

**Ambivalence and paradox: The battered woman's
interactions with the law and other helping resources**

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Abstract

This thesis explores how the battered woman attachment to her abusive partner impacts on her interactions with the legal system and non-legal resources. This qualitative research project is based on in-depth interviews conducted with seven abused women who procured interdicts in terms of the Prevention of Family Violence Act 133 of 1993 to restrain their husbands from assaulting them. The research reviews the nature of abuse suffered by the participants, their psychological attachments to their husbands, and their patterns of help-seeking in relation to the law and non-legal resources. Two main theoretical frameworks, psychoanalysis and feminism inform this study. The study found that the participants retained unrealistic hopes that their husbands would reform and become loving, caring partners, and that they treated their husbands with care and sympathy despite their husbands' often brutal behaviour towards them. The findings suggest that the women's behaviour towards their husbands was the product of two reality distorting psychological defences, splitting and the moral defence which they used to preserve their attachments to their abusive partners. These defences intersected with rigid patriarchal prescriptions of femininity which dictate that women should be stoically caring towards their husbands, and should hold relationships together no matter what the cost to themselves. The participants interactions with the legal system and with non-legal sources of help were structured by their reliance on splitting and the moral defence, and by the dictates of patriarchal ideology. Whilst it is undoubtedly true that at one level the participants sought help to get protection from abuse, the study shows that their help-seeking was motivated by their conflicting desires to punish and reform their husbands. The participants sought help in ways which enabled them to strike a compromise between expressing their anger at their husbands, whilst simultaneously preserving their psychological attachments to them. The study concludes that the women's interactions with the law and with other helping resource reflect their attempts to preserve their paradoxical attachments to their husbands, and to stabilise their own fragile sense of self and gender identity.

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CHAPTER 1

INTRODUCTION

1.1. The problem addressed by this thesis

This qualitative research study seeks to explore how the battered woman's paradoxical attachment to her abusive partner influences her interactions with the law and with other helping resources. The extensive research on the problem of domestic violence points to fact that there is a deep and tenacious bond between battered women and their abusive partners (Walker 1979; Graham and associates 1988; Dutton 1995; Celani 1994). Despite the fact that battered women are beaten, humiliated and rejected by their partners they often remain loyal to these men. It is more common than not that abused women are reluctant to leave their relationships.

Researchers have noted that the paradoxical relationships between battered women and their abusive partner pose specific challenges to the legal system (Hanna 1996; Fedler 1995), and that the "strength of the bond [between the male abuser and the abused women] has the potential to defeat the most persuasive shelter or anti-battering program"(Goldner and associates 1990:359). It is common cause that battered women are often extremely ambivalent about seeking help. They may seek shelter from their abusive husbands only to return to the relationships again (Aguirre 1985). They often seek counselling and drop out prematurely. It is not uncommon for battered women to lay criminal charges against their abusive husbands only to withdraw these at a later stage (Walker 1979; Hart 1993; Hanna 1996); or to institute divorce proceedings only to recant on their decisions to separate from their husbands (Walker 1979:68).

Although it is widely accepted that the battered woman's paradoxical relationship with her abusive partner impacts on the ways in which she seeks help and uses the helping resources at her disposal, there is little understanding of exactly how the mechanisms of her paradoxical attachment affect her help-seeking endeavours. It remains perplexing and mysterious that a battered woman should go to the trouble of seeking help and protection from the law and other

resources only to undermine the ability of these helping systems to provide her with meaningful assistance. This thesis attempts to unravel this mystery. It sets out to describe how the battered woman's paradoxical attachment to her abusive partner influences her interactions with the law and other helping resources.

1.2 The context of the study

Domestic violence¹ is a serious problem in South Africa. Although there are no reliable national statistics on the prevalence of domestic violence in this country², estimates based on the application of international research findings, and on the findings of small scale studies suggest that between 25% and 63% of all South African women are abused by their male partners (Blaser 1998). It is clear, that in South Africa, as in other parts of the world, domestic violence affects women of all race groups and social classes, but it is probable that women from economically disadvantaged backgrounds suffer disproportionately from physical assault at the hands of their male partners (Carlson 1984:577). A qualitative study found that "the most chilling results came from members of the general public as they suggest that abuse of women occurs in most black homes and that both men and women accept beating of women as normal" (Social Surveys 1997:3).

South Africa has been rather tardy in formulating a legal response to the problem of domestic violence. Whilst several North American and European countries introduced legislation to address and combat domestic violence in the 1970's and 1980's, the first South African legislation to deal with the problem was promulgated in 1993. The Prevention of Family Violence Act 133 of 1993 provided for parties to a marriage to get interdicts restraining their partners from abusing them. There were serious problems with this legislation. In December 1999 a new law, the Domestic Violence Act 116 of 1998, came into effect (see appendix A for a fuller discussion of the provision of both acts).

The research for this thesis was undertaken in a town in the Eastern Cape between August and December 1999. Seven battered women who obtained interdicts in terms of the Prevention of

Family Violence Act 133 of 1993 from the local magistrate's court were interviewed for the study. All the participants had been physically abused by their partners at least once in the course of their relationships. They had also endured emotional and sexual abuse. Five of the participants were African Xhosa speakers, one participant was a "coloured" woman who spoke English and Afrikaans as home languages, and one participant was an Afrikaans speaking white woman. All the participants were employed and none was financially dependent on her partner.

1.3. The objectives of the research

The overall purpose of the research was to explore how the battered woman's paradoxical attachment to her abusive partner impacts on her interaction with the law and other helping resources. The following were the specific objectives of the research project:

1. To review the literature on why the battered woman remains in abusive relationships.
2. To describe the nature of abuse suffered by the participants in this study
3. To explore the patterns of attachment to abusive partners amongst the participants in this sample
4. To review and describe the participants help-seeking behaviour in relation to the legal system and non-legal resources
5. To analyse how the paradoxical attachment to abusive partners influenced the women's interactions with the law and other helping resources

1.4. Research Methodology

This is a qualitative study of seven women's experiences of abuse, and their interactions with the law and non-legal resources. Qualitative research methodology enables the researcher to develop a "deep familiarity" with the social phenomenon which she is studying (Lofland 1995 in Rubin and Babbie 1997:376). It is particularly suited to the study of complex social phenomena, and to the exploration of sensitive issues (Lee and Renzetti 1993). In this thesis I use a non-positivist, interpretive research methodology.

I recruited the participants through the local magistrate's court using a purposive, non probability sampling strategy (Rubin and Babbie 1997: 383). I conducted two in-depth interviews with each participant. In one case, due to the fact that the participant was highly emotional and distressed, the first interview was conducted over two sessions. All the interviews were conducted in English. The participants were all interviewed for the first time within two months of obtaining the interdict against their husbands. They were reinterviewed two to four months later. Each interview was tape recorded and transcribed. The interview data was analysed and interpreted in terms of the theoretical framework which informed the study.

1.5. The theoretical perspective of the research

Two main theoretical frameworks, psychoanalysis and feminism, inform this work.

Psychoanalysis has been described as the study of "how we develop and experience unconscious fantasies and of how we construct and reconstruct our felt past in the present" (Chodorow 1989:4). In this I use Celani's (1994) application of Fairbairn's (1952) object relations theory in order to describe the defence mechanisms which preserve the participants' attachments to their abusive partners. I suggest that this theoretical formulation provides the most comprehensive and true account of the battered woman's attachment to her abusive partner. However, I suggest that this perspective is limited in that it doesn't address the critical issue of gender in explaining why battered women are so reluctant to leave abusive relationships.

A feminist perspective on woman abuse holds that gender is the critical explanatory variable in the study of domestic violence (Bograd 1988). I rely on contemporary theories of gender identity, which derive from feminist psychoanalysis. These theories see gender as a deeply rooted psychic structure which is fundamental to the person's sense of self (Goldner and associates 1990; Benjamin 1990; Chodorow 1989). I suggest that the women in this study were deeply influenced by dominant patriarchal definitions of femininity, and that their attachments to their partners, and their interactions with the legal system and non-legal resources were structured by these ideological forces.

I argue that the object relations perspective and the feminist perspective are complementary. The patriarchal ideologies which organise the participants beliefs about themselves and their relationships intersect with the powerful psychological defences which enable them to preserve their attachments to their abusive partners. The two perspectives used in tandem offer a rich and comprehensive understanding of the battered woman's paradoxical relationship to her partner, and of how this relationship influences her interaction with the law and other helping resources.

Applegate and Bonowitz (1995:7) point out that social work practice has a long history of borrowing from psychoanalytic theory. They dismiss claims that this theoretical framework has little relevance to the lives of people who do not live in western, middle-class societies. They argue that in fact psychoanalytic theory is particularly pertinent for social work practice in multi-cultural, economically disadvantaged communities. They contend that whilst cultures may vary in terms of how they conceptualise the family, development, and associated child-rearing practices, the available research indicates the critical importance of secure attachments in early life across cultures (Applegate and Bonowitz 1995:238).

Chodorow (1989:) argues that psychoanalytic theory makes use of basic universal categories such as the existence of unconscious processes, the operation of psychological defences against pain and loss, and the notion that the sense of self is forged in early relationships with others to explain human behaviour. She sees no reason why this theory cannot be applied to the study of

human behaviour in non-western contexts. She argues: “people everywhere have emotions that they care about, connections to others, sexual feelings, and senses of self esteem and gender. People everywhere form a psyche, self and identity. These are everywhere profoundly affected by unconscious fantasies as well as by conscious perceptions that begin as early as infancy” (Chodorow 1989:4). She acknowledges however, that there has been insufficient psychoanalytically oriented research in non-western cultural contexts.

In this research I have studied participants from western and non-western cultures. Although the area of culture has not been dealt with in the depth that it deserves, I have tried to remain sensitive to some of the cultural beliefs and practices of the participants. I have integrated some information on patterns of kinship, marriage, and the practices of *ukuhlonipha*³ (avoidance customs). I have suggested that these external manifestations of culture intersect with intrapsychic processes and defences.

1.6. The scope and limitations of the study

In line with contemporary trends in social research, this study aims to allow a dimension of battered women’s contradictory experiences which are sometimes silenced by the dominant discourses in the domestic violence literature to emerge and be heard (Riessman 1993). The study does not purport to be offering the whole truth about domestic violence, or about the behaviour of battered women. Rather it seeks to offer a coherent interpretation of the experiences of these particular participants. This interpretation is shaped by the political and theoretical commitments of the researcher.

The research is not concerned with assessing the adequacy of service provision to battered women. Nor does it attempt to develop a model for improved social work services for battered women who interact with the legal system. Instead it seeks to describe and explain how the battered woman’s paradoxical relationship with her abusive husband influences her interactions

with the law and with other helping resources in the hope that a clearer understanding of this problem will encourage sensitivity amongst service providers.

The battered woman's paradoxical attachment to her abusive partner is an extremely complex phenomenon. Because of the small sample size, and the fact that the sample was not recruited in terms of any criteria of representativeness, attempts to generalise from this research should be treated with caution. In addition, whilst the data in the study suggests that there may be important differences in the ways in which battered women from different communities seek help for problems of domestic violence, an investigation of these cultural differences was beyond the scope of this research.

CHAPTER 2

THE BATTERED WOMAN'S PARADOXICAL ATTACHMENT TO HER ABUSIVE PARTNER

2.1. Introduction

In this chapter I outline the broad theoretical framework which informs this study. I begin by describing the political terrain of domestic violence research, and by suggesting that an adequate account of battered women's attachments to their abusive partners must include both social and psychological elements. I then review the theoretical explanations which hold that battered women remain in abusive relationships because of learned helplessness or traumatic bonding. I suggest that these accounts which seek to bridge the divide of the social and the psychological, fall short of providing a convincing account of the battered woman's attachment to her abusive partner. I propose that a psychoanalytic account of the battered woman's paradoxical attachment to her abusive partner provides a more satisfactory explanation of why women remain in abusive relationships. I outline in detail Celani's (1994) application of Fairbairn's (1952) object relations theory to the study of domestic violence. However I argue that this perspective alone is insufficient, as it ignores the importance of gender as an explanatory variable. I contend that in order to fully comprehend the battered woman's attachment to her abusive partner, it is important to consider the patriarchal context within which abuse occurs, and to understand the way in which feminine gender identity predisposes women to maintain relationships no matter what the cost to themselves (Goldner et al 1990; Benjamin 1990).

2.2. The politics of domestic violence research

The issue of wife abuse was brought into consciousness by the women's movement (Yllo 1988:28). It is only during the past three decades that we have come to recognise wife abuse as a pervasive social problem which affects large numbers of women in many societies around the world (Gelles and Loseke 1993:3). Although enormous strides have been made in the study of

domestic violence, evidenced by the huge body of literature on the topic, the field is still young (Yllo 1988:39). Yllo (1988:28) argues that domestic violence is one of the most politically and emotionally charged topics of research, and debates in the area are hotly contested, sometimes to the detriment of the development of the field itself (Yllo 1988:29).

Before feminists and family sociologists began to study wife abuse, it was believed that domestic violence was a rare phenomenon which afflicted a few pathological families, and which was, in the main, restricted to the poorer classes (Gelles and Loseke 1993:3). From early on feminist activists and family sociologists took on the psychopathological model of wife abuse. They challenged the notion that battering was an individual rather than a social problem. They also criticised the idea that abuse was the product of mental illness, and that the behaviour of male batterers and female victims of abuse could be explained away by means of reference to individual psychopathology (Yllo 1988:40). The early critiques of individualism and psychopathology resulted in a trend of discounting the value of psychological explanations altogether. There is an enduring hesitation about applying psychological or psychiatric labels to battered woman's behaviour (see Walker 1979; Rosewater 1988; Stark and Flitcraft (1997) Psychological explanations are seen as victim blaming (see Celani 1994:167; Benjamin 1990:80).

Psychoanalysis in particular, or perhaps more accurately, a crude caricature of psychoanalytic theory, is charged with providing an "openly anti-woman analysis of wife beating"(1988:29). In her book, The myth of female masochism, Caplan (1985) writes, "the first theorists to propose that women are naturally or inevitably masochistic were psychoanalysts, who believed with Freud that "biology is destiny", and that our bodies dictate what happens in our minds and feelings" (Caplan 1985:18). Not only does Caplan misrepresent Freud's complex drive theory by reducing it to biology; she also completely ignores Post-Freudian developments in psychoanalytic theory which reject drive theory. Psychoanalysis is rejected not only because of its account of female masochism, but also because of the emphasis it places on the intra-psychic world of the individual rather than on social processes.

Psychoanalysis is by no means an innocent party in this fray. Bowlby (1984:9) suggests that the psychoanalytic community has been “appallingly slow to wake up to the prevalence and far reaching consequences of violent behaviour between family members”. This is perhaps, in no small measure, due to Freud’s repudiation of the seduction theory in 1897 (Bowlby 1984:9). Also, as feminist psychoanalysts have pointed out, mainstream psychoanalysis, until very recently, did little to challenge Freud’s Victorian perception of women as defective and limited (Chodorow 1989:3). However it seems that the wholesale rejection of psychoanalysis in the domestic violence literature has more to do with the inability of researchers and activists in the field to theorise adequately the relationship between the personal and the political, between the psychological and the social, than it has to do with the inherent weakness of psychoanalytic theory. The domestic violence literature has not been able to provide an adequate account of battered women’s behaviour which bridges the divide between psychological motivation and social constraints.

