater role as the principal source of social provision.” However, it is clear that not all is lost to the State as SWTL continue to facilitate consultative sessions with individuals (survivors and perpetrators) and their families to mediate cases of women abuse. The following extracts capture such consultations:

*RP#16: You start by listening to the story. Then you must call upon the family and ask them to sit down together and talk.*

*RP#05: Most solutions depend on families... if you are connecting families even if there is anger, it becomes better because communication helps. You call the families to ensure that if they meet on the street one day, the conflict will not continue... Families come as witnesses.*

The findings of this study echo those of Ademowo (2015) that the extended family has long been in the lead to resolve and manage conflict in African societies. Also, in the African tradition, before a marriage is considered, there needs to be consultation between the two families so that when there are marital problems, consultations can be employed. The African union of two people is not individualistic but is extended to every family member in their lives, the ancestors and the community. Shokane and Masoga (2018) support that family togetherness is facilitated by the belief that individuals do not get married to one another, but to their entire families which is why divorce is a challenge within African indigenous marriages. Marrying the entire family means embracing everyone within the two families brought together by the couple getting married. The responsibility of marriage is also extended to community members. In the narrative by RP#16 above, it is suggestive that listening is pivotal as it provides clarity to the extent to which the family has been involved towards resolving the matter and reaching some form of finality. In the extract of RP#05, families also bear witness to the court findings so that when the offence is repeated, they would be aware of how matters initially unfolded and what solutions surfaced.

When questioned about what takes place if the survivor does not have family members to represent her, the following research participants responded in the following ways:

*RP#05: If someone does not have a mother or father, an Induna stands in for them. There are those who do not have family members but ngesintu (traditionally) there is no one who does not have anyone... There is a lady who is resident here and left her house because of conflict. There was no family member to support her... The training that is given to Izinduna is to make sure that they can stand for such people during the proceedings.*

*RP#07: You see that a person would keep quiet not knowing that help is out there. We help her and her children. Izinduna also help.*

*RP#20: I called the Induna and the in-law brothers who wanted to kick her out of the house. We told them that since the husband has passed, the house belongs to the woman and her children.*

The above narratives provide insight on the extended meaning of family where a person with no immediate family members is afforded the needed family support at any time by other community members. In supporting this finding, Mugumbate and Nyanguru (2013, p. 94) have claimed that, “in the African setting, care should be provided in the family. When the family fails, which is often rare, the community provides the support.” This attests to a symbolic gesture of *ubuntu* where, “the essence of being a human being is seen through a community that cherishes and lives the ideas,” one among which is that, “a person can only be a person through others” (Gumbo, 2014, p. 67). The research participants are therefore indicating that traditional leaders play a critical role of referral, mediation and representation in addressing women abuse. The representation symbolises that even if one does not have family members within a traditional community, there are people readily available to step in and occupy the position of family.

While the above narratives from the research participants revealed consultation as key in how participants address women abuse, it also symbolically emphasises the central role a family occupies in African communities. Family is regarded as the main consultative structure for restoring peace and resolving conflict. The foundational aspect of an African family extends to the entire community where individuals have responsibilities as members of the society and where the self bears a meaning bound by how one relates with others (Mkhize, 2003).

Apart from family being a key role player in conflict management, Thabede (2005, p. 208) identified that, “family is the primary source of social support, providing material resources and emotional help to cope with problems of living in many African cultures.”

The following research participant agrees:

*RP#09: We have those cases of women being hit by their men. We attend to them by making the family the first point of contact, as there is always family involved.*

The above extract indicates that upon involving the family, it is important as RP#09 further indicated, to ‘*hear what they have to say and if they fail, it then gets back to us.*’ She indicated that it is usually an *Induna* who first gets the family together. Upon failure even when the *Induna* has intervened, it goes to the traditional court where other people are brought in and the issue gets to be discussed; a conclusion is reached, and a decision is made. In the direct words of RP#09, ‘*We find a conclusion and decide on the repercussions for the offender.*’ So, the case involves the family, and upon failure gets to be handled by an *Induna* and when there is still no success, it goes to the traditional court. At the end of the case when the perpetrator is found guilty, it gets decided upon together on what the consequences should be.

One other research participant shared similar sentiments where it became crucial that from both the perpetrator and the survivor’s families, old people were invited to address the contentious issues and prevent the situation from exacerbating:

*RP#17: Old people from both sides are called and we sit down and talk outside our formal court. A formal court will cause even further disputes and fighting... So, I tell them that since you are here.... you are one family...let’s talk about this so that it will pass.*

The action outlined above highlights an intervention not nuanced as a single effort, but one that will be sustainable. The role played by elders in the family is pivotal to the conflict resolution progress and their wisdom is prioritised. Rupande and Tapfumaneyi (2013) also found that in African villages, elderly men and women play the role of counsellors as they are

considered to possess wisdom they have gathered over the many years of their lives. Therefore, their involvement and contribution to decision-making is respected. With the involvement of family members in the above narratives, decisions taken for managing conflict, for making, educating and building peace, for monitoring and preventing conflict were effective, respected, and binding to everyone involved (Mohamed, 2018).

Another space of support is the involvement of *Izinduna* and traditional councils, as the following research participants present:

*RP#05: When it does come to us, we take action together with Izinduna and our council. We discuss with them.*

*RP#06: You need a second opinion. It is easier for Induna to raise an alternative view of doing things with an Inkosi.*

*RP#15: I work hand-in hand with Izinduna.*

*RP#19: I would call all upon my traditional council and get all women together... all the mothers together and warn them on the threats.*

The assistance sought from *Izinduna* and traditional councils emphasises the spirit of collaboration that exists within rural communities. It also suggests that the research participants have extended the concept of family which symbolises the African family as being interventionist. The extension of family attests to the SWTL seeking truthful resolution and fair arbitration in cases of women abuse. Mkhize (2011) indicated that there is a strong link and belief among Africans that the departed souls and spirits of ancestors are always among them to guide, give warning and to protect individuals, families and the community at large. Matshidze and Nemutandani (2016) support this view, in maintaining that the dead are influential on those that are still alive who must please them through worship. The ancestors present themselves in various situations (such as rituals), using various means (such as dreams and spiritual forces) to visit individuals, families or communities. In other situations, ancestors are invited, and their spirits are beseeched, to a point at which everyone is reminded of the repercussions those ancestors deliver for not telling the truth (Ajayi and Buhari, 2014). In addition, RP#06 pointed to inviting a potentially differing opinion, which she welcomed.

This will ensure objectivity when solutions are considered. It is important to also highlight the important and trusted role of *Izinduna* in assisting traditional leaders to intervene and resolve matters of women abuse. As other cases above indicated, *Izinduna* are consulted and as RP#05 and RP#16 have indicated, the important relevance of *Izinduna* is underlined as they oversee villages of senior traditional leaders. As they reported:

*RP#05: Izinduna are usually first to hear. Once they know about an issue, they call me and I would sometimes re-direct them to the police.*

*RP#16: When they also come to me with an issue, I ask an Induna within that area. I do not live in that isigodi [traditional village] and I rely on Induna to tell me the situation of a family.*

These extracts emphasise the role played by *Izinduna* in ensuring that SWTL are kept abreast with what occurs within *izigodi* [traditional villages]. It is therefore suggested from this study that an *Induna* in each *isigodi* is expected to have some knowledge of how each homestead conducts itself in accordance to living harmoniously with other community members. An *Induna* must therefore be able to report and/or advise to the SWTL at any given time of any evolving issue within the community. *Izinduna* also form part of a traditional council, which according to Mohamed (2018) serve not only the purpose of resolving conflict according to customary law, but also must anticipate and stop conflict before it occurs. Therefore, the research findings suggest that besides working in collaboration with the SWTL, *Izinduna* are also perceived as monitoring structures within communities.

It is apparent from the research findings of this study that inter-dependability and collaboration prevail between the involvement of participants (as the powerful sources), the existing structures (traditional councils, *Izinduna* and families) as well as both the survivors and perpetrators in the process of resolving conflict. To this effect, Ademowo (2015, p. 9) reflected on the African concept of *ubuntu* (lit: “I am because we are”) where human beings exist in a “unified, interlinked and integrated web” of a family. Consultation and collaboration are therefore an old practice which is integral within the Zulu traditional leadership to achieve a positive aim.



Logan (2008) noted that African traditional leaders have been subjected to criticism of being autocratic, that they demand respect from local people and tend to place the community's needs ahead of individuals' needs. This assertion implies leaders put their own individual needs of power and self-worth at the fore. It also implies that some leaders hold the view that a person carries no significant value and would therefore take all measures through oppressive decisions to maintain that particular *status quo*. Stauffacher (2013) also supported these arguments making reference to historical power driven African leaders. Of interest from the research participants' responses was that this dominant narrative was unfounded, and they had positive perceptions about traditional leaders. The narratives illustrate that SWTL were caring, accessible to people, cooperated with service providers and had the best interests and welfare of community members at heart. In addition, the narratives reveal that SWTL do balance the expectations and needs of the community with that of the law where matters not within their control are referred for further handling by other stakeholders such as police or social workers. The conduct of SWTL is supported by Ntonzima and Bayat (2012) who rejects the idea of dictatorship among traditional leaders. The research findings also resonate with Tshitangoni and Francis (2016, p. 244) in relation to traditional leaders having "the interests of the people they led at heart." This means, by its very nature, traditional leadership provides a safety net for community members to access help and solutions to challenges such as women abuse. As it can be seen above, the responses of the research participants in this study reveal and expose contrary to the argument of Stauffacher (2013) that SWTL maintain and promote the old African tradition and culture of consultation.

#### **6.4.2.2. Engaging in negotiation**

Negotiation is an African secret to equally harmonise the interests of all parties that are in conflict (Ademowo, 2015). All concerns are surpassed by harmony and unity during situations of conflict (Ziegler, 1995). In promoting negotiation, the research findings in this study point to SWTL not taking sides when addressing issues related to women abuse. Instead, they create platforms where both women and men can provide their side of the story. This is captured in the following narrative:

*RP#13: A man had hit a woman, and when I asked her what the cause was; she said it was because of money... I summoned the man to come see me. I*

*explained to him that the woman was hurting and made it clear she does have a right to be unhappy about the situation. So, we discussed and that man said the woman was a little disrespectful towards him when she said... hey wena...le malana yakho [hey you, this so-called money of yours... Then I [participant] said...nxese (sorry)...it was a mistake...she got carried away but didn't mean that...and it was resolved... They got out of here happy and life went on.*

Upon receiving the matter, the research participant seeks clarity on what the issue is between the two parties. When the participant has gained clarity from both parties, she apologises “*nxese*” and asks for forgiveness in order to restore harmony between the parties. She unleashes the apology as if she is also to blame as a sign of identifying with both parties and the problem at hand. This is a strategic step because instead of distancing herself and intervening as an outsider, she assumes the role of sharing and understanding conflict. This is because disharmony on Afrocentric principles represents evil and needs to be corrected as soon as possible (Ziegler, 1995). This move rejects retributive justice where punishment is subjectively appropriated on an individual who has done wrong (Wenzel and Okimoto, 2016). The findings are in line with Ademowo (2015, p. 7)’s findings on the negotiated peace where apology through elders and esteemed leaders for wrong doing to individuals and community was central to negotiations.

While realising that both parties have wronged each other, RP#13 takes the opportunity to affirm that mistakes do occur and without judgment she exerts energy into the importance of respect and reconciliation (both being affirmations of alignment with Afrocentrism and Nego-feminism). Neither the husband nor the wife walks away with pride of their initial positions in the argument but instead, peace is restored and they both realise their mistakes. In the extract from RP#17 below, the facilitation and reconciliation of parties also exists. The research participant assists both the woman and her husband to realise that it is not about placing one’s individual desires and aspirations before another. But it is more about cooperating with one another for the benefit of peace and the wellbeing of all family members. She reported the following:

*RP#17: I would say to them, 'wife you are wrong to deny your husband sex but you husband also, as a man do something at home to embrace your position as the father in the house... show appreciation even to the kids. You cannot come in and kick things and think she will happily go to bed with you, No! You will have to wait and be a responsible father... So we can know who the man is'. He also started to realise that he was wrong as he thought his wife denied him sex because he was not working. They both realised their mistakes. We were united on how we were going to resolve the issues.*

While the man cannot demand sex, the woman can also not deny it as a way of imposing punishment on her husband. This indicates that sexual relations need to be respected and negotiated rather than demanded and that they must not be viewed as a trade-off or entitlement within marriage.

In the above extracts of RP#13 and RP#17, the roles occupied by men and women are highlighted but with crucial emphasis that all roles come with their own responsibilities. For example emphasising that, being a head of a family is a position occupied with a sense of humility. While it may be suggestive that women are subjected to the responsibility of caring for children, men are equally subjected to the responsibility of ensuring they are protected.

In the same way, RP#19 reported that:

*RP#19: Having listened to both sides individually, I would then get them together. Then you can see the possibility of coming up with solutions.*

The above extract bears similarity with the work of social workers who also recognise that work with families, “demands time for family members to discover their personal strengths, their strengths in each other” (Constable, 2016, p. 149). RP#19 prioritises joint decision making within the family in negotiating a way forward.

In another response, RP#16 clarified her position with respect to family disputes:

*RP#16: You then start to call upon the family. When they are here, you speak to them nicely though they would be very angry saying: you see our brother,*

*our brother, our brother! ... A critical question would be what about the woman and her children?*

RP#16 was referring to a case where she indicated that a woman was physically abused and wanted a separation from her husband. It is clear from the extract that family members of the husband were preoccupied with what would benefit their brother without paying attention to the feelings and circumstances of their daughter-in-law. This is in line with Partab (2011)'s observations that male hegemony in terms of headship takes a central role in determining a woman is insignificant even though she has been at the harsh receiving end of injustice. This becomes a perfect opportunity for the participant to begin negotiating the rights of the woman and her children. RP#16 firmly reinforces the woman's rights and defends her together with her children not to be left without any voice. The research participant also reveals her ability to pose the correct questions especially on behalf of those who are vulnerable. Also, by "*speaking nicely...*" she applies a persuasive form of communication until common understanding is reached. Such a deposition augurs well in situations where emotions are highly charged. The research participant uses calmness as a skill to strategically ameliorate peace and reduce tension in an emotive situation. Negotiation is therefore used to achieve peace and reconciliation. Moreover, the narrative presents the ability of research participants to firmly promote the need to recognise and hear voices of the vulnerable in society. The rights of women as they occupy space within families are also promoted.

#### **6.4.2.3. Encouraging no-ego, compromise and reconciliation**

For Africans charged with the responsibility of resolving a conflict situation, the desire is ultimately to reach a point of peace in an amicable manner that can result in reconciliation (Ajayi and Buhari, 2014). Unique to this study is that the research participants identified the use of a persuasive form of communication until a common understanding was reached. RP#21 attested to this saying:

*RP#21: I will come and deal with the case, discuss it... and at the end people will forgive each other ...It's because I make them see. I plead with them... for patience...and beg for time because what you are aiming for is to bring*

*them peace. As leaders, we solve matters towards making peace not creating war.*

While engaging partners that are in conflict, RP#21 negotiates for peace and encourages patience among the parties. This is consistent with the views of Alkali and Talif, (2016) that peace should be negotiated, and conflict managed.

One other aspect which all the research participants commonly raised was the facilitation of perpetrators to display remorse that could be acceptable in the eyes of the one who was wronged. According to Ajayi and Buhari, (2014), within the reconciliation process, mediators may award simple fines to ensure that perpetrators are discouraged from wrong behaviours within communities. The circumstances below describe the awarding of such fines:

*RP#09: The survivor, who was physically beaten, would make a case with one of the Izinduna demanding their blood after the magistrate's case has been concluded.... Induna would come to me... and I would call upon my traditional council and we discuss the issue. The perpetrator would then admit their offence as they did in court [with the magistrate]. Then they would ask the survivor what they want. They usually request some form of cleansing ritual involving a goat, or if it is not a goat, it can be the monetary equivalent... then the matter gets settled that way, very amicably.*

*RP#06: Maybe he had injured someone, when he gets out of jail; they must try to mend the relationship between the two of them. We call that [ukushashazela] reconciliation. Maybe he will buy a goat as a way of asking for forgiveness and then they can forgive each other.*

Within social work, the use of mediation according to Steyn (2015, p. 25), “encourages settlement, generates a high degree of user satisfaction, and improves communication and understanding between clients.” Similarly, in the above narrative of RP#06, the customary practice of buying a goat resembles the removal of pride (ego) and demonstrates a sense of remorse in persuading conciliation. This is done so that the survivor also witnesses the act of remorse and therefore potentially can find closure. The above research findings are

supported by Bukari (2013, p. 89) who observes that as part of resolving conflict where rituals are observed, “wealth exchanges, prayers and sacrificing to the gods/ancestors are performed and there is often merry-making.” The above is a form of restorative justice argued by Javaid (2015) to be engaged as a form of encouraging the perpetrator’s sense of responsibility and focuses on the survivor taking an active role in the process. Moreover, these findings support the remarks of Kaminer and Eagle (2010, p. 81) that there are communities, “known to spontaneously generate rituals and practices to mark and heal the impact of trauma, recognising that in addition to having individual effects, trauma damages interpersonal bonds and tests community cohesion.” Also, the findings of a study conducted by Bell et al., (2011), pointed to participants believing that imprisonment was alone not adequate in solving problems and conveyed their disappointment on the failure of perpetrators to comply with court decisions post-imprisonment. Hence, when the perpetrators returned to the community, court interventions were reinforced with community-based monitoring to ensure adherence to rules imposed by the court (Bell et al., 2011). These findings critically concur with the views of the participants in this study and the practice engaged with post-prison term of the perpetrators where measures that will assist with closure are embarked upon. These are processes undertaken at the community level and the police or prison officials who often supervise perpetrators post their release are not engaged. Consequently, this becomes a prominent indication of where the DVA can be enhanced to speak to cultural and traditional community-based practices within communities for the purpose of extending reconciliation. The narratives below further explain how post-conflict, it is necessary for people to reconcile as they are living with each other in the same community. RP#12 and RP#10 said:

*RP#12: The husband is beating the wife... that is not allowed.... a wife cannot be beaten. Usually the husband will be called to the authorities (komkhulu), and pay a fine, because he did it knowing that it is not allowed to raise a hand and beat a woman. With that fine that is agreed upon, he is only punished so that he will be cautioned not to do it again. They must then continue with being a family. Our aim is not to set apart the home but to build it.*

*RP#10: There should be reconciliation between families...and it is not just the families that are affected but the community also hurts. There are things we do when someone has come out of jail. He doesn't just walk back into the area. We must make sure we have a type of cultural cleansing ceremony because they were in jail. When he comes back, we don't want him with that bad omen in our area. There are customs to follow. When we perform those, we let the people know that we are cleansing the tragedy that had happened. Yes, they're returning, and we can't reject them. A person must come back to reconcile with us and for them to fully ask for forgiveness. We move on, we welcome them back and they promise not to do that wrong again.*

The above extracts validate that customary law and South African law can complement each other in dealing with perpetrators. It has been indicated that when abuse of women occurs/occurred within a traditional community, the act of abuse will remain unresolved while the perpetrator is imprisoned because not only are survivors affected by such acts, but so is the entire community. There is therefore a level of compromise at every level (survivor, perpetrator, families, and community). When the perpetrator is welcomed back into the community, everyone must bear witness and testimony that there has been remorse displayed, forgiveness asked, forgiveness granted, and cleansing obtained for the nation (*isizwe*) so that peace can prevail. What is particularly symbolic within the narrative is that the culture of forgiveness is cherished and accorded a special place within traditional communities. In the words of RP#10:

*RP#10: We can't reject them. A person must come back to reconcile with us and for them to fully ask for forgiveness. We move on, we welcome them back and they promise not to do that wrong again.*

This bears similarity with the views of Dolamo (2013, p. 8), that human solidarity is integral to African culture and the consideration that an individual cannot thrive outside community. The above extract speaks to the endeavours within African communities to build lives rather than destroying them and to encourage communitarianism as a stronghold to African lives. Afrocentrism supports this because it necessitates the power of reconciliation while Nego-feminism calls for co-existence.

Another research participant reported the following:

*RP#14: If a husband fights with his wife, I am supposed to approach him so that he will calm down and I would begin to show the wife the importance of respecting her husband and the husband will be told that he needs to humble himself before his wife...people would stop breaking up and be able to reconcile.*

The sentiments shared in the above extract by RP#14 are also illustrative of how compromise between husbands and wives is facilitated by the SWTL. Both partners are encouraged to reconsider their roles and responsibilities and respectfully consider conflict resolution intervention from the SWTL as a guide to use in future conflicts. Ademowo (2015) concurs that, the African way of administering justice aims towards resolving conflict rather than passing judgement. This means that while justice is administered to benefit everyone, it also serves to ensure that women reserve the right not be abused and are therefore protected. The goal is thus placed, “on reconciliation and restoration of social harmony than on punishment of the conflicting parties” (Ademowo, 2015, p. 3). Moreover, the intervention by the research participant is also geared towards family preservation which is in line with both Afrocentric and Nego-feminism principles of restoring peace, living together and always respecting each other. Also, it connects the role of SWTL to social work in terms of family preservation. As Hugman (2013, p. 18) advanced, “social work seeks to promote change both for individual people and for the social structures within which people live their lives.” This research finding augurs well with the notion of family preservation as a value encouraged by the social work profession. This is despite, Nhedzi and Makofane (2015, p. 361) revealing that the provision of family preservation was becoming a challenge to social work due to negative impacts on services. The identification of this challenge therefore renders SWTL as alternatives to restore and close this gap.

#### **6.4.2.4. Seeking the wisdom of elders**

As indicated earlier, Kukari (2013, p. 89) outlined that the process of conflict resolution is often led by community leaders who comprise, “traditional chiefs, kings, priests, healers, elders and other tribal leaders.” Africans are known to respect and hold in high regard their



community leaders. The experience and wisdom of senior members is often used to shape community member relationships and interactions. Asante and Chai (2013, p. 131) highlighted the importance of elderly wisdom when referring to the Akan African community, where *Opanyin ano sen suman*, (lit: “the wisdom of the elders is worth more than any amulet or char”). In line with this assertion, research participants in this study reported the following:

*RP#17: The old women know that they did not just get old. They have been there, they know how to preserve and build families...we sit down to see how we can solve the problem together.*

*RP#10: We do try to get the wiser men to speak to the man and advise him that he can't treat a woman that way.*

*RP#05: If the wife is saying... no I still love my husband; then we find people like us ondlunkulu and other old women in the area. We take the wife aside to find a reason that led to the husband beating her.*

Common in the above narratives is that RP#05, RP#10 and RP#17 consulted with the elders within their communities in addressing women abuse. Unlike in the previous discussion where older people were consulted as members of families, the shift is towards elders consulted to give guidance and mentor men and women on relationships matters. Similar with Rupande and Tapfumaneyi (2013), there is an acknowledgement of the wealth of knowledge that resides among the older citizens, who within this study are accepted as a resource.

In the above extracts, women are assisted by old women, while men are managed by old men and there is sharing of knowledge to equip survivors and perpetrators on ways of dealing with conflict. In the extracts of RP#17 and RP#05, the consideration of older women reckons with Nego-feminism that women of Africa have enough wisdom that is used to co-exist with their male partners. Another pertinent aspect in the narrative by RP#17 shares the ability of women to preserve and build families when older women share experiences with younger women. This ability can pave the way towards families being able to deal with challenges encountered without resorting to violence. The above findings are echoed by the view of

Mkhize (2011) that women within African families are the ones charged with the responsibility of leading a homestead and therefore can resolve conflicts. The findings are also supported by the views of Isike and Uzodike (2011) arguing that African elders, mostly elderly women, were accorded special tasks as representatives of building peace.

It is also suggested that every elder within traditional communities, whether they serve within the formal structures of the institution of traditional leadership as advisors to senior traditional leaders or as ordinary members of the community, are equally regarded as invaluable. The following narratives provide validation of older people:

*RP#01: Most of the time I use Amakhosi that are older because I take knowledge they have on our work. Most especially I use them when dealing with cases.... I ask for help also from older people not only Amakhosi, there are also older women. I ask for advice and I do not disclose that it is based on someone from the area. I twist the story and say Gogo (grandmother) I have a person from this other place, and she said I should ask if there is such an issue what should be done. Then they give advice and I add on what I already have.*

*RP#21: For me, I talk to Ndunankulu (chief Induna), everything that is a problem I talk about it with him. I ask him to advise me as an elder. This is because if you are an Inkosi, it does not mean that you take decisions on your own.*

These actions of the research participants again agree with the views of Mkhize (2003) in that the elders' role in resolving marital and other forms of conflict is an example that sets the tone of respect as elders are considered to carry wisdom and are close allies to the ancestors. Maluleke (2012, p. 207) added that in an African philosophy of "*ubuntu*, old age or grey hair is a sign of wisdom and old people were respected." In this study also, the research participants emphasised their collaborative engagements with older people when making decisions about women abuse.