In essence the field of domestic violence research remains deeply polarised between social and political explanations on the one hand, and psychological explanations on the other. Clearly, battered women’s behaviour, and the wide range of psychiatric symptoms which they display cannot be reduced to the material and ideological constraints which they endure under patriarchy. Even when women, like the participants in this study, are not financially dependent on their partners, they remain emotionally and psychologically bonded to their relationships. Nonetheless the prevailing political trend in the field of domestic violence demands that the social and material explanations of battered women’s behaviour are given primacy over psychological explanations.

As a result, psychological explanations of battered women’s behaviour are caught between a rock and a hard place. Goldner (1988:28) suggests that Mao Tse Tsung’s epitaph of “left errors” and “right errors” could be used to characterise the mistakes made on both sides of the divide in a similar debate in family therapy. When applied to the field of domestic violence it could be argued that the “right error” involves the denial or minimisation of the economic, material and ideological constraints which keep many women locked into abusive and otherwise unsatisfactory

relationships. The right error results in a psychology that is artificially apolitical, and is ultimately out of touch with the social realities of people's lives. By contrast the "left error" denies the ambiguities, contradictions and paradoxes which abound in the inner world of individuals, and in the space of intimacy between them. It results in a psychology which provides a superficial and contradictory account of battered women's behaviour.

Psychoanalysis as a body of theory which takes as the object of its study the apparently irrational dimensions of human behaviour (Gardner 1993:1), has much to offer the field of domestic violence. After all, at face value, it is irrational to abuse the person you love, and it is irrational to love the person who abuses you. I suggest that it provides a convincing and coherent explanation of battered women's attachment to their abusive partners. I contend that when psychoanalysis is applied in conjunction with feminist revisions to psychoanalytic theory, it has the potential to address both the left and right errors. However before I proceed to outline an application of this theory to the problem of wife abuse, I turn my attention to competing psychological theories of why women remain in abusive relationships.

2.3. Two accounts of battered women's "situationally imposed emotional problems"

The psychological theories which dominate the field of domestic violence research are based on the premise that the battered woman's paradoxical attachment to her abusive partner, and the psychiatric symptoms commonly displayed by abused women are the product of her victimisation at the hands of her abusive partner. The following quote from Lenore Walker sums up this position:

“Many believe that battered women's coping techniques acquired to protect them from further violence are evidence of severe personality disorders. These women suffer from situationally imposed emotional problems caused by their victimisation. They do not choose to be battered because of some personality defect, they develop a behavioural alliance between them, his loving behaviour, his contrite

promises, the fact that he needs her, all reinforce her decision to remain in the relationship". (Walker 1979)

2.3.1. The cycle of violence and learned helplessness

Walker's (1979) seminal research into the dynamics of the violent relationship, and the behaviour of battered women has had an enduring impact on the field of domestic violence. She was the first person to define the cycle of violence which characterises many abusive relationships. She suggests that the cyclical nature of abuse helps us to understand how the battered woman becomes victimised, and why she fails to escape from the abuse. She describes three stages in the cycle of violence.

Stage one: Tension building

This stage is characterised by minor battering incidents. Walker found that during this stage the battered woman usually attempts to calm her abusive partner either by becoming more than usually nurturing and compliant towards her partner, or by staying out of his way. She suggests that battered women's behaviour in this stage is motivated by fear of violence, and that their compliance with the abuser is an attempt to ensure that the violence does not worsen. She suggests that the battered woman denies her anger, and rationalises that she may have deserved the abuse, often agreeing with her husband's faulty reasoning. Walker found that although women try to defuse tension by their compliance, the tension between the partners mounts to a point at which it becomes unbearable (Walker 1979:56 -58).

Stage two: The acute battery incident

Stage two of the cycle is characterised by an uncontrollable release of the tension that has been built up in stage one. In this stage the batterer unleashes his fury against his partner. Both partners know that he is not in control of his behaviour at this stage. The triggers for the acute battery stage vary; sometimes there appears to be no specific event or interaction which precipitates the outburst. During this second stage the women are powerless to influence their

partner's behaviour. They are often severely injured by their partners. The best they can do is to physically escape from the situation. However, Walker reports that many women feel psychologically trapped, and emotionally numb during this stage. As a result they respond by apparently passively enduring the abuse. In reality they are terrified that any response they make will increase the violence against them. It is unclear what signals the end of the acute battery incident. Walker suggests that it may be that the men are simply exhausted (Walker 1979:59-62).

Stage three: The stage of kindness and contrite loving behaviour

When the second stage has passed, the abuser often feels extremely ashamed of himself. He also feels anxious and concerned that his partner may leave him. He is therefore often extremely loving and genuinely contrite. He begs his partner for forgiveness and promises that he will not abuse her again. He also promises to reform his ways, that he will no longer drink, drug, womanise, visit his mother so often, etc. He may shower his partner with gifts and cards as a sign of his love for her. Walker reports that both partners welcome the respite from tension and brutality, which mark the first two stages of the cycle. Although many women react sceptically at first to the apologies and promises, they are won over as the period of contrite, loving behaviour lengthens. Battered women want to believe that they will no longer have to suffer abuse and that their partners will reform. The abuser's loving behaviour, his genuine remorse and promises, and his reasonableness convince her that he can change, that he is sorry, and that it won't happen again. In addition, during this stage the abuser shows his vulnerability, the battered woman recognises how frail her partner is; she no longer sees him as the all-powerful man she experienced in the first two stages, but instead recognises that he needs her (Walker 1979:65-69).

Walker uses social learning theory to explain why women remain in abusive relationships, and why they appear to tolerate abuse so passively. She argues that in the first two stages of the cycle of violence battered women's feelings of powerlessness are reinforced by abuse and violence. She suggests that in the third stage, the women's positive feelings towards their partners are reinforced by the partners' contrite loving behaviour. She contends that the concept of "learned helplessness" which was coined by Seligman and associates, can be used to explain the behaviour

of battered women (Walker 1979:45). Learned helplessness refers to a state of conditioned compliance and passivity. The theory was first formulated to explain the responses of dogs, who in the course of a rather cruel laboratory experiment, were subjected to electric shocks each time they tried to cross a grid to get food. These hapless animals soon discovered that they could do nothing to avoid being shocked, and they began to behave in a compliant, passive and submissive manner. They no longer attempted to cross the grid to get the food. Even when the shocks ceased, the dogs persisted in their passivity. Their “learned helplessness” was generalised to situations over which they had control. Walker argues that repeated exposure to the cycle of violence produces a condition of learned helplessness in battered women. She believes herself to be powerless, and thus, even in situations in which she has some control, she behaves in an unduly passive and compliant manner.

Walker’s theory can be criticised on several counts. Several feminist writers have argued that battered women are not as passive as Walker suggests and that they continue to actively seek help and to develop strategies which facilitate their survival (Hoff 1990; Bowker 1983). Walker’s theory fails to account for the fact that some women manage to leave relationships as soon as there is the slightest hint of abusiveness on the part of the male partner, whereas others remain trapped for years in irredeemably violent partnerships. Moreover, even if there is merit in her explanation of “learned helplessness” as the reason why women don’t leave the relationship, this theory cannot account for the fact that many women return to abusive partners after they have left them.

Celani (1995:1995) argues that while Walker’s cycle of violence provides an excellent description of the transactional patterns in the abusive relationship,” her analysis of the cycle is compromised because she cannot address the inner world of either the victim or the abuser”. He suggests that her theoretical explanation of battered women’s behaviour is spurious and contradictory. Why, for example, would a woman who is so terrified of being beaten that she is paralysed with fear, protect her abuser from arrest when the police intervene? (see Walker 1979:64). Why would a

woman who is absolutely terrified of recurring violence be so susceptible to the pleas and promises of her partner in the third stage? Celani argues:

“Learning theory when applied properly to this situation would interpret that there is a positive reinforcer present that is more powerful than the pain of negative reinforcement (physical violence). That is, a strong reinforcer is able to overcome a strong punishment as long as the reinforcer is more positive than the reinforcer is negative” (Celani 1994:166).

He suggests that the perceived psychological benefits to the battered woman of remaining in the abusive relationship, outweigh the benefits of leaving. He argues that Walker’s political commitment to the ideological stance that battered women are neither crazy nor personality disordered prevents her from acknowledging that it may be more tolerable for the battered woman to endure abuse at the hands of her partner than to face the possible collapse of her poorly structured ego if she loses the relationship (Celani 1994:167).

2.3.2. The theory of traumatic bonding

Social learning theory has been superseded in the domestic violence literature by trauma theory which provides a less mechanical, behaviouristic explanation of the wide array of psychiatric symptoms commonly displayed by battered women (Stark and Flitcraft 1996:171). Several writers emphasise that these symptoms are congruent with exposure to prolonged and repeated trauma (Hilberman 1980; Rosewater 1988; Herman 1992; Dutton 1995). Many of the symptoms of anxiety, hyper-vigilance, agitation, psychosomatic disorders, nightmares, and sense of psychological constriction, which are commonly reported by battered women, are consonant with the syndrome of chronic trauma (Herman 1992: 86-87).

Trauma theorists suggest that the battered woman’s paradoxical attachment to her abusive partner is itself a manifestation of the effects of chronic victimisation. Several theorists have compared the

responses of battered women towards their abusive husbands to the paradoxical responses of some hostages to their captors (Dutton and Painter 1981; Graham et al 1988). They suggest that the battered woman's attachment to her abusive partner is the product of traumatic bonding, and that battered women's behaviour is symptomatic of the Stockholm Syndrome, which is the name given to the syndrome which describes the complex psychological responses of hostages like Patti Hearst who develop strong affectional ties to their captors.

The Stockholm syndrome, or intense bond between the abuser and victim is the product of the victim's necessary psychological adaptation to the extreme conditions imposed on her by her abuser. If the victim of extreme terror does not adapt practically and psychologically, she risks being physically killed or psychologically shattered. She thus adapts to the extreme harshness of her conditions by believing that her abuser has her best interests at heart and by internalising his world view. The Stockholm Syndrome develops in hostage survivors as a result of the shock and deep psychological distress evoked by the extreme trauma of capture, physical abuse, death threats, and forced isolation, to which the hostage may be subjected.

Initially the hostage responds to her capture by displaying symptoms of "frozen fright". She becomes hyper-vigilant, and at the same time emotionally numb and dissociated. All her energy is focussed on surviving. The force of the trauma overwhelms her coping capacities and sense of ego integration. She regresses to a less structured state of psychological infantilism in which strong dependency needs are evoked. In order to survive she develops a strong dependency on her captor, which Symonds describes as a state of pathological transference (Symonds 1982 in Graham et al 1988:220) and becomes extremely compliant. She fixates on the intermittent gestures of kindness he shows to convince herself that he cares for her and that he has her well-being and survival at heart. She denies evidence of his brutality and aggression. She also represses her own feelings of anger and injustice. The symptoms of the Stockholm Syndrome may persist for some time after the hostage ordeal is over, but usually dissipate once a sense of safety and reality are restored (See Graham et al 1988:220)

There are four necessary conditions for the development of the Stockholm Syndrome:

- (i) The aggressor threatens to kill the victim and/or is perceived as being capable of doing so.
- (ii) The victim cannot escape, so she depends completely on the aggressor for her physical and psychological survival.
- (iii) The victim is isolated from emotional support systems. The only perspective which is available to her is that of her aggressor. He is also her sole source of support.
- (iv) The aggressor shows or is perceived to show some degree of kindness towards the victim.

Proponents of the view that battered women are subject to traumatic bonding argue that the abusive relationship mimics these conditions in several ways. There is a power imbalance between the abusive man and battered woman, and the abusive man is perceived as having the power of life and death over his battered partner. The battered woman is often isolated from her friends and family by virtue of her partner's jealous possessiveness. Finally the intermittent nature of abuse means that the abuser intersperses his violent threatening behaviour with acts of kindness (see Graham et al 1988:219). They argue that the battered woman's deep and persistent attachment to her abusive partner is the product of her psychological adaptation to the extreme conditions of the abuse perpetrated against her.

Whilst it is undoubtedly true that ongoing violence is deeply traumatic, and that some of the symptoms displayed by abused women are the products of trauma, the explanation of traumatic bonding as it is outlined above is problematic. Although there are some similarities between the preconditions for the development of the Stockholm Syndrome and the situation of many battered women, the battery context is seldom as extreme as the other contexts in which traumatic bonding occurs. Stark and Flitcraft (1996) argue:

“Extreme ongoing assaultive behaviour may be sufficiently traumatic to entrap a woman, or to elicit the range of psychological, behavioural and psycho-social disturbances associated with battering. The vast majority of domestic violence

episodes, however, involve relatively minor acts (pushing, shoving, hair pulling, grabbing etc) rather than severe violence” (Stark and Flitcraft 1996:170).

As such the idea that battered women’s paradoxical attachment to her abusive partner is the product of extreme coercion and violence is not plausible for the majority of cases of domestic violence. Battered women choose their partners. There is strong evidence that abuse often begins during courtship, yet despite this fact women often persist with these sad relationships and formalise the ties by marriage (Finkelhor and associates 1983). Unlike the victims of hostage drama’s battered women are not forcibly removed from relatively safe, stable conditions and suddenly thrust into an unfamiliar, extremely abusive environment, although the first assault is often shocking to women.

Moreover, hostages who fall victim to the Stockholm syndrome usually recover when they are removed from the extreme conditions of their captivity. The attachment to the captors slowly wanes when a safe, secure environment is provided. Whilst it is arguable that the battered woman’s attachment to her abusive husband is often lessened when she has access to safe shelter facilities (Walker 1979; McConachie et al 1993), there is overwhelming evidence that many battered women wilfully leave the safety of shelters to return to the dangers of the abusive relationship (Aguirre and Associates 1985).

The emphasis which trauma theory places on the extreme coercive and violent dimensions of the domestic violence relationship belies the real closeness and sense of intimacy which the abuser and victim may share in the third stage of the battery cycle. It presupposes that the kindness and remorse which the abuser demonstrates are purely instrumental. Goldner et al (1990:359) suggest “to react only to the violent face of the behaviour without viewing its other face, the face of atonement and redemption, is to deny the power of the bond that fully possesses the couple.” Trauma theory fails to explain the mutual dependency which exists between partners and how it is that many battered women feel deeply responsible for their abuser’s physical and psychological well-being.

Finally the trauma theorists, like those who believe in the “learned helplessness”, cannot account for the fact that different individuals will respond differently to the conditions of abuse. Some women are mobilised to leave the relationship when there is the slightest hint of violence, others will leave when the violence becomes overtly life-threatening, or when it is directed against children. Yet others will remain in the relationship no matter what the personal cost to themselves or their children. In order to account for these differences one needs a theory of individual vulnerability, which is rooted in the individual life histories of the women involved.

2.4. Psychoanalysis: a theory of unconscious motivation

2.4.1: Unconscious motivation

In contrast to the theories outlined above, a psychoanalytic perspective of domestic violence is based on the premise that unconscious thoughts, feelings and fantasies which have their origins in early childhood experiences motivate the behaviour of both abusive men and battered women. Arlow (1989:19) suggests that psychoanalysis may be defined as “human nature seen from the vantage point of conflict. Psychoanalysis views the human mind as the expression of conflicting forces. Some of these forces are conscious; others, perhaps the major ones are unconscious”. Thoughts and feelings are unconscious either because they originate very early in the individual’s life at a preverbal stage of development, or else because they are extremely painful and threatening, and are thus repressed, and not accessible to conscious reflection. In large measure the forces which underpin human suffering, are “unknowable” to the individual. By virtue of the very fact that these forces are hidden and largely inaccessible to rational understanding, they exert a powerful influence on human life and on human behaviour. Instead of having the choice to behave rationally and freely, individuals are often propelled into behaving automatically in response to the deeply unconscious conflicts which motivate them.