In the above extracts, it is clear that decisions were taken in consultation with families, *Izinduna* and the elders to represent the interests of the entire community. The actions are supported by Hammond-Tooke (2008) highlighting that, decision-making is not a task solely

undertaken by traditional leaders. This suggests that in African communities, decision-making becomes a dual process where views of others are important.

#### **6.4.2.5. Connecting the living with the dead and spirituality**

African people accord a significant position to their culture and spirituality and believe that when things go wrong, consultation (either with the ancestors or the higher power) needs to occur. African life embraces a holistic connection between an area [*indawo*], the household [*umuzi*], the homestead [*ikhaya*], family lineage [*umndeni*] and the ancestors [*amadlozi*]. In line with this African context, RP#10 illustrated that another way used to address women abuse was through imposing warnings to men [as perpetrators of violence]. She said:

*RP#10: We issue a warning that should they [men] repeat the offence, we would remove them from the area. There will be steps taken because it is wrong to hit a woman. It is either they separate or leave the home and sees where else they live... Men would not want to leave their home; it is un-African for a man to leave their home.*

Shumba and Lubombo (2017) also revealed similar findings where participants relied on African culture and spirituality to guide their actions. As Dolamo (2013) indicated, the African spirit is one of solidarity where co-existence is cherished and the belief that any person will face hardships if existing separately from family and community. The views of Mkhize (2011) on how a very deep meaning and understanding to an individual's link with location are also supportive. Therefore, being separated with family and community is used by RP#10 as a deterrent towards abusive behaviour. The conclusion of Teffo-Menziwa et al. (2010) that it is un-African to abuse women is supported by the extracts above. Also, this conclusion is supported by Hadebe (2010) that the abuse of women is un-African given qualities of respect and non-harming that participants in their study attached to a man. Also, those harming women and children deserved to be punished (Hadebe, 2010). The abuse of a woman in the above excerpt of RP#10 is similarly therefore considered to be un-African, hence punishment is proposed. Cognisant that the proposed form of punishment to expel the man is un-African, the participant suggests it as a proposed subsequent measure to be taken with an intention to curb the repeating of violence. Tshitangoni and Francis (2017) also

support the actions of expulsion in that it was a considered punishment when the rights of other members and community peace were threatened by an individual's bad conduct. The spirit of protection and being harmless assumed by African men, which is also emphasised by Hadebe (2010) and Kyalo (2012) is lost when the perpetrator begins to abuse his wife.

According to Nwoye (2017), home is surrounded by the spirits of the ancestors who are believed to be always among the living and can frequently communicate their wishes and annoyances indirectly and their guidance should always be sought. Likewise, it is important to please them in order to avoid mishaps and to preserve the wellbeing of the family (Nwoye, 2017). As Mkhize (2011) argued, a man has authority over the household, the wife has authority over the homestead, the ash place is where critical decisions that affect the family are taken and the ancestors are the owners of everything and the ones directing the route of life. The research participants in this study seemed to operate from such a perspective when resolving conflict within households by subtly reminding the men of their responsibility and that of the women within the family. More specifically, their connection with the vital symbols and ancestors was critical. RP#16 expressed that when addressing women abuse particularly between husbands and wives, she would encourage them to consult with their ancestors through performing rituals appropriate to the family. RP#16 said:

*RP#16: You'll find that sometimes, the dysfunction of the wife and her husband is due to instability in the home (imimoya ya la ekhaya) [the spirits of this home] (konakele emsamo) [something went wrong at the sacred space of the ancestors...and they need to be consult. I tell them to branch out.... and not rush into break ups.... Ake ni phume ni yo thatha induku...nibuze kwabalele [go out, take your sticks and consult your ancestors]. Each house has its own customs that they do. Go out and explore that. Although indeed, the woman may be abused in that case, but let's start with these things, that we call our norms (imikhuba) and customs, to see whether it will work or not.*

The above advice would be given under the assumption that there is perhaps something that was not done correctly, and the ancestors were trying through these acts of abuse to communicate their unhappiness. Also, the ancestors could be sending a message that they

turned their backs against the family and were therefore no longer guiding its members, but imposing sicknesses. The narratives of RP#13 and RP#06 also provide further testimony:

*RP#13: I sat down with the man.... and said he should follow up.... even go to our healers.... it was not that she was sleeping elsewhere.*

*RP#06: I said, Mr Mhlongo to leave your house is a shame. I have never heard of a man leaving his house. It is even better that I had been to your house where I found you laying brick and cement, a brick and cement, a brick and cement, a big house, that you built yourself. Now you decide to get out and leave your hard work behind? We are Zulus, we are blacks, and we know that there are ancestors. MaMchunu [I would ask the wife], who do the ancestors think you stay with? You are staying in their home without their child?*

The above excerpts link with the views of Nwoye (2017) warning about the importance of avoiding actions that may not please the ancestors. Once there has been an act of violence (which is the opposite of the much-preferred peace within African families and communities), there needs to be consultation with the ancestors and/or the creator through rituals or traditional healers to seek forgiveness, clarity and a way forward. Within the narrative of RP#06, both the man and his wife are cautioned that their actions have the potential of being a disgrace in the eyes of ancestors. The research participant is capitalising on the firm foundations of culture, that when a man leaves his house and family, not only are his actions at a personal level questioned but also those towards his wife.

Asante and Chai (2013) also noted how the idea of respect for the visible and the invisible requires the performance of certain rituals when a good destiny is lost and replaced by a bad destiny among Africans. The performance of rituals is the only way that a person can alter and alleviate the harshest aspects of losing the good destiny (Asante and Chai, 2013). When matters have reached this point within the lives of Africans, traditional healers are believed to possess the ability to appeal to the spirits of the ancestors for the wellbeing and restoration of peace. In this regard, a study conducted by Dookran (2014, p. 94) found that traditional healers were trusted with the ability to heal people particularly because “through the guidance

of departed souls and spirits,” they were able to connect with the ancestors. Similarly, RP#13 believe that the rift occurring between the husband and wife is not due to the wife cheating on the man. Therefore, seeing a healer could deliver a solution contrary to what the man thought of his wife.

According to Rupande and Tapfumaneyi (2013, p. 568), “African communities are extremely religious. Some believe in traditional religions, while many others are Christians and also Muslims.” This suggests that community members do not restrict the act of caring, striving to preserve peace and communal living to ancestors as the only spiritual beings. This presents the possibility of healing and seeking guidance through others. These beliefs are clear in the narrative of RP#06 below as she further invites religious leaders to also assist in matters related to women abuse. RP#06 said:

*RP#06: Sometimes we talk with the pastors... sometimes I involve the parties' pastors... if you see that now things are difficult you call the pastor to come and talk to the members of his congregation...and I say: 'Come pastor for us to discuss your congregants' issues. These are your people that you must heal spiritually.'*

The embracing of pastors is indicative of the African humanity that is ready to embrace anything that validates good intentions. RP#06 acknowledges the Christian pastor as a resource that can yield positive results in resolving conflict with couples.

There is also a belief that following an act of abuse (which is clearly identified by participants as crime), there should be healing. Because abused women often experience feelings of hopelessness, the participants reported that survivors of this crime would have suffered a great deal and would therefore consider prayer as another method of repairing their wellbeing. In this regard, RP#16 said:

*RP#16: Once the crimes have been expressed, the survivor should get some form of healing, perhaps some form of prayer.*

The interconnectedness of culture, religion and spirituality is symbolic in that participants perceive that the belief in the existence of a higher power will exonerate the broken souls of

survivor. This remains as other participants also shared how their spirituality guided them in their endeavours to address women abuse. In the extract of RP#21 below, the participant shared how she believed communicating and inviting God and the ancestors was of paramount importance and therefore provided direction especially on how cases should be managed:

*RP#21: I will first come, start by praying to communicate with God, because for me my hope mostly is with the Lord... I also believe in the ancestors, I call them because we are seated in these thrones that belong to them. As we are in their chairs, we usually think that ancestors do not look at us, but they do and those are departed Amakhosi who were the owners of the thrones.*

There is a strong belief in the above extract that traditional leaders are just messengers and their positions belong to those who have departed and have higher powers than them. The salient message reflected within the purview of RP#21 is the belief that ancestors are still in existence. Although they may be absent in flesh; they are constantly hovering and observing how things are conducted within *ubukhosi*. Similarly, Hadebe (2010) also noted the power of the relationship that exists between those who are still alive and those who have departed this life. Hadebe (2010, p. 25) presents that “the living and the living dead (ancestral spirits) are in contact with each other and the body is the one that dies not the spirit (*umoya*).” This validates alternative measures sought by participants through consultation with the ancestors and God to address women abuse. The promotion of this belief seeks no sympathy/promotion of social ill but implies that going back and asking for religious or spiritual guidance stands a chance to appeal to the humanity of perpetrators to potentially stop repeating the abusive behaviour.

The role of elders, culture and spirituality as an alternative intervention exposes the need for a multifaceted approach to addressing women abuse by utilising resources that are present within the traditional community.

#### **6.4.3. Multi-stakeholder approach**

#### 6.4.3.1. Dual and mutual referral of cases

Research participants in this study indicated their ability to network and collaborate with important stakeholders, including the police, social workers and magistrates, in order to deal with cases of women abuse. Matloa (2008) recommended the establishment of partnerships with traditional leaders to render smooth and efficient governance in rural areas, given that the institution of traditional leadership has from time immemorial worked to resolve conflict within communities. Such partnerships are a key pillar of developmental social welfare services. For Matshabaphala (2017), therefore, forming partnerships with traditional leaders is illustrative of value laden service delivery to the public. The narratives of RP#01 and RP#02 cited below give insight into how they solicited the assistance of appropriate stakeholders:

*RP#02: In the end, we need to know that if there is someone who has a problem, we find a way to get in... help them on what they can do. Perhaps talk to social workers who can help and see what they can do. You find that a young girl was left by their mother and the father is now raping her and making her his wife. You find all these horrible things happening. So, there you do not need to waste time, you need to also involve the police for them to deal with problem as it is beyond your power. At the end, someone gets arrested.*

*RP#01: Well, they are of course vulnerable in those situations but then you try and comfort them, for them not to be scared and we assure them that the perpetrator won't be near them, and social workers would be available, as well as medical care.*

The above comments illustrate that collaboration is valued by the research participants who also recognise the intervention of other pertinent stakeholders as critical for the optimal restoration of the wellbeing of survivors. The relations of participants with police, medical professionals and social workers are highlighted within their strategies of addressing women abuse as seen in the extracts of RP#01 and RP#02. RP#01 and RP#02 are suggesting that the role of SWTL has a similar interest as those of the police and social workers whose approach



is for the protection and welfare of all. In the endeavour to address crimes against humanity, a multi-stakeholder approach is activated with the ultimate intention of curbing the perpetuation of women abuse within communities.

In addition, RP#14 suggested that SWTL are acutely and confidently aware of their expertise. Moreover, SWTL are also aware of the necessity to refer matters for further specific interventions by other pertinent stakeholders. RP#14 expressed that:

*RP#14: Although for us we are not allowed to deal with the case when a person sustained wounds. I would give some advice to a person and refer their case to the police. After the referral, I would follow-up to check how the police are handling the case. Later, survivors would also come back and report to me how they were treated there.*

Having determined that the required intervention is beyond her role, RP#14 made the necessary referral. Before making such a referral however, she carefully assessed the situation and provided the necessary advice. Also, post-referral, RP#14 followed-up on the handling of the case by the police. Her role within a cycle of care was inclusive of monitoring after the intervention had been made. It has been mentioned in the literature review (chapter four) that social workers are inundated with heavy caseloads and an inadequate capacity to reach citizens particularly in rural areas. For Marais and van der Merwe (2015), although the decision to refer a case immediately (or not at all) is that of the social worker professional, social workers refer cases especially when they feel overwhelmed. Therefore, in relation to the work of social workers, RP#14 highlights the critical role of referral and monitoring done by SWTL and thus suggests traditional leaders as stakeholders capable of closing the gap within rural communities.

It is also important to note that referral is facilitated as a two-way process. Referral seems to suggest the acknowledgement by other stakeholders that traditional leaders play a pivotal role within their communities. In this respect, RP#09 illustrated how referral from a magistrate to her unfolded:

*RP#09: If cases involve some monetary compensation, the magistrate would determine the amount. If one of them says they don't have that money, they*

*would get detained for however long until they are able to get it. Should they have it, it would be settled then, and the compensation would be sent back to me for hand over to the person it is intended for.*

The narrative from RP#09 above attests to the existence of a mutual partnership and relationship between the courts and the institution of traditional leadership. This finding echoes the earlier indication by Mawere and Mayekiso (2014) on the co-existence and complementary role of traditional leadership and government's institutions where they work collaboratively. In addition, the ability of the participants to complement services provided by other stakeholders to abused women confirms the dynamic and adaptive nature of the institution of traditional leadership as suggested by Matloa (2008). According to Matloa (2008), this is emphasised by the adaptation and adoption of African traditional leaders in matters of health, social and welfare services, education, police and security services among others to the indigenous African systems as a way of continuing and affording comprehensive services to African communities. The research participants also recognised that traditional leaders were able to play a central role by ensuring that abused women receive justice. The priority is to afford the best intervention and immediate referral as was noted by RP#10 in the following extract:

*RP#10: It depends... In cases of more physical abuse, we involve the police.... I would tell the woman to direct that to the police and open a case. That's because if I discuss it here, she might be at more risk of being killed when she returns home. So, I advise her to open a case. She must be accompanied by other readily available women, and she must get a case number.*

The above research participant is cognisant of the fact that some abuse cases lead to women being eventually murdered, hence she pleads with the survivor to open a case with the police. In particular, the murder of women is a concern in South Africa as StatsSA (2017b) tabled the increasing murder rate of women while that of men has been decreasing between 2015 and 2017. Additionally, RP#05 below highlighted the importance of maintaining direct contact with key decision makers in order to facilitate and expedite the matter after referring cases. She said:

*RP#05: The police station that we are using is number nine. Or I directly contact the station commander [to say] that I am requesting the police to come here. I would also mention that I would prefer the presence of a police woman. I would do that for easy communication with the survivor as it is better when a woman is talking with another woman. But they are people who do not give us problems.*

Another interesting aspect highlighted by both RP#10 and RP#05 is the emphasis on extending the support to include other women to accompany survivors to police stations. In the study by Rich and Seffrin (2013), the possibility of survivors of rape experiencing secondary victimisation at the hands of police upon reporting rape cases is captured. The study further established that when survivors were accompanied by advocates, they were treated better by police officers (Rich and Seffrin, 2013). Similarly, it is laudable in this study that the vulnerability of abused women and sensitivity towards the issue are both recognised through the acts of the research participants when ensuring survivors are supported by other women to gain strength, comfort and courage. Due to the vulnerability of abused women, Artz, et al. (2011) underlines the importance of creating an enabling environment that is both private and lacks interruption, so that women will be able to talk about their ordeals. RP#05 suggested such intervention prevents secondary trauma:

The above extract of RP#05 suggests another element of a good working relationship established to the extent of being able to further request in the interest of abused women, that matters be handled in a sensitive manner. She put herself in the shoes of the survivor to further delimit the possibility of trauma in case empathy would not be felt by survivors within the confines of gender. This role is like that of social work professionals, as it requires that the client-worker relationship be manifested through empathy rather than sympathy. This alignment is identified by Weaver (2016) who suggests that the values subscribed to by social workers align well with indigenous perspectives. Another research participant described her facilitative role especially when trauma and vulnerability were evident. She said:

*RP#17: We are unable to interrogate the rape cases as the council. We need to take them to the police. But we are able to do follow up on the case and ask*

*on progress, because we need to know. As an Inkosi I also have a communication with the (XX) magistrate.*

Again, the monitoring role of the research participants comes to the fore in the above narrative. Senior women traditional leaders appear to be cognisant of their role and function of having to administer justice and thereby ensure the safety and security of community members (Traditional Leadership and Governance Framework Amendment Act No. 41 of 2003, section 20(1)(e) and (f)). The participants adopted a synthesised approach where they were very aware of the network of resources at their disposal to address abuse cases despite their severity. Their collaborative and facilitative actions depicted in the narratives above attest to participants being aware of their own limitations and that when appropriate, make referrals. Such is the strength that Ife (2012) advocated for social workers to respect, as it emanates internally; and is also an action recognised by Weaver (2016) to augur well with indigenous people.

## **6.5. Chapter Summary**

In summary, it is clear that SWTL address multiple forms of abuse manifesting in physical, emotional, psychological, dispossession of property, and/or sexual abuse. These types of abuse also extend from verbal to the most aggravated and dehumanising occurrences of rape. The understanding of different types of abuse by the research participants; their age, education and years of occupying their positions all coherently inform how they navigate around the types of abuse cases they encounter in their practice. Abuse hold no boundary as it extends from within the family, intimate relationships and marriages, among single women, the widowed, mothers, girl children and elderly women. Although some perpetrators are not known, in most cases they are known to the survivors and/or the community members as their exposure is facilitated through community cooperation.

In addressing women abuse, the research participants recognised that SWTL need to employ various mechanisms that are aligned to pre-colonial African ways of resolving conflict. Senior women traditional leaders uphold a communitarian approach where individuals are understood to form part of the broader community. In terms of their intervention methods, the research participants ensured that resolving conflict becomes the responsibility of the community through involving the affected individuals, family members, elders and *Izinduna*

within their local areas. The discussions further highlighted the responses of the research participants who pointed to various qualities emerging from SWTL in executing their responsibilities at the micro, meso and macro levels. These included confidence and fairness applied to give both the perpetrator and the survivor an opportunity to state their side with regards to the conflict. Referrals and being responsive to the needs of survivors also emerged. As the research participants began to exhibit such strength in how they each addressed women abuse, the alignment and adherence to elements of Afrocentrism and Nefeminism became self-evident. Also, the similarity of skills and qualities found within the social work profession were also highlighted. At a macro level, SWTL were able to play a dual role of referring cases for intervention by other stakeholders. The important argument made here is that there are areas where customary law and practices compliment criminal law in South Africa. It was also emphasised that other stakeholder such as the courts, readily acknowledge the role played by the research participants and are therefore also able to refer cases.

## **CHAPTER SEVEN**

### **CHALLENGES ENCOUNTERED WHEN ADDRESSING WOMEN ABUSE**

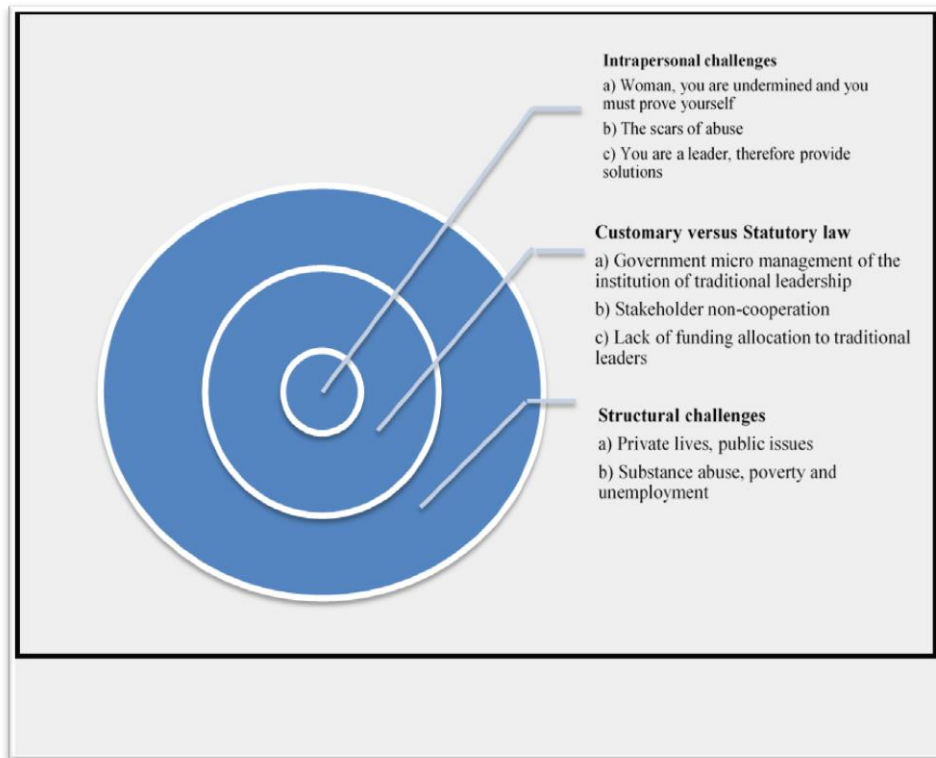
#### **7.1. Introduction**

This chapter presents the findings related to objective two of the study, which focuses on identifying the challenges faced by SWTL when addressing women abuse in KZN. The multi-layered challenges emerged as a second key theme with inter-connected sub-themes at the micro, meso and macro level featured as significant factors facilitating women abuse. The three sub-themes were as follows:

- i. Micro: Intrapersonal challenges;
- ii. Meso: Customary v. State law;
- iii. Macro: Structural challenges.

#### **7.2. Theme II: Multi-layered challenges**

The approach of reporting at micro, meso and macro is supported by Charmaz (2013, p. 291) who argued that, “issues concerning social justice occur in micro situations and meso contexts, as well as in macro worlds and processes.” A demonstration of the relationship coexisting between these contexts can be drawn from the study conducted by Potgieter and Hoosain (2018) which used ecosystem theory to qualitatively understand the experiences of parents around family reunification. Potgieter and Hoosain (2018) realised that it was important for parental support to stem from holistic individual and environmental relationships supported by families, friends and neighbours, as well as social workers.



**Figure 7.1. The micro, macro and meso representation of multi-layered challenges**

Figure 7.1 above is a representation of multi-layered challenges. The Afrocentric perspective would also find agreement as it advocates that individuals are connected to their environments, suggested to be arranged in an interconnected hierarchy from within families, community and ancestral living (Mabvurira and Makhubele, 2018). In relation to Nego-feminism, Nnaemeka (1994) argued that African women exercise their agency from within as women capable of deriving solutions cognisant to their own struggles as they liberate others.

### **7.2.1. Intrapersonal challenges**

#### **7.2.1.1. Woman, you are undermined, and you must prove yourself**

Most of the research participants expressed the view that they came across challenges that were personally directed to them when addressing women abuse. There was also strong belief among the research participants that some of the challenges they come across were influenced by them being women and therefore often undermined and/or watched. According to Coetzee (2017, p. 28) African feminists subject the undermining of women to the Western conceptualisation of women where, “the kind of body a person has, determines

her place and roles in society.” Coetzee (2017) further indicated that this meant Western views use gender differences to determine social hierarchies and therefore compartmentalise people according to their status and position. Contrary to such views, Alkali et al. (2013) identifies that Nego-feminists appropriate undermining women to selfishness and when identified, intensive effort that includes working with men will be needed for women to regain power. Evidence is presented in this study that already from the time they were recognised in the position; the ability of SWTL was doubted. Since it had been a common practice to bestow the position of senior traditional leader upon males within the institution of traditional leadership, doubting SWTL suggests that men are the preferred candidates for the position. The sentiments shared by the research participants below express this notion:

*RP#10: I haven't understood it till today, I really haven't. It becomes a secretive environment. The status issues as a woman Inkosi in charge is a challenge.*

*RP#11: I remember when I first started working, as much as they were not saying anything, you feel that they are in doubt, even the decisions that you are making... there is this doubt... While the family chose the queen, there are questions as to whether they couldn't have brought an uncle at least or someone else?*

The doubting and treatment of SWTL presented in the above two extracts contradict both the Afrocentric and Nego-feminist literature regarding the role of African women during pre-colonial era who according to Weir (2006) served in leadership positions. The research participants appear to be frustrated with their position of being senior traditional leaders. In the above narratives, gender and masculinity present a lack of trust in women leadership, suggesting that women are not fit enough to deliver according to the expectations of the positions. Moreover, being scrutinised and always put to the test seem to have exerted pressure on the work of SWTL. In this regard, RP#11 said:

*RP#11: You find that in my case, obviously they were saying I won't last a year. Every time when you do something you have to prove yourself. If you attend meetings and everything, they are listening to pick up mistakes saying*



*'okay, she didn't do this, she didn't do that, and we are giving her another year... she hasn't fallen pregnant, we're giving her...' you see? There's a lot that comes with you being a woman traditional leader.*

The above research participant related that doing her job is never a smooth journey because she is constantly subjected to the stereotype of women being viewed as failures and not able to sustain leadership positions. The views shared by Ndulo (2011) who argued that women are not seen as equals to men when it comes to leadership capabilities are linked to this finding.

Participants also expressed their experience of being undermined mostly by men either from the community or within traditional councils and/or royal families. In this regard, the following comments were made:

*RP#06: Usually it is the men who want the position. Eventually they will start voicing their dissatisfaction about being ruled by a woman.*

*RP#16: Even me, I am abused on my side by people in general. When someone has been here and had their discussed, they go out and say: 'it is such a problem that women are in power, nothing gets done'. This happens when they have lost the case.*

Khumalo and Botha (2011, p. 44) agree with the above findings stating that, "certain traditional councils are opposed to women as traditional leaders." It seems that the research participants also face situations where they are not properly listened to and therefore quoted out of context and unfairly because they are women. RP#11 said:

*RP#11: Like I said, when the police have failed her, you call him as an Inkosi. He tells the wife 'I will not go to that woman you tell me to go to.' You understand? In other words, you become belittled in such a way that you end up not existing.*

This is a contested area that has been greatly influenced both by colonial and apartheid regimes distorting and subjecting the position of women as being subservient to that of men (Sesanti, 2016). What is evident is that the participants were also weary of the competition

that they are subjected to as females. The research participants reported how it was expected of them to outdo males within their leadership position by going an extra mile to impress either the community or the royal family. The research participants thus reported the following:

*RP#11: When you do something that a male king would have done up to level two. You must move to level four to prove that you can do it.*

*RP#10: If you're a woman Inkosi, I've picked it up a lot with men. It seems you must work harder...you must prove a point. While the other person won't do anything, they'll still get the recognition.*

The above finding is supported by Phakeng (2015)'s view that in leadership positions, there is subtle pressure imposed on women to be competitively advanced and work harder than men. Further to the expectation that women leaders must show their capabilities, the research participants also noted that they would even be compared to their male predecessors when addressing matters. There seems to be little acknowledgement of them as individuals, but instead an elevated desire for them to be men. It also emerges from the above extracts, that the participants were also aware that there would not be much delivered by their male counterparts who routinely receive recognition. The research participants recognised this behaviour as a barrier to smooth proceedings within their traditional courts. This was indicated in the extract below:

*RP#02: What hits us the most when there is a meeting you find people saying 'the old Inkosi did not handle things this way' or 'the old Inkosi did that.' When they are asking about something, they will start by first telling you what the old Inkosi used to do.*

Instead of being apprised on what the cultural barriers were for impeding women from attaining the position as SWTL, the study revealed that much contention had to do with gender stereotypes. The continued comparisons and expectations for women to prove themselves worthy and deserving of the position as SWTL harbours a patriarchal ideology that subject women to weakness. Such undermining goes deeper to the extent that they endure insults directed to their human person. The role of SWTL is clearly subjected to

patriarchal constraints that affect all ordinary women despite them being in a position of power. Such views are similarly shared by Phakeng (2015). As such, Nnaemeka (1994, p. 314) relates that the “abuse of the female body is global” and suggests that it becomes critical to examine and understand it within the context of the dominant patriarchal construct. Ebila (2015, p. 146) warned about such contextual appropriation of a “proper woman” being the one who puts the interests of family before hers and not being concerned about everything else surrounding her but how she should be providing for her family. In this study, SWTL are challenged based on such deep-rooted attitudes and believes of what constitute an African woman. This is the war that according to Muhammad, Talif, Hardev and Bahar (2016, p. 197), has been there and is not ceasing to continue despite Nego-Feminism advocating for ‘winners’ and ‘losers’.

Ebila (2015, p. 147) further declares that “the idea that proper African women should not speak up was not only a creation of colonialism, it had also been institutionalised within the masculinist State by virtue of their patriarchal inheritance from African traditions.” This suggests that the institutionalisation of women’s oppression also extends within Nation States that have assumed democratic principles of governance. For example, in a study conducted by Asiimwe and Crankshaw (2011), it was found that women living in urban areas within Uganda were experiencing oppression from statutory and customary law which did not allow widows to automatically inherit fixed property from their husbands. Therefore, the brave assumption of the role of addressing women abuse by SWTL, and their ability to manoeuvre through it by applying the qualities of care, support, respect and patience, are subjected to not being fully noticed and enjoyed because of gender discrimination. It is thus a continuing struggle to restore the leadership role of women in Africa. It comes across as if it is a curse for women to occupy the position as SWTL as both RP#03 and RP#19 described:

*RP#03: This one time, there was a debate on what value can be harnessed from a woman. It came out that a woman is small-minded... I underlined that when he reports to men, it is different from when it is me... he had that mentality of me being a woman.*

*RP#19: So, in that sense, it is even more when it is a woman Inkosi. It is just the general undermining or belittling, and they insinuate that women Amakhosi are not open-minded.*

There are obviously deep-rooted challenges that carry gender connotations. The above research participants are indicating that amid all, they get to be ignored when speaking, a behaviour which is far removed from how the institution of traditional leadership conducts its business as leaders are normally respected. Despite the challenges of their leadership being disrespected, tolerance of SWTL is evident and they engage others. Nussbaum (2003) also found that the compassion to include others, transparency and tolerating them is a skill possessed by African traditional leaders. Similar to this study, Nussbaum (2003) also noted that these abilities do not come easily as there needs to be a desire and commitment to listen so that at the end there is common understanding. Despite participants being tolerant, the conduct towards SWTL confirms broader challenges not only attached to gender, but also to deliberate disrespect and attack on their leadership integrity.

#### **7.2.1.2. The scars of abuse**

The position of *ubukhosi* has over the years been surrounded by succession disputes. Historically, there is evidence that the rightful heirs were toppled and lineages became distorted to suit the interests of other parties within the family. It is with the advent of democracy, that other traditional councils began appointing women to hold positions for their sons while they were still young (Maseko, 2015). The majority of SWTL in this study occupied the position because their sons were still too young to be enthroned. The expectation that the position of a senior traditional leader should be filled by a male still exists. As a result, such expectations led to the research participants experiencing direct personal abuse in their position when addressing women abuse. One research participant stated that:

*RP#18: In the family, some wanted that it should be a man who becomes an Inkosi because here at XX there has never been a woman Inkosi.*

While, The Traditional Leadership Framework Act (Act 41 of 2003) authorises for women to be incorporated within critical structures of the institution of traditional leadership, the above

narrative presents an element of rejection or resentment of the notion within royal families. Having broken the barrier where it has always been a male *Inkosi* on the throne, the idea is met with fierce challenges to the legitimacy of the incumbent. Male primogeniture and hegemony appear to still enjoy favour. Although women are acknowledged to have been active within critical structures of the institution of traditional leadership, more literature points to the lineage having been dominated by the male blood line. With the advent of democracy in South Africa, the practice of females occupying the position of *ubukhosi* began to be common (Ncapayi and Tom, 2015). In terms of The Traditional Leadership and Governance Framework Act, 41 of 2003, the selection of who needs to occupy the position of a senior traditional leader is the responsibility of the royal family. However, it is noticeable in the narrative of RP#18 that there were two family camps opposing each other on the decision of putting a female in the position, where the pro-female faction won. It therefore cannot be ruled out that the failure of those who were anti-female to the position would imply them ceasing to dwell on their defeated desires despite her performing the roles and functions in accordance with the mandate of the position. Accordingly, RP#09 explained that:

*RP#09: From families, as mothers we know what it is like being a woman Inkosi. There are conflicts most of the time as we are holding for our sons. I've also had some dysfunction in my own family because of them still feeling someone else should be in my position... someone like one of the brothers within the family. I had that form of abuse towards me within the family, not from the community.*

The above research participant is referring to conflicts always taking place within the institution particularly around who the successor should be. Maseko (2015, p. 55) advanced the thought relating scepticism around leadership of women among traditional leader to an extent that families may refuse women to occupy the position in the absence of a male heir.

Although many authors such as Hawkins (2002), Ahmad et al. (2004), Dodo (2013), Kang'ethe (2014a) and Sesanti (2016) argued that the relegation of women as subservient to men was a colonial project advanced through patriarchy and not an African practice pre-colonialization, male hegemony is still pervasive in African communities. Maseko (2015, p. 4) recognised this as a common practice within the Zulu nation, where traditional leaders

despite the legislative framework allowing for women leaders to be appointed, “have found it difficult to recognise women in leadership roles, especially in the position of *Inkosi* or *Induna*.”

Another research participant also shared the reality of abuse for them as women leaders due to the lack of respect, to the extent that when they receive respect, they themselves doubt its genuineness. RP#02 said:

*RP#02: I look at how they respect me and I am not satisfied, because I am not sure if the respect they are giving me would be the same as that they would give the male Inkosi? The TC is fair and respects me as an Inkosi, but the community does not.*

The level of dissatisfaction coming from the royal families in other narratives is now being influenced from the community level. This suggests that some mixed reaction refuting females as senior traditional leaders can come from the community and/or the royal family. Both carry a strong and critical advancement because an *Inkosi* needs them to properly promote the interests of the institution of traditional leadership. Maseko (2015) argued that community members participated within traditional leadership through platforms that were created for them to have a say on matters. Likewise, RP#12 also said:

*RP#12: Even for us as women Amakhosi, there is a challenge of also being abused in our families. You find that a person sometimes even calls you by certain names... sometimes looking down upon you, and not trusting you, judging you... When the community people love you... there are those who have problems and are fighting for the position of ubukhosi. There are always power fights within ubukhosi.*

The above extracts point to the depth of abuse experienced by the research participants. Being called names, looked down on, not trusted and being judged, patently reveals that psychological, emotional and verbal abuse are present, particularly because there is interest in the position. The everyday experience of such abuse can contribute to poor self-esteem and self-judgement of inadequacy. This suggests that SWTL have a tough ride within the position. However, in terms of Nego-feminism and the issue of roles, the participants seem

to be patient, taking advantage of not conflating issues of collaborative existence with outright opposition of how they are treated.

In the following narrative, RP#16 also restated the pressure SWTL face. It is also clear that when experiencing these types of challenges, at times, the participants feel hopeless and nostalgic for their late husbands. As captured below, the research participants are sometimes left to fight their “*own battles.*”

*RP#16: It is a lot; it is the community and what comes from the family. The person who got you here [husband] is not there anymore. So, you fight your own battles.*

Having to fight one’s own battles, together with other challenges presented later suggest that the burden coming with the experiences when SWTL address women abuse is unbearable. Such challenges are given despite the demands of the position dictating that one must be surrounded by loyal people that have interest in the welfare of the entire *ubukhosi*.

### **7.2.1.3. You are a leader, therefore provide solutions**

Mawere and Mayekiso (2014) argued that by being located at the grassroots level and living with people in the villages, traditional authorities have a key role to play in fostering democracy and advancing social equality. The research participants felt that abused women who come to report matters related to abuse expect them to offer more and deliver beyond the limitations of the institution. As mentioned by the comments from participants captured below, expectations to end the plight of abuse among women ranged from provision of comfort, easing of financial and the health burden, to being expected to possess knowledge or the ability to arrest perpetrators. In this regard, RP#04 expressed that:

*RP#04: They expect me to comfort them and I do comfort those I can... but I am not saying it is enough I am still trying... sometimes I am able and sometimes I am not. If I am unable, I take whatever I have, to comfort that person.*

The above extract confirms the views of Williams (2010) that communities under traditional leaders look up to them when there are challenges. In the above narrative, the participant is

clearly communicating that at times, because of an inner desire to assist, she does not allow the situation to deter her from providing the least of comfort, even when she has nothing to offer. This demonstrates her tenacity of using her mothering ability to reach out and see to it that comfort is received by abused women.

Again, as RP#10 also stated:

*RP#10: They still expect me to perform. I am expected to perform miracles, that I always have solutions even when there are injuries.*

RP#10 is referring to those who have experienced abuse but are often not privy to the fact that there are limitations in her role particularly when there are injuries. Survivors seem to have hope in her that when she becomes aware of their plight, she is able to do things even beyond her capabilities.

RP#11 also indicated the same that:

*RP#11: When a person comes to see you, she doesn't expect that there's something that you don't know...they expect that one, for you to make the pain go away. If she has been beaten, she expects that you would take that person and throw him in jail by not going through the court process and all that... you must do it... So, she doesn't expect that there's something above that. The buck stops with you... Those abused by their husbands by not giving them financial support expect me to give them money. So, it is things like that... they don't expect that you can fail.*

The role of caring and support that is naturally assumed by women, gives hope to abused women that the SWTL is better-positioned to advance their well-being in this study. However, RP#11 is concerned about little or no understanding of her limitations by those expecting assistance from her. For example, the role of incarcerating perpetrators is clearly the role of police and the courts, but the authority that comes with being a SWTL is misconstrued by abused women to be also possible for RP#11 to undertake. Going back into how matters were before, this suggests that through the Afrocentric lens, abused women could be thinking that women participants as senior traditional leaders have the power to



overturn anything that presents difficulties for people to co-exist harmoniously with each other. Hence, the assumption in the narrative of RP#11 that, “*the buck stops with you.*” As the mother of the nation, the expectations from the vulnerable are for the SWTL to nurture and provide solutions for their ordeals. Accordingly, SWTL embrace their roles because the expectations are for them to also negotiate the space of women within their communities and soothe the various painful circumstances presented by abused women.

The above discussion presented the challenges and demands placed on SWTL by abused women under the impression SWTL possess the power to take away the pain of abuse. However, challenges that manifest, for instance doubts, insults, being compared to male predecessors and male hegemony are what each of the participants found challenging on a personal level. But, given the situation and their innate desire to assist those vulnerable, their efforts still need to be lauded.

## **7.2.2. Customary law versus statutory law**

### **7.2.2.1. Government micro management of the institution of traditional leadership**

The structural position of the institution of traditional leadership also has challenges that make the involvement of SWTL in addressing women abuse to appear an almost impossible task. This is despite participants having indicated how they struggle with providing adequate interventions in their areas due to challenges directed to them personally. The research participants expressed how the limitations imposed on the institution as well as the negative and undermining perspectives contribute to their difficulties in addressing women abuse. In this regard, the contribution of RP#08 was as follows:

*RP#08: As the way things are, it is as a result of how the government is behaving. We can't even get people to compensate for wrongdoings because the government says we don't have the rights to do that. When you try to do that, they'll ask you where that law is. It is the government that makes things worse because when you try to do things like [back] in the days, it is jeopardising Amakhosi as they no longer have such power. For example, if a person was not present for a case, before we could go and take something of*

*his to compel him to be present. That is no longer there... we can't do that anymore. In that way, the government adds to our challenge.*

RP#08 argued that while the South African government through its legislation has acknowledged the existence of traditional leadership, the powers that traditional leaders used to exercise within their communities have been removed without modification. For example, Ajayi and Buhari, (2014) indicated that traditional leaders used to make people compensate for wrongdoing as a way of maintaining control and order. However, RP#08 suggests that the practice has been removed. This brings us back to the question raised in chapter two on what government's intentions are for transforming the institution of traditional leadership. The perspective from RP#08 suggests that transformation contributes to a disingenuous taking away of the powers and control measures of traditional leaders to govern their communities. Kanyane (2017, p. 213) therefore argued that because of being limited in their role, "traditional leaders find themselves in a position of lesser importance compared to their counterparts in the development regime." Kanyane (2017) also supports that traditional leaders are excluded from the strategic development of their communities. Instead, local, provincial and national spheres of government are staffed with enabling financial resources (Kanyane, 2017).

In line with the stated objectives of this study, although the South African government intends to transform the institution to be in line with the Constitution, it is at the same time rendering the institution less powers because those committing crimes use the option of common law objectives to protect themselves against the rules layered within traditional communities. Taking away of power within the institution of traditional leadership is therefore a disappointment to the appeal of Afrocentrism which encourages the use of IKS to ensure harmony within communities. It is prudent to remember, lest the statement attract wrong criticism, that the Afrocentric appeal is also that harsh practices that no longer suit the current times should be avoided. The interpretation is that perpetrators could deliberately undermine the words of SWTL when summoned to traditional courts. Such actions could in the past be punishable because it would have been a sign of disrespect. But when the instruction from the senior traditional leader is undermined, such actions of perpetrators

could send a message to other community members that there is no longer power in the word of a senior traditional leader.

RP#10 further added a perspective that government assumes without investigating, that people are being abused within the institution of traditional leadership. She said:

*RP#10: They should also not believe that we abuse people... The government should research more broadly on what happens here instead of making assumptions about us.*

An important part of transforming the institution of traditional leadership was to successfully ensure that women were accorded the right to be in positions as SWTL and partake in making crucial decisions for their communities. But it seems that within government itself, there have not been enough efforts to assess the changes that women in leadership have brought with them. Otherwise, RP#10 would not be of the view that there is still the belief that people are abused within areas of the *Amakhosi*. The below participant further said:

*RP#09: It was better back in the days. If a person disrespected, something of that person could be taken. You would deliberate and days would be counted for them to remedy their actions. If he didn't respond, you would just sell his possessions, reward those who were wronged; and that is how it would end. There was big respect as a result of that. Now they just don't care. If he goes to court, he gets arrested today and is out the next day. They know that's the only law.*

What is being suggested by RP#09 is that, there was previously consequence management within the institution of traditional leadership where community people were held accountable for their wrong doing. However, the lack of enhancing and supporting the institution of traditional leadership to be as effective as it was once envisaged undermines the respect that people used to give the institution. It also diminishes its potential to discourage the perpetuation of women abuse in traditional communities. In the past, those who perpetrated crime (directly or indirectly) were held liable through taking away their possessions such as livestock, which were a pride of African households. Hence, a man would ensure that all household members including him abide by the communal rules to

avoid such penalties being imposed on his household. The research narratives suggest however that things have changed, and control has been lost. In this, RP#10 communicated her dissatisfaction in that African practices that used to ensure that order was kept within traditional communities were now being greatly challenged. She thus reported:

*RP#10: If it were up to me, he should have compensated extremely in line with the Zulu culture. There are so many Zulu practices he had broken but it is due to these policies that greatly limit us. Zulu practices or customs did have more power in resolving issues. They also did not encourage any form of physical fighting. People would even get together with meat and Zulu beer and have a bit of feast. By then, issues would be resolved. Nowadays, with these policies, court orders etc. it is just too much. People are not given a chance to show remorse and forgive each other. At the same time, when someone is arrested or has been released, we don't know if there has been any forgiveness.*

In the above extract, not only is RP#10 acknowledging the power that African practices (particularly Zulu in this context) used to enjoy in the past, but she also confirms the presence of micro-management where traditional leaders are subtly or indirectly being told how to govern in their areas. RP#10 indicates that through compensation, the Zulu way of restoring peace and ensuring that justice is reached, the perpetrator would have been heavily fined. Not only did these measures direct the perpetrator to refrain from repeating an offensive action, but it would also be a lesson to others that such an offense was unacceptable. What is also important is that at the end, feasting of the community together would be a symbol that things had gone back to normal. However, the research participant is stating that such ways which were publicly used to ascertain that forgiveness is reached, no longer enjoy popularity. Hence, there is now always the uncertainty whether wrong actions will be repeated. Such circumstances leave SWTL with feelings of helplessness. This can be ascertained from the words of RP#10 that, “*Nowadays, with these policies, court orders etc. it is just too much.*”

In another narrative, RP#08 stated:

*RP#08: The community has been distorted by the government. There is that mentality where certain tribes with own laws are unable to follow them as they are told those laws do not exist. You would see even on TV where they say an Inkosi has no right to make someone compensate. A person may even question whether you have a right to trial them and indeed, those laws aren't there. I really don't know what can be done. It is a hard one.*

As per the South African Constitution, the institution of traditional leadership has the right to develop and enact its own customary laws within communities, subject to those being developed within the parameters of the Constitution and benefiting the majority community. Such customary laws would be acknowledged by Afrocentrism as indigenous ways of how people live their lives. But given that the South African Constitution considers individual rights, the above is suggestive of decisions based on customary law having the potential of being challenged based on individuality rather than the majority principle. With the control of government, it seems that the autonomy of traditional leadership is dwindling. For example, RP#08 above is mindful of the distortions where misaligned laws that are not complementing each other contribute to luring communities away from old practices.

#### **7.2.2.2. Stakeholder non-cooperation**

Although it was mentioned in chapter six that other government stakeholders such as magistrates provided the necessary acknowledgement to the existence of the institution of traditional leadership, the cooperation was not always seamless as it often depended on individual initiatives. As Williams (2010) illustrated, the institution of traditional leadership is faced with new challenges and expectations such as having to address HIV&AIDS and violence against women and children, ever-increasing levels of poverty and human trafficking that affect the nature of their rule in rural areas. With regards to the persistent scourge of women abuse, the KZN Planning Commission (2016, p. 39) reported that the persistence of these problems is due to, “duplication among different projects that deal with gender-based violence and the role of the National Council on Gender Based Violence is unclear.” In addition, “there seems to be lack of monitoring and evaluation of programmes dealing with GBV, lack of access to justice and impunity of offenders, [and] inadequate services for survivors of GBV” (KZN Planning Commission, 2016, p. 39). Such an

observation highlights the issue of women abuse receiving inadequate attention due to the lack of working together to defeat it.

Amidst the above challenge, research participants in this study spoke about the need to be acknowledged by the SAPS, social workers, nurses, and lawyers as a way of ensuring a timeous response when attending to the realities of women abuse seeking immediate attention. In this regard, RP#12 reported:

*RP#12: You arrive at the hospital since it is an emergency..., we are here in the rural areas we struggle, and the ambulance is called but does not come on time. Here is the injured person, I am supposed to act, I have a car, and I am able to assist that person, take her to hospital where I will stand in the queue... sit in the bench like anyone else without being recognised.*

The above narrative is an indication that even under the circumstances where participants can urgently assist their community members, the urgency of handling the matter further may be delayed by how they themselves are attended to by other stakeholders. This means that SWTL are not acknowledged as equal service delivery partners. The understanding is not that the participants cry for elevation everywhere they go, but it is of importance to be acknowledged for the efforts they make in attending to matters of women abuse particularly in the absence or limited availability of resources. What is noticeable from the above is that despite the lack of resources in the community, the participant responds instead. However, not being acknowledged respectfully within the helping process as an equal partner is demotivating. In addition, it is clear that there is no existing database or resource list or network of all stakeholders to recognise each other's expertise. The existence of such a database or network would have numerous benefits. If each stakeholder is identified for their expertise, then collaboration in terms of addressing abuse would become comprehensive.

The research participants voiced their frustration at the lack of institutional respect towards traditional leaders. As people rely on them to be making follow-ups with cases, they seem to be side-lined on progress and seen as a nuisance. The extract captured below is an expression of the constant initiatives from the participant only to be cut short, followed by a non-reciprocated engagement with her by other law enforcement agencies. RP#10 said:

*RP#10: We help in terms of family disputes. That's where we intervene to build peace in families. However, for a rape case, it needs to go to court and I don't qualify to do that. That means I need to refer the case, but I need a follow-up on it in terms of what's going [on] with it, the inspections and so on. You keep checking on the progress, and they'll say it is being investigated.*

Frustrations shared by the participants also indicate that the institution suffers challenges of not being a significant other within the system of governance. The report by De Bene (2016) indicates for example that police station commanders acknowledged the collaboration that exists between the police and other service providers such as educators, healthcare and social workers that served rural areas. However, they failed to clearly express the same for collaborations between police and traditional leaders (De Bene, 2016). Elaborating on her frustrations, RP#11 made the following comment:

*RP#11: So, whatever you do, they will question it. They will be saying no, she shouldn't be doing this because there is no law protecting her.... The society has ended up not respecting traditional courts, because they think they have no power. If they go to lawyers, they are advised that Inkosi is not qualified to discuss the case and send me a written notice.*

It has been noticed by SWTL that they are being undermined and treated as if they do not know what they are doing. It seems criticism is not geared towards the non-provision of services or under-performance of traditional leaders, but instead they are attacked and labelled as unqualified to handle certain matters such as court cases. It has been indicated within this study that the research participants do not shy away from suggesting that there are matters which they know they are not supposed to handle and rather make referrals (as per RP#10 above). However, it seems there is a much deeper trivialisation of their position as SWTL and its existence alongside State-based professionals within communities. Reference was made that even Africans that are working for the State but know of the processes of traditional leadership, also turn a blind eye and subject the institution to criticism. This finding is echoed by Kang'ethe (2014a) that "elite" Africans have embraced the culture of the West and have reduced their own African culture to a subservient position.

A much deeper challenge about stakeholder cooperation was also reported upon by the participants where abused women suffer re-victimisation at the hands of law enforcement agencies such as the police. RP#11 indicated that:

*RP#11: When you ask her, she would say she had been going to the police and her case was not taken seriously, you see. The policeman, who comes to speak to him, is his friend. At the end of the day, it means that she is not treated fairly by the police and even within the family, she is not safe.*

The above finding that police re-victimise women when reporting abuse should not come as a surprise. Djikanovic', Wongb, Jansenc, Kosod, Simic', Otas'evic', and Lagro-Janssen (2012, p. 191) also found that "women who reported severe abuse were even more likely to be dissatisfied with the help from the police than women who reported moderate abuse." In the above extract, RP#11 notes that the extent of the re-victimisation of abused women further exacerbates their condition because of the unprofessional and unethical handling of women abuse matters. The fact that a police officer is friends with the perpetrator not only leaves the woman hopeless of finding help, but further exposes her to on-going abuse because once seen at the police station, the perpetrators will know they were there. There is therefore no privacy, respect, or fairness afforded to women who experienced abuse. In addition, their safety is not guaranteed at the hands of the police or in their homes. Even when efforts are made by the participants to report abuse cases on behalf of survivors, they themselves also sense how it feels to be re-victimised. RP#10 made reference to such an experience when she recalled:

*RP#10: When someone comes to me to report, they'll explain their story and I listen. When I speak to the police over the phone, they'll refer me to someone else. Then you must explain to that next person again and only to be told it is not their case. That's also abuse at the police station, where you're supposed to be helped. How many times should you explain your story? You report rape, they'll ask questions. Once you're done, they'll call upon someone else. So those are things really, you see.*



The treatment and non-cooperation received by participants from other stakeholders seems to have no boundaries, but cuts across various streams of professionals, including social workers. In line with this view, RP#20 said:

*RP#20: They only remember Amakhosi when they have to come sign a form. Sometimes you find them coming without doing a presentation on what the form is about.... Another social worker came and asked [me] to sign and I told her that I can't sign a form I do not know.*

The above extract brings another element of being unrealistically expected to act while nothing has been explained to them (in this case, by social workers). The participant is indicating that at least on other things they deserve to be advised and made aware so that they can fully support other stakeholders without feeling bluntly trapped.