Psychoanalytic theory is not monolithic. Different schools within the field give different accounts of the development of the individual, and of the nature of unconscious conflicts. Celani (1994), who provides the most comprehensive psychoanalytic account of the paradoxical behaviour of abused women that I am aware of, applies Fairbairn's (1952) object relations theory to explain the psychological dynamics which keep battered women locked into destructive relationships with abusive men. Object relations theory is a post-Freudian field of psychoanalysis⁴. It differs from classical Freudian psychoanalysis in several ways, the most important of these being that it replaces the foundational idea in Freud's work that human behaviour and development is primarily motivated by the need to satisfy biologically rooted instinctual drives, with a conceptual framework in which "relationships with significant others constitute the building blocks of mental life" (Greenberg and Mitchell 1983:3). Thus object relations takes as its primary focus of study the relationship between the caretaker (mother) and infant in the first year of life. Whilst classical psychoanalysis emphasises the importance of oedipal struggles in the development of a sense of self, object relations theory privileges pre-oedipal conflicts, and thus provides an account of extremely primitive, preverbal psychological processes.

Object relations theory assumes that from birth the infant engages in relationships with both internal and external objects⁵. The object relations literature often uses the term "object" loosely to refer to both external objects and internal objects (Grotstein and Rinsley 1994:6). External objects are real people, caretakers or parents, and significant others who have real relationships with the child, and who provide physical and emotional care. Internal objects are the mental representations of real people or real relationships, or parts of people and aspects of real relationships. These representations are not merely internalised perceptions of external objects. Rather they are complex psychological creations. The individual forms a representation of the external object which is coloured by her own unconscious fantasy as to the nature of the object, and is invested with her own emotional energy and feelings towards the external object. The internal object is unconsciously experienced as an influential presence in the individual's life (Ivey 1990: 6).

Thus in terms of object relations thinking, the child's earliest relationships continue to exert a profound impact on her later life. Moreover, throughout her life she occupies both an external (public) world and an internal (private) domain. The external world comprises of real relationships with real others, and social roles, responsibilities and expectations. By contrast her internal world is constituted of thoughts, perceptions, feelings, fantasies and structures, many of them unconscious, which filter the way in which she perceives and relates to the external world (Ivey 1990:6). As such, contemporary psychoanalytic theory emphasises that unconscious processes continuously resonate with conscious processes. Unconscious processes give conscious life depth and richness of meaning (Chodorow 1989:12).

2.4.2. The poor developmental histories of abused women

Winnicott (1971), a leading figure in object relations thought, suggests that "good enough mothering", which involves the provision of a reasonably stable emotional environment in which the mother is sufficiently tuned into the infant's needs, and in which there are relatively few impingements which overstimulate the infant, is essential for healthy psychological development. Disturbances in early relationships between caretakers and infants impact negatively on the individual's capacity to develop an integrated and differentiated sense of self (see Winnicott 1974; Mahler and associates 1975; Bowlby 1982). This in turn negatively affects the individual's ability to ward off anxiety, to manage stress and hardship, and to engage in mutual, reciprocally satisfying relationships.

The research done for this thesis is not explicitly concerned with the early childhood trauma's and losses suffered by the participants. However there is strong evidence in the domestic violence literature, that childhood experiences of both battered women and abusive men predispose them to engage in violent relationships as adults. It is estimated that between 35 and 60 percent of the battered women are victims of childhood sexual abuse. (Carlson 1984:373). Approximately 80% of male abusers were either abused as children or else witnessed their fathers abusing their mothers (Roy 1982). Research has shown that the more severe the abuse experienced in

childhood, the more severe and entrenched the pattern of violence will be in adult life (Carlson 1984: 574). Conditions of physical violence in the family, and physical and sexual abuse of children pose strong threats to healthy psychological development. But far more subtle, less visible conditions in which "people in the child's environment are too wrapped up in their own neuroses to be able to love the child, or even to conceive of the child as the particular individual he is..." (Karen Horney 1952, cited in Bowlby 1982:10) can have equally serious consequences for psychological well-being. I would contend that the stresses of financial hardship, of political oppression, and of displacement arising from political or economic conditions, which are common in many South African families, can severely undermine the capacities of parents to nurture their children, and to provide them with the emotional care necessary to facilitate healthy psychological development

Celani (1995:46) argues that the unsatisfactory early childhood histories of many battered women leave them feeling psychologically empty, needy and out of control. They often lack the inner resources to soothe themselves and to manage their own anxiety, because they have not had the opportunity to introject sufficient experiences of having been soothed or comforted by others. In technical terms they suffer from "introjective insufficiency" (Celani 1994: 46). There are not enough good objects in their internal world to provide them with a sense of their own psychological integrity and competence.

They feel perpetually depleted and deprived. This sense of inner deprivation produces a feeling of emotional neediness. They need others to soothe and comfort them, and to stabilise their sense of self. This emotional neediness increases rather than decreases with chronological age. In adulthood, individuals who have histories of abuse or neglect, or of other parental failure are often poorly differentiated and emotionally dependent. They are thus susceptible to forming anxious attachments to their partners, where they depend on their partners to soothe them and to provide them with an sense of stability which they themselves lack.

2.4.3. The original attachment to the bad object

The battered woman's emotional neediness alone is insufficient to explain her attachment to her abusive partner. The fact that she is dependent on others doesn't explain how she becomes focussed on a single person to meet all her needs. It also doesn't account for the fact that she appears to depend on a partner who is fundamentally ill equipped to provide the soothing and stability which she so intensely needs and wants. The patterns of attachment to relationships which are so obviously unsatisfactory are laid down in the earliest years of the individual's life.

Fairbairn, who is a central figure in the development of object relations theory was a Scottish psychoanalyst who, in the 1930's, worked with severely abused and neglected children who had been removed from their parents' care. He found that despite the fact that their parents had brutally beaten them and shamefully neglected them, the children in his care appeared to be extremely protective of their parents, and longed to return to them. He argued that the basis of this paradoxical attachment was laid down in the earliest years. The children in his care developed a set of distorted object relations, as a result of the inconsistent care which they had received. These distorted internal object relations were responsible for the paradoxical patterns of attachment which the children displayed towards their obviously neglectful and abusive parents.

He was at pains to emphasise that the development of these distorted object relations came about because "the infant is completely dependent upon his object not only for his existence and physical well-being, but also for the satisfaction of his psychological needs.....the very helplessness of a child is sufficient to render him dependent in an unconditional sense" (Fairbairn 1952:47).

Mature adults are able to get their needs met by a range of objects, whereas immature children are focussed intensely on the parents as the sole source of gratification. Thus if the adult loses an object, he has a spread of objects with which to replace it. The young child has no such choice. "He has no alternative but to accept or reject his object - an alternative that is likely to present itself to him as the choice between life or death"(Fairbairn 1952:47).

Celani (1994) argues that the emotionally deprived battered woman had no choice but to accept her inadequate objects in infancy. In adulthood she experiences the same sort of infantile dependence. Although she may be chronologically mature, her history of emotional deprivation has prevented her from moving to a state of psychological maturity in which she is able to relate autonomously and mutually with the other. Like an infant who is of necessity focussed on the parent as the source of all comfort and gratification, the emotionally deprived adult assumes that there is only one person who can meet her needs. The more she is deprived, the more intensely focussed and dependent she becomes on that single person (Celani 1994:150). If she rejects her object, the battered woman is thrown back on her own inner turmoil and emptiness, and on the rage and terror of abandonment and depression. She therefore needs to protect her attachment to the object at all costs (Celani 1994:150). Thus, Celani (1994) argues, the battered woman remains in the abusive relationship because she fears losing the relationship in much the same way as the abused child fears losing her attachment to her abusive parents. The perceived emotional consequences of losing the relationship may be unthinkable for the abused woman. They are catastrophic and far exceed the obvious loss of status, financial security and social approbation which are emphasised in much of the domestic violence literature (Turner and Shapiro 1986).

2.5. Two psychological defences which preserve the attachment to bad objects

Fairbairn proposed that psychological defences are laid down in early life to protect the child's necessary attachment to the object. He described two main reality distorting defence mechanisms which come into play to ensure that the child is spared the unbearable agony of having to reject the inconsistent, abusive, intrusive or neglectful parent. These defences, splitting and the moral defence, which are initially used to protect the child's attachment to the bad object parent come to organise the inner object world of the child. In later life these defences structure the way in which the individual relates to others.

2.5.1. Splitting

Splitting is a primitive structural process, which is to some degree inevitable in human development. The child needs her object to be good so that she can remain attached to her. To varying degrees all parents are somewhat inconsistent in the way in which they relate to their children. For the most part parents are in tune with their children, and respond empathically to them, and gratify their needs. Sometimes, this empathy fails, and the child's needs are frustrated and unmet. In extreme cases, such as the conditions under which the abused children under Fairbairn's care were reared, the parents behave in ways that are overwhelmingly frustrating to the child. They are emotionally unavailable, abusive, and overly intrusive. Very occasionally they are empathic and responsive to the child, but this responsiveness is tainted with their own needs.

Fairbairn argues that it is psychologically intolerable for the young child to have an object that is simultaneously good and bad. She needs her objects to be good. She therefore copes with the situation by splitting her object into two, a satisfying object and an unsatisfying object. In reality he is unable to control the external object, thus, Fairbairn (1952:110) argues "he follows the only path open to him and since, outer reality seems unyielding, he does his best to transfer the traumatic factor to the field of internal reality, within which he feels situations to be more under his control. This means that he internalises his mother as a bad [unsatisfying] object". Thus the child internalises the depressed, chaotic or sadistic aspects of the mother. The badness now resides in her, rather than in the mother. Fairbairn argues "the child would rather be bad himself than have bad objects; and accordingly we have some justification for surmising that one of his motives in becoming bad is to make his objects good. In becoming bad he is really taking on himself the burden of badness which appears to reside in his objects"(Fairbairn 1952:65).

Fairbairn suggests that the unsatisfying bad object itself has two components. "On one hand it frustrates and on the other hand it tempts and allures. Indeed its essential 'badness' consists precisely in the fact that it combines allurements with frustration" (Fairbairn 1952:111). When the infant internalises the bad object mother she recreates the same intolerable quandary which she

experienced in external reality in her internal world. She has no choice but to further split this internalised object into its two components “ (1) the needed exciting object and, (2) the frustrating, rejecting object”(Fairbairn 1952:111). This internalised split object becomes the basis on which two opposing ego states are formed. Fairbairn terms these the libidinal and anti-libidinal selves (Fairbairn 1952: 115).

Celani (1995: 111) explains that an ego state has three components:

- (i) an object- in this case an internalised bad object
- (ii) A connecting emotion
- (iii) a corresponding sense of self in the child

In simple terms the exciting apparently gratifying object is experienced by the child as good, and is connected by love to the child's corresponding good ego state. By contrast the rejecting, frustrating object is connected by anger and hate to the child's bad ego state. Celani recasts Fairbairn's terminology. He suggests that the good loving ego state, which Fairbairn calls the libidinal self, could be termed the battered woman's "hopeful self" (Celani 1994:125). The bad, angry, ego state, which Fairbairn terms the anti-libidinal self, Celani calls the "abused self" (Celani 1994:119).

Thus the internal psychic structure of the individual develops along split lines. The internal objects which people the inner world of the individual are "compensatory substitutes for unsatisfactory relations with real others" (Mitchell 1994: 78). These internal objects are all good or all bad. In later life when the individual encounters difficulties in relationships with others, she will regressively reactivate these primitive relational patterns and respond to the current difficulties in the terms dictated by the internal object relation structure which was laid down in the earliest relationships with parents or caregivers. The abusive adult relationship evokes this defensive structure which was laid down in early childhood.

During the cycle of violence the abusive man is alternately abusive and loving. The battered woman responds to this yo-yo pattern of abuse and reconciliation in terms of her own internalised object relations which are based on splitting. She tends to see her partner as alternately all good or all bad. When she is operating from her hopeful self she relates to her partner as if he were loving and caring. She ignores his threatening, abusive behaviour and the fact that her partner's promises not to hurt her have come to nought in the past. This behaviour is not wilful, it is motivated by the way in which object relations are structured in her inner world. The battered woman is genuinely unable to see that her husband's behaviour is hurtful and rejecting, or that his promises are shallow. She cannot access the feelings of rage and terror which are associated with abuse. These feelings are split off or repressed. They are deeply unconscious and are stored (metaphorically) in the abused self. It is only when her rigid splitting defence is overwhelmed by intense violence or rejection that the battered woman accesses these feelings again. When this happens the battered woman relates to her partner from the vantage point of her abused self. She is hurt and angry and terrified of him. She struggles to bring these two parts of herself together into an integrated whole. As a result she struggles to apprehend that her partner who is conciliatory and kind towards her is also the same partner who behaves in appallingly abusive and rejecting ways. She maintains a rigid split in the ways in which she perceives her partner and in the ways in which she relates to him.

2.5.2. The moral defence

In Fairbairn's terms splitting is a primitive and primary defence which involves the initial introjection of the bad object parent in an attempt to compensate for the agony caused by the unsatisfying relationship with the neglectful, abusive or overly intrusive aspects of the parental object. He argued that at a later stage the child introjects an idealised image of the good parental object. This introjection forms the foundation for the development of the possibility of internal goodness. Thus whilst the introjection of the bad object left the child feeling unconditionally bad, the introjection of the idealised good object affords the child the possibility of seeing herself as conditionally bad. She rationalises that she is unloved because she has been bad and is unworthy

of her parents' love, and reasons that if she can identify with the idealised good object, she may be worthy of her parent's love and attention. Thus instead of being unconditionally or libidinally bad, the child is morally or conditionally bad (Mitchell 1994:79). Fairbairn called this faulty rationalisation "the moral defence"

The moral defence which is predicated on a secondary internalisation of the idealised parental object, serves to preserve the necessary attachment to the parental object. The child is able to retain a false sense that her world is ordered, predictable and under her control. This enables her to ward off the unbearable anxiety and hopelessness that would result from the realisation that she is completely at the mercy of her parental object's uncontrolled whims. Fairbairn puts it this way "It is better to be a sinner in a world ruled by God than to live in the world ruled by the devil. A sinner in a world ruled by God may be bad; but there is always a certain security to be derived from the fact that the world around is good - 'God is in his heaven - All's right with the world!', and in any case there is always hope of redemption. In a world ruled by the devil the individual may escape the badness of being a sinner, but he is bad because the world around him is bad. Further he can have no sense of security and no hope of redemption. The only prospect is one of death and destruction" (Fairbairn 1952:67).