Participants' responses presented above challenge not one, but multiple professionals (including social workers) who are mandated to play a critical role of being mindful of the sensitivity, urgency and above all, the *ubuntu* that needs to be embraced in order to effectively serve abused women.

### **7.2.2.3. Lack of funding allocation to traditional leaders**

As Kanyane (2017) argued, the institution of traditional leadership is under-resourced and seemingly competes with municipalities for funding at the local government level. According to George and Binza (2011), municipalities are allocated budgets that place them central to local development initiatives and afford local municipal leaders the respect within communities. Traditional leaders on the other hand only receive government salaries and largely depend on donations from municipalities and other State organs for events in their communities (George and Binza 2011). RP#14 referred to the struggles they faced while trying to address women abuse particularly due to the little financial support they receive from government. RP#14 said:

*RP#14: All of that becomes a challenge if our government is not supporting us... this is one government that continues to provide development but ignoring Amakhosi. You would find Inkosi being on his/her own with the little*

*they have... some are unable to do anything because people's minds are not the same... Government must learn to allocate budget to Amakhosi for them to be able to improve their communities.*

The study by Teffo-Menziwa et al. (2010) revealed that traditional leaders felt disempowered by the State in terms of access to funding allocation to address social problem of gender-based violence. This situation renders the plight of abuse faced by women in rural areas to be further aggravated. As indicated by Bower (2014, p. 107), many pivotal services fail to reach rural areas, therefore compelling residents in rural areas to “remain among the most vulnerable and marginalised in the country.”

From the above narrative, not only the lack of resource allocation is experienced, but there seems to be what the participants refer to as the potential ignorance of traditional leaders within the sphere of community development. RP#14 was vehement that, “*government must learn to allocate budget to Amakhosi.*” Not only does this show a great sense of willingness on the part of SWTL to uplift local communities, but there is also a desire to be treated as equal partners in development. Another research participant said:

*PR#07: There are political associations where food is provided. People go to those associations in their numbers. That is the other big challenge that we have that people will meet with Izinduna and Inkosi and will come back hungry. It seems like it is only councillors who do those things. Then you experience a councillor going behind Inkosi's back and taking decisions without coming to Inkosi to ask if it is right or wrong.*

There seems to be political favour when it comes to resource allocation. Any initiative by SWTL to intervene through gathered and inclusive community platforms is deemed to fail because unlike with politicians, they have no incentives to give to people. The research participants realise that even their leadership roles are challenged because people no longer prioritise meeting with them as their leaders. In addition, the research participants revealed that as a result of being under-resourced, they were not privileged to receive at first hand or learn about certain critical decisions made within their communities. This situation renders an unhealthy competition in terms of sensible attention that needs to be afforded to urgent

issues such as women abuse. It also contributes to ensuring that a disagreeable relationship is maintained between traditional leaders and municipal officials.

Yet another research participant commented on how as traditional leaders, communities expect them to execute their tasks without realising the absence of resources they face. As I interpret what RP#10 said, SWTL are subjecting their struggle to unfounded beliefs that traditional leaders “are not qualified” to get involved in such cases.

*RP#10: They still expect me to perform.... but only to find I don't have the tools that are adequate for those solutions. Because in some areas, they still believe Amakhosi are not qualified to get involved in those cases.*

Another issue presented by participants concerned the limitations they face because they live far from their communities and are therefore unable to give urgent attention to deserving matters. While physical presence can narrowly be questioned due to contemporary South Africa being at an advanced level with technology, it is worth acknowledging that in earlier times, meeting face-to-face with people used to be of paramount importance for traditional leaders. Despite the distances between their areas, research participants indicated that with resources such as having food to give to the people, they would be at an advantaged position. Besides (while sensitive to poverty), serving food when people have gathered has always been understood as an African gesture of appreciation and hospitality. In relation to this, RP#03 said:

*RP#03: If I'm talking to someone from one of my isigodi which is far.... I go from here to X, from X to Y and only then I arrive there. So that means it is very far. If I want to meet with the women from MM, women over there are starving. We always express that we wish to meet people. It is not nice that I want to help but I'm not able to.*

Micro-management in the sense of government imposing what should be done within the institution, both stakeholder non-cooperation and the under-resourcing of the institution becomes a serious barrier to addressing women abuse despite the willingness of SWTL.

### **7.2.3. Structural challenges**

### 7.2.3.1. Private lives, public issues

At a structural level, abuse occupies a space where it is not reported, being qualified as a symbol of love and as a family matter. The United Nations (2015) warned about a possible link between women's reluctance to seek help when abused and the prevalence of accepting violence against women in the society. It asserted that although there is change of attitude towards domestic violence, wife-beating in many countries is believed by both women and men to be acceptable under certain circumstances (United Nations, 2015). Such attitudes contribute to the non-reporting of abuse by survivors, making it a private matter even though it is a public matter. According to Mpani (2015), women survivors of violence did not always report to the police or even talk with friends or family. Participants in this study also reported facing a challenge of women not reporting abuse leading to SWTL's inability to intervene timeously. Various circumstances and reasons are often found to perpetuate and/or being provided by abused women as to why they do not report abuse. Participants in this study presented the following about the non-reporting of abuse by women in their respective communities:

*RP#01: Others hide them because they are protecting their families so that their issues are not known by Inkosi or other people... some people do not want their family issues to be known not because they are not experiencing abuse.*

*RP#05: Here in rural areas things are kept as secrets because of the fear of embarrassment.*

*RP#10: When an issue is initially minor, it doesn't come to you, they don't report it. Once they get kicked out of the house, then I get to know... They don't report when they are abused and neighbours too don't really look out for them, like the old-school way of neighbours looking out for each other.*

Mbambo (2016, p. 19) attested to other factors which have the potential to influence the non-reporting of abuse, such as the, "limited means of transport services to access courts, slow response from police services with few socio-cultural and economic support services to abused women." Given these challenges, it would then be expected that neighbours would

become aware of abuse and be able to report it. But RP#10 raised the concern that the African trait of community care was also showing signs of erosion where neighbours are no longer extending care to each other. According to Rwomire and Raditlhokwa (1996), neighbours within traditional Africa intervened where help was needed. Such a condition proposed a major challenge to addressing women abuse given the reality of absent resources or limited provision of services in rural areas. From RP#10's narrative, it seems further enquiry into whether *ubuntu* is rhetoric, or a reality is needed. This is said given the study conducted by Raniga (2019) which also found two opposing evidences where a group of foreign women participants' experienced xenophobic hostility in one community, while others from that same community harnessed *ubuntu* from neighbouring communities.

It also appears in this study with the prevailing levels of silence and secrecy, the tendency of hiding and condescending of abuse within traditional communities, that personal safety is not a priority among abused women. The dangers of not reporting abuse to SWTL and subsequently to the South African Police Service (SAPS) suggest that the situation perpetuates itself. While the preserving of family names and reputation surfaced, participants also observed that survivors wait until the circumstances are dire before reporting them. In a study by Fleischack et al. (2017, p. 137), it was found that counsellors also faced challenges where victims of women abuse reported abuse only at, "the most dangerous time for them." Fleischack et al. (2017) understood such behaviour to be revealing complex unequal distribution of power relations where women feared further violence could be forced upon them if they reported. The narrative of RP#05 above also points to fear of embarrassment found by Birdsey and Snowball (2013) to be the cause for non-reporting of abuse.

According to Kempen (2018), the under-reporting or non-reporting of crime, including sexual crime to the police particularly in South Africa, often has something to do with a lack of trust in the police services, often caused by the non-visibility of policing, corruption, laziness and lack of cooperation, as well as the early release of suspects by the police. SWTL again have the potential of closing such gaps. The evidence further suggests a culture of silence permeating within traditional communities and therefore blocking critical qualities of *ubuntu* and care to be realised. To illustrate the pervasiveness of silence prevailing among abused women, RP#10 reported that:

*RP#10: I was left to control that situation. We found out something totally unknown and tragic that the woman had not disclosed... when the survivor reported that at some point he took her to the bush and she found weapons in his suitcase and said... had I not had a second phone I had hidden in my breasts to phone my brothers, I don't know what he would have done... That's where we realised that the abuse was hidden and no one else knew. Only then that it was known that a lot had happened.*

In the above extract, it is clear that only when the situation becomes intolerable, the survivor sought help and leaving RP#10 no option as she was “*left to control the situation.*” The narrative exposes the silence and delays in reporting abuse to SWTL renders them incapable of intervening timeously. But if reported on time to SWTL, actions are initiated as noted by RP#09 in the following narrative:

*RP#09: So, this boy abused his mother sexually and physically. I found this out from an Induna's report. So that boy was arrested but the mother was not willing to speak out about that... Now, the mother wants her boy back because she says things aren't ok and its “cold” in her house.*

The unwillingness of the parent to report and talk about abuse suggests that abuse at the hands of her own son had been internalised and normalised. In South Africa, the Criminal Sexual Offences and related matters Amendment (Act 32 of 2007) would classify the actions of her son as a crime deserving of punishment. Internalising abuse may not necessarily mean that African women agree with their situation, but as Bouilly, Rillon and Cross (2016) suggested, their concerns within a challenging situation are broader as abuse may not be the only struggle they face or must deal with. The Nego-feminist stance to this suggests that women understand the involvement of the police as not the ‘how part’ of dealing with their abuse. Fleischack et al. (2017) relate such behaviour as a discourse of nurturing femininity, where women stay in abusive relationships because they are physically and emotionally attached to their children and partners and may therefore not report abuse.

Wilcox (2012) stated that parents may have power in terms of access to resources that are not available to children but when children threaten abuse, parents tend to relinquish parental

power and children succeed in abusing them. In the above narrative, RP#09 faces several specific challenges. First, the matter comes to her attention but the survivor was not cooperating: “*not willing to speak out.*” Second, the intervention of RP#09 led to the arrest of the child, but it is questioned by the survivor who “*wants her boy back.*” These actions from the survivor suggest that she endured abuse at the hands of her son over time. The plea of the survivor that “*she wants her boy back*” and “*it is cold in her house*” is symbolic that her parental powers were rejected by the child and abuse became a reality in her life. This again reveals the severity of hegemonic masculinity exercised by males over their own mothers. The actions disregard the hierarchical position of African women who should be accorded respect by those younger than them. The African powerful mother that is respected and protected by her son as Kyalo (2012) would concur has disappeared and is replaced by a harmful son towards his mother.

Another challenge was that women would rather abandon abuse cases altogether when they realise that it may have to be escalated by being reported to the police. RP#10 presented this challenge as follows:

*RP#10: It [is] as though you want to separate her and the man when you say she should report to the police. They don't even come back for the case of them being kicked out of the house since you have mentioned the police.*

The above extract bears evidence that abused women tend to prioritise seeking intervention from SWTL to help them from being expelled from their own homes but would overlook the idea that police intervention can assist with bringing such abuse to a halt. As a result of mentioning the involvement of police, RP#10 is particularly experiencing a situation where a case lodged with her is no longer being pursued. This suggests that women would rather choose to live within environments of continual abuse out of fear of being separated from perpetrators. Separation from the perpetrator has the possibility of the abused woman giving up her house and therefore becoming homeless. Afrocentric expectations of men providing care and protection for their wives and families does not agree with men subjecting their wives to the desperate situation of homelessness. On the other hand, the Nego-feminist view would indicate that in order to find solutions to their predicaments, women should be willing to explore alternatives such as pursuing peace and compromise. Therefore, it becomes a

reality for abused women to prefer interventions of SWTL prioritising certain matters within the abusive situation. This complicates the situation further because perpetrators may manipulate such a situation by considering their abuse acceptable.

Being dependent on abusers further exacerbate the choices of abused women and lead to their situation being invariably sustained and maintained. De Villiers Graaff (2017) suggests that preventative intervention offers abused women the choice of being self-sufficient, financially independent and empowered by earning their own income and therefore can be encouraged to leave abusive relationships. However, preventative intervention is an unrealistic expectation for many abused women living in rural areas where there are no shelters and no employment opportunities. Bhana et al. (2012) found in their case study that urban-located shelters in Gauteng were all extremely underfunded despite the legislative requirement for abused women to be referred to shelters. This exposes that if shelters are to be established in rural areas, the depth of the problem could become worse given rural challenges such as under-resourcing and spatial isolation referred to in the introduction chapter above.

The research participants also shared the prevailing perception held among abused women where abuse occupies the questionable space of compromised love. Here, abused women not only fear the possibility of them and their children becoming homeless, but also losing all their possessions. Such contested spaces of abuse present immediate challenges for intervention by SWTL. The following opinions were recounted:

*RP#10: If a man beats a woman, they don't see that as being wrong, that the man is not allowed to do that. They see it as something that is supposed to happen.*

*RP#03: It is hard as a leader to get people to open up because in these rural parts, there's still that tendency to consider being beaten by a man as part of being loved.*

The above extracts revealed that abused women normalise violence, which in turn makes it even more difficult for the SWTL to address, since it is viewed as acceptable behaviour. Ciurria (2018, p. 4) shared that, “the perception of love can make leaving an abuser particularly psychologically difficult, even in the absence of material constraints such as



poverty and lack of safe housing.” This means that the desire to be loved and cared for tends to hold abused women hostage to violent relationships particularly where nothing wrong is ever realised and bad behaviour is normalised. The above extracts reveal that the cycle of control and power is maintained by males as they lure their partners to think that they love them. Such control and power make it difficult for the SWTL to penetrate the situation and create an environment where survivors are willing to ‘open up’ about their abuse.

The other challenge that the research participants came across was the lack of knowledge and awareness of what constitutes abuse by the abused women themselves. This was well-described by RP#10 in the following narrative:

*RP#10: The problems I witnessed in this area! I'll first say there are all types of women abuse. At the same time, women don't quantify that as abuse. There isn't that knowledge to them that it shouldn't happen.... Let's say a case comes through. It may seem as something else but eventually you discover that they were beaten but she puts that aside. Then you ask them if they reported the abuse to the police, and you'll hear them say... [it was a habit but what hurts me the most was being kicked out of the house] ... They don't see the hitting as abuse, they don't see that as a form of abuse...but to them, it is like a rightful punishment for wrong doing.*

This study finding is echoed by the findings of Ahmad et al. (2004) that abused women agreed and accepted male dominance and control which led to acts of abuse not being recognised as abuse. Leneghan et al. (2015) also found in their study that participants did not know what abuse really was and thought that it only had to do with physical violence. Similarly, a recent study that probed this phenomenon was that of Rajan (2018) who found that among Tibetan abused women, being abandoned for a longer period, not being given attention or partners losing interest in them were regarded to be much more horrible than being beaten. The links of these studies point to abuse being so internalised that survivors find it hard to separate themselves from the situation. However, internalised oppression does not qualify abuse to be right. Both social workers and SWTL have the moral authority to emancipate women by exposing them to information and challenge the social constructs of abuse within communities.

Again, from the narrative of RP#10 above, the indication that, '*it was a habit but what hurts most was being kicked out of the home,*' confirms that the cycle of abuse was increasingly tolerated by survivors. Elements of abuse are separated by survivors where only displacement or separation with the environment are not accepted and are regarded as abuse. What is accepted however is that their partners are entitled to strike them as it is taken that they deserve to be punished when having done something wrong. Similarly, Rajan (2018) also found that community members (including abused women) understood abuse as a form of discipline that was destined to take place when women misbehaved.

Likewise, other research participants also emphasised the notion of abuse not being regarded as abuse:

*RP#07: And also, a person might not see what is being done to them as abuse. She just takes it as normal behaviour.*

*RP#03: You hear there was a woman being beaten by a man, but it never gets to us as leaders. There is that mentality again that when you're married; you're supposed to get beaten. When you get beaten, you can't make it known... look it is so rural here, they still believe the 'stick' resolves things.*

The above extracts are in line with Chmaika et al. (2018) who found a correlation between psychological and physical abuse. The findings of Chmaika et al. (2018) were based on a quantitative study which discovered that dissociation was experienced by survivors and when it was less severe, it worked as reinforcement for women as they could emotionally detach themselves from harmful experiences. This implies that the suffering brought about by abuse is quantified by how much pain it inflicts on the woman, and repeated occurrences do not necessarily compel talking about it unless harm is inflicted beyond the woman's own ability to endure. Before it gets to that point, it will continue to be hidden because it is accepted that it must take place.

The above extracts confirm participants observing that within their communities, abuse is mistaken as something that should take place. Moreover, multiple reasons to justify abuse emerge. Apart from the internalised belief that a married woman needs to be beaten, abuse is a secret that cannot be made known. The scourge of women abuse that happens within rural

areas is also restricted to the belief that it is normal and should happen. This could also be giving men (particularly in this rural context and setting) a false entitlement to perpetuate further abuse on their wives and partners. Again, the view that abuse is un-African as supported by Hadebe (2010) is clearly challenged by how deep the incidents of abuse are internalised and taken as normal within African communities.

Many incidents of abuse occur in the space where perpetrators are related to survivors and this on its own merit serves as a barrier to report abuse. This is because of the belief that abuse is a family matter and the influence this has on women wanting to protect the family name or its members. Nwoye (2017, p. 50) supported that non-reporting of many cases of abuse including incest or child sexual abuse within African families is influenced by the “inner urge to protect against shame,” believing that, “doing so will soil one’s father’s or cousin’s (the abuser’s) name.” The extract below provides evidence that abuse within families is a complex matter which often goes un-reported for quite a long time. RP#10 said:

*RP#10: There is another family case involving one of the nephews, the aunt and uncle. The aunt’s child raped the uncle’s child and even stabbed her. He kept intimidating her that he would kill her. After the appearance of the scar, that’s when they spoke out and indicated it wasn’t the first time it had happened. You find family abuse there, at which point I have to intervene.... While it had been kept a family secret.*

As much as there are elements of intimidation exacerbating the above problem, there is also evidence of betrayal of the survivor by those whom she trusted. The narrative resonates with the findings of several studies (Cantalupo et al. (2006); Chitashvili et al. (2010); Mesatywa (2014) where the non-reporting of violent crime was fuelled by the belief that it was a personal family matter.

### **7.2.3.2. Substance abuse, poverty and unemployment**

In a study conducted by Javaid (2015), it was revealed that the presence of alcohol and drugs made violence against women worse. In this study, the research participants also pointed out that the use of drugs and alcohol within their communities was a challenge and a hindrance to

curbing the issue of women abuse. The following narratives validate the participants' experiences:

*RP#05: The wife will say 'it's just that ubaba uyaphuza (my husband drinks).' Things like that.*

*RP#19: There is also a high rate of alcoholism and drugs use. All these things have a huge effect on what's going on right now.*

Javaid (2015) also claimed that it was typical of men to blame their abusive behaviour on alcohol and this posed a barrier to professionals such as social workers to intervene and offer support. But as indicated by RP#05, not only men (the perpetrators of abuse) would blame alcohol, but also their wives (the survivors of abuse) viewed alcohol as a factor that influenced violent behaviour. These findings are similar to a South African study conducted by Mpani (2015, p. 1) in Kuruman which revealed that, "loss of employment, misuse of income, physical, domestic and sexual violence, breakdown of family units, including divorce and loss of custody of children" to be among the reported negative consequences of alcohol. A study by Ajayi and Soyinka-Airewele (2018) also highlighted that alcohol abuse was ranked highest by survivors as a common trigger leading to their male partners abusing them. These issues contribute as challenges to impede SWTL in addressing women abuse.

It is concerning if the abuse of alcohol continues because it leads to a question of whether its continuation implies continued violence. Javaid (2015) provided a response revealing that repeated abuse continued when alcohol was consumed. In curbing the abuse of alcohol, RP#19 recounted the following:

*RP#19: We cannot as leaders ask that the bottle stores are shut down. What we can ask is for bottle store owner to communicate with the Inkosi. Inkosi will then call community members and all on what the closing and opening times are... and there shouldn't be distractions. But you see, people always know the opening time but forget the closing time.*

In the above extract, the initiative taken by the participant (seeing that the State is responsible for the issuing of liquor licences to run taverns) was to engage both the owners of the tavern

and the community members to agree on the operating times for the tavern to avoid future problems. But again, the important point for consideration made by the research participant was that the people (supposedly all those benefiting from the tavern) failed to adhere to the agreed operating times.

The participants also observed that some women tend to abuse alcohol together with their partners, and as a result, women often experience unbearable consequences. RP#01 and RP#02 said:

*RP#01: Another thing I noticed needs to be looked at within the abuse of women is alcohol. When both the husband and the wife are drinking, they beat each other. In the second case that I am talking about, the woman was stabbed and killed... both she and the husband were alcoholics. The woman got raped and the suspect was found and arrested before the end of the week, but the woman was found stabbed to death.*

*RP#02: What I come across in this place is that it begins with alcohol. You find that both the man and the woman drink and when they must go back home, they go at varying times and the man will end up beating her up. After that the woman no longer sleeps at home.*

From the above extracts, it is noted that the research participants observed the impact of alcohol and drug abuse as a significant societal barrier factored within the cycle of abuse. The abuse of alcohol renders women vulnerable even when they are accompanied by their husbands. It is either husbands themselves end up abusing their women under the influence of alcohol, or women fall prey to other abusers. The report by De Bene (2016) also provided evidence relating to SAPS station commanders' belief that alcohol abuse by men is an underlying cause for the escalation of gender-based violence as a social problem.

The research data in this study also points to poverty and unemployment playing a major role in maintaining the scourge of women abuse and therefore serves as a challenge for the research participants to address. Rural areas mostly constitute poor people who are part of tribal communities where poverty tends to be rife (Ntonzima and Bayat, 2012). The KZNDHS Annual Performance Plan (2017/18-2019/20, p. 29) also reports that in KZN,

“people living in traditional areas are the hardest hit by poverty compared to people living in other settlement types.” In the narrative of RP#14 below, family life is disturbed, and poverty takes central control as an instigator of violence:

*RP#14: You would find some families always fighting because of poverty...there is a high rate of poverty...husbands are not working most of them stay at home.*

RP#11 also said:

*RP#11: You find that the husband is unemployed. He comes home and says he wants food; he expects to eat nice food like meat and all those things. If the wife cooked vegetables he doesn't understand at that moment because he has been drinking at a tavern. He comes home, and he expects to eat meat, knowing very well that both he and his wife are unemployed. You find the wife getting child support grant money and have additional income from making traditional mats and things like that. When the husband sees R20.00, it means his wife always has money. But anyway, poverty itself or economic imbalances do cause those issues.*

What is also emphasised in the above extract is that the woman tries to earn extra income for the home apart from the government child support grant she receives. However, this was clearly not enough to provide for all the needs of the family. She then becomes subjected to abuse from her husband who is feeding his hopeless alcoholic behaviour. Besides acknowledging the burden of responsibility unfairly and solely imposed over the woman, RP#11 implies that husbands who are unemployed take their frustrations out on their women. Poverty renders perceptions of weak African men who may as a result lack confidence, harbour anger and resort to violence within their families. Moreover, RP#11 presented another view where the unemployment of husbands within families influences the behaviour of abusing alcohol and then exert unjust demands on women to financially support the home. The unemployment of men places an extra burden within families while African cultural expectations are that a man needs to provide for his family (Kyalo, 2012). A man is assigned the task of ensuring that his family is well-cared for and therefore the dignity of a man's

house is associated with his ability to provide for the family. The research participant was asked how she intervenes in such cases and she reported the following:

*RP#11: In these areas you find lack of job opportunities. But we try to link men together and encourage those who can afford to create work opportunities. As many have livestock, we would tell the unemployed ones to look after that livestock and at least get something. I would say, because you want to eat nice, do something at least. We advise other to take-up jobs like cutting the trees or maintain small gardens. So, at the end, they are able to sell, have some income and improve family life.*

There is an indication in the above response that while job opportunities are scarce, businessmen who can afford it are encouraged to offer opportunities for other men to earn a living. Unemployed men are also encouraged to take-up any type of job that will at least assist them to earn something. What is important to realise is that men are encouraged to support one another.

With respect to women being unemployed, the narrative by RP#03 below suggests that when there is no work available, women stand a chance of being abused as they are economically unable to sustain their lives and that of their families. The research participant recounted the following:

*RP#03: You see, people here don't really do much. When there are projects, they get together now and then and that is where a woman can discuss openly with others on how and where they can get help. Now when there are no projects, women don't meet, they get hit at home and stay in the home. There is a time where women get very angry, but when there are projects like poultry production, they would be able to meet with me and others and discuss their issues and we advise on how they can get help. Now since there are no projects they're working on, their abuse continues. So, they get abused in the home but choose to remain there.*

StatsSA (2018b) reports that among the 60% of the unemployed who have been unemployed for a year or longer in South Africa, women are more likely to be unemployed than men for a

longer time. According to the United Nations (2015), women in many countries continue to be economically dependent on their spouses. Women that are poor may choose to remain in abusive environments as they financially rely on their abusers. These sentiments are echoed in the study conducted by Whiting (2016) where the financial circumstances of women compelled them to stay in abusive environments. However, in the above extract, women are grouped together during projects and that is when the talking takes place. Accordingly, RP#03 indicates that she also takes the opportunity together with others to advise women on how they can access professional help when being abused. The challenge presented though is that when there are no projects, women are vulnerable and choose to stay in abusive relationships without talking about it.

RP#01 also recalled that:

*RP#01: At the end there are no jobs here, there are no firms and there is nothing here. Women survive by working in the roads and that is not work. They work so that they can change the bra and the panty. Because there is no money, not having a job causes pain.*

In the above extract, the absence of jobs that adequately pay women is also seen as an obstacle that limits women from catering for their other needs. The unemployment of women therefore also adds to their abuse as RP#01 puts it, “*Not having a job causes pain.*” The pain could be exacerbated by evidence that, “women’s poor education status and the high level of unemployment in South Africa make it more difficult for them to find work” (Bhana et al., 2012, p. 72).

On the other hand, as illustrated by RP#11 below, when other family members are unemployed and dependent on the man as the only breadwinner, they are not predisposed and/or fear to intervene when a woman is being abused. Continued reporting of abuse from a woman often lands on deaf ears and therefore exposes the cruelty of poverty and its power to influence silence about abuse. This becomes a divergence from the African process where as emphasised by Rupande and Tapfumaneyi (2013), Africans report conflict among relatives so that they can counsel them. RP#11 said:



*RP#11: You find that the father is responsible for the whole family. So, in other words, the person who will talk about this matter is him. Obviously, if the wife keeps reporting to the family members who are younger than the husband, eventually her case ends up not being dealt with. He would beat her up in such a way that she ends up in hospital.*

The abusive man in the above extract also uses his employment status to disadvantage anyone from exercising their role and intervening while he continues to abuse his wife. Because of other family members being desperate for the financial support offered by the man, a woman's life is compromised, and she does not gain the expected support from other family members. This is against Afrocentric principles where family members stand together and would not allow one of them to endure suffering without addressing the root causes within its structures.

### **7.3. Chapter summary**

This chapter has focused on the challenges faced by SWTL when addressing women abuse. The analysis revealed that issues maintaining abuse of women, ranged from factors associated with participants' discomfort within the male dominated position to institutional challenges. Non-reporting by abused women was experienced where abuse was hidden for various reasons including fear of embarrassment, protecting the family name, trivialising abuse actions, and endurance of abuse over a long time. The use of alcohol and drugs also emerged as maintainers of abuse where survivors accepted abusive behaviour of their partners and blamed it on alcohol. Poverty and unemployment also emerged as a significant feature in maintaining abuse since the absence of jobs for both men and women was a reality. These maintainers of abuse presented challenges to SWTL in that either they were informed late, when matters were worse, or the abuse did not come to the fore to be resolved.

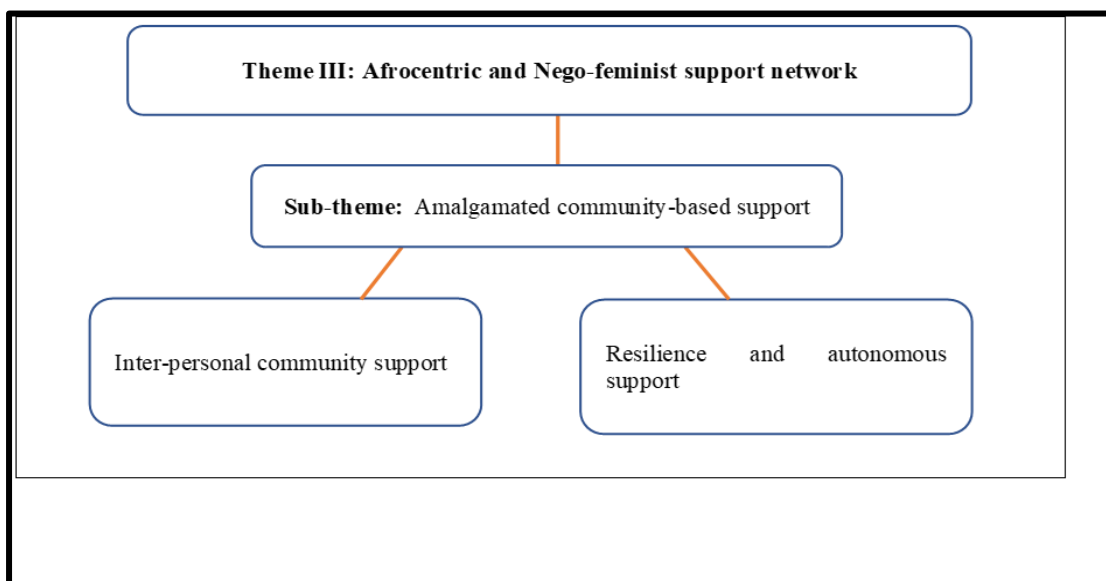
## CHAPTER EIGHT

### SUPPORT NETWORKS AND PROPOSED IMPROVEMENT OF SERVICES TO ADDRESS WOMEN ABUSE

#### 8.1. Introduction

This chapter focused its attention on those research findings that emerged in relation to the last two objectives of this study. Objective Three of the study sought to explore support networks required by SWTL when addressing women abuse. The Afrocentric and Nego-feminist support network emerged as a theme in line with objective three. Objective Four focused on obtaining suggestions from SWTL regarding the improvement of policy/legislation and services in respect to women abuse. This objective saw the theme of aligned and proactive interventions emerging.

#### 8.2. Theme III: Afrocentric and Nego-feminist support network



**Figure 8.1. Schematic representation of Afrocentric support network**

Figure 8.1 above is a schematic representation of the theme. The research participants were questioned about the support networks they required as SWTL when addressing women abuse. In their responses, participants not only indicated the need for more supportive networks, but further described how they make their own efforts to navigate within their own contexts in order to cope and manage when addressing women abuse. When both the available and needed support networks were analysed, they symbolically progressed into

Afrocentric and Nego-feminist support networks as a theme. The theme subsequently suggested the amalgamation of community-based support as an important sub-theme because while inter-personal community support was presented as helpful to SWTL, resilience and autonomous support also became prominent.

### **8.2.1. Inter-personal community support**

The question of what support is needed by SWTL when addressing women abuse revealed that there is already existing support they received from within their communities that assists them to effectively address women abuse. It is important to emphasise the internal support provided within areas of *Amakhosi* as it is fundamental in contributing to their ability to address women abuse. The research participants reported gaining much support from within the institution in the form of their own family, other traditional leaders, the traditional council and elders of the community. This is the type of support sought at a personal level by participants to gain strength in addressing women abuse. The following research participants reported:

*RP#17: Luckily, I still have my mother in law, she is still young. I would sometimes leave angry here...and arrive to her that so and so has done this and that... [we reached a point of understanding each other].*

*RP#09: It was better when my mother-in-law was still around. I would speak with her. Now she's not around anymore... there is no one from the family I trust. For that reason, I then prefer to speak with Izinduna about personal worries and they are able to advise me on how to deal with those things.*

The above extracts contain within them a strong message that trust is what is desired most within the institution of traditional leadership. To a certain extent, this is potentially due to abuse that is experienced by SWTL as indicated earlier. Mothers-in-law are possibly playing this critical role of support because through it, traditional lineage is kept within the deserving royal house where they are strong allies. Again, the strengths of mothers-in-law need not be ignored because as Sesanti (2016) and Dodo (2013) reflected, women continue to play a critical role of being behind their husbands who were occupying positions of leadership within the institution. The sentiments recited by RP#09 particularly advanced how in the

absence of her mother-in-law, she struggled with receiving support from other family members; hence she opted to also source support from *Izinduna*.

Family support, whether within or outside the immediate family is important to SWTL. Resorting to *Izinduna* (as much as it was also acceptable) validates that support provided within the royal household is decisively needed. The following research participant stressed the following:

*RP#18: I do not get support from the royal family. I only get support from the family I was born from. I talk with my sister and she would tell me what to do when I have a problem. Also, my cousin helps me when I have a problem.*

Other participants revealed that they go as far as building their own support system. The following responses were given:

*RP#16: I have this mother... [As I often have cases on Wednesday at the court], I would phone and say auntie, I worked like this today and such and such happened.*

*RP#03: [Sighs] there is no one. In those situations, it is still difficult indeed. I would often tell this friend of mine, mam' XX. When I've told her, I get healed because she knows how to advise.... However, I just discuss the usual issues but not those from home with her because there are some things you can't discuss with someone.*

The need of this kind of support does not go beyond it being purely offered as the only source of strength but extends to be the kind of support that is cathartic. The need for cathartic support ties in with the always needed support within the social work profession for debriefing lest it becomes overwhelming and potentially leads to burn-out. While both the above narratives attest to support being received from individuals other than those within the direct structures of traditional leadership, it is also given that such support has its own limitations. RP#03 indicated that she did not divulge all her challenges to “*mam XX*” even though after talking to her she felt relieved. She pointed out that certain matters of what was happening; particularly from within her family were not discussed with other people. Partab

(2010) identified in the study with social work caregivers working with people living with AIDS (PLWA) that self-care was essential, as over-involvement and over-identification impacted their effective functioning. This suggests in line with this study that limiting the involvement of other people in family matters was avoided to achieve less disruption on family affairs. Therefore, provision of support from within the direct family ranks is what participants would prefer although it is not adequately received.

Another source of support that was existing and accessible to the participants was that provided by other *Amakhosi*. The following responses from the research participants mentioned the value of such support:

*RP#16: With us women Amakhosi... when we are together...we go to an extent of even sleeping together in the same room.... we would talk till dawn raising various issues.*

*RP#09: When we get together as women Amakhosi, we just have a conversation about the challenges we face in our different areas. Through just talking, you may just find how to resolve your issue. They may be talking of their own, but you can listen and out of that get to solve your own issues as well. We build each other that way. It's a platform where we can really confide our personal issues.*

Afrocentrism endorsement of individuals being important part of the community supports the endeavours of participants to draw support for their emotional well-being. The above two extracts reveal an important feature that when together, SWTL share experiences and support each other with how to address women abuse and other matters of importance. Rupande and Tapfumaneyi (2013, p. 568) agreed that “many African women have their own natural help seeking support networks and activities... African women are able to sit, listen, and learn about how another individual may have dealt with a presenting problem.”

The extracts also point out how solidarity becomes an essential resource in facilitating the sharing of common issues that prevail in their communities. Moreover, participants learn respectfully from each other's experiences. Similarly, Nnaemeka (1994) also reminds about the solidarity of African women to design problem-solving strategies that are appropriate

under specific circumstances. The platform that is self-created by SWTL whenever they are attending meetings together, is thus regarded as an important source of support.

Apart from sourcing support from one another as women only, other participants spoke of reliance on experienced *Amakhosi* (males) to support and guide them. RP#07 and RP#12 mentioned that:

*RP#07: When cases are being reported, sometimes I consult with other Amakhosi who have more experience so that they could guide me on how to handle a case.*

*RP#12: There is in the family, and there are my colleagues, and other old Amakhosi, the men that are very old.*

The male *Amakhosi* are also mentioned as alternative sources of support, which reveals that male *Amakhosi* are also accepting of their female counterparts occupying the position of *ubukhosi*. However, of importance is to note from the Nego-feminist perspective, the strong co-existence of SWTL with their male counterparts and the utilisation of such relationships to find solutions to women abuse problems. The research data underlined *ubuntu*, where support of one another was critical. This puts emphasis on the need for interventions meant to address women abuse in rural areas that are mostly under traditional leadership to take stock and acknowledge the existing networks at the community level.

### **8.2.2 Resilience and autonomous support**

The magnitude of challenges faced by SWTL when addressing women abuse (that is inclusive of their own experience of abuse directed to them), often leads them to be self-reliant and determined. This was noted by RP#02 below:

*RP#02: There are issues.... but you know it is something you should not get into your head, because you need to know that men will always use the sexuality issue. .... So, what you need to do is to not put that in your head and you need to know that being an Inkosi is not something easy.*

RP#02 suggests that as much as they occupy the leadership position, it is one that is presented with challenges within a male-dominated space and their inner confidence is what is essential to survive. The inner drive of SWTL is supported by the Nego-feminists view that while urged to liberate others, women should be attentive to their own challenges and therefore adopt solutions that reach beyond to benefit other women Nnaemeka (1994). The resilience and confidence of SWTL are paramount. This also demonstrates their determination to manoeuvre through the male use of sexuality and not putting it in their heads lest they get distracted and lose their strategic focus on addressing women abuse. This determination was also found among Rwandan women when the ramifications of war and genocide challenged their mothering role and threatened to destroy the country's social fabric. Rwandan women used maternal politics to suppress the patriarchal male-defined role of motherhood and called for society's respect as they mend the destroyed social fabric (Rangira, 2017). Rangira (2017) reports that, because mothering comes with the benefits of bearing, caring for, and raising children, participants made the Nego-feminist choice as they embraced their communities and extended their motherly care to ensure peaceful co-existence, togetherness and care for one another.

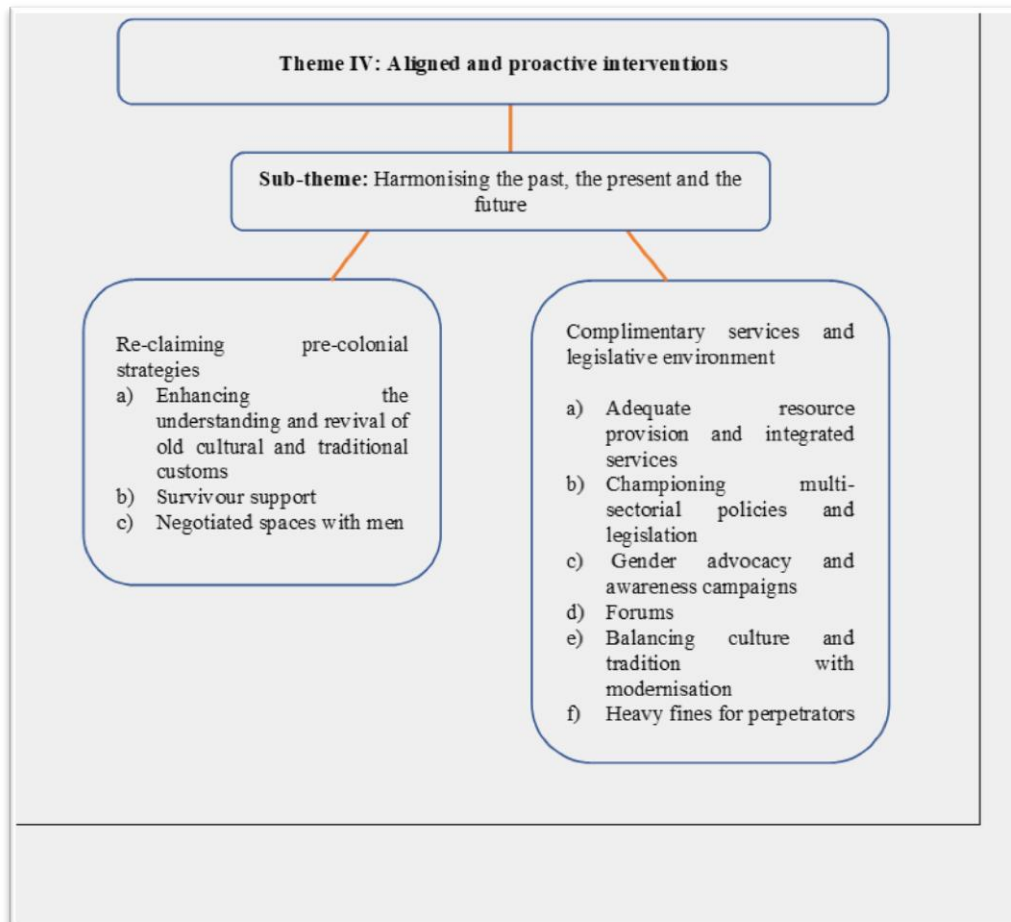
Another crucial characteristic is the participants' inner strength where focus is directed to own capabilities. This was presented by RP#10 as follows:

*RP#10: There are means. As a leader, you can't give up. Even though it is difficult, you try your best. You can be de-motivated on that one day but the following day, you are compelled to correct things. I can't just leave it like that. There must be something that happens.*

Comprehended from the above extract is the full-embracing of leadership qualities by SWTL. To effectively address the issue of women abuse, RP#10 was open to own self-care and utilised resources at her disposal to avoid being overwhelmed. Her determination provided a sense of wanting to see change in abuse patterns within her community.

### 8.3. Theme IV: Aligned and proactive interventions

This theme emerged when the meanings of data related to the suggestions made by the research participants regarding improvements of policy/legislation and services in respect of women abuse were interrogated.



**Figure 8.2. Schematic representation of aligned and proactive interventions**

As reflected in Figure 8.2, this theme yielded the emergence of harmonising the past, the present and the future sub-theme. The sub-theme recognises that South Africa contains both elements of a developing and developed country. While the country digs into its past Afrocentric practices, it also faces the reality of modernisation.

The contributions made by participants pointed to collaboration through complimentary policies and calling for stricter methods to be applied to perpetrators of women abuse. The views of participants were made at a point where the President of South Africa, Mr Cyril



Ramaphosa called upon all citizens during the 2019 State of the Nation Address (SONA) that, “ending gender-based violence is an urgent national priority that requires the mobilisation of all South Africans and the involvement of all institutions” (Ramaphosa, 2019). This call by the President was after the resolutions taken at the Gender-Based Summit held in Pretoria in 2018. Among the seventeen resolutions taken, a call was made that, “political and community leadership must support and champion the cause of eradicating gender-based violence and femicide,” and that, “political, community, family and business leadership should be held accountable through, amongst others, a Code of Conduct” (The Presidency, 2018, Res.1 & 2). In line with this call, participants in this study (as presented below) suggested various proactive mechanisms for effective delivery of services around women abuse.

### **8.3.1. Re-claiming pre-colonial strategies**

#### **8.3.1.1. Enhancing the understanding and revival of old cultural and traditional customs**

As Ray (2003), Ndlovu (2008), Ndlovu-Gatsheni (2014), and Sesanti (2016) argued, many African practices have been eroded by the imposition of colonialism and apartheid. For Kang’ethe (2014a), the well-orchestrated Western culture imposed upon Africans has not matched the expectations of Africans. Participants in this study thus suggested the revival and support of old African practices, which ensured that order and peace were maintained within the society. Three of these practices that were mentioned by the participants were (i) respect for women, (ii) virginity testing for girls, and (iii) the circumcision of boys. These were mentioned despite the controversy surrounding virginity testing (in particular) and that of boys’ circumcision. In this regard, RP#07 elaborated on the importance of culture to be resuscitated as she recalled how in the past a woman was respected:

*RP#07: Culture is important. According to tradition a woman was respected, she is respected. I think it is important for culture to be promoted. Basically, abuse is not African, you see. It is important that our culture be promoted to bring it back to the people. It reminds us that a woman was a very important*

*person and should be respected. Abuse is not in our culture. Culture does not stand for abuse.*

The above narrative is supported by Sesanti (2016) who argued that before the colonial era, African women occupied a special place within the communities and were respected. RP#07 noted this position of respect that was accorded women and suggested the promotion of culture where people reverted to the old ways of conducting themselves. It is important to realise that the above extract does not specifically refer to the roles of women but is emphasising the point that a woman was respected as an individual human being. The research participant is thus emphasising the point that tradition and culture are intolerant of women abuse. The suggestion to go back to the requirements of tradition and culture implies that respect of women is one aspect in the thought of Kang'ethe (2014a) that suffered betrayal and manipulation to ably serve the malicious intentions of patriarchy. Therefore, the research participants believed that the scourge of women abuse has been escalated because of the loss of respect for women in African societies.

The virginity testing of girl children and circumcision of boy children was also viewed by the participants as platforms where early intervention can be facilitated to effectively address women abuse. The following were the views of the participants in as far as early intervention through female virginity testing and male circumcision can be used to inculcate the lost aspects of African culture and therefore curb incidents of women abuse.

In relation to virginity testing, RP#04 said:

*RP#04: A girl might be raped by her brother and her father. The mother would come to me and say her child wants to come for testing. She would indicate that her challenge is that women who are doing virginity testing will know about her child's problem. Therefore, she will plead with me to check her child and try to talk to her. She would also indicate that she does not want her husband or son to be arrested. I would start by telling her that she is also wrong because her child's health is compromised. I would indicate that I understand her situation of being abused also. But then I would take it upon myself to report the matter to social workers.*

Several important aspects are suggested in the above narrative. First, virginity testing is used to detect the unreported sexual abuse of girls, which occurs not only within communities, but within families where they are supposed to be protected. It is presented that this type of abuse has been perpetrated to a gruesome extent where both fathers and sons have been the alleged abusers. However, these details were not disclosed earlier, and the mother also wanted to ensure that other women do not get to know about it. It then suggests that in the absence of virginity testing, there are abuse cases that can go undetected given that women may choose to keep the matter un-reported and within the confines of the family. Under such circumstances, there is then a possibility that abuse can continue and due to lack of support, the girl may view it as normal. This situation clearly complicates the role of a woman because as much as she tries to preserve the family name, she is also compromising the well-being of her girl child. Careful understanding of the narrative indicates that while sexual abuse has occurred, and the mother is aware, there is an underlying trust that is projected through the girl's desire to undergo testing. This could be symbolising the hope of the girl that eventually, the matter will be known and gain the necessary attention it deserves from the anticipated action of the SWTL. Second, the evidence presents that the mother knew about the abuse but had not taken upon herself to talk to her child; hence, asking for the SWTL to have such a discussion with her child. In addition, she communicates her desires of not wanting her husband or son to be arrested. This aligns with the view of Nainar (2011) that women experiencing abuse choose not to report abuse because they are either protecting their families/perpetrators or are preserving the family name. The evidence presented in the narrative details the extent of disempowerment that women find themselves in. However, SWTL have the power to step in, report and refer abuse matters on behalf of abused women. She also navigates the space as an enabler in situations where it is difficult for mothers to speak to their daughters. The importance of the girl-child's wellbeing is prioritised as a sign that SWTL are aware of the processes to protect vulnerable women who find themselves trapped in a situation of abuse. From a Nego-feminist perspective, the SWTL is asserting the rights of the girl child in order to build character that will be able to stand firm on human rights and respect for humanity.

Another participant mentioned how girl children take pride in the practice of virginity testing and that they request it as a space to discuss very private issues. She said:

*RP#03: Let's say if the virginity testing is on the tenth in a month, they gather on the ninth. On that day, they sit together and discuss widely about abuse, their own abuse perhaps that has to do with the uncle or some boy by force. Their mentors discuss those things with them and even ask the girls on their career wishes after school.*

Again, the above narrative suggests that virginity testing serves as a platform for girls to disclose experienced incidents of abuse in their lives. It is also where wider discussions are held in relation to addressing women abuse. Yet, as Kang'ethe (2014, p. 506) indicated that virginity testing in South Africa, "is being vigorously opposed by human rights bodies and NGOS" and has attracted a lot of criticism as it is regarded as women abuse. In accordance with this practice, it is believed that the rights and status of women is being trampled upon. Hence, according to Ricci (2017, p. 2), "until women become empowered and educated worldwide, their status will continue to remain low and they will always be mistreated."

Having acknowledged the disputes with respect to virginity testing, it is also important to note that the above narrative raises another aspect of virginity testing. Virginity testing is used as a platform to educate young girls on the importance of preserving their virginity not only for marriage as a much-respected union within African communities, but also as an encouragement for them to attain a better status within society through education. Discussions also focus on career plans upon completion of schooling, where this also serves as a developmental focus to capacitate and empower girl children to realise that they can only be liberated through education. Another research participant further suggested rewarding and incentivising the girl child as a means of encouragement:

*RP#04: We are testing virginity. There must be a grant that girls are getting because they have kept themselves. They are not problematic to government by giving birth and have HIV. Girls need to be encouraged because they get tempted and become pregnant because they not gaining anything. Even those with kids and diseases they mock virgins and say: 'What is the benefit of keeping your virginity because we have good phones and expensive things and you do not have [but] you [are] busy checking your virginity.' That [is] why I would request that girls must be supported.*

Similar findings emerged in the study conducted by Lubombo (2018) in the uThukela district municipality of KwaZulu-Natal, where an offer was made to award bursaries to young women who promised to keep their virginity until they attained a tertiary qualification. This was an endeavour to emancipate girls as they are the ones who fall prey to HIV infection and dropping out of school due to pregnancy (Lubombo, 2018). Similarly, RP#04 not only advocated for the rewarding of virgins, but also linked the avoidance of pregnancy and HIV infection as among the benefits that both girls and the government would reap. From RP#04's narrative, it is clearly that under peer pressure, the desires of girls to maintain their virginity versus having access to financial resources yielded by the child support grant and being given money and expensive items by men can be challenging particularly if they are mocked. A study by Ngcobo (2018) concur with this position as it found young female students to be in compromised position when it comes to being offered money and expensive items by older men in exchange for sexual favours.