However, Fairbairn warns that external security, derived from internalising the burden of badness, is purchased at a cost to inner security and wholeness. The bad internal object always attacks the individual from inside, like an internal saboteur (Fairbairn 1952:115). The person is always divided against herself. At an unconscious level the demeaned, despairing part self (the abused self) attacks and undermines the person's self confidence, and feeling of self worth. She is infused with feelings of futility, shame and despair. She constantly strives to overcome her inner badness by placing seemingly impossible demands for perfection on herself. The only way she can be good enough to overcome her inner badness is to be perfect. In classical psychoanalytic parlance, this tendency to berate oneself, is described as an overly harsh superego. The superego punishes the individual for fantasied crimes and instinctual gratifications. Fairbairn distances himself from this explanation. He suggests that at the core, the moral defence, which manifests in

striving for perfection, exists to protect the individual from feelings of helplessness and despair which derive from a lack of connectedness with the parental object (Mitchell 1994:80).

Like the young child who uses the moral defence to protect her attachment to the parent, the battered woman deploys the moral defence to preserve her attachment to her abusive partner. The dynamics of the abusive relationship which replicate the inconsistencies in early relationships evoke this defence strongly. Thus the battered woman may collude with her partner's blaming attitude towards her, she sees herself as basically responsible for the abuse directed against her. By taking the burden of badness onto herself the battered woman is able to maintain the idealised fantasy that her partner is basically loving and generous, that he really has her welfare at heart and that his abusive behaviour is aberrant. She believes that if she can only prove herself worthy of her partner's love, if she can tend to him and please him, in terms of some unattainable ideal of love which is represented by the idealised good object, she will be win his love and care.

Splitting and the moral defence enable the battered woman to retain an unrealistic, idealised image of her husband's goodness. These defences enable her to withstand rejection and abuse in order to preserve attachment to her partner. But these defences lock the battered woman into the relationship in an insidious way. They rely on the unrealistic perception that she is bad and somehow deserves the abuse. She is therefore locked in an endless battle against her own badness, a battle in which she perceives herself to be victorious only if she is absolutely perfect and beyond reproach. The fact that she can never be perfect serves to reinforce her sense of shame and worthlessness. The impact on the self esteem of the battered woman is profound. She lacks the confidence to act in her own interests, or even to believe that she has the right to do so. Her conviction that she is somehow bad or deficient, and that at core she deserves no better than what she gets, keeps her firmly trapped in the battery relationship.

2.6. The persistent attachment to bad objects

The psychological defences of splitting and the moral defence provide a convincing account of the intra-psychic mechanisms which keep battered women trapped in abusive relationships. However an account of the defences alone, is not sufficient to explain why the battered woman's attachment to her partner is so enduring. After all, from time to time, usually in the second stage of the cycle, these defences are overwhelmed and no longer provide a defensive barrier against feelings of futility, loss and despair (Celani 1994:157).

In "Beyond the Pleasure Principle" Freud (1920) recognised that his patients often recreated early childhood traumas in adult life. He noted that the unconscious repeatedly returns to the site of the unresolved childhood trauma. Because the tendency to recreate pain and trauma could not be accounted for by his theory that the unconscious is motivated by the pleasure principle, he was forced to revise his theory to include the death instinct. He argued that the return to earlier sites of was propelled by the death instinct. However he suggested that by repeatedly revisiting early traumas, the individual was unconsciously seeking to master and control that which could not be mastered in its original form.

Fairbairn divested Freud's theory of the repetition compulsion of its instinctual base. He argued instead that "the libido is primarily object seeking" (Fairbairn 1952:117). He suggests that "the truth is that, however well the fact may be disguised the individual is extremely reluctant to abandon his original hate, no less than his original need of his original objects in childhood" (Fairbairn 1952:117). Thus the individual recreates in adulthood the same conditions of attachment which he experienced in early childhood. In effect the individual cannot easily give up the attachment to the bad object. She retains her original rage and frustration towards the bad object, and her original idealisation of the good object. She also retains the same hope for connection and recognition. In effect, Fairbairn emphasises the individual's overarching need for the object, and the need to maintain connection with the original object. Fairbairn reconceptualised Freud's repetition compulsion as the persistent attachment to bad objects. He

emphasised the grinding monotony with which the individual recapitulates not only the conditions of attachment, but also the defensive manoeuvres to overcome bad internal objects.

Celani (1995:145) who applies Fairbairn to the study of battered women suggests that adult abusive relationships recapitulate the toxic combination of rejection and excitement of the original relationship with the parental object. He emphasises that because of her distorted internal object relations, the battered woman is not only attracted to the adoring, if possessive aspects of her abusive partner, as Walker (1979) would have us believe, she is also attracted to the rejecting aspect of the abuser. It is in fact because the abuser provides " the toxic combination negative, frustrating feelings mixed in with a small amount of love" (Celani 1994:145), which the battered woman learned as a child to feel as love, that she is attracted to him.

Celani suggests that by virtue of her disturbances in early attachments, the battered woman does not experience straightforward, uncontaminated care as love. This feels bland and unreal to her. It is only the fraught pendulum of extremes which feels like love to the battered woman, and which allow her to feel psychologically alive and real. The abusive relationship, particularly the cycle of violence, recapitulates these extreme pendulum swings which the battered woman wrongly recognises as real love (Celani 1994:171). The fact that she recapitulates the inconsistent patterns of her early attachment, reinforces her over-reliance on splitting and the moral defence to preserve her attachment to her adult partner.

2.7. A question of gender

Feminist scholarship has long emphasised the correlation between gender inequality and gender violence (Dobash and Dobash 1988; Adams 1988; Breines and Gordon 1982). Women are disproportionately affected by violence in the family. The National Crime Victimization Survey carried out in the USA in 1982 revealed that 91% of violent crimes between spouses were directed at women by their husbands or ex husbands as opposed to 5% directed at husbands by wives or ex wives. Similarly, Brush 1990 found that women were significantly more likely to be

injured in household disputes involving violence than were men. (cited in Kurz 1993:91-92). Recent trends in feminist research into domestic violence suggest that sexual inequality creates a categorical vulnerability amongst women to dependence, abuse and control. This vulnerability constrains women's options in family fights. In addition it blocks access to sources of help. As such gender inequality is a critical factor in understanding why the battered woman is so trapped in the cycle of violence (Stark and Flitcraft 1996:170)

Celani does not address the issue of gender, and the importance of gender identity in his otherwise convincing account of the battered woman's attachment to her abusive partner. He acknowledges the patriarchal context of abuse, and he describes differences in the psychological make-up of men and women. But he does not treat the issue of gender systematically. He fails to account for the development of gender identity in both men and women. He can therefore not explain why it is that women are more likely than men to fall victim to the type of paradoxical attachments to bad objects which he describes so forcefully in his book.

Celani (1994:67) argues that battered men and abused women share similar histories of poor parenting, and that at a core level both partners in the abusive relationship are likely to function at similar psychological levels. Both partners tend to be poorly differentiated and integrated. He suggests however that men and women generally adopt different defensive patterns to manage their pain and psychological distress. He estimates that 70% of men adopt what he terms an "independent style" of coping, whilst 70% of women adopt a "dependent style" of coping (Celani 1994:66). He suggests that the independent style of coping is characterised by an exaggerated sense of sureness and personal power, and an apparent lack of need for others (Celani 1994:66). By contrast the dependent style is characterised by a tendency on the part of the person to exaggerate her own neediness, to submerge her own desires to those of the other, and to mould her lifestyle to fit in with that of another (Celani 1994:67). Celani is at pains to emphasise that these two styles are not necessarily gender specific, but that they do follow gender patterns.

Contemporary theories of gender identity conceive of gender as a deeply internalised psychic structure which is established and consolidated between the ages of twelve and thirty six months. Research shows that the development of the sense of self, and the development of gender identity are co-terminal processes which determine each other. Thus it is impossible to conceive of a sense of self without reference to gender identity. This theoretical understanding of gender development suggests that "gender identity is not only acquired by the child, but, rather, creates the conflict laden layering of self-representations that become the child." (Goldner et al 1990: 348). By analysing the complex systems of identification and differentiation whereby a sense of self is derived, feminist psychoanalytic thought provides an account of how the gender identity of men and women is constituted differently. "Women's sense of self is constituted in relation to the other. It is involved with boundary negotiations. By contrast men's sense of self is more distanced, and is based on defensively firm boundaries" (Chodorow 1989:2). These theories provide a context which links individual pathology and broad social structures.

2.7.1. The relational self and the power of self-sacrifice

Both boy and girl infants take the mother as the first object of both love and identification. The boy child forms a sense of gender identity by differentiating from the mother. He then discovers her as his other and as the object of his desire. This catapults the little boy into a dangerous rivalry with his father, which is resolved when the boy identifies with the father. As such male gender identity is based on the assertion of difference from the mother and on identification with the father. By contrast the little girl who also takes her mother as her first object, first discovers her difference from her mother. She too takes the mother as the first object of desire, however in order to establish a sense of gender identity she must give up her assertion of difference. She must identify with the mother and in so doing she must transfer her desire to the object of the mother's desire, her father. She remains connected to her mother, but at the price of giving up her own desire, and by relinquishing her assertion of difference.

Benjamin (1990:8) argues that the different trajectories of establishing gender identity for men and women provide the coordinates for a system of gender domination in which masculinity and femininity become associated with the postures of subject-object, master-slave. Thus masculinity which is based on the assertion of difference becomes associated with independence, entitlement and power, whilst femininity which is based on maintaining connection becomes associated with dependency, self-sacrifice and submission. She suggests that the complex process whereby the young girl comes to identify with her mother, is predicated on a history of self sacrifice and submission which robs the young girl child of the possibility of asserting her own independence or power:

“To the extent that the mother has sacrificed her own independence, the girl’s attempts at independence would represent an assertion of power for which she has no basis in identification. The girl’s sense of self is shaped by the realisation that her mother’s source of power resides in self sacrifice. For the girl the agony of asserting difference is that she will destroy (internally) her mother, who is not only an object of love, but also a mainstay of identity”(Benjamin 1990:79)

In so far as the girl child identifies with the mother as a good object, she has no choice but to recapitulate the mother’s attitude of self-sacrifice. She incorporates the value of self-sacrifice, and of being for the other as an ego ideal towards which she must strive. She derives “her sense of self, self worth and feminine gender identity through her ability to build and maintain relationships with others”(Goldner et al 1990:357). She is schooled from the earliest time to maintain relationships irrespective of the cost to herself. Moreover she learns that this is where her power resides.

However, Benjamin argues that this affirmation of feminine identity comes at the price of submission, particularly submission to men. If she were to reject the cloak of submission, and to assert her difference, the girl child would be faced with the terror and agony of losing her identificatory object. Thus she espouses the attitude of self-sacrifice in order to defend against

this loss. She renounces her assertion of difference because, the assertion of difference, and the necessary aggression which this entails, threatens to destroy her internalised maternal object, and by extension her sense of self and self worth.

2.7.2. Gender paradoxes and the alliance in abusive relationships

The researchers at the Ackerman Institute for Family Therapy incorporate psychoanalytic feminism and systemic theory to explain the battered woman's attachment to her abusive partner. They studied a number of abusive relationships and suggest that the violent relationship exemplifies in extreme form the stereotypical gender arrangements which structure intimacy in relationships between men and women (Goldner et al 1990:343). Moreover they suggest that men and women who are engaged in violent relationships are faced with paradoxical injunctions around gender identity, which not only result in relationship instability, but which threaten the very sense of self of both partners (Goldner et al 1990:343).

They found that the women in their study were by and large neither timid, nor self-deprecating. However, their research revealed that the women partners fought fiercely to preserve their attachments to their abusive husbands and that these attachments were based on the belief that as women they had to make their relationships work. They suggest that for the women in their study, sticking it out in these hopelessly unsatisfactory relationships was "an affirmation of the feminine ideal: to hold connections together, to heal and care for another, no matter what the personal cost"(Goldner et al 1990:357). They suggest that by staying in their relationships the women in their study were protecting themselves against the guilt engendered by giving up their care taking roles (Goldner et al 1990:357).

Their research revealed that the women in their study had come from families with an excessive patriarchal structure. In most cases this structure was upheld in reality. The women's mothers

played a subordinate role in the family. In other cases, the mothers appeared to be dominant but the ideal that women should be subordinate to men, and that men should be stronger than women was upheld. Irrespective of the actual arrangements, the dominant theme in these families was that women were undervalued, either by a climate of violence and intimidation, or by a belief structure that men should subdue women even if they were unable to do so (Goldner 1990:357). The women reported that they received love and recognition from their families only in so far as they attended to the needs of others. In many instances the women were caught in complex triangles between their fathers and mothers. In extreme cases these triangles manifested in the women having been involved in incestuous relationships with their fathers. This process of triangulation placed the women in the untenable position of conflicting loyalties. By rejecting their mothers and favouring their fathers the women risked betraying their mothers and to some extent their own sense of feminine identity, but by remaining loyal to their mothers they risked their own subjugation (Goldner et al 1990:359).

Goldner et al (1990) argue that in their abusive relationships the women sought to resolve these early gender paradoxes. “On one hand they play the loyal daughter reenacting the mother’s stance of submission and upholding femininity’s ideal of sacrificial caring. However simultaneously by refusing to resist the fruitless and dangerous confrontations with volatile men they play out the role of rebellious daughter who is both different from her mother, and militantly opposed to femininity’s credo of silence” (Goldner et al 1990:359). By ferociously upholding the feminine ideal of keeping relationships alive, no matter what the cost to the self, they were trying to get their own voices heard. In Benjamin’s terms they were falling back on the only source of power they had at their disposal, the power of self-sacrifice, and they wielded this power to tragic extremes.

When read in conjunction with Celani’s (1994) account of the mechanisms which trap the battered woman in the deficient and abusive relationships, the thesis that women need to protect their sense of gender identity is extremely powerful and persuasive. In the course of this thesis I suggest that rigid conceptions of gender identity, intersect with the moral defence to protect women, not only from guilt, as Goldner et al suggest, but from a deeper, more primordial sense of

shame, and internal badness. Thus the powerful rigours of gender identity, themselves provide a defensive structure against object loss, and against unwieldy, unwanted emotions.

2.8. Conclusion

In this chapter I have outlined the broad theoretical perspective which informs this study. I have suggested that Celani's application of object relations theory provides a coherent account of the intra-psychic processes and defence mechanisms which preserve the battered woman's attachment to her partner. This account is based on the presupposition that the battered woman maintains her attachment to her partner because she fears the psychological consequences of losing the relationship. I contend however that cognizance must be taken of the powerful influence of gender identity issues on women's behaviour. The research on the impact of gender identity on battered women's decisions to remain in abusive relationships suggests that battered women strive to affirm their feminine gender identity by holding relationships together no matter what the cost to themselves. I argue that the ideals of feminine gender identity themselves serve to protect battered women from a sense of inner badness and shame, and suggest that the two theories, when read in tandem provide a convincing account of the battered woman's attachment to her abusive partner.

CHAPTER 3

RESEARCH METHODOLOGY

3.1. Introduction

The overall aim of this thesis is to explore how the battered woman's paradoxical attachment to her abusive partner impacts on her interactions with the law and other helping resources. In searching for a research methodology appropriate to the task of enabling the richness, complexity and contradictions of battered women's relationships with the legal system and other helping resources to emerge, I began to ask myself the following: "As a researcher how do I make sense of how the women in my study make sense of their lives with their partners, their decisions to engage with the legal system, their interactions with the law and other resources, and their willingness or unwillingness to pursue criminal sanctions against their partners?" The methodological aim of my research crystallised as an attempt to develop an understanding of how the women in this study understand their circumstances.