While acknowledging the necessity of doing away with traditional practices harmful to women, Mubangizi (2016, p. 77) also recommended that the voices of women, "must be heard and useful cultural practices that traditionally protected women and girls be considered in designing programmes to address gender inequality." Considering that already there are differing perspectives for and against virginity testing, the findings suggest that further scrutiny of traditional practices needs to be undertaken. Where possible, efforts need to be made to try finding answers within these practices particularly when at community level, they are regarded to be protective for women and girls.

With regards to male circumcision, RP#07 commented as follows:

*RP#07: There are these campaigns for circumcision... I encourage old men, and it has proved to be successful to talk to the young boys... because there are certain things [that] are taught to them.*

Rupande and Tapfumaneyi (2013, p. 565) also noted similar to the above extract that, "counselling was often undertaken as a ritual with certain acts such as circumcision for males to mark their transition into adulthood". RP#07 indicated that men play a pivotal role in inculcating social education among young boys as part of the socialisation process within the

community. However, the research participant did not directly mention what these ‘*certain things*’ taught to young boys were. This is probably because African culture maintains that women should not get involved in issues related to male circumcision (Shumba and Lubombo, 2017). In the above narrative, circumcision events are seen as platforms expected for boys to be taught about crucial community principles that govern men and women within families. Moreover, RP#07 pointed that these campaigns, ‘*have proved to be successful.*’

### **8.3.1.2. Survivor support**

A study conducted by Leese (2018) found that support for abused women is considered necessary to allow women deal with issues related to abuse. RP#09 expressed similar thoughts around the offering of support to abused women. RP#09 indicated that, when women get together, they are in a better position to ventilate and offer one another support. She said:

*RP#09: So, by getting women together, something does happen. Like when I lost my husband, I had to deal with so much but when I got together with women, I came back, and I felt more relieved. It is better to let things out rather than things eating you up inside. So that can happen where women get together, maybe by planting, sewing beads etc. You can really speak out, and I learnt that. That could make a difference. A woman can confide something that was a secret because it is relaxed as women together.*

In this regard, RP#09 realised the importance of survivor support on two levels—from herself as a leader (where she identifies with survivors) and the support offered by ordinary women. She recalled being in a difficult situation herself where support from other women offered consolation and was less intimidating. Being among other women in a relaxed, non-intimidating and identifiable environment is presented to offer benefits of being free to vent as well as receiving advice and information on how other women have dealt with the situation. The role played by SWTL with regards to encouraging support for survivors is similar to that of social workers, which is to encourage the establishment of a social support system where women can develop coping strategies (Jacinto, Turnage and Cook, 2010).

Another need for support was expressed by RP#05:

*RP#05: If it needs police you get the police. If it needs social worker you arrange the meeting with a social worker and you are available during conversation with the social worker... so that she will be free to talk as she was free also when talking to you, things like that.*

The above narrative was discussed in chapter seven and again finds relevance here within this chapter. What is revealed above is that RP#05 emphasised the need for abused women to be provided with various forms of support as their circumstance require. Important to note is also that RP#05 indicated that when survivors of women abuse have already established trust with significant others in their lives, it is necessary to practically rely on that trust as a form of support to enable further interventions. RP#05 also emphasise the importance of continued support from SWTL when abused women are meeting with other professionals such as social workers as they again would share their experiences of abuse. This would mean that abused women relive over and over again, their ordeals as they are expected to relate to other professionals. The narrative therefore suggests that not a once-off but a level of comprehensive support would assist in creating a confident atmosphere for the women to proceed with other avenues of intervention.

A further respondent described how important it was for abused women to hear from other women who have also experienced abuse:

*RP#03: What I've learnt in life is that it helps if someone tells you about something that they've personally experienced. If they also get those people who have experienced abuse and advise to the point where they got tired of that, it will help them a great deal. Just to tell them [abused women] that getting beaten is not a sign of love and telling them it is not disrespect if they tell men they don't deserve that.*

The above is reflective of the approach taken by social workers when working with abused women (individually or in a group), which is often around two principles of “empowerment and gender-sensitive practice” (Hanson, 2011, p. 273). These principles respectively enable individual self-functioning towards attaining goals and sensitive social work practice around the experiences of abused women (Hanson, 2011). RP#03 described similar views that the

experiences of other abused women would assist in empowering women who have also experienced abuse. In this narrative, it is also clear that the views of the research participants confirmed that abused women could also be assisted to gain strength to believe firmly in themselves and that in turn, this would assist them to become assertive about their own rights.

RP#09 added that:

*RP#09: Also, women should know more about women's meetings where they would be discussing things. In those environments, they can relate to other people's stories or issues, rather than hiding the issue in their homes out of fear.*

The above narrative suggests that participants also believed that by being exposed to those experiences shared by other women; abused women would become encouraged and empowered.

### **8.3.1.3. Negotiated spaces with men**

Another aspect identified as being importance by the research participants, was that men must be involved and assist in addressing women abuse. RP#17 recounted that:

*RP#17: We called imbizo... and we asked men to intervene in this problem because maybe they see women as powerless. They were able to spread that this thing of rape must stop. Even the rapist if found, must be revealed... he must not be hidden. Luckily, they were found, and they got arrested.*

The above research participant pointed out the stereotype that exists about the power imbalances between the genders. She indicated that because perpetrators are mostly men, men are in a better position to assist. She also provided evidence that the involvement of men led to progressive results. Mubangizi (2016, p. 77) finds agreement here, that effort towards ending harmful behaviour towards women should involve and address men because they are often the culprits of such behaviour. This finding also attested to what Nego-feminism stands for. Nego-feminism suggests that African men should not be alienated from problems experienced by African women but should rather take an active part and play a significant role. This is given that working with men would facilitate dismantling patriarchy which



requires a careful manoeuvring (Gatwiri and McLaren, 2016). According to Mubangizi (2016), the fact that not all men perpetuate harm to women holds significant power because such men can help to eliminate perpetrators' abusive behaviour.

Another suggestion on the involvement of men was submitted by RP#05 when she said:

*RP#05: I will refer to the case of rape because it is too hard... Maybe the man who did this can be taken to a place where he can be trained. Another person could be like that because of the way he was raised... maybe he grew up under such a condition, witnessing his father abusing his mother through beating or shouting... and then there is this old thing of a father being a person who is always right... I make an illustration that head is good because it was placed by God, but it will not be able to do anything without a neck. If the head does not respect the neck, it must know that it will always be facing one side... He [the head] should learn how special the neck is. I cannot change them from being heads but they need to be trained... there is nothing they can do and there is no home that can stand without a woman. They need to be trained... for them to be able to respect women.*

In this above extract, RP#05 stated that there were men who became abusive because they perhaps witnessed such violent acts between their parents. The evidence suggests that this experience could be learned only to be used later to abuse women and therefore identifying the abuse of women as an intergenerational problem in South Africa. In the above narrative, RP#05 implied that the unacceptable behaviour of women abuse can be un-learned through training that will assist new generations to transmit new ways such as the father as a head of family not always being right!

The participant also emphasised the importance of roles allocated within traditional communities where men are heads of their families but with the expectation that they handle their roles responsibly. This finding aligns with the views of Ngobese (2016) who emphasised the importance of roles and carrying them out responsibly within the Zulu tradition. In fact, Ngobese (2016) suggested that the role played by Zulu women could serve as a platform to learn moral lessons given the challenges that include rising crime rates of

domestic violence, rape and murder. In relation to Ngobese (2016)'s assertions, RP#05 also emphasised the point that the past can inevitably assist to resolve today's problems, and that families exist because of women. She further stated the possibility of loss to such an important past, for which men's consciousness needs to be appealed to through training. Emphasis is therefore given towards the need for men to be trained and taught to realise that they cannot exist without women and the importance of respecting women.

### **8.3.2. Complimentary services and legislative environment**

#### **8.3.2.1. Adequate resource provision and integrated services**

The KZN Planning Commission (2016, p. 38) identified that, "many of the laws aimed at dealing with gender discrimination, gender-based violence and substantive equality are under-resourced, not implemented, or not enforced through the criminal justice system." This suggests that resource allocation for GBV remains a contentious issue within the province of KZN. The participants in this study suggested that adequate resources need to be made available for easy access, particularly in rural areas where they reside. The following narrative specifies that the needed support within reach ranged from provision of education, safety and counselling facilities that would enable women to access a variety of services. Relative to the needed support, RP#05 offered the following context-specific solution:

*RP#05: If things can start in the office of Amakhosi it can be much better because even the town is very far. If I can have a problem from here, how I am going to get help, we need close places where people can talk...So that people will not say I did not go because I had no money...*

A StatsSA (2017a) report indicated that abuse in South Africa is similar in both rural and urban areas, which exacerbates the situation with respect to immediate access. However, as De Bene (2016) argued, while police stations predominantly serving rural communities are not easily accessible, limited resources and inadequate allocation of resource South Africa is still skewed to urban areas benefiting more. With KZN being vastly rural, this means the above problem is a reality. Maintaining the situation as another research participant outlined below, is the significant lack of integration of services in rural areas. RP#17 recounted:

*RP#17: But the protection and training in rural areas are not integrated.... not at all. They must remember us... they can call women's gatherings to talk and leave pamphlets so that if people need more information, they can read... there is not much information among the people beside the one that is spread by us.*

In her response, RP#17 echoed the lack of disseminating information to rural residents and implied that the use of different avenues to disseminate information on women abuse could be of more benefit to those living in rural areas. This perspective is supported by Mutua (2016, p. 165) on a broader context that, “the ability of marginalised communities to participate in politics and economic development depends on access to information.” Mutua (2016) also suggested that information empowers people. Hence, if exposed to enough information, women in rural areas can be able to liberate themselves from their abusive environments. Women's liberation can also mean that they would be able to contribute to debates around abuse and find ways of creating economic self-empowerment to turn around their plight and be self-sustained. Beyond the dissemination of information, it is important to note that RP#17 justified the need for a coordinated and unified effort.

Another research participant referred to the need to increase safety, particularly through better police visibility in rural areas. Also, the instant response by the SAPS was required so that violence did not continue unabated. In this regard, RP#09 presented her thoughts as follows:

*RP#09: I personally think if there were higher levels of safety, because once you are abused, the first step naturally would be to go to the police. If government increased for proper safety, that's one of the things that help us. We don't want a situation where we've urgently requested for the police and someone has been caught, but they end up running away because of police non-arrival.*

The above extract illustrates that the delayed or non-response from the police has the potential to enable the alleged perpetrator to avoid being taken into custody. This has many ramifications for both the community and the survivor alike. This view links with Kempen

(2018) relating to delays from police in their timeous response thereby discouraging the reporting of criminal behaviour and cases of women abuse.

The need for mentoring and training within the institution of traditional leadership was also suggested by the research participants as a crucial element of support. As suggested by RP#07:

*RP#07: I always say it is important that Amakhosi also get educated. For example, if a case of child abuse is reported, there is a way that the child should be handled, right? You can't just talk...; I think it is important that Amakhosi also get that kind of training on how to handle such matters.*

RP#07 further identified that education and/or training is essential within the institution of traditional leadership for SWTL to know how to best handle delicate and sensitive cases. This correlates with the findings of Teffo-Menziwa et al. (2010) which revealed that traditional leaders lacked clarity on their role in relation to GBV, did not understand the DVA, and lacked knowledge on women's rights. Practically, the above provision suggests that it is critical as new legislation is introduced, to consider training traditional leaders consistently and thereby empower them with necessary knowledge and skills. Traditional leaders should not be left behind and must be made aware of new developments. In her response, RP#07 is therefore acknowledging that it is important to treat each case as unique through handling and responding appropriately and it is only through educational exposure that SWTL will be able to respond properly.

Again, as reflected by RP#10 below, additional training is required to augment SWTL knowledge in the dynamics of abuse change. RP#10 said:

*RP#10: Now we also need some form of training as leaders to handle those cases because not everyone has had the experience, or going to school or university, it is not all of us. Most of the Amakhosi don't have that background.... So, we do need some form of training to keep up with the current times right now.*

The above extract reveals the necessity to not simply keep abreast with new developments, but how prior knowledge is also influential in how SWTL manage their cases. The above needs to be considered a good suggestion as it can be used for forging complimentary roles between the State and traditional leaders. In addition, RP#10 remark below, seems to suggest that nothing much except being formally appointed by way of a letter being issued for the position is done by KZNCogta. She said:

*RP#10: The department (KZNCogta) just gives you a letter and that's it. I was thinking that there would be something, perhaps offering guidance.... That's where I realised nothing will happen unless I act and try and swim and find my way out.*

The above extract underlines the fact that the role played by the KZNCogta requires much more effort to address training and mentoring. In this regard, RP#10 realises her position to assert her right to acquire such assistance. However, she is mindful that some women leaders are unable to attend proceedings of traditional courts while their husbands or fathers are still occupying the position. The necessity of mentoring therefore could be essential for SWTL so that they are exposed to the various ways of dealing with issues.

RP#16 below also suggested a prioritised and quick response rate that could hold each government department accountable for what is essentially their duty and responsibility. RP#16 said:

*RP#16: You see in terms of government; we need it to be strong in terms of meeting us halfway with our cries when reporting women abuse. For example, when you report an abused woman, that issue should be of high priority. It shouldn't be months that a beaten woman has never been supported. There needs to be an update whether someone has been arrested or not.*

The above narrative attests to how the government system should coherently support women who have been abused. RP#16 seems to believe that if the system is challenged, the challenge will inevitably impact on the urgency in responding to women abuse. By implication, the above extract is directed towards the justice system and the SAPS whose

swift response is required. The DVA in South Africa mandates that any person who has material interest in the wellbeing of survivors to make an application for a protection order on behalf of those experiencing abuse. Although the participant is cognisant and acknowledges such an expectation from the DVA, a response that is coherently rolled out will be of assistance. Despite the intersecting challenges that different departments may encounter with limited resources at their disposal, their core responsibilities cannot be ignored. With the continued scourge of women abuse, the gaps that are identified in addressing this issue dictate finding alternative ways of doing things, including acknowledgement of the efforts by SWTL at the community level.

### **8.3.2.2. Championing multi-sectorial policies and legislation**

An opinion was expressed that customary law and legislation should coherently relate to each other on the role of senior traditional leaders. RP#10 remarked that:

*RP#10: In customary law, there is no defining what the role of the Amakhosi is within the community in this current system because they've just scattered us to deal with everything. But who can do that? We should be in the legislature and help to set laws of communities, as we understand what works and what does not work.*

The South African Constitution mandates the traditional leadership to conduct its business in line with its principles and precepts and therefore the *Amakhosi* are important role players as they rule within their communities. There is an assertion that *Amakhosi* are at high level, excluded in the designing of laws that govern communities. Because senior traditional leaders are chairpersons of traditional councils, The KZN Traditional Leadership and Governance Act, 2005 (No. 5 of 2005) (section 8(1)) requires of them to (e) to recommend...appropriate interventions to government that will contribute to development and service delivery within their area of jurisdiction and (f) to participate in the development of policy and legislation at local level. Although this role substantiates accommodating traditional leaders to contribute, it is clearly restricted to local level of participation which according to RP#10 was not enough. There was an emphasis from RP#10 above that traditional leaders should not be assigned roles that are currently perceived to be diluted as it

could then be deemed ineffective and overwhelming. Cooperation and consultation in setting up laws that affect communities are emphasised to have potential to lead towards realising, “*what works and what doesn’t work*” within traditional communities. In this regard, RP#10 said:

*RP#10: And the policy should mention that police must cooperate with us.... and even on their side they should be able to tell people to come to senior traditional leaders when cases require them. They should check whether a case has started at an Inkosi.*

Again, the above narrative restated the cooperation and collaborative approach that was emphasised within the developmental agenda of social work. The narrative contains a view implying that there is no policy addressing referral of women abuse cases among stakeholders when a need arises. Chapter four in this study highlighted the gap of South Africa’s DVA and VEP silence in acknowledging traditional leaders as key relevant role players within the processes of addressing women abuse. Thus, the recommendation by Chauke (2015) for the identification of guidelines for female traditional leaders to successfully manage, prevent and resolve conflict are believed to imply provision of an enabling environment for female traditional leaders to address women abuse. This recommendation echoes the view in this study that with the development of guidelines, there would be possibilities of outlining stakeholder relations and therefore facilitating cooperation with the institution of traditional leadership. Although the SAPS are used to illustrate the participant’s point, the underlying message is taken to point out that well-defined roles and acknowledgement of stakeholder was important for strengthening good working relations.

### **8.3.2.3. Gender advocacy and awareness campaigns**

The research participants also indicated that it was of great importance to teach young children on the importance of respecting each other’s genders. RP#05 said:

*RP#05: We should also be strong in educating those who are still growing... Let them know the only difference is the gender otherwise all things are the same...our blood is the same and maybe even thinking. They must be our*

*focus... Have certain programme... maybe attending classes that can educate them on how to respect women.*

RP#05 believes that the society can overcome the disrespect of women on gender basis by teaching boys from early childhood how to treat men and women equally and accept women as equal counterparts. Like Kang'ethe (2014b), RP#05 suggests that women are portrayed as weak and subservient to men while men are the greatest oppressors of women.

RP#17 agreed that it is equally important that girls are taught from childhood how to take care of themselves and understand who they are. RP#17 said:

*RP#17: The mother will guide her on how to wash her vagina properly we she baths... She would say let me check my daughter ("yinkomo ka ma wakho le") this is your mother's vagina so take proper care of it, even if the boy come do not just agree... and think 'he loves me...because I am beautiful'...you must say: "\No, I have authority', because boys are not trustworthy.*

The above extract suggests that it was easy for girls to be lured by boys into agreeing to have sex prematurely. Therefore, the underlying awareness factor suggested by RP#17 revolves around instilling assertiveness in girls, so they can exercise agency over their bodies and take appropriate decisions.

According to RP#11, the function of educating children should be undertaken by community members. RP#11 said:

*RP#11: If you are to create awareness, take somebody from the community and train them to do awareness. Then later you go back to that community using those people to create awareness. Then to me you are taking first step of making people aware that if you are a girl child at school, when you walk past boys, they whistle, the boys spank you, touch your breast, touch your body, that's abuse... It must start there; they must be aware of what abuse is. Abuse is not rape only. Abuse is not only being beaten up. Abuse is anything that doesn't sit well with you. If you go past people and they call you names, it is wrong. So that's step number one.*



The above extract concurs with both Afrocentrism and Nego-feminism that Africans are well-placed to relate their stories, and are capable and should therefore be trusted to be champions of their lives. It suggests that communities have the necessary expertise and may need to be mobilised, resourced adequately and empowered to champion a better-quality life for all. This understanding maintains that the collective responsibility of raising children has always been an African approach. Twikirise (2014b, p. 137) supported that, “children were considered not just to belong to the individual families, but were a community’s responsibility.”

RP#11’s extract also expands on the subtle forms of abuse that are often not construed as abuse. The participant verified how abuse-related issues often start from within communities. Therefore, she believed girls often find themselves in environments that require them to possess strong personalities and be fully aware when they are becoming targets of abuse.

#### **8.3.2.4. Forums**

Another platform that was suggested for use in early intervention was that of forums. RP#17 stated that:

*RP#17: There must be a men’s platform of talking... where we will say let them talk about this matter... let them wake up in the morning and talk about it... let it be spread...It must not end, waiting for something to happen and only then we run to teach each other... It must be communicated before anything happens, so that it will be in the mind of everyone. Even in newspapers, maybe on Wednesday or on Women’s Thursdays there must be a topic about women abuse. Even in Zulu newspapers because men love to buy newspapers.*

In the above narrative, RP#17 suggested that addressing women abuse was a shared responsibility. She indicated that men needed to be sensitised about women abuse in order for them to begin talking about it on any platform they have access to. This according to RP#17 will ensure that there is no silence about women abuse. There seems to be strong cautioning by RP#17 against being reactive only once an incident of women abuse has occurred. Bowman (2003, p. 473) has thus suggested that, “addressing this problem clearly

requires an approach that combines a variety of remedies....” In line with the intensively broad approach suggested by Bowman (2003), RP#17 also suggested the use of various platforms within communities. According to RP#17, targets should be women gathering days and newspapers distribution days to constantly educate and remind citizens that women abuse must not be tolerated. According to RP#17, other platforms include men’s forums and publicising information through local languages.

RP#01 proffered a wider perspective where women abuse ends with the fatalities of women:

*RP#01: I am looking at how the country can reduce women abuse. If you look at it, women get beaten and killed and it pains me. It does not end with the beating, but they also get killed. How we can reduce that is by having forums in each area in order to advise each other and build one another on how to protect ourselves. South Africa would be a better country if this was done and the abuse would be reduced.*

Like that of RP#17, RP#01 was of the view that a reduction in the incidence of women abuse could be achieved through creating forums where women can learn to share and build one another. RP#01 believed that teaching women about abuse and how to self-protect can lead to a reduction of women abuse in the country.

#### **8.3.2.5. Balancing culture and tradition with modernisation**

There has not been a clear synergy between tradition and modernity as, “people who subscribe to traditionalism are seen by modernists to defend and hold on to old/past cultural, customary and traditional practices” (Kompi, 2018, p. 46). On the other hand, South Africa’s traditionalist approach is also seen to be reviving traditions that oppose modern beliefs and values (Kompi, 2018). In terms of this study, it was pointed out that where necessary, SWTL exercise the power of their positions to take unpopular decisions to rule over cases of women abuse and thereby restoring peace and stability. RP#10 shared that:

*RP#10: She disclosed that she was once beaten while pregnant to an extent that she delivered a baby and the man took the dead body of the baby and buried it. Everyone from his family and her family was crying as they went*

*out of the court. And their anger was a point where they were going to hit that man, because he treated her so badly... She asked her family and his not to convince her otherwise. Then I had to take the decision, make them both sign something on having decided what's going to happen and that's it. The woman clearly indicated she does not want to fix the marriage.... The man insisted on having his cows returned and I said that cannot happen. If she marries again, those cows would come back, culture says that.*

The above narrative signifies that the cultural dictates could have easily taken precedence if RP#10 had not considered all aspects before presenting an alternative intervention. First, the man could have been beaten and severely punished as was practiced in the past on those who did not adhere to moral justice and lost respect for other human beings (Mugumbate and Nyanguru, 2013). Second, the woman could have been encouraged to remain in the marriage in fear that *ilobolo* would have to be returned. Nevertheless, RP#10 stood firmly in her decision to protect the woman against cultural practices that might be harmful to her. In the above case, while acknowledging that as part of tradition and customary practice, the man's cows would need to be returned, the intensity and brutality of abuse suffered by the woman prevails and directs the outcome of the judgement. Such an action by the SWTL bears reference to the Nego-feminist position that African feminists should be firm in their customary beliefs, while also being able to identify social ills (Mekgwe, 2007).

Like the research of Chauke (2015, p. 35), this finding also revealed that women are also, "equally capable as men to preside over traditional and tribal issues affecting their respective communities." Here is the indication that RP#10 was determined to take an unpopular decision where culture had often been misinterpreted to compromise the position of women and the perpetrator insisting on getting his *ilobolo* back. Not denying that African tradition dictates under certain circumstances for *ilobolo* to be returned, RP#10 offered as a condition that *ilobolo* can be returned when the woman remarries. This is in line with Hammond-Tooke (2008)'s observation that when *ilobolo* was still paid using living cows, men were entitled to getting it back following a divorce (which was strictly not favoured); yet, their return depended on the number of children born within that marriage.

Senior women traditional leaders are best placed to play a key role in ensuring that perceptions about the oppression of women are changed. In the following narrative, RP#10 related that SWTL can ensure that women do not lose their rights to accumulate property and benefit out of their failing marriages just because a man wants to take another wife:

*RP#10: In other cases, we reason with a man that he can't take another wife and kick out the other one. He must go and build that one (new wife) a home rather and leave the other one with her children.*

In the above narrative, the dictates of culture are again used to advantage an abused woman. Divorce among Africans is not recognised as it is taken that a man and woman are destined together for life. Hence prior to marriage, even the ancestors are consulted to introduce the couple intending to get married and both families consensually agree. However, when a man takes another wife (with or without the permission of the first wife), the man is required to build his new wife her own house. The fact that many African women lose their possessions to their in-laws, suggests that an African principle has been misinterpreted to suit male hegemonic desires. RP#10 mentioned that:

*RP#10: When they go to court for a court order, it just becomes chaos that carries on. There's no more a time where an Inkosi would observe if the abuse continues in the home. Men generally don't want to expose their shame. You'll see them apologising to their wives and promising not to do wrong anymore. So, we would want to make sure he doesn't repeat the offence. There should be the cultural cleansing ceremony and a goat slaughtered...to really ascertain the forgiveness.*

The above narrative exemplifies how at times tradition and culture are ignored where modernity takes precedence on the powers allocated to the State versus customary law. The research participant is communicating how her powers are challenged and disruptions ensue when there is an introduction of a court order instead of starting first with traditional deliberations over the matter. The participant further indicated that when matters come to the traditional court, it becomes an embarrassment to men as their actions of abuse within their homes are exposed. Again, the sign of how intolerant African tradition and culture is of

women abuse is emphasised in that the man is subjected to hosting a cleansing ceremony which not only serves as a sign of asking for forgiveness but also of showing remorse. The man is also subjected to apologising to his wife at a traditional court where *Izinduna* together with the senior woman traditional leader and other elders are present.

In the following extract, the importance of family is exalted. This is explained by RP#01 in the following way:

*RP#01: As we are the people within the African traditional leadership, we need not allow family separation. Because others even go and get protection orders which are what we don't recommend as African leaders... We see protection orders breaking families. Families end up being left with men only and absent women. In our African culture we do not allow that when married, the husband sleeps in the bedroom and the wife in the kitchen or visa-versa.*

The research participant indicates that protection orders are not favoured within traditional communities. The DVA orders that courts may issue protection orders when they are satisfied that enough evidence has been presented that an act of domestic violence has been committed (DVA, Act I16 of 1998). But in this study, protection orders are witnessed by participants to be; “*breaking families*” in the words of RP#01 which defeats the purpose of marriage that is meant to build and bring families together. Another aspect that was communicated is that in an African marriage union, conflict between husbands and wives is not encouraged, hence separation even within their home by way of not sleeping in the same room is forbidden.

In addition, RP#01 expressed the opinion how women are often failed even in environments dictated by cultural expectations of adherence and how they see it becoming problematic. RP#01 detailed how the union of marriage that unites two families also becomes a burden of abuse to women. She indicated that wives are mostly abused where even family members take advantage of their daughter-in-laws by expecting them to do all the chores. The research participant is also acknowledging the beauty of tradition and its relevance but strongly cautioning that times have changed and therefore they need to strike a balance and let go of other practices that are no longer relevant:

*RP#01: Even though our culture says when you get married it is not about the two of you but the entire family..., most of the time that is problematic... truth be told. It is traditional and is true but most of the time the wives experience abuse. When we talk about it, the tradition is beautiful; it was beautiful in the past with our mothers. Others in the family would take advantage and abuse the woman. That no longer works...wanting the woman to bow to all. Nowadays we do not do that. I always say, when the daughter in law arrives in a home, she should immediately have her own kitchen separately and can cook for her husband and her mother and father in law. Not that now she will be cooking even for the girls and other family members!*

The above extract resonates with the definition of culture given by Obioha (2010) on the dynamic and non-static nature of culture. RP#01 indicated that she encouraged different arrangements to be in place from the onset of marriage to ensure that women are relieved of expectations that are irrelevant. This point is supported by Thabede (2005, p. 208) who mentioned that, “Africans vary in terms of the degree to which they have embraced the Western way of life, but it is rare for an African to depart completely from African cultural practice.” In this case, the participant ensured that not all aspects are eroded because she still indicated that it was important for the daughter-in-law to prepare food for both the mother and the father-in-law. In this way, the woman still needs to demonstrate respect, but the extent to which chores were allocated was challenged. Maluleke (2012, p. 5) agrees that, “all African cultural, traditional and customary practices, including those pertaining to women and children, were based on *ubuntu*. In the above extract, *ubuntu* is again challenged and faces the potential of being rendered simply as rhetoric. Again, one needs to acknowledge the reality where, “social and technological change” (Rwomire and Raditlhokwa, 1996, p. 6) places a strain for change within African families where some members seemingly must part ways with cultural and traditional practices.

We have observed earlier where the return of *ilobolo* was denied to a man who had been abusing his wife. In terms of the below extract of RP#16, another dynamic of African culture and modernity is highlighted but with a strong cautionary note to remain respectful. RP#16 conveyed the following:

*RP#16: But she still says, "I don't want him anymore." That's totally wrong. Maybe she can say that to her husband in private but not openly because when it is out there... it becomes a disgrace to reject a man in that manner. It is not something that is commendable and accepted in isintu. It would mean his cows must then return.... By you declaring you don't want the man anymore, you're putting your family in a dilemma of returning the cows. We don't promote that the cows must return, but when you look at the abuse then, how do you go back when you've been abused? We often look at all angles, the old and current times. Looking at what culture says but also minding that in our current times, we must indeed respect her wishes if she said she has been really abused because beyond that, is death.*

RP#16 is indicating that at the traditional court, which includes *Izinduna* and respected village elders, it is wrong for the woman to openly be verbal and declare separation from her husband. The understanding in the narrative is that while abuse is not condoned, the necessity of observing and respecting the existing structures in place to resolve conflict should be highly respected. At the same time, the research participant also indicated that it does not mean that the woman's wishes should be ignored as she would have indicated the severity of abuse she suffered. Therefore, respect for her wishes is also given priority. Ademowo (2015) has thus proposed that, "the obvious way forward is an abridged conflict resolution technique that will be an amalgam of the past and the present, and which will make it (perfectly) capable of handling future conflicts with profits."

#### **8.3.2.6. Heavy fines for perpetrators**

On addressing how the problem of dealing with perpetrators in terms of incarceration should be considered, RP#08 expressed her opinion that:

*RP#08: The government is also a problem because people get arrested and are free the next day. They just keep on doing the same thing and they even brag to you that they were not jailed. That's why the rate is not decreasing because when they come back, they just carry on as usual. They won't stop abusing and feel that even when they get arrested, they can be released again.*

*They'll continue to abuse others. Others may do the same after seeing that they are out and not arrested. That's why it is not decreasing. The government really doesn't arrest people no matter the amount of evidence because the next day, that person is back here.*

There is much critique in South Africa on the early release of perpetrators of women abuse into society. Sibanda-Moyo et al. (2017, p. 63) reflected on the anger and frustration of women participants who among strategies to overcome violence against women, suggested harsher punishment of perpetrators from, “full-term prison sentences, no parole, to the death penalty and castration.” Such anger and frustration could also be qualified that not enough is being done with the sentencing of perpetrators of women abuse. The KZN Planning Commission (2016, p. 39) also identified “impunity of offenders” as a persistent problem within the justice system.

The above also attests to concerns around the arrest, trial and conviction of perpetrators of women abuse are inadequately handled and therefore suggesting that there are gaps and misaligned efforts in how such perpetrators are dealt with. RP#08 suggested that incarceration alone does not serve as enough of a deterrent to compel perpetrators not to repeat abusing women. For example, the bragging of perpetrators once they are released from prison and their eventual recidivism symbolises how helpless and hopeless communities are often left. RP#08 also observed that when there is a perceived leniency with respect to the sentencing of women abuse perpetrators, their criminal behaviour is learnt and/or repeated by others. The research participant was thus convinced that lenience towards perpetrators contributes to the continual rise in incidents of women abuse.

Mugumbate and Nyanguru (2013, p. 94) indicated that in the past, as opposed to prison, Africans used other punitive measures such as, “beating, compensation in form of cattle (and at times girl children) and banishment from the community.” This followed the belief that, “imprisonment in jails makes offenders’ better criminals” (Mugumbate and Nyanguru, 2013, p. 94). Agreeably, most of the above practices (perhaps besides compensation in monetary terms) have been revoked due to being against the principles and precepts contained within the South African Constitution and related legislative acts. However, their very mention



symbolises the serious way by which offences were once handled. RP#05 also mentioned that:

*RP#05: If he repeats, the payment increases because it shows that he has an aim...He will be shocked, saying you are charging me too much. If he fails to pay, then the legal system can deal with him... The community will not be able to stay well with such person.*

The above extract indicates that arrest is not perceived as corrective for unacceptable behaviour within traditional communities. However, it is also clear that traditionally-imposed measures stand to be contested through non-compliance, resulting in the increase of fines as the abusive behaviour is repeated. Again, the participant is acknowledging that if measures taken within the community are not adhered to, it would be essential for the legal system to take over. In this case, RP#05 indicates that prison time becomes relevant as community tolerance of the perpetrator cannot be guaranteed.

#### **8.4. Chapter summary**

This chapter focused on the themes: Afrocentric and Nego-feminist support network and aligned and proactive interventions that emerged for objectives three and four. The research participants presented community level and reliance on personal strength as the support harnessed from their own efforts. The suggestions made support networks required by SWTL when addressing women abuse pointed to a collaborative approach needed in South Africa. The findings also pointed to the need for SWTL to be acknowledged as important stakeholders in addressing women abuse. The need for accessible resources was also highlighted. The chapter also highlighted the willingness of SWTL to be capacitated on how to tackle and respond to other sensitive matters such as rape and murder that require referral but also need their urgent attention. Data also pointed out that SWTL identify the need for traditional leaders to be engaged at the onset within the drafting of legislation impacting on their communities. Concerns were raised on the approach government uses to deal with perpetrators of women abuse. Finally, suggestions on service improvements to adequately address women abuse were also made.

**SECTION V**  
**CONCLUSION AND RECOMMENDATIONS**

## CHAPTER NINE

### CONCLUSIONS AND RECOMMENDATIONS

#### 9.1. Introduction

A central premise of this study is that the social development challenge of women abuse is more than just a public issue, but instead is deeply connected to the private lives of women who reside mainly in rural communities (Langa-Mlambo and Soma-Pillay, 2014). In South Africa, it is a phenomenon that has caused South Africa to be placed among the top countries where incidents of abuse against women are prevalent with one in every six women having experienced some form of abuse (WHO, 2013). The Department of Women (2015) report on the Status of Women in South Africa acknowledged that a single approach to this problem was inadequate and therefore proposed a multi-pronged approach that will involve various stakeholders cooperating with one another in mitigating the prevalence and effects of abuse against women.

Chauke (2015) and Williams (2010) stated that traditional leaders in rural areas are a source of reliance, are respected, and people pay loyalty to them. It is nevertheless discouraging to note that the Domestic Violence Act (Act 116 of 1998) and the Victim Empowerment Programme as two foundational legislative instruments and programmes to ensure the provision of protection and supportive services to victims of domestic violence are silent in terms of acknowledging traditional leaders as key stakeholders. This blatant gap prompts for legislative shifts to ensure the integration of traditional leaders as effective role-players to deal with women abuse in the rural areas. Given the limited access to services otherwise rendered in urban areas, traditional leaders can become beacons of hope for survivors of women abuse in rural areas and intervene in the complex environment outlaid by abuse.

The complex historical and socio-cultural dynamics underpinning of the institution of traditional leadership means that mitigating women abuse is not simply a matter of improving public policy and access to counselling and social work services, but that political and economic obstacles need to be taken into consideration.

The purpose of this research study focused on exploring the experiences of SWTL when addressing women abuse. This is particularly unique because within this prominent position,

SWTL assume the same roles and responsibilities as their male counterparts. Afrocentric and Nego-feminist approaches underpin the study and were used to understand how the research participants negotiated power relations to manoeuvre in this male dominated space. Through 21 semi-structured interviews with SWTL, the following research questions were foundational and aligned to the central objectives of the study:

- What are the perceptions of SWTL regarding the extent to which traditional leaders get involved as stakeholders addressing women abuse?
- What are the challenges faced by SWTL when addressing women abuse in KwaZulu-Natal?
- What support networks are required by SWTL when addressing women abuse?
- What suggestions do SWTL have regarding the improvement of policy/legislation and services in respect of women abuse?

The first five chapters of this study provide a comprehensive background, literature review and methodological clarity for the study, setting the objectives and grounding it within the Afrocentric and Nego-feminist theoretical frameworks. Key arguments are made for the integration of Afrocentric and Nego-feminist practices to curb this social development challenge in South Africa.

This chapter concludes the study drawing from the findings presented in chapter six, seven and eight. The chapter will highlight whether the study has managed to yield answers and subsequently achieve its set primary objectives. The chapter will also present recommendations for the improvement of social work services, policy, legislation, support networks within the institution of traditional leadership and further research.

## **9.2. Conclusion**

This study found that SWTL encountered cases such as partner beating, rape of both women and young girls, incest, dispossessing women of property, family-orchestrated abuse, which culminated in traumatic experiences that affected not only the survivors but extended to the family and the wider community. The empirical evidence presented in this study revealed that women within traditional communities are experiencing varying but similar types of women abuse perpetrated by strangers and people known to them. Senior women traditional

leaders attend to such cases, which either are brought to them by women themselves or are brought to their attention through *Izinduna* who oversee villages belonging to SWTL. In other cases, the known perpetrators are family members who promote their own desires at the expense of women's health and social wellbeing. The cases called for the employment of various interventions by SWTL who utilised Afrocentric conflict resolution practices and asserted their Nego-feminist position of authority to advocate for the safety and protection of women in their communities.

### **9.2.1. Synthesised approach to address women abuse**

Objective One of this study was to focus on exploring the perceptions of SWTL regarding the extent to which traditional leaders become involved as stakeholders in addressing women abuse. This objective was achieved through teasing responses from SWTL where they related to the types of abuse cases they address and approaches they employ to address this issue. Chapter three in this study argued that women abuse is entrenched within both private and public spaces and therefore inextricably challenges the wellbeing and dignity of women. The study revealed that SWTL perceive traditional leaders as critical role-players in addressing women abuse within rural communities. Contrary to the controversy levelled against the institution of traditional leadership as perpetuating women abuse, it was identified in this study that important functions that traditional leaders are involved in include consultation, mediation and negotiation with families and community members to restore peace and resolve conflict in the households of survivors of abuse. Such approaches grounded in Afrocentric and Nego-feminist approaches, authenticate the institution of traditional leadership as capable and essential in addressing women abuse. Consultation was also extended to perpetrators in order to understand the circumstances that led to the abuse. This also demonstrated the ability to separate an individual from an issue in order to effectively address the root causes of women abuse. Senior women traditional leaders stated that they worked in a collaborative manner with important stakeholders in their communities, which resonated with communitarian strategies enshrined in Afrocentric and Nego-feminist practices. Through encouraging no-ego, compromise and reconciliation, which are strengths of Nego-feminism, SWTL ensured that their community members realised that it was

necessary to reclaim pre-colonial ways of co-existing with others and to strive for peace and humanitarian treatment of others.

The study also revealed that the wisdom of elders, as well as cultural and spiritual interventions were important support systems that the research participants relied upon to address women abuse cases. What was interesting in this study's findings was that through deep reflection of their own experiences as victims of abuse, SWTL were able to apply advanced empathy, care and compassion to women who approached them for help. These actions were premised on the foundations of *ubuntu* and therefore advocated for reclaiming the support, protection and taking responsibility of one another. It is important that social workers network and collaborate with SWTL in addressing women abuse in rural communities.

### **9.2.2. Multi-layered challenges**

The ascension to the throne for the position of an *Inkosi* within the institution of traditional leadership has been male-dominated and therefore regarded as embedded in Zulu tradition and culture. In chapters two and three, I presented the critical arguments made by Ndlovu (2008), Kasongo (2010), Dodo (2013), Matshidze (2013) and Sesanti (2016) that the colonial and apartheid regimes perpetuated the subordination and abuse of African women and marginalised women's roles of leadership in society. In contemporary times, chapter four presented evidence relating to how the democratic State in South Africa perpetuates the State's control over the institution of traditional leadership. It is however positive that foundational legislation such as The Traditional Leadership Framework Act (Act 41 of 2003) do enshrine social justice and human rights for women and facilitate their role to ascend to the throne as SWTL so that they will be able to make significant contributions to mitigating women abuse in rural communities.

Objective Two of the study intended to identify the challenges faced by SWTL when addressing women abuse in KZN. This study uncovered that SWTL experienced multi-layered challenges while executing their roles and addressing women abuse. The challenges experienced included the intrapersonal discomfort of being attacked at their personal level as well as the structural challenges on women abuse.

Senior women traditional leaders are challenged by the fact that abuse is often non-reported and alcohol and drugs take their toll in perpetuating women abuse. They are also challenged by the deep-rooted beliefs among abused women associating abuse with filial and physical love and as a matter that should be kept within families. Senior women traditional leaders found that sometimes their efforts of addressing women abuse took time to materialise because of issues presented beyond their control and therefore encouraging women not to report, but rather remain in abusive relationships for long periods of time. While it was also revealed that there was a lack of knowledge in conceptualising what constitutes abuse among survivors of women abuse, the study also revealed similar to other studies such as, De Lay Rey (2003); Nyiramutangwa et al. (2011); Boonzaier and van Schalkwyk (2011), and Mesatywa (2014) that poverty and unemployment invariably trapped women living in rural areas within abusive environments. The research also found that there are aspects of tradition and culture such as *ilobolo* that are manipulated to further advance and trap women within situations of abuse.

As women within the institution of traditional leadership, SWTL also experienced problems directed to undermining and attacking them based on their gender. Since the position of senior traditional leader has been for many years, male-dominated, the SWTL are often perceived as weak, their actions and decisions doubted, or their role execution being constantly compared to that of their male predecessors. Senior women traditional leaders found that they had to prove their abilities through working twice as hard. Their challenges were also exacerbated by preferences for males into the position and contestations within families. The research participants encountered being called names and being undermined. However, as much as the assumption of this male-dominated position posed challenges, SWTL demonstrated considerable boldness as their agency meant taking decisions that benefited abused women. Therefore, SWTL often overstepped patriarchal beliefs that deny women the ability to express their agency.

Moreover, the expectation to provide solutions placed pressure on SWTL. Such encounters also ignored the limitations placed on them by the lack of funding and recognition within the institution of traditional leadership. These limited the scope of traditional leaders in exercising their power within their communities in addressing women abuse. Other key

stakeholders within government such as the SAPS and members of the legal profession also paid little or no attention to the role of senior traditional leaders. There is less cooperation in terms of giving case feedback to SWTL, looking down upon them, and at times influencing community members to disregard decisions taken by them.

### **9.2.3. Afrocentric and Nego-feminist support network**

The emergence of this theme highlighted the meeting of Objective Three of the study which explored what support networks are required by SWTL when addressing women abuse. While having indicated the external support they required, the research participants also pointed out that they do have their own arrangements in place where they can source support they require within their position as SWTL. The support provided by family members, other senior traditional leaders, traditional councils and community members such as elders were emphasised by participants as sources of support that provide therapeutic benefits given the types of women abuse cases SWTL are tasked with. The research participants indicated that acknowledgement and prompt responses from other stakeholders is very important to them. The failure of other stakeholders to identify traditional leaders as important role players through non-consideration of their efforts, presented the participants with the desire to be acknowledged to smoothen their actions towards yielding positive results that would restore peace or benefit those in hardship. Both the support emanating from within the community and external stakeholders in government are interlinked and premised within the Afrocentric and Nego-feminist perspectives that find resonance in the principles of *ubuntu*. These support networks yield positive outcomes where there is reliance on one another (i.e., between African women in their own spaces, between men and women, between professionals in the helping process within government), protection of the vulnerable, and the desire for peaceful co-existence. In the end, grounded in Afrocentric and Nego-feminist support, the networks would benefit abused women in rural areas where timeous and urgent attention would be offered.

### **9.2.4. Aligned and proactive interventions**

Objective Four of the study intended to obtain suggestions from SWTL regarding the improvement of policy/legislation and services in respect of women abuse. This objective



was met at two levels, where SWTL suggested the need to revive African practices and expressed the need to address an existing gap regarding the role of traditional leaders in the policy-making and implementation process. The revival of African practices such as respect for women, virginity testing and boys' circumcision in their original meaning outside the distortions of colonialism were important. Both virginity testing and circumcision were in past times used as platforms to ground foundational family teachings of young people and enhance communitarian expectations of respect and human treatment of others.

On the level of legislative and policy enhancements, the involvement of traditional leaders in formulating and implementing legislation and policies for ensuring the protection of citizens was paramount and needed. The SWTL in this study felt that traditional leaders were deliberately excluded from the policy-making process during drafting of new legislation; yet they were expected to be the implementers of such legislation within their communities. Participants also expressed the view that cooperation with other stakeholders is actioned only if such a stakeholder has an individualised opinion that they can collaborate and work together with the institution of traditional leadership to address and resolve issues such as women abuse. Breaking the silence within the DVA and the VEP in acknowledging traditional leaders as key relevant role players will be significant towards addressing the cooperation gap. This is particularly important given that the findings of this study also revealed that a single approach and intervention towards women abuse is impossible. The research participants also felt that the criminal justice system was far too lenient in its sentencing and treatment of perpetrators who tend to be released back into their communities without any information given to SWTL as leaders within rural communities.

The revival of African practices and realignment of legislation were beneficial for use as early interventions to women abuse as well as facilitating coherence between customary law and legislation. The suggestions for improvements of professional social work services rendered to abused women included more awareness campaigns, the establishment of women support networks, engagement with survivors to provide peer-counselling and support to other women as well as the involvement of men to yield better solutions in curbing women abuse.

### **9.3. Key recommendations**

Senior women traditional leaders are an important source of support that is immediately accessible to abused women in rural areas.

#### **9.3.1. Afrocentric and Nego-feminist recommendations for improving the social work practice**

This empirical study makes an argument for the integration of Afrocentric and Nego-feminist practices as foundational approaches to address women abuse within rural communities. Within the traditional rural community areas, SWTL are responsible for ensuring that all members of their communities are protected and co-exist harmoniously with one another. This study thus recommends that social workers should:

- Strengthen consultation with SWTL around women abuse to enhance a proactive approach towards curbing incidents of women abuse and introduce early intervention measures.
- Seek deeper understanding of African rituals, ceremonies and practices that are meant to curb women abuse and incorporate these to enhance early intervention. This approach will ensure optimal service delivery and entrust community specific approaches to take the lead on the intervention processes. As such, survivors of abuse, their families and community members affected by violence and abuse of women will be assisted holistically. For example, when the crime of women abuse has already been committed, measures such as threatening to expel perpetrators from the community are considered because they appeal to discourage repetitive actions of abuse as it is difficult for Africans to separate from families. The intentions of such interventions are driven by the desires to maintain peace and stability within communities.
- Enhance the family preservation interventionist model to tap into IKS that hold families responsible and respect elder wisdom as key practices of intervening during challenges within African communities. Professional social workers should be sensitive that interventions may also include observing rituals to re-connect families with their ancestors and spiritual beings.

The foundations of Afrocentrism and Nego-feminism within democracy present an opportunity for new social work graduates to integrate these approaches in practice within a diverse South African society when addressing women abuse. It is therefore recommended that the social work curriculum for students within tertiary institutions be aligned for sensitivity to the diversified worldviews that take into cognisance, the Afrocentric and Nego-feminist cultural practices of South African people. This will serve as a positive dimension to facilitate transformation and particularly strive to encourage decolonisation of the social work practice.

### **9.3.2. Recommendations to improve legislation, policy and programme changes to acknowledge traditional leaders as important stakeholders**

The national and provincial Departments of Social Development play a critical role as custodians of women abuse legislation and in leading support programmes towards the reduction of women abuse. The DVA (Act 116 of 1998), the VEP and subsequently the programme of Sixteen Days of Activism must begin to acknowledge traditional leaders as important stakeholders in addressing women abuse. Senior women traditional leaders have the responsibility to ensure that *ubuntu* becomes a lived reality for many within traditional communities. African practices are embedded in *ubuntu*, which calls for maintaining human dignity. For *ubuntu* to permeate environments that challenge social ills such as women abuse, new complementary strategies need to be sought to effectively eliminate women abuse. The findings of this study highlighted that the involvement of SWTL in addressing women abuse can yield positive outcomes. Such would be the restoration of peace and absolving women from distorted African traditions such as the payment of *ilobolo*, which are often manipulated to maintain hegemonic masculinity. With the understanding that policy development translates into advocacy and education, I support Run (2013, p. 36) who is of the opinion that:

“For an honest debate on indigenous African approaches to conflict resolution to take place, a simple advocacy for adopting more indigenous principles is insufficient; such a debate must include questioning the colonial legacy. It is by rejecting colonial categorisations and assumptions embedded in the post-colonial state and political discourses that Africans can reclaim.”

The following recommendations are thus made:

- The definition of domestic relationships with the DVA is limited in the African context and needs to be extended to acknowledge communal living within African settings where the concept of *ubuntu* extends caring between community members. When women abuse is perpetrated within a traditional community area, such a shameful act not only affects the individual victim, but also family and community members; hence, there are rituals extended to cleansing of the community name. Attending earnestly to this definition will ensure that as it has been an African practice, where people (even when they are strangers) see each other first as human beings and consequently, women become less easy targets for abuse.
- Legislation, policies and programmes also need to begin to incorporate mediation, adjudication, reconciliation, arbitration and negotiation African mechanisms of conflict resolution to stay relevant and appealing to communities that uphold culture and tradition as their way of life. It is recommended that traditional communities are engaged and consulted to reach agreement on which aspects of culture and tradition within these mechanisms are needed for incorporation into the legislation, policies and programmes that address women abuse.
- Having mentioned the Afrocentric methods employed by SWTL to address women abuse, it is recommended that social work facilitate open dialogue through debates and forums to enable the design of programmes and strategies that will allow for open consciousness where what constituted bad practice in both African and colonial jurisprudence is rooted out. This will allow for the development of methods that will be firmly humane. An understanding of the meaning attached by traditional communities to various aspects of their lives, such as the performance of rituals and cultural ceremonies must be enhanced, while ensuring that infringement of the rights of women to fully live and enjoy their spaces within societies is prohibited.