Gee (1985) asserts that "one of the ways - probably *the* primary way- human beings make sense of their experience is by casting it in narrative form" (cited in Mishler 1986:67-68). Mishler (1986:106) contends that story telling is ubiquitous in all human interactions, and the interview situation is no exception. He argues that instead of suppressing the narratives which occur naturally in interview studies, interview research should privilege the stories told by participants as the basis of the research endeavour. Of course the stories told by research participants are themselves acts of interpretation (Riessman 1993:5). The researcher seeks to systematically understand and interpret the ways in which her participants understand and interpret their worlds.

There are many methods and theoretical frameworks within which the stories told by research participants can be read and understood. In this chapter I seek to make my own methodological commitments clear. I begin by discussing the theoretical context of interpretive qualitative

research. I go on to describe the ethical considerations in this project and to discuss the research process undertaken in the study. Finally I review the problems of validity in qualitative research, and outline what I believe to be the main methodological limitations of this study.

3.2. Interpretive methodology

3.2.1. The dual crises of representation and legitimation

Denzin and Lincoln (1998:21) suggest that the historical trajectory of qualitative research has resulted in a dual crisis of representation and legitimation. These crises have several implications for social research. The first is that naive realist presumptions, integral to positivist social research, that language unambiguously reflects a stable, singular reality which can be apprehended in its entirety, are no longer possible. A proliferation of diverse social theories have rendered representation problematic. The relationships between facts and concepts, and between language and reality, are far from fixed or stable. It is no longer possible to see language as an unambiguous mirror of the world out there, instead it is understood that meaning is continually created and recreated in the process of representation and interpretation. Language, to some extent, constitutes the reality it seeks to represent.

A second implication is that the myth of the objective, disengaged, interviewer who is concerned with generating value free data, has been challenged. It is now understood that all knowledge is value mediated, and “ that facts can never be isolated from the domain of values, or removed from some form of ideological inscription” (Kincheloe and McLaren 1998:263) To some extent the research process is itself implicated in creating the meanings it seeks to unravel.

A third implication is that the search for grand narratives which explain global phenomena has been abandoned in favour of small scale localised theories which are fitted to specific problems and specific situations (Denzin and Lincoln 1998:22). As such while social research continues to strive towards social criticism and social critique, the rather grandiose notions of the researcher as

a transformative intellectual have been replaced by more modest ideas that the researcher is a participant in a process which enables the multiple voices which have been silenced to emerge and be heard (Guba and Lincoln 1998:210).

The final implication which I wish to mention here is the fact that ideas of validity, reliability and generalisability are profoundly challenged. The crisis of representation has implications not only for how data is generated and interpreted, but also for how the research itself is legitimated. Clearly, the traditional positivist concerns with the extent to which the research findings are a truthful representation of the reality studied are deeply problematic in this context. Some authors have tried to avoid the pitfalls of legitimation in the postmodern context by eschewing the criteria “validity” and “reliability”, and replacing these with criteria of “trustworthiness” and “authenticity” (Denzin and Lincoln 1998; Guba and Lincoln 1998; Kincheloe and McLaren 1998). These latter criteria, they argue, are more consistent with the current epistemological context in qualitative research. No matter what the terminology, it is clear that the question of legitimation is deeply problematic in qualitative research, and this fundamental limitation must be accepted.

The dual crisis of representation and legitimation, and the implications outlined above, structure the broad methodological context of this study. It is a context in which research and writing are reflexively concerned not only with issues of gender, race and class, but also with the values, ideological inscriptions and ethics of the research endeavour (See Denzin and Lincoln 1998, Guba and Lincoln 1998) . In terms of this methodological framework the stories told by my research participants are not simple mirrors of the world out there, but are instead “constructed, creatively authored, rhetorical, replete with assumptions, and interpretive” (Riessman 1993:5).

3.2.2. Theory and interpretation

There are differing views within contemporary qualitative research about the place of theory in the interpretive process. A phenomenological approach which is epitomised in Glaser and Strauss’s (1967) seminal work on grounded theory, is based on “the principle of generating new

theory which is at the same time firmly grounded in participants' own accounts and substantive domains" (Henwood and Pidgeon 1994:228). By contrast a hermeneutic approach emphasises the importance of the framework or perspective both of the research participant and of the researcher (Brown et al 1989:147). The researcher enters the circle of interpretation and exegesis by way of the theoretical framework which she brings to bear on the problem. The approach in this thesis is hermeneutic rather than phenomenological.

The study was informed by two main theoretical frameworks, psychoanalysis and feminism (see chapter 2 above). The methodological importance of psychoanalysis for the study derives from the core understanding in psychoanalytic thought that much thought and activity occurs outside of conscious awareness. Individuals' everyday life experiences, their beliefs and their motivations are mediated by unconscious images, thoughts and fantasies. Thus seemingly rational instrumental action may disguise deeply unconscious, less than rational thoughts and themes, which may be betrayed by slips of the tongue, in dream content, in fantasy and in affective intonations (Hunt 1989:25). In this study I seek to interpret the stories told to me by the participants in my research in terms of both conscious and unconscious dimensions.

Oelson (1998) argues that there is no single, homogenous feminist research methodology. She believes that there are many feminist methodologies which share a commitment to "centring and making problematic women's diverse situations and the institutions and frames which influence those situations"(Oelson 1998:300). Over and above this she argues that feminist research has an explicit political agenda in that it seeks to refer the examination of the problematic of women's diverse situations to theoretical, policy or action frameworks in order to achieve social justice for women. Her definition is sufficiently broad and comprehensive to accommodate many diverse feminist methodologies, however it lacks a critical element which is central to feminist scholarship, namely that feminist research is concerned with the validation of women's experience. At the heart of feminist research is the desire to enable the previously silenced, invalidated dimensions of women's experiences to be heard and seen. (Oakley 1981; Bograd 1988; Yllo 1993; Chase 1996). The research approach in this thesis is strongly identified with feminist

methodology, in so far as “gender” is a core explanatory variable in this project. I assume that the family is an historically situated institution, in which a sense of self and self worth is forged. (Bograd 1988:13). I also share the feminist commitment to validating women’s experiences, and to ensuring that battered women have access to justice and to a range of humanely managed, effective services.

3.3. Ethical considerations

This research was based on in-depth interviews conducted with seven women who had applied for interdicts in term of the Prevention of Family Violence Act 133 of 1993. As much as my research methodology was guided by the theoretical issues discussed above, it was also shaped by the fact that I was researching a sensitive topic. Lee and Renzetti (1993:5) define a sensitive topic as “one that potentially poses for those involved a substantial threat, the emergence of which renders problematic for the researcher and/or the researched the collection, holding and/or dissemination of the research data”. Lee (1993:1) argues that “sensitivity potentially affects every stage of the research process from the formulation of the study, through the design and implementation, to the dissemination and application of the findings.”

3.3.1. The ethical concerns in the study

The ethical considerations in this study derive from four sources. In the first place, the method of in-depth interviewing is itself one which itself demands that the researcher exercises ethical vigilance. Several authors comment on the potential for exploitation of the research participants in the course of the interview research (Seidman 1991; Chase 1996). This problem is most clearly articulated by Janet Finch (1993) who argues that interviews in which participants readily share intimate details, pose a particularly acute ethical dilemma for the researcher. Whilst these interviews generate rich data, they also make the task of ethical vigilance all the more demanding because the participants’ defences are lowered by the empathic context of the interview. This

means that the exploitative potential in the research process is heightened. The unscrupulous researcher may abuse the trust placed in her by her participants.

The second source of concern regarding ethics in this study is the fact that the topic of research, domestic violence, is itself extremely sensitive. The researcher working in the field of domestic violence needs to maintain awareness that talking about abuse poses a threat to the battered woman. In the first place the topic is a profoundly painful one and participation in a research project such as this one may evoke unresolved issues for the participants. Moreover, if we are to generalise from studies which advocate against the use of conjoint therapy to treat marital violence (see Bograd 1987), we need to maintain awareness that participation in research projects such as this one may place the women participants at risk of abuse which may result in serious physical injury or even death at the hands of their irate male partners who may be keen to keep the facts of the abuse hidden from public view.

The third source of concern regarding the ethics in this study derives from the particular dilemma which faces the social work professional who undertakes research. How does the social worker balance her ethical and legal responsibilities as a practitioner with her role as researcher? The National Association of Social Workers in the USA developed a set of guidelines for social workers undertaking research (NASW 1980 reprinted in Rubin and Babbie 1997:pg 67). These highlight the need for social workers to consider the consequences for the participants in their studies, the need to obtain informed consent from participants, the need to protect participants from unwarranted physical or mental discomfort, distress or harm, and the need for confidentiality. All these factors are essential and were taken into account in this study. What is missing from this document and from the research literature as a whole is some discussion of choices which face social workers undertaking research when they are confronted with participants who are in pain or danger or who lack information. What I am trying to get at is that the social worker who has a range of clinical skills at her disposal which could relieve some of the distress of her research participants is faced with some hard choices as to whether or not she uses those skills in the course of her research interviews.

The final source of ethical concern, derives from the ethics of “deep interpretation”. The interpretations imposed on the data by the researcher are by their very nature other than the self understanding of the participants themselves (Kvale 1996:214). Psychoanalytic methodology takes as the object of analysis “both what is known and unknown from inside, so that it is necessary to resort to what is behind manifest memory” (Habermas 1972:215). Over and above the obvious problems of legitimation and validation, are the ethical concerns. Interviewees and research participants share their stories in good faith, and the researcher who is concerned with “deep interpretation” plumbs the narratives for submerged stories which may be disavowed by the research participant.

In a spirit of collaboration and respect feminist researchers developed a strategy of taking the research data or research analysis back to participants, in an attempt to overcome the ethical dilemma and as a validity check (Miess 1993; Riessman 1993). Chase (1996) argues that in fact the ideal of consensus and collaboration envisaged by feminist researchers was seldom attained. Instead the collaborative enterprise often resulted in deep conflicts between the researcher’s interpretations and understandings and those of her research participants. The research process was often bogged down in these conflicts. She concludes that “sharing work in progress with research participants does not necessarily lead to agreements on how interpretations should be made... the researcher continues to exercise control over the research process” (Chase 1996:50).

I never took my data analysis back to my participants, predominantly because I was working under stringent time constraints, but also because I do not know how to resolve this dilemma. Thus this particular ethical conflict remains unresolved. At best I can acknowledge the fact that the research process is itself deeply unequal, and whilst I have strived to remain respectful, I do not lay claim to any attempts at collaboration.

3.3.2. Strategies to ensure that an ethical stance was upheld

In undertaking the study I put the following checks in place to ensure that research endeavour was ethical and respectful:

(i) Participation in this study was completely voluntary. In recruiting the participants I was at pains to explain the purpose of the study, and to explicitly advise the women that I approached that they were free to refuse to participate. Three women who were approached to participate in fact declined to do so. It is too easy however to take for granted the fact that because people have agreed to participate, that they have given informed consent, even when a consent form has been signed. Two experiences during my research alerted me to the fact that “informed consent” is a slippery concept. The first experience was with Christelle who readily agreed to participate. When I arrived at her home and began the interview I discovered that in spite of my careful explanations of why I had wanted to interview her, Christelle believed that I was a welfare official sent by her ex-husband to check up on her. Similarly Xoliswa, who was very eager to share the details of her story with me, and whose interviews were considerably longer than other participants, asked me at the very end of her second interview why I was interviewing her. This despite the fact that I had explained more than once that I was collecting data for my Masters research.

I suspect that the problem of informed consent is heightened for the social worker who undertakes research. I believe that most of the participants in my study agreed to be interviewed primarily because I am a social worker, and in the words of Janet Finch (1993) “it’s nice to have someone to talk to”. Judging from the range of questions I was asked and from the nature of the information that was shared with me, for many of my participants the research situation promised the opportunity to share their stories with, and to elicit advice and counselling from a professional.

(ii) I was clear from the start that my aim in conducting the interviews was not to offer counselling which may relieve distress or promote change. When it was obvious that the interview process evoked unresolved issues, I referred four of the participants for counselling at the local FAMSA branch. I also remained sensitive to the individual needs of the participants in conducting my interviews. In Siphokazi’s case it was clear that she was so traumatised by her experiences of abuse that she was virtually unable to tell her story. I referred her for counselling before doing the research interviews. Counselling helped her to process her feelings and she was also assisted in

finding a safe place to live where she was assured of protection from continued stalking and harassment by her husband. The fact that she had undergone this counselling enabled her to tell her story more fully than she had been able to do at the peak of the trauma (see Herman 1993). As such her referral for counselling which was sparked by a moral concern for her well-being had spin-offs for the quality of data which was produced.

(ii) I decided that I had a moral obligation to share information about the legal process with the women I interviewed in order to help them to negotiate the legal system more effectively. Many of the questions which the participants asked of me concerned their legal rights and I answered these as fully as I could and referred to them to lawyers for advice when I was unable to answer the questions. I was guided in this decision by Oakley's (1981) description of how she shared information with the participants in her study. In one case I gave unsolicited advice on how to have an abusive partner's firearm removed. This decision was motivated by the moral duty of the counsellor to maximise safety for the victim of abuse (See Hart 1988).

(iii) I have sought to maintain confidentiality by using pseudonyms, and by erasing some details which could identify the participants (see Lee 1993:179 -182). However the process of maintaining confidentiality when undertaking research on a sensitive topic goes beyond ensuring that identity of the participant is protected in the presentation of the data. It also involves a level of sensitivity and vigilance in how one makes contact with participants and whether one leaves telephonic messages. In the case of domestic violence research this issue is particularly acute. The domestic violence relationship is often characterised by extreme sexual jealousy (Walker 1979; Stark and Flitcraft 1996; Straus, Finkelhor et al 1983). Jealous husbands may monitor telephone calls closely, and interrogate participants about who they are speaking with and why.

The routine phone call to set up an appointment with a research participant can potentially spark an abusive incident. I discovered this in the course of my own research. Although I tried as far as possible to avoid phoning the participants at home, I had been unable to get hold of Zola at work and eventually threw caution to the wind and phoned her at home. During the interview she

divulged the fact that her husband had initially been displeased that I had contacted her. She explained “ He wasn’t happy that you phoned me at home....the problem is he asked me not to rewind that thing again, that thing he did to me” (Zola interview 2:6). She had managed to defuse the situation by lying to her husband saying that I was a social worker who was helping her with her depression.

(iv) I used empathy throughout the interview process not only as a means of producing methodologically valid data (see section 3.4.2.below), but also as a tool for establishing a respectful relationship with my participants. I have attempted to implement this empathic stance (Josselson 1995:31) in the way I have presented the research data. My aim is to invite the reader into the participants’ world in order to enable the reader to develop an attitude of empathic understanding of each individual participant.

3.4. The research process undertaken in this study

3.4.1.Gaining access and recruiting participants

I recruited research participants through the local Magistrate’s Court. My decision to recruit participants through the court was based primarily on the ease of access that this would give me to a potential population pool of women who had approached the legal system for assistance with domestic violence. I drew on the working relationships, which I had developed with several court officials in the course of my social work practice, to negotiate permission for the study. I was granted permission on condition that participation in the study would be voluntary.

The sampling strategy which was used in this study is described in the literature as a purposive non-probability sampling strategy (Rubin and Babbie 1997:383). This means that the participants were not randomly selected but were purposefully selected because they met with certain criteria needed for the research. Patton (1989) argues that there are several methods of purposeful selection of cases for interview studies. The researcher may be looking for typical cases, or

deviant cases or maximum variation in terms of personal characteristics and situations of the participants, or the researcher may just sample on the basis of convenience as I did in this study (Patton 1989 cited in Seidman 1991: 42). Thus the variation which I did achieve in terms of race, age and gender was to some extent coincidental.

Participants in my study were sought on the basis of four criteria:

- (i) Participants had to be female; thus men who applied for interdicts were not eligible.
- (ii) Participants needed to have recently applied for an interdict in terms of the Prevention of Family Violence Act 133 of 1993.
- (iii) Participants needed to be sufficiently competent in English or Afrikaans to manage in-depth interviews as I did not use an interpreter⁶
- (iv) Participation in the study was to be voluntary.

I had initially envisaged that the women would be recruited by the clerk of the court at the same time as they applied for the interdict. I developed a system in consultation with the clerk of the court that she would invite women who had applied for an interdict to participate in my study, and would obtain signed consent for me to contact them to set up interviews (see appendix B). This recruitment strategy was not particularly successful, and I only managed to recruit two women in two months in this way. I thus revised my recruitment strategy and procured a list of names and contact numbers of potential participants from the clerk of the court. I made telephonic contact with each woman inviting them to participate in the study. During this initial contact I explained the purpose of the research and that they would be required to undergo two in-depth interviews. I emphasised that participation was voluntary and that confidentiality would be respected, and I set up an appointment for the first interview.

On reflection, I recognise that although my original strategy for recruitment was methodologically sounder (see section 3.4.2. below), and also ethically preferable in terms of the fact that it preserved confidentiality of non-participants, it was practically unworkable. In the first place the clerk of the court was so overwhelmed with her day to day tasks that another request was just too much to handle. More importantly however, she didn't share my understanding of the value of research of this nature. She saw me as a professional social worker, rather than as a researcher, and I was aware that she had hoped that I would help the two participants whom she referred to me directly. In this sense my previous relationships with court staff worked against me.

3.4.2. The interview process

Seidman (1991:3) contends that “if the researcher’s goal is to understand the meaning people make of their experiences then interviewing provides a necessary, if not sufficient avenue of enquiry”. In-depth interviewing is a process in which the interviewer engages with the interviewee in order to understand the interviewee’s experience and also to understand the meaning that the interviewee makes of that experience (Seidman 1991:3). The social work professional conducting in-depth interviews is on familiar ground as the skills of in-depth interviewing form the tools of her trade. However the research interview has a different purpose from the clinical interview. Kvale (1996) argues that the purpose of the therapeutic interview is to facilitate insight and change in the interviewee. By contrast the “the qualitative research interview is a construction site of knowledge production, its purpose is to obtain knowledge of phenomena investigated and any changes in the individual subject is a side effect.” (Kvale 1996:) Thus the researcher needs to use the in-depth interview to maximise the understanding of the phenomenon which she studies.

I planned this research to gauge the participants ambivalence about their abusive relationships and about their contact with the legal system. I chose to conduct two interviews with each woman for two main reasons. In the first place Mishler (1986) warns that interviewers who propose to explore a topic by arranging a once off meeting with an interviewee is treading on thin ice in terms

of being able to understand the context of the interviewees life and how this impacts on her construction of meaning (Mishler 1986 cited in Seidman 1991:10). Secondly, the domestic violence literature suggests that battered women often seek legal redress shortly after a domestic violence incident but renege on their decisions to pursue legal proceedings when the cycle of violence moves into the third stage (Walker 1979, Tshwaranang manual 1998; Hanna 1996).

I had planned to conduct the first interview within days of each participant’s application for an interdict in order to gather data on the women’s feelings and experiences at that time, and to then reinterview three months later, because research suggests that by this stage the conditions of the protection order are often violated (Klein 1993). I had wanted to see whether there was any discernible change in her expectations of the legal system at this stage. In practice, due to the delays in the recruitment process described above, I was not able to stick to this plan. Table one below, details the time lapses between the date of application for the interdict, and the time lapse between the two interviews for each participant.

Table one
Time lapses between application for interdict and first interview;
and between first and second interviews

Name of participant	Time between interdict application and first interview	Time between first and second interviews
Siphokazi	3 days	3 months
Xoliswa	5 days	4 months
Sylvie	2 months	2 months
Christelle	1 month	2 months
Lindiwe	1 month	2 months
Sanette	2 weeks	2 months
Zola	2 weeks	3 months

Retrospectively, I don't believe that the alterations to my initial research plan made much difference to my understanding of the battered woman's ambivalence in relation to the legal process. Although only Siphokazi and Xoliswa were interviewed within days of their applications for interdicts, a full three months had passed between the date of application and the second interview for all the participants except Sannette. I had expected that in the first interview the woman would bring a clear determination to follow the legal process through to its conclusion, and that this determination would be replaced by ambivalence in the second interview. In practice the ambivalence was present, to a greater or lesser extent, in both interviews which I conducted with all the participants.

The nature of the relationship which is forged between researcher and participant is perhaps the most critical element which affects the production of knowledge in the in-depth interview situation. Several authors, particularly those working within a feminist framework, emphasise the need to challenge the hierarchical nature of the interviewer-interviewee relationship, and to establish a spirit of engagement between researcher and participant (Oakley 1981; Miess 1993; Finch 1993; Chase 1995). Oakley (1981:41) asserts that a traditional model of interviewing, in which the interviewer is seen as active and the respondent is seen as passive is not only morally indefensible; it is also unrealistic and it produces poor data. She argues that in practice, the research relationship is much more reciprocal than the traditional models of interviewing allow. Participants, if given the chance, will actively engage with the researcher, seeking information and asking their own questions back. (Oakley 1981:41 -46). Moreover "the goal of finding out about people through interviewing is best achieved when the relationship between the interviewer and interviewee is non-hierarchical and when the interviewer is prepared to invest his or her personal identity in the relationship." (Oakley 1981:41)

I adopted a way of being with the participants which Ruthellen Josselson describes as the *empathic stance* of the researcher. She argues that "(Empathy is) both a tool and a goal of psychological research. Empathy is premised on continuity, recognising that kinship between self and other offers an opportunity for a deeper and more articulated understanding. Empathy

becomes an attitude of attention to the real world based in an effort to connect ourselves to it rather than to distance ourselves from it” (Josselson 1995:31). The ethical considerations in adopting this stance have been discussed in section 3.3.2. above. Methodologically, this stance made sense in terms of developing an atmosphere of trust and rapport with the participants which enabled them to share personal, often painful material with me.

Although I had interview guides at my disposal for both interviews with all the participants (see Appendices C+D) I tended to follow the leads offered me by the women themselves, and tried to interfere as little as possible as they constructed their accounts of their experiences (see Seidman 1991; Kvale 1996; Chase 1995). I also invited the women to ask any questions which they may have of me, as this provided a fruitful way of exploring their concerns, hopes and fears. I concentrated less on ensuring that each participant was asked the same questions, than I did on plumbing the interviews for the specific insights and angles that the individual participant could offer. Thus I spent more time exploring the community’s perceptions of women who approach the legal system with Sylvie than I did with the other participants. Sanette was able to describe her experience of anger at her abuser more directly than were the others so I spent more time discussing and exploring this with her than I did in other interviews where I was aware that similar feelings of anger and rage may be present. I was guided in this decision to individualise the interviews by the principle articulated by Edwards (1993) that what comes out of an interview is more important than what goes in. She writes:

“ researchers conducting in-depth interviews should not be so concerned with making sure that what goes into every interview is the same so as to ensure reliability and validity. They should instead work toward ensuring that what comes out is the same quality. That is not in terms of content, but in terms of gaining a validly re/constructed re/presentation of ‘what is’ for each subject’s situation and her understanding of it” (Edwards 1993:194)

The first interviews with each participant lasted on average an hour and a half to two hours, whilst the second interviews were shorter, lasting on average 30 minutes. Ideally in -depth interviews should last an hour and a half (Dolbeare and Schuman 1982 cited in Seidman 1991:13).

Although I had planned that each interview would last approximately an hour and a half I found that the length of the interview varied from participant to participant, and I followed the leads of the participants themselves in terms of timing, finishing when they seemed tired or to dry up. The decision to break the first interview with Siphokazi into two sessions, the first lasting an hour and a quarter and the second lasting just over thirty minutes was based on the fact that she was tired and drained and that we were unable to cover all the ground in the first interview.

All the interviews were conducted in English, although I invited my Afrikaans participant to speak Afrikaans if she chose to. The language, racial and class differences between me, as a white, upper-middle class researcher, interviewing women who were mainly black and mainly came from working class communities, needs to be acknowledged (Oakley 1981; Edwards 1993).

Interestingly, I found that differences between myself and my research participants could be used advantageously in the research process. The research participants were often at pains to describe and explain cultural and community belief systems to me, whereas I suspect that they may have been more likely to take these for granted had they been interviewed by a researcher from a similar background.

It has been argued that the physical context of the interview impacts on the type and quality of data which is produced. (Finch 1993) argued that the fact that the women in her study on church ministers' wives were interviewed in the informal context of their own homes impacted strongly on the fact that they were so open about their situations and so willing to share personal details with her. In this study I invited the participants to choose where they would feel most comfortable being interviewed. Two of the women were interviewed at the magistrate's court, one was interviewed in her home, one at the FAMSAs offices, and three at their places of work during their lunch breaks. There was no noticeable difference in the quality of data which was produced at each of these venues, except in the case of the second interview conducted at Christelle's home

when she was constrained in what she said because her four year old child was present during the interview.

What I hope to convey by this rather detailed description of the interview process is that by establishing an empathic rapport with each participant and by tailoring the actual interview structure to the specific needs of each participant, I was able to develop insight into the experiences of the individual participants and the ways in which they understood their circumstances and the decisions they made. This process also enabled me to remain sensitive to the ethical dimensions of the research endeavour which is premised on respect for the dignity and worth of the individual participants.

3.4.3. Transcription of interviews

Several authors (Mishler 1986, Riessman 1993, Kvale 1996) note that transcription of interviews involves a reworking of the data. Transcription is itself an act of interpretation. I tried to render as faithful a transcription as possible of the interviews, indicating where possible, silences, hesitations, gestures and my own interjections as I heard and remembered them. The process of transcribing the interviews with non-English speakers was more difficult than those with English speakers. I retained the turn of phrase and colloquialisms of my interviewees, though I used my authorial licence in dealing with personal pronouns, to ensure that male and female were distinguished for ease of reading. I also organised the data into paragraphs, thus imposing my own interpretation on the organisation of the material.

3.4.4. Analysis of data

Kvale (1996:187) argues that “there is no magical tool for finally uncovering the meaning which lies hidden in pages of opaque interview transcripts.” There is a prolific literature on the various techniques whereby qualitative data can be analysed and interpreted. For the purpose of this study I settled on two main strategies for marshalling the data which I had collected in the

interviews. In the first place I used a basic narrative analysis approach (Kvale 1996, Riessman 1993; Mishler 1986) to craft a profile (Seidman 1991:92) of each individual participant. The second strategy which I employed was to look for thematic connections within the interview data of each participant and to compare and contrast these themes across participants.

The two strategies, are complementary insofar as they illuminate different aspects of the interview data. In crafting the individual profiles of the participants I treated the two interviews as a single narrative account of the trajectory of the women's relationships with their partners, their accounts of leaving their abusive partners and returning to them, and their stories of the help they had sought prior to approaching the courts for assistance. I arranged this information more or less chronologically to allow for a narrative explanation of each woman's decision to approach the court for an interdict and for a narrative account of what followed in the wake of her application for a court interdict against her partner. Chase (1995:22) argues:

“The more fully particular are the stories we hear, the stronger our analysis will be of the relationship between the general and the particular. We serve our theoretical interest in general social processes when we take seriously that people make sense of life experiences by narrating them”.

I used the vignettes or profiles which I crafted on each woman to generate an in-depth understanding of the issues which faced each individual woman, and to do justice to the particularity of each story. I then used the profiles as a springboard for a thematic analysis of the data within each participant's interviews and between the participants' interviews. I didn't apply any formal strategy for seeking out these themes, but employed what Kvale (1996: 203 -204) describes as ad hoc meaning generation in which the researcher uses a free interplay of techniques to generate meaning categories out of the interview text.

I was specifically concerned with themes which suggested that the women were deploying the psychological defences, splitting and the moral defence (see section 2.5. chapter 2); and with

themes which resonated on the idea of feminine gender identity being based on ideals of being for others and self sacrifice (see section 2.7. chapter 2). But I was also receptive to stories of the difficulties or obstacles which the women encountered in their attempts to get assistance. In this sense I was sensitised by the broad body of research into domestic violence which emphasises that battered women are empowered to leave abusive relationships or to negotiate a cessation of violence in their relationships by the provision of adequate and appropriate legal and social services (see NicCarthy 1982; Yllo and Bograd 1988; Buzawa and Buzawa 1990).

One aspect of my data analysis which requires further explication is the fact that because I am guided by a psychoanalytic orientation which runs through both contemporary feminist theory and object relations theory I was alert to both conscious and unconscious aspects of the data. A psychoanalytic sensibility is alive to the reality that everyday life and experience is mediated by unconscious images, thoughts and fantasies (Hunt 1989: 25). I offer interpretations based on possible unconscious processes when the interview text revealed a juxtaposition of contradictory feelings or sentiments, or when there was a blatant contradiction between a stated ideal and actual behaviour, or when behavioural patterns which were obviously irrational and self defeating were evident. I was also aware of slips of the tongue in the course of the interview process (Freud 1915) as an indication of possible unconscious conflicts or wishes. Moreover, when the participants invested simple bureaucratic procedures with intense significance, or when they related to particular individuals in ways which suggested that they invested these individuals with particular qualities of power, I suggested that some form of projection or transference may be at work (Halton 1994).

3.5. Methodological validity

3.5.1. The concept of “legitimacy” in interpretive research

Kvale (1996:229) rather colourfully refers to the problem of legitimation in the context of qualitative interview research as posing a challenge to the “scientific holy trinity of validity,

reliability and generalisability.” This challenge involves revisiting the problems of validity, reliability and generalisability and freeing these from their rootedness in a positivist framework, which emphasises the importance of correspondence between interpretation and objective reality. As was argued in section 3.2.1 of this chapter the idea that language unambiguously reflects a stable, singular reality which can be apprehended in its entirety is no longer viable. It is thus necessary to deconstruct the very concept of validity. In so doing one understands the fact that the term as it is currently used is itself a construct of positivist social science, which can be refashioned to produce new constructs of validation and legitimation which are appropriate to qualitative research studies.

Several authors have attempted to do this by dispensing with the terms validity and reliability. These authors argue that instead of evaluating research in terms of its validity, reliability and generalisability we should rather apply the criteria of authenticity and trustworthiness (Guba and Lincoln 1998; Kincheloe and McLaren 1998). It has been argued that such attempts to rework the concepts of validity amount to little more than “simply reinventing narrowly presented criteria for evaluation” (Henwood and Pidgeon 1994). My own opinion is that the attempts to rename the concepts of validity reduces the debate to the level of semantics and adds little to the resolution of the deep problem of legitimation in non-positivist social research.