### **9.3.3. Recommendations for advancing support networks within the institution of traditional leadership**

Drawing from the multi-layered challenges theme discussed in chapter seven, SWTL require the following support systems to enhance their role in addressing women abuse:

- National and provincial departments of social development need to provide updated education and training through road-shows and workshops on key legislation such as the DVA and support programmes meant to enhance the fight against women abuse. This will ensure that SWTL are capacitated on issues of women abuse and enhance their own awareness of their leadership role as partners in developmental social welfare approaches in addressing women abuse. Ultimately, SWTL within rural traditional areas will be empowered to lead such programmes.
- Capacity building of SWTL must be a concerted effort realised within the provincial capacity building and coordination strategy coordinated by the KZNCOGTA through inter-governmental relations (IGR). While the KZNCOGTA will ensure the mentoring and training needed by SWTL when they occupy the position of senior traditional leadership within the institution, through IGR, it will also be assisting in bringing together other key stakeholders such as departments of social development, education, justice, health and the SAPS within KZN to work together with traditional leaders. Although these departments have varying mandates, they should be able to pull together resources that will enable SWTL to address women abuse effectively. This will ensure that partnerships are built, collaboration is strengthened, and traditional leaders are acknowledged as important stakeholders. More importantly, women abuse will be adequately managed. Concerted efforts will ultimately facilitate accessibility of services to abused women in rural traditional communities.
- Municipalities need to allocate funding and through their Integrated Development Plans (IDP) see to it that community events and public participation platforms accommodate SWTL to speak on women abuse within their designated areas.
- Since traditional leaders are legislatively entrusted to preserve culture and customary law practices, it is recommended that the State allocate adequate funding to enable them to host cultural and traditional community ceremonies and rituals aimed at restoring African ways of living.
- Senior women traditional leaders also need to be supported in their efforts to negotiate the patriarchal space that women face daily in their lives. This support can be channelled through the already established forums at the community level where awareness creation campaigns and gender specific forums are led by SWTL. Through

these, SWTL will be able resuscitate respect for women, advocate for peace and *ubuntu* African principles within their areas.

- This study focused on the qualitative experiences of SWTL in addressing women abuse. However, issues of abuse experienced directly by SWTL were also uncovered. These were particularly in relation to in-fighting within royal families for the position of *Inkosi* and the disrespect and undermining of SWTL because they are women in this position. It is therefore recommended that KZN Cogta forms and coordinate a full partnership support programme with the KZN Departments of Social Development where SWTL can be provided with counselling.

#### **9.4. Recommendations for further research**

This study explored the experiences of SWTL in one province. It is recommended that:

- A qualitative study incorporating multi-stakeholder perspectives on women abuse across provinces in South Africa is undertaken.
- A mixed-method, inter-province study that seeks to explore the extent to which African indigenous practices contribute to curbing the prevalence of women abuse be conducted.
- In addition, qualitative, longitudinal studies that investigate African rituals, indigenous practices, ceremonies that are utilised by Africans and could lessen women abuse should be explored.
- Research that includes the participatory experiences of survivors of women abuse in intervention programmes implemented in traditional rural communities be undertaken.
- A longitudinal qualitative study of SWTL's own experiences of abuse in KZN be undertaken.

#### **9.5. Final conclusions**

The voices of the SWTL in this study have sought to contribute to a new narrative which moves beyond mere rhetoric and which gives them the opportunity to dialogue and express their own private struggles and those of the many women they have helped with a commitment to engage in collective action to deal with this public issue. This study has thus

sought to contribute towards the need to document and preserve the Zulu cultural IKS that often stands the potential of being lost, particularly amid colonially-influenced lives where people tend to loathe African ways by labelling them as barbaric. The study has also significantly highlighted the potential of traditional leadership to co-exist with the system of democracy and thereby ensure that everyone enjoy their rights as enshrined within the Constitution. It is therefore time for the institution of traditional leadership to exercise introspection and self-examination, revive and resuscitate those aspects of culture and tradition which create humanness and peaceful coexistence with the ancestors, and realise that African women are strong pillars without which the full potential of the institution can be lost. Therefore, SWTL need to get full backing from within the institution.

The study concludes that women abuse is a complex issue that can only be defeated through collaboration. The study also calls for NGOs, CBOs, FBOs, the private sector and various ministries within government to manage women abuse, cooperating and collaborating with one another to ensure the protection of human rights for women and girls, gender equality and greater awareness of women abuse.

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# ANNEXURES



# **ANNEXURE A**

## **INTERVIEW SCHEDULE**

### **Demographic information**

- Age category [below 29 years] [30-39] [40-49] [50-59] [60-69] [70+]
- Year when first recognised in the position of senior traditional leader
- Educational qualifications

### **Perceptions on the involvement of traditional leaders as stakeholders addressing women abuse**

- What is the nature/type of women abuse do you address?
- How have you addressed women abuse?
- What do you think others expect you to do when addressing women abuse?
- What is your perception on your role and that of the legal system when addressing women abuse?
- How do you think other perceive you and your role after you addressed women abuse?
- What do you think should be done to get traditional leaders much more involved to play their role in addressing women abuse?

### **Challenges faced when addressing women abuse**

- What challenging experiences have you had when addressing women abuse (from whom were the challenges and what do you think were the reasons)?
- Tell me about a situation where you struggled to get help and how did you manage?
- What platforms are created for you to talk about your experiences?
- Who do you talk to about your challenges and what reaction have you received?
- What challenging treatment have you received particularly from other traditional leaders in your approach to addressing women abuse?

### **Support networks required when addressing women abuse**

- Who do you go to for help when addressing women abuse and why?
- What kind of help did you receive?
- In your view, who are you supposed to work with when addressing women abuse?
- What type of support do other traditional leaders give you when addressing women abuse?
- What kind of help do you think you should be getting to assist you when addressing women abuse?

### **Suggestions on how the country should address women abuse**

- What do you think the country should do when addressing women abuse?
- What do you think you do different from others when addressing cases of women abuse and how should that be taken forward by the country?
- What do you think should be done to empower victims of women abuse?
- What do you think be done with perpetrators of women abuse?

# **ANNEXURE B**

## **UHLU LWEMIBUZO**

### **Iminingwane yabantu**

- Isigaba sobudala [ngaphansi kweminyaka ewu 29] [30-39] [40-49] [50-59] [60-69] [70+]
- Unyaka lapho wamukelwa khona kwisihlalo sobuholi bendabuko
- Iziqumfundo

### **Umbono wakho ngeqhaza elibanjwa abaholi Bomdabu ekuxazululweni ukuhlukunyezwa kwabesifazane**

- Oluphi uhlobo lokuhlukunyezwa lwabesifazane oyaye uhlangabezane nalo?
- Ukxazulula kanjani ukuhlukunyezwa kwabesifazane?
- Ucabanga ukuthi abanye abantu balindele ukuthi wenzeni uma uxazulula ukuhlukunyezwa kwabesifazane?
- Ulibona kanjani iqhaza elibanjwe nguwe kanye nokusebenza kwezomthetho uma kuxazululwa ukuhlukunyezwa kwabesifazane?
- Emva kokuba uxazulule ukuhlukunyezwa kwabesifazane, ucabanga ukuthi abanye abantu bakubona kanjani wena kanye neqhaza olibambile?
- Ucabanga ukuthi yini okumele yenziwe ukuze abaholi bomdabu babandakanyeke kakhulu ekubeni yingxenye ekudingidweni ukuhlukunyezwa kwabesifazane?

### **Izinselelo okuhlangatshezwana nazo uma uxazulula ukuhlukunyezwa kwabesifazane**

- Yiziphi izinselelo osuke wahlangabezana nazo ngesikhathi uxazulula ukuhlukunyezwa kwabesifazane (ngobani abakuphonsela inselelo futhi ucabanga ukuthi babekwenziswa yini lokho)?
- Ake ungixoxele ngesimo owake wabhekana nobunzima ekutheni uthole usizo, Nokuthi wenzenjani ngesimo?
- Zikhona yini izithangami ovulelwa zona ukuze ukwazi ukukhuluma ngalokho ohlangabezana nakho? (African way of doing things).
- Ngobani okhuluma nabo ngezinsalelo ohlangabezana nazo, futhi bayaye bakwamukele kanjani? (Separate questions).
- Yibuphi ubunzima obuthola kwabanye abaholi bomdabu emsebenzini wakho wokuxazulula ukuhlukunyezwa kwabesifazane?

### **Izinhlalela zokwesekwa ozidingayo uma uxazulula ukuhlukunyezwa kwabesifazane**

- Ulucela kobani usizo uma uxazulula ukuhlukunyezwa kwabesifazane.
- Futhi kungani ulucela kubo? Hlobo luni losizo olutholayo?
- Ngokucabanga kwakho, ngobani okumele usebenze nabo uma uxazulula ukuhlukunyezwa kwabesifazane?
- Bakweseka kanjani aBaholi Bomdabu uma uxazulula ukuhlukunyezwa kwabesifazane?
- Ucabanga ukuthi hlobo luni losizo okumele ngabe uyaluthola oluzokwelekelela uma uxazulula ukuhlukunyezwa kwabesifazane?

**Imibono yakho maqondana nokuthi izwe kumele lisingathe kanjani ukuxazulula ukuhlukunyezwa kwabesifazane**

- Ucabanga ukuthi yikuphi okumele kwenziwe yizwe ukuxazulula ukuhlukunyezwa kwabesifazane?
- Yikuphi ocabanga ukuthi ukwenza ngendlela ehlukile kwabanye uma uxazulula ukuhlukunyezwa kwabesifazane futhi izwe lingakuthuthukisa kanjani lokho?
- Ucabanga ukuthi izisulu zabesifazane abahlukunyeziwe bangahlonyiswa kanjani ngolwazi?
- Yikuphi ocabanga ukuthi kumele kwenziwe ngalabo abahlukumeza abesifazane?

# ANNEXURE C

## ETHICAL CLEARANCE LETTER



8 September 2016

Mrs Gladys\_Nkareng Klaas-Makolomakwe 216072108  
School of Applied Human Sciences  
Howard College Campus

Dear Mrs Klaas-Makolomakwe

Protocol reference number: HSS/1349/016D

Project Title: The experiences of Senior Women Traditional Leaders in addressing women abuse in KwaZulu-Natal, South Africa: An Afrocentric and Nego-Feminist approach

Full Approval – Expedited Application

In response to your application received 29 August 2016, the Humanities & Social Sciences Research Ethics Committee has considered the abovementioned application 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.

The ethical clearance certificate is only valid for a period of 3 years from the date of issue. Thereafter Recertification must be applied for on an annual basis.

I take this opportunity of wishing you everything of the best with your study.

Yours faithfully

.....  
Dr Shamila Naidoo (Deputy Chair)  
Humanities & Social Sciences Research Ethics Committee

/pm

Cc Supervisor: Dr Tanusha Raniga & Prof Sihawu Ngubane  
Cc Academic Leader Research: Dr Jean Steyn  
Cc School Administrator: Ms Ayanda Ntuli

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Humanities & Social Sciences Research Ethics Committee

Dr Shenuka Singh (Chair)

Westville Campus, Govan Mbeki Building

Postal Address: Private Bag X54001, Durban 4000

Telephone: +27 (0) 31 280 3587/8350/4657 Facsimile: +27 (0) 31 280 4609 Email: [ximbap@ukzn.ac.za](mailto:ximbap@ukzn.ac.za) / [snvmanm@ukzn.ac.za](mailto:snvmanm@ukzn.ac.za) / [mohunnp@ukzn.ac.za](mailto:mohunnp@ukzn.ac.za)

Website: [www.ukzn.ac.za](http://www.ukzn.ac.za)



Founding Campuses: Edgewood Howard College Medical School Pietermaritzburg Westville

# ANNEXURE D

## PERMISSION TO UNDERTAKE THE STUDY



**cogta**

Department:  
Cooperative Governance and Traditional Affairs  
PROVINCE OF KWAZULU-NATAL

Tel. +27 31 204 1733 Fax. +27 31 204 1948  
Postal. Private Bag X504310. Durban, 4001  
Office. Cogta Offices, 7 Buro Crescent Mayville

08 August 2016

To Whom It May Concern

### REQUEST FOR PERMISSION TO CONDUCT RESEARCH

PHD Student: Mrs Gladys Nkareng Klaas-Makolomakwe

This is to confirm that the Policy and Research Unit within Department of Cooperative Governance and Traditional Affairs was approached by the above-mentioned student regarding her research on: "The Experiences of Senior Women Traditional Leaders in Handling Cases of Women Abuse in KwaZulu-Natal, South Africa: An Afrocentric and Nego-Feminist Approach".

The objectives of the study are outlined as being:-

1. To explore the experiences of Senior Women Traditional Leaders in handling cases of women abuse in KwaZulu-Natal;
2. To explore the perceptions of Senior Women Traditional Leaders regarding the extent to which Traditional Leaders get involved as stakeholders handling cases of women abuse;
3. To understand the challenges faced by Senior Women Traditional Leaders when handling cases of women abuse in KwaZulu-Natal; and
4. To gain insight into the support networks required by Senior Women Traditional Leaders when handling cases of women abuse; and
5. To obtain suggestions from Senior Women Traditional Leaders regarding improvement of policy/legislation and services and in respect of cases of women abuse.

The Policy and Research Unit within the Department of Cooperative Governance and Traditional Affairs has no objection to Mrs Gladys Klaas-Makolomakwe undertaking this proposed research study.

Yours Sincerely,

**Dr RN Ndlela**  
Director: Policy and Research

# ANNEXURE E1

## INFORMATION SHEET



Dear participant

You are cordially invited to participate in a PhD academic research study on the title:

The experiences of senior women traditional leaders in addressing women abuse in KwaZulu-Natal, South Africa: An Afrocentric and Nego-feminist approach

The aim of the study is to explore the experiences of Senior Women Traditional Leaders in handling cases of women abuse in KwaZulu-Natal, South Africa.

This research study is conducted by a registered student of the University of KwaZulu-Natal as in order to fulfil the academic purpose. Kindly note that your participation is voluntary, information shared by yourself will be treated in a confidential manner and you are free at any time to withdraw from participating in the study. There will be no direct link to your name or your area and numerical codes will be used for interpretation of information towards producing a report. Also note for academic purposes, the final report may be published by the University.

You are welcome at any stage of this research to contact the student or her academic supervisors as listed below.

Student details	Name: Mrs Gladys Nkareng Klaas-Makolomakwe Position: Student Contact No.: 073-137-4618
Supervisors' details	Prof Tanusha Raniga Contact number: Prof Sihawukele Ngubane Contact No.:

Thank you for your participation.

Yours Sincerely

G. N. Klaas-Makolomakwe

Date: .....

## ANNEXURE E2

### INCWADI YEMINININGWANE



Mbambiqhaza othandekayo

Uyamenywa ngokufudumele ukuba ubambe iqhaza kucwaningo lwezemfundo ze PhD kwisihloko:

The experiences of senior women traditional leaders in addressing women abuse in KwaZulu-Natal, South Africa: An Afrocentric and Nego-feminist approach.

Inhloso yalolucwaningo ngukuhlola izimo abantu besifazane abasezihlalweni zoBukhosi ababhekene nazo ekuxazululeni amacala mayelana nokuhlukunywezwa kwabantu besifazane eNingizimu Afrika.

Lolu ucwaningo lwenziwa umfundi obhalisiwe eNyuvesi yaKwaZulu-Natali ukuze kugcwaliseke injongo yezemfundo. Ngicela wazi ukuthi ukubamba kwakho iqhaza kulolucwaningo akusiyo impoqo, nolwazi ozosinika lona lizophathwa ngendlela eyimfihlo futhi uvumelekile noma ingasiphi isikhathi uma usuzizwa ungasaphathekile kahle ukuba uhoxe ekuqhubekeni nokubamba iqhaza kulolucwaningo. Okunye okubalulekile okumele ukwazi ukuthi akukho ukuxhumana okuzobakhona okuzokwenzeka egameni lakho kanye nendawo ohlala kuyo futhi kuzosetshenziswa amakhodi ezinombolo ukuhlaziya ulwazi osinike lona nasekubhalweni kwe-report. Sesiphetha, ngicela wazi futhi ukuthi ngokwenjongo yezemfundo, i-report esihlanganisiwe yaphethwa izoshicilelwa iNyuvesi.

Wamukelekile nganoma yisiphi isigaba salolucwaningo ukuba uxhumane nomfundi noma abengamele ezifundweni zakhe kulezi zinombolo ezibhalwe ngezansi:

Imininingwane yomfundi	Igama: Mrs Gladys Nkareng Klaas-Makolomakwe Isikhundla: Umfundi Onombolo yocingo: 073 1374618
Imininingwane yabengamele	Prof Tanusha Raniga Inombolo yocingo: Prof Sihawukele Ngubane Inombolo yocingo:

Ngiyabonga kakhulu ngokubamba kwakho iqhaza.

Ozithobayo

G. N. Klaas-Makolomakwe

Usuku: .....

# ANNEXURE F1

## INFORMED CONSENT LETTER



Dear participant

My name is Gladys Nkareng Klaas-Makolomakwe. I am a registered doctoral student at the University of KwaZulu-Natal, Howard College.

The experiences of senior women traditional leaders in addressing women abuse in KwaZulu-Natal, South Africa: An Afrocentric and Nego-feminist approach.

The aim of the study is to explore the experiences of Senior Women Traditional Leaders in addressing women abuse in KwaZulu-Natal, South Africa. The research is conducted in order to fulfil the academic purpose and you will be expected to participate in a one-hour in-depth interview. Kindly note that your participation is voluntary, information shared by yourself will be treated in a confidential manner and you are free at any time to withdraw from participating in the study. There will be no direct link to your name, or your area and numerical codes will be used for interpretation of information towards producing a report. I would also like to request for permission to record the interview so that I will be able to capture all information shared accurately.

No other details will be required of you and all the responses will be kept highly confidential. The results will be used to make recommendations to all service providers. The research data will be destroyed after the completion of the research. There will be no costs incurred by you while participating in the study.

Kindly note that should you wish to get information on your rights as a participant in this research and for any further enquiries, you may contact Ms Phumelele Ximba of the research ethics committee on 031-260-3587 (Tel) and/or ximbap@ukzn.ac.za (E-mail).

You are welcome at any stage of this research to contact me at:

E-mail: pklaas61@gmail.com

Cell: 073-137-4618

Or my academic supervisors:

1. Prof Tanusha Raniga

E-mail: ranigat@ukzn.ac.za

Cell:

2. Prof Sihawu Ngubane

E-mail: ngubanes@ukzn.ac.za

Cell:

I thank you for taking time from your busy schedule and for the important contribution and valuable participation.

Yours Sincerely,

.....



Gladys Nkareng Klaas-Makolomakwe

Date: .....

## ANNEXURE F2

### INCWADI YEMVUME



Mbambiqhaza othandekayo

Igama lami nguGladys Nkareng Klaas-Makolomakwe. Ngingumfundi obaliselwe ezemfundo yamabanga aphezulu eNyuvesi yaKwaZulu Natali, ekolishi yaseHoward.

Ngemfudumalo uyamenywa ukuba ubambe iqhaza ocwaningweni lwezemfundo zePhD kwisihloko:

The experiences of senior women traditional leaders in addressing women abuse in KwaZulu-Natal, South Africa: An Afrocentric and Nego-feminist approach.

Inhloso yalolucwaningo ngukuhlola izimo aMakhosi asendlunkulu abesifazane abhekene nazo ekuxazululeni amacala mayelana nokuhlukunyezwa kwabantu besifazane eNingizimu Afrika. Lolucwaningo lwenzelwa ukuze kugcwaliseke injongo yezemfundo, kwakhona ulindeleke ukuba ubambe iqhaza kwinkulumongxoxo ezoba ihora elilodwa. Ngicela ukukwazisa ukuthi ukubamba kwakho iqhaza kulolucwaningo akusiyo impoqo, nolwazi ozosinika lona lizophathwa ngendlela eyimfihlo futhi uvumelekile noma ingasiphi isikhathi uma usuzizwa ungasaphathekile kahle ukuba uhoxe ekuqhubekeni nokubamba iqhaza kulolucwaningo. Akukho ukuxhumana okuzobakhona okuzokwenzeka egameni lakho kanye nendawo ohlala kuyo futhi kuzosetshenziswa amakhodi ezinombolo ukuhlaziya ulwazi osinikeze lona nasekubhalweni kombiko. Ngicela nemvume yokuqopha inkulumongxoxo yethu ukuze ngizokwazi ukuhlanganisa inqikithi yenkulumongxoxo yethu ngaphandle kwempazamo.

Ayikho eminye imininingwane engizophinde ngiyifune kuwe futhi zonke izimpendulo zakho zizogcinwa ziyimfihlo. Imiphumela yalolucwaningo izosetshenziswa ukunikeza izincomo ezikhungweni zabahlinzeki. Ekugcineni kwalolucwaningo lonke ulwazi esizoluqoqa kubambiqhaza luzomoshwa. Angeke zibekhona izindleko ngokubamba kwakho iqhaza kulolucwaningo.

Uma ufuna ukwaziswa kancono ngamalungelo wakho mayelana nokubambiqhaza kwakho noma kungeyiphi na emubuzo, ungaxhumana no Ms Phumelele Ximba owekomiti lamalungelo wocwaningo ku 031-260-3587 (Ifonu) noma [ximbap@ukzn.ac.za](mailto:ximbap@ukzn.ac.za) (E-mail).

Wamukelekile kunoma isiphi isigaba salolucwaningo ukuba ungaxhumana name ku:

E-mail: [pklaas61@gmail.com](mailto:pklaas61@gmail.com)

Cell: 073-137-4618

Okanye abapathi bezemfundo:

1. Prof Tanusha Raniga  
E-mail: ranigat@ukzn.ac.za  
Cell:

2. Prof Sihawu Ngubane  
E-mail: ngubanes@ukzn.ac.za  
Cell:

Ngiyabonga ukuthatha isikhathi ukuba uphose esivivaneni ngolwazi lwakho nangokuhlanganyela kwakho okuyigugu kulolucwaningo.

Owakho ozithobayo,

.....

Gladys Nkareng Klaas-Makolomakwe

Usuku: .....

# ANNEXURE G1

## INFORMED CONSENT FORM



I, ....., the undersigned confirm that I understand the contents and conditions of the study and consent to participating in the research project.

I declare that my participation in this study is entirely voluntary and that I may withdraw from the study at any time should I choose to.

I also understand that should I have any questions/concerns related to the study; I may contact the researcher Mrs Gladys Nkareng Klaas-Makolomakwe at: 073-137-4618.

I further indicate that for the purpose of this study, as it was explained to me, that I am:

<b>Equipment</b>	<b>Willing</b>	<b>Not willing</b>
For use of an audio tape during the interview		

.....  
Participant Signature  
Date:  
.....

.....  
Participant Signature  
Date:  
.....

## ANNEXURE G2

### Ifomu lokuvuma ukwaziswa



Mina, ....., osayine ngezansi, ngenza isiqinisekiso sokuba ngiyavuma futhi ngiyayiqonda imibangela yokuba ingxenye yokubamba iqhaza kulolucwaningo.

Ngियाqinisekisa ukuthi ngibamba iqhaza kulolucwaningo ngokungempopo nokuthi ngingahoxa kucwaningo noma ingasiphi isikhathi uma ngikhetha njalo.

Uma nginemibuzo mayelana nocwaningo, ngiyaqonda ukuthi ngizothinta umcwaningi uNkosikazi Gladys Nkareng Klaas-Makolomakwe ku: 073-137-4618.

Njengoba ngichazelwe, ingiyavuma ukuthi yonke into icacisiwe kimina mayelana nocwaningo ngikhombisa ukuthi:

<b>Incsizakusebenza</b>	<b>Ngiyavuma</b>	<b>Angivumi</b>
Incsizakusebenza yokucoshela ulwazi		

.....  
Isayini ka mbambiqhaza

Usuku:

.....

.....  
Isayini ka mbambiqhaza

Usuku:

.....

## ANNEXURE H

### CONFIDENTIALITY BINDING FORM FOR RESEARCH ASSISTANT



I, ....., the undersigned confirm that I understand the contents and conditions of the study and bind myself to the following:

1. I will be privileged to know the identity of participants in this study and will therefore under no circumstances reveal the identity of participants.
2. I am aware that information shared by participants is confidential and I will therefore not share it with anyone.

I declare that my role in this study is purely that of research assistance and nothing less or more.

I undertake to discuss any issues related to this study with the researcher Mrs Gladys Nkareng Klaas-Makolomakwe.

.....  
Research Assistant Signature

Date:

.....

.....  
Researcher Signature

Date:

.....