Kvale (1996) offers a more fruitful strategy for addressing the problem of validity . He revisits the philosophical question as to the criteria by means of which the truthfulness of a statement is ascertained. He argues that within philosophical discourse there are three classical criteria whereby a statement may be judged to be true or valid. The first of these is the *correspondence criterion*. In terms of this criterion the statement must correspond to the objective world. A second criterion is that of *coherence*. The coherence criterion sees the truthfulness of a statement residing in its internal logic and consistency. The third criterion of *pragmatism* emphasises that the truthfulness of a statement may be judged in terms of its pragmatic or practical consequences. Kvale argues that different theoretical paradigms have favoured one or other of these classical criteria (Kvale 1996:238 -239). The dominance of positivism as the basis for modernist thought

has meant that the other two classical criteria of truth have been overshadowed. The dual crises of representation and legitimation not only deconstruct the belief in an unambiguous objective world which can be apprehended and described; they also reverse the dominance of correspondence theory.

There are several ramifications of giving up the correspondence criterion as the primary or sole arbiter of validity. Kvale (1996:240) argues that they are as follows: firstly the quest for absolute knowledge is replaced by the more modest quest for defensible knowledge claims. Validation becomes a process of choosing among a plurality of possible interpretations, and of examining and providing coherent arguments for the relative credibility of alternative knowledge claims.

Secondly, “method as a guarantee of truth dissolves and coherence and pragmatism come to the fore”(Kvale 1996:240). Thirdly, the greater emphasis on pragmatism implies that legitimation by means of justification of knowledge is replaced by an emphasis on the application of knowledge.

Kvale argues thus, that the process of validation rather than relying on the correspondence between interpretation and reality, comes to rest on the quality of craftsmanship, on the different communities of validation and on the pragmatic effects of interpretations (Kvale 1996:240).

3.5.2. Transparency

Riessman (1993:68) contends that validation can be built into the research itself by making the research process as transparent as possible to the reader. I have attempted to do just this by providing an in-depth and detailed account of how I gained access to and recruited the participants in my sample, of the interview process, and of the techniques I used to analyse my data. I made clear that in the research I was seeking a validity which inheres in a coherent “re/constructed re/presentation of ‘what is’ for each subject’s situation and her understanding of it” (Edwards 1993:194).

3.5.3. Dealing with cultural bias

One of the most obvious threats to validity in this study, is the racial, cultural and class differences between myself and the participants. These differences may lead to very spurious understandings of what the participants are saying. In order to check against this possible bias I ran a focus group with two Xhosa speaking FAMSA social workers and a Xhosa speaking volunteer who is herself a formerly battered woman, in which I discussed some of the culturally specific themes which emerged in the interview with the first participant. I also conducted e mail exchange with Dorcas Modisane of the Rhodes Social Work Department, throughout the course of the interviews. These interchanges with Xhosa speaking women who share the linguistic and cultural contexts of the majority of my participants was invaluable in sharpening my understanding of several trends which I found emerging in the research and in enabling me to hone my interviews to ensure that they were culturally sensitive and appropriate.

3.5.4. Co-lateral information

In addition to the interviews conducted with the participants, I conducted single in-depth interviews with the clerk of the court, and the Acting Station Commander of the local police station. The aim of these interviews was to clarify procedures and to compare how my participants interpreted their experiences of the legal processes with how these officials interpreted the aims and problems of legal intervention in domestic violence. These interviews were taped but not transcribed.

3.5.5. Theoretical coherence

Throughout this study I have attempted to honour the idea of theoretical coherence, and to back up claims with data from interview texts as well as with theoretically grounded interpretations. Obviously, when offering interpretations of unconscious processes one treads on slippery ground in terms of validity. In the clinical context, the validity of an interpretation is measured by the

effect it has on the patient. If there is some relief in terms of the presenting symptom, or a deepening of the therapeutic relationship, one can assume that the interpretation has hit home somehow. This comfort is not accessible to the qualitative researcher who, working in the context of contemporary interpretive research, must be satisfied that her interpretation is firmly grounded in the theory which gives rise to it. As such I offer my interpretations of unconscious processes in a spirit of tentativeness and humility, and with an understanding of the deep problems which beset the process of validation and evaluation in the context of qualitative research.

3.6. Methodological limitations

There are several methodological limitations in this study:

(i) In section 3.4.1. above, I noted that I used a convenience sampling strategy. I highlighted the fact that this sampling procedure is inherently limited in terms of ensuring maximum variation amongst participants. Despite the fact that I had not specifically aimed for any form of representativeness, the small sample of seven women, included women from different race groups. The data generated pointed to possible cultural differences between these groups, particularly in terms of help-seeking behaviour. Retrospectively, I think that the findings of this study would have been strengthened in this regard, if a more targeted sampling procedure had been utilised.

(ii) A second consequence of the convenience sampling procedure was that, by sheer coincidence, all the participants were in paid employment, and none was financially dependent on her partner. In fact this was an advantage in this research, as the variable of financial dependency was excluded and it became possible to focus on other dimensions of the participants' attachment to their partners. However, this adversely affects the generalisability of the study, as issues of economic hardship and financial dependency affect many battered women.

(iii) The small sample size, seven, which was again chosen as a matter of convenience, also impacts on generalisability.

(iv) The interviews were all conducted in English. For all but one of the seven participants who participated in this study, English is a second language. Although all the interviewees were reasonably proficient in English, one wonders whether the opportunity to speak in their own languages may have yielded a different emphasis in the data. This limitation is counter-balanced by the fact that had the interviews been conducted in Xhosa I would have had to use an interpreter and the meanings and sense of the data would have been mediated by the interpretation process.

(v) A final limitation of this study is that when planning the research I elected not to probe specifically for family of origin background data or early childhood histories, as it didn't seem to be entirely relevant to the topic at hand. I was concerned that I would generate excess data which was not needed, and which would divert attention from the topic of the research. When information on early childhood experiences, or experiences in the family of origin, emerged spontaneously, it proved to be invaluable. Retrospectively I believe that the theoretical orientation of the study demands this type of information, and the findings on unconscious processes would have been fortified by access to this data.

3.7. Conclusion

I began this chapter by locating this research endeavour in the context of interpretive research which is framed by the dual crises of representation and legitimation. This research context centres ethics as a foundational methodological factor. I highlighted the ethical considerations in this study, and described the checks which were put in place to ensure that an ethic of respect was upheld throughout the research process. I then reviewed the research process, and the processes whereby validity and legitimacy were ensured. Finally I examined the methodological limitations of the study. I have argued throughout the chapter that this research does not lay claim to be an incontrovertible truth on domestic violence, instead it offers an interpretive slant on the subject, which highlights dimensions of battered women's experiences which are sometimes ignored or repressed in mainstream domestic violence research.

CHAPTER 4
FINDINGS ON THE ABUSIVE RELATIONSHIPS
AND THE PARTICIPANTS' ATTACHMENTS TO
THEIR ABUSIVE PARTNERS

4.1. Introduction

In this chapter I describe the findings relating to the nature of the abuse endured by the participants in this study. I then report on the findings pertaining to the participants' attachment to their abusive husbands. I show how the object relations account of the mechanisms of the battered woman's attachment to her abusive partner (see sections 2.4- 2.9, chapter 2) provide a convincing description of the patterns of attachment found in this sample. I show too, that the women's attachment to their partners is overdetermined by ideological constructions of feminine gender identity which trap the women in their abusive relationships. I argue that these gender ideals are so persuasive because they inter-leaf with psychological defences against bad objects.

4.2. Background information on the participants in this study

4.2.1. The participants and their partners

A small sample of seven women was recruited for this study. All these women had suffered some form of physical abuse and had applied in 1999 for an interdict in terms of the Prevention of Family Violence Act of 1993. In all seven of the cases the interdicts were granted against husbands or ex-husbands of participants. Table two below provides a profile of the race, language, age, educational level, and occupational status of the participants and their partners.

Table two
Demographic details of participants and partners

PARTICIPANTS

PARTNERS

Name	Race	Language	Age	Education	Occupation	Race	Language	Age	Education	Occupation
Siphokazi	African	Xhosa	24yrs	Matric	Sales-lady	African	Xhosa	29yrs	Matric	Salesman
Xoliswa	African	Xhosa	29yrs	Matric	Para-medic	African	Xhosa	30yrs	Matric	Truck driver
Sylvie	African	Xhosa	45yrs	Nursing diploma	Nursing sister	African	Xhosa	70yrs	Std 5	Pensioner
Christelle	Coloured	English/ Afrik	38yrs	Matric	Clerical worker	Coloured	Afrik/ English	32yrs	Matric	Policeman
Lindiwe	African	Xhosa	38yrs	Std 9	Legal receptionist	Coloured	Afrik/ Xhosa	35yrs	Std 6	unemployed
Sanette	White	Afrik	47yrs	Matric	switch-board operator	White	Afrik	49yrs	?	Shelf packer
Zola	African	Xhosa	40yrs	Matric	Nursing assistant	African	Xhosa	32yrs	Std 8	unemployed

The demographic factor which is most significant is that all the women in this study are in full-time, stable employment. None of the participants is financially dependent on her partner. In fact six participants described themselves as the sole breadwinners in the family, three because their partners were unemployed, and three because their partners did not contribute financially to the running of the households and to the maintenance of children and extended families. Thus financial dependency which may be a factor in why many women refrain from taking legal action against their husbands (see Hart 1993; Harrel and Smith 1993; Hanna 1996) is of no relevance to this study.

A second factor which is worth noting is that on the whole the women in this study are better educated and in higher status occupations than are their husbands. The inequalities in educational and occupational status between the participants and their partners may be relevant to the incidence of abuse in this sample. Goode (1971) argues that when individuals command power, status and financial resources they are less likely to resort to physical violence, than when these resources are absent or under threat (Goode 1971 cited in Gelles 1993: 37). This resource theory is particularly relevant in Sylvie's case, where the inequalities between the partners was extreme, but it doesn't provide a sufficient explanation of the violence and abuse in the other cases.

Carlson (1984: 557) suggests that male unemployment is the socio-economic factor which is most consistently correlated with high levels of domestic violence in communities. This is particularly relevant to Zola's case. She was acutely aware of the impact that her husband's unemployment had on his self esteem, his mental health and their relationship. In her second interview she spent a lot of time discussing the fact that he was being treated for depression. She says "I think the problem is that he wants to be at the job all the time. He doesn't want to see me work for him....He wants to help me. At that time he was doing the job, he was always giving me his standard bank card and saying go and take money from the bank, and buying clothes and expensive gifts for the children (Zola interview 2:6).

All the women in the study except Lindiwe and Siphokazi had children. However only three of the five women had children with their husbands. Sylvie had an adult son from a previous relationship and Zola had two sons from previous relationships with two separate men. The women had a total of nine children between them. These children ranged in age from 2 to 28. All the children under 20 years of age were living with the participants. Five of the women in the study reported that their husbands had children from other relationships. In three cases there was no contact with these children. In two cases the “outside” children were being supported by their fathers and moved in and out of the participant’s family.

4.2.2. The relationships

The relationships surveyed in this project ranged in length from one year to twenty seven years. Table three below depicts the type of marriage and the length of time the participants had been married, and had lived together prior to marriage. It also depicts the status of the relationship at the first and second interviews.

Table three
Marital Relationships

Name	Type of marriage	Length of marriage	Lived together before	Status at interview 1	Status at interview 2
Siphokazi	Customary/ Legal	9 months	No	Married/ Separated(one week)	divorced
Xoliswa	Customary/ legal	2 years	Approximately 3 years	married/ separated(one week)	reconciled (One month)
Sylvie	Customary/ Legal	3 years	2 years	married/ separated(3months)	reconciled (one month)
Christelle	Legal	1 year	2 years	divorced	divorced
Lindiwe	legal	4 years	4 years	separated	separated
Sanette	Legal	11 years	No	divorced	divorced
Zola	Customary	1 year	1 year	married	married

This was a first marriage for all the participants except Christelle who had been married once before. Sanette, had been married for eleven years and divorced for sixteen years. She had been living with her ex husband for the last six years and had only separated again a week before her first interview. Lindiwe described herself as separated from her husband. They both officially lived in her house, however due to his abusiveness, she was sleeping at friends most nights for protection. She was trying to get him evicted from her home. As the table indicates Sylvie and Xoliswa separated from their husbands and reconciled in the course of the study. Siphokazi, left her husband and finalised divorce proceedings in the three month period during which the research was done. The patterns of separation and reconciliation are indicative of the ambivalence and paradoxes which characterise the relationships in this study.

4.3. A profile of the abuse reported in the study

4.3.1. The types of the abuse reported

All seven women in the study had suffered some form of physical abuse prior to their application for an interdict, but there were differences in the intensity and frequency of the assaults. Whilst Zola and Siphokazi each endured several life threatening abuse incidents in the past year. Sylvie described only one incident of severe physical assault in the course of her relationship. In table four, I indicate the types of abuse reported in this sample, as defined in by the Domestic Violence Act 116 of 1998 (see Appendix A).

Table four
Types of abuse reported in this sample

Definitions of abuse	Participants who reported this type of abuse
.Physical abuse	All
sexual abuse (coerced sex)	Xoliswa and Siphokazi
Emotional, verbal and psychological abuse -Insults, ridicule and name calling - Repeated exhibition of sexual jealousy - Isolation from family and friends	All Zola, Xoliswa, Christelle, Siphokazi, Lindiwe Zola, Lindiwe, Siphokazi, Christelle,
Economic abuse -unreasonable withholding of financial resources - unreasonable disposal of financial and economic resources	Christelle, Lindiwe, Sanette Sanette, Lindiwe
intimidation	All
Harassment	Siphokazi, Christelle
Stalking	Christelle, Siphokazi
damaging property	Sanette, Lindiwe, Christelle
entry into residence of complainant without her consent	Lindiwe, Christelle

Three of the women interviewed in this study said that their husbands had a firearm. Four reported that their partners repeatedly threatened to kill them. Siphokazi who experienced three life threatening episodes of abuse in the course of a year described in graphic detail how her husband abducted her from her workplace and threatened to kill her “My husband was come to work, was hit me at work. He hit me, take me by force. He put me in his car and take me away. I was bleeding too much. People was standing outside watching what’s going on, nobody’s going to help me. He take me by force, put me in the car, he was hitting me, he told me he’s going to kill me” (Siphokazi interview1:1).

The sheer brutality of physical abuse suffered by victims of domestic violence is well captured in Xoliswa’s account of the assaults she suffered. “When he assault me he didn’t want me to cry. Even just kick me in my face I mustn’t cry. Just kick me here.. he said ‘shut up’ I mustn’t even cry. He said he was going to do better than that. My bruises are here, see I was blue here, I was blue covering myself, even my abdomen was blue.” (Xoliswa interview 1:5). This extract demonstrates well the pattern whereby threats and intimidation form an integral part of the abuse profile and generally accompany physical abuse.

The emotional abuse endured by the participants included insults, degradation and all manner of threats. The pain and damage of emotional and verbal abuse should not be underestimated. Sanette makes this point clearly in her interview: “okay he didn’t hit me so badly, only now and then, but his words, calling me a whore and this and that, and swearing at me.... That got me down mentally. It made me insecure, it made me think that I’m useless, that I can’t do a thing right.” (Sanette interview 1:13).

Only two participants spoke explicitly of sexual abuse at the hands of their husbands. Siphokazi described her situation as follows: “If you are a woman, if you’ve got something bad in your bedroom [*her husband was sleeping with his girlfriend in her bed*] you haven’t got feelings to do sex with him... so I’m just forcing myself. I force myself because I know him, he said I’m his wife, I can’t say no” (Siphokazi interview1:6). Xoliswa describes a similar situation “that night there was no communication, if he wants sex he do have sex” (Xoliswa interview 1:14). She decided to leave him after this episode.

What is interesting about these accounts is that although both participants were clear that the sex was unwanted and coercive neither of them applied the terms 'rape' or 'sexual assault' to the incidents they described. Kelly (1988) argues that "for women, naming and defining experiences of sexual violence is not a simple process" (Kelly 1988: 129). Until very recently public discourse has been largely silent about sexual abuse in marriage. South African law only recognised the fact of marital rape in 1993. For this reason it is probably safe to assume that sexual abuse in this sample may well have been under-reported.

Kelly (1988:115) speaks of the need for researchers to develop new definitions and frameworks for speaking of actions or behaviours which women experience as abusive. The sexual attitudes of their male partners were without exception deeply distressing to all the women in this study. All the participants reported that their husbands accused them of having affairs. Five women reported that their husbands were profoundly sexually jealous and tried to monitor their movements to ensure that they weren't sleeping with other men. In addition, all five men who were particularly sexually jealous all had affairs with other women. Siphokazi described how her husband would bring his lover to her home and sleep with her in their bed. Lindiwe showed me the affidavit which she made to the court in which she described how her husband would bring women home to their house.

Four of the participants reported that in addition to behaving violently towards them, their partners were threatening and violent towards their families and friends who assisted them. Lindiwe's husband smashed her mother's windows with a spade when she took refuge there. Siphokazi's husband broke into the friend's house where she was staying and stole her clothes. Xoliswa's husband threatens her mother when she flees there for safety, and Zola's husband threatened to shoot neighbours who tried to intervene in a dispute.

4.3.2. Gender domination, power and control

A striking feature of this study was that many of the participants themselves defined their husbands' patriarchal attitudes and behaviours as abusive and disrespectful. They described how their husbands used male privilege and status to exercise control in the relationships. Siphokazi described how her husband told her "that my parents sell me to him so I can't go home without his permission, so I can't go I'm his wife" (Siphokazi interview 1:2). In this relationship lobola was taken very literally to denote ownership and proprietary rights. Sylvie complained that even though she was working and her husband wasn't he was reluctant to help around the house.

Xoliswa was particularly vocal on this matter. She described her husband's treatment of her as follows:

"He likes to make me as if I'm his maid" (Interview 1:12). "When I come from work 7 o'clock I'm tired, I must do the cooking for him. He don't even do the cooking, maybe to put on rice the easy thing. I must do all the things. I said if I was not working I was just going to be his slave. He's treating me as if I'm his maid or something, like he's my boss. He shouldn't do those things because that time of saying this is woman's things (*means work*) is gone a long time ago. Our grandmothers were not working, were staying at home, they were supposed to do everything for their husbands. Now we are working together, so we must help each other. No one must be waiting for someone to do something. Even if I'm doing the dishes I can't ask him to fetch something from the bedroom, I must go there myself" (Xoliswa interview 1:18).

Xoliswa explained how gender domination affected her ability to negotiate issues and settle differences with her husband: "He wants his ideas not mine, because if I come with my ideas it seems like I am the man of the house" (Xoliswa interview 2:2). The patriarchal nature of the relationship structured the way in which conflict was handled. "I ask him let us talk because he wants me to do things but he doesn't talk to me, I must do what he wants me to do, I can't decide for myself" (Xoliswa interview 1: 2). Her relative powerlessness in the negotiation process is highlighted in the following quote "I want him not to

assault me, to talk to me. If I do something wrong he must talk to me, because if he do something wrong I don't assault him, I just talk to him. I don't get that power to assault him, but him he just want to hit me" (Xoliswa interview 1: 6).

There is strong evidence in the study which suggests that the women's attempts to resist their husbands' patriarchal control were met with severe physical abuse. In Xoliswa's case the violence was clearly triggered by her standing up to her husband and confronting him about something. Sanette described how the physical abuse she suffered was linked to her refusal to do what her husband wants her to do: "Say for instance I don't do what he wants me to, like buy liquor for him then he gets very cross. And if I tell the truth, like 'it's because you don't try' then he hits me" (Sanette interview 1: 4). Similarly the worst incident of abuse which Lindiwe reported was linked to a power struggle over the control of money. She refused to hand over money to her husband to pay for alcohol. He broke a bottle and stabbed her in the shoulder.

It is interesting that the men's adherence to strong patriarchal beliefs, and their assertion of male privilege and power, contrasts sharply with the material arrangements in most of these relationships. None of the participants was financially dependent on her husband. On the whole, the women who participated in this study were better qualified, and held more stable and responsible jobs than their husbands (see table two in section 4.2.1 above). Goldner et al (1990) argue that domestic violence provides men with a "pseudo-solution to the gender paradox which men experience when they have feelings which they deem unmanly: dependency, fear, sadness etc" (Goldner et al 1990: 354). Journalist, Susan Faludi puts it more sharply. She says that the typically wife abusers are "men who are socially isolated, afflicted with a sense of ineffectuality, and have nothing but the gender rule book to fall back on" (Faludi 1999:9). The data in this study shows that the men in this study identified strongly with rigid stereotype of masculinity. In the absence of real, material power and control, they used their beliefs in male privilege and entitlement to exert and maintain control over their wives.

4.3.3. Physical and psycho-somatic consequences of the abuse

The participants in the study reported a range of injuries and psychosomatic complaints which emanated from their abuse. Table five below reflects the injuries which were reported, while table six records the stress related complaints mentioned by participants in this study.

Table Five
Injuries reported by participants

Nature of injury	Reported by
Black eyes	Zola, Xoliswa, Siphokazi, Lindiwe, Christelle
Severe body bruising	Sylvie, Xoliswa, Zola, Siphokazi, Lindiwe, Christelle
Swelling and cuts	All
Broken bones	Zola, Siphokazi
Stab wounds	Lindiwe
Concussion	Zola
Temporary deafness	Siphokazi

None of the participants in this study were hospitalised for the injuries inflicted on them. Stark and Flitcraft (1991) reviewed the records of 3,676 women who present with complaints of injury at a metropolitan hospital. They found that what distinguished the battered population from the non-battered population, was not the severity of the isolated injury, as much as the frequency and duration of the of injuries (Stark and Flitcraft 1997:162). In the course of her first interview Xoliswa showed me the bruises which were fading on her arms, legs and abdomen. I was struck not only by the physical pain which she must have endured, but also by the way in which the huge, ugly bruises which covered her body were symbolic for her of the way in which the abuse bruised not only her skin, but her sense of dignity and self worth.

Table six

Stress induced conditions and psychosomatic complaints reported by the participants

Nature of the complaint	Reported by
General feelings of tension and sleeplessness	All
Headaches	Siphokazi, Zola, Xoliswa
Aching joints	Siphokazi
Confusion and inability to concentrate at work	Lindiwe, Siphokazi, Xoliswa, Zola
Stress related accidents	Xoliswa
Stress induced stomach ulcers	Sanette
Suicide attempt and diagnosed depression	Zola

It has been argued that woman abuse represents one of the gravest dangers to women's mental and physical health (Stark and Flitcraft 1997:158). The symptoms listed in the table above were mentioned in passing by the participants, rather than in response to a targeted question. They reflect the price the participants paid for the abuse which impacted on their physical well-being, their mental health, and their capacity to contribute effectively in the work environment.

4.3.4. Associated alcohol abuse

In four cases in this study domestic violence is associated with alcohol abuse by the abusive partner. Most of the abusive incidents recounted by Christelle seem to be associated with alcohol: "When there's an argument and he's under the influence then he sommer starts beating me" (Christelle interview 1:4). Sanette and Zola both reported that their husbands' alcohol abuse was central to the abusive dynamics in the relationship, and when their husbands were sober the relationship was very different. In Lindiwe's case there is a clear correlation between her husband's alcoholism and his abusive behaviour. She said "He is okay when he is out of work and doesn't have money to drink... but if he gets work it just starts again". When he is working and has money he is "drinking, drinking, drinking. If he is paid at the end of

the month he didn't bring money home, he went to the shebeen, drink all the money with the girls." (Lindiwe interview 1:1).

The link between alcohol abuse and domestic violence is well documented in the literature (Roy 1980, Sonkin 1987, Buzawa and Buzawa 1993). However these authors are at pains to emphasise that alcohol abuse does not cause domestic violence and that it is not always a factor in domestic abuse. Xoliswa's husband has managed to overcome a serious alcohol problem; he no longer drinks but he continues to behave violently in the relationship. Sylvie emphasised that her husband is a churchgoer who doesn't drink. The contrast between his sober lifestyle and the fact that he had assaulted her severely with kieres was a source of profound disappointment to her.

4.3.5. Associated child abuse

Two participants reported associated child abuse. Christelle recounted how her ex-husband had threatened her three year old child that he would shoot her and her mommy and himself (Christelle interview 1: 4). Zola described an incident in which her thirteen year old son Mzwandile had tried to intervene in the conflict to protect her and had been severely assaulted by her husband. The episode was triggered by an argument over a toy between Zola's 6yr old son Bongani and her husband's 3 yr old "outside child" Busiwe. Her husband who was drunk was enraged by this argument, and within a short space of time the conflict escalated into a life threatening incident in which he not only physically assaulted her and Mzwandile, but threatened the family with his firearm. When Zola managed to escape to get help her husband beat the three year old child, telling her that she was to blame for the fact that he had beaten Mzwandile. It was after this incident that Zola resolved to apply for an interdict. Shortly after the episode Busiwe was sent off to live with her paternal aunt, and Mzwandile was taken in temporarily by Zola's sister to ensure his safety.

The women's reports seem to uphold the findings in the literature that children of battered women are at very high risk of physical abuse by the male abuser (Bowker 1988:159). Moreover, even when there is

no physical assault to children, they are deeply traumatised by witnessing the abuse of their mothers (Moore 1971 cited in Bowker 1988: 159). I was particularly struck by the stories of how outside children became imbricated in the abusive dynamics of their father's relationships. To the best of my knowledge there is no South African domestic violence literature on the way in which domestic violence impacts on the lives of "outside children". This may be dealt with in the research on street children, but it is a definite gap in the family violence scholarship.

4.4. The psychological mechanisms of attachment to abusive partners

The data discussed in section 4.3. above shows that the women in this study endured harsh, sometimes life-threatening abuse at the hands of their husbands. There were considerable differences in terms of the length of time in which they remained in their relationships, Siphokazi left her husband after only 9 months, whereas it took Sanette 27 years before she was able to finally separate from her husband (see section 4.2.2 above). Nonetheless, the information collected in the interviews shows that none of the women left after the first assault, and that to some degree, all the participants found it difficult to extricate themselves from their abusive relationships. The fact that none of the participants was financially dependent on her husband, means that they remained attached to their partners for psychological and/or ideological reasons, rather than because of material need.

4.4.1. Patterns of abuse and reconciliation

The findings of this study showed that in all the cases reviewed, physical abuse was intermittent. However, there was evidence that the abusive episode was not necessarily followed by a period of intense closeness between the couple. Only Zola described the classic cyclical pattern described by Walker (see section 2.3.1, chapter 2). This is how she described the first the first time her husband assaulted her:

“He was drunk at that time, and he struck me with the gun four times on my head, so I was trying to defend my face... and I got bumps on my head that time, and after that he went to the job. But I didn’t tell anybody... So when he was at the job he phoned me and ask me how I am, and he want to know what’s happening to me. I said ‘no I’ve got a headache and my head’s become very swollen with lumps and I took pills.’ So he said he’s very sorry. He will come by 12 o'clock midnight and we can talk again.”(Zola interview 1:3).

Zola described how her husband would be filled with remorse for assaulting her “oh the way he was sorry...so we became close again”(Zola interview 1:5). In her case, the violent abuse would be followed by periods of intense closeness.

Some of the other participants reported that their partners would express remorse, and would promise to change after periods of separation, or when some crisis was forced in the relationship. Xoliswa reported that she had left her husband about three times (Xoliswa interview 1:16). She too returned when her husband apologised (Xoliswa interview 1:17). Sylvie never left her husband, but he left her on at least three occasions. When he returned to her, he would be very apologetic. The reconciliation which occurred between Sylvie and her husband in the course of this study took place after her husband had approached her male relatives and apologised to them, and via them to her (Sylvie interview 2:3). Lindiwe described how when her husband was upbraided by church members, or threatened with divorce, he would apologise and promise to change. However there is no indication in their accounts that the periods of abuse and emotional distance were followed by periods of intense closeness. The remaining three participants, Siphokazi, Sanette, and Christelle gave no indication that their husbands apologised for their abusive behaviour.

The data in this study thus suggests that Walker’s account of the battered woman being wooed back into the destructive cycle of the relationship by her husband’s contrition and attentiveness was only strictly true in Zola’s case, and that it operated weakly in the Xoliswa’s, Lindiwe’s and Sylvie’s case. Whilst it

provides a description of the patterns of abuse and reconciliation in some of the relationships studied in this research, it does not provide a sufficiently convincing account of the mechanisms whereby the participants in this study remained attached to their abusive partners.

4.4.2. Fear of violence as a basis of attachment

There is no doubt that the husbands used violence and threats against the participants to exert control in their relationships (see section 4.3.2. above). Christelle, Xoliswa and Siphokazi described how the threat of violence was used by their husbands to discourage them from seeking help from the law. Xoliswa also reported that on one occasion when she refused to return to her husband after she had sought refuge with her mother, he threatened to assault her (Xoliswa interview 1:17). Although all the women, with the exception of Sylvie, reported that they were fearful of the husbands, there is no evidence that fear of reprisals was a significant reason why the women remained in their abusive relationships.

Siphokazi reported the highest level of fear in her relationship. During her first interview she was hyper-vigilant, and startled easily when a door slammed or a car pulled up outside the offices where the interview took place. For a few weeks after the abusive episode, during which her husband had abducted her and threatened to kill her, she was petrified that he would track her down and kill her. Thus she was extremely cautious about her movements. She would leave home at first light in the morning to come to work because she believed her husband would be less likely to be driving around in his car at this early hour. She stayed inside at home after work to maximise her safety. Her acute feelings of terror subsided when she found a safe place to live, and when his threats towards her diminished. But she remained wary of him even after she divorced him and had procured an interdict against him.

There was some evidence that Siphokazi's fear of violence influenced her behaviour in the course of her relationship. She reported that she complied with her husband's wishes because she was terrified of

reprisals: “If I don’t want to do something with him I just say yes because of I’m scared” (Siphokazi interview 1:7). However, although she was deeply traumatised by the abuse, and displayed several acute symptoms of post-traumatic stress disorder, including hyper-vigilance, intrusive thoughts, psychosomatic complaints and suicidal ideas, there was no evidence of traumatic bonding. Of all the participants, Siphokazi was the least emotionally invested in her relationship with her husband. She reported no anguish at the loss of the relationship, and little regret at the fact that it had ended. She was clear from the outset of the study that she wanted nothing more to do with him.

Siphokazi’s case highlights that whilst fear may be a basis for compliance in the abusive relationship, it is not the basis for an emotional attachment to the abusive partner. The findings of this study concurred with the assertion that abusive partners use threats of violence to exert control over their victims (Kelly 1993), and that battered women fear violent reprisals (Walker 1979). However, there is no evidence from this research that fear is the basis of the emotional attachment in abusive relationships. If anything the findings of this study suggest that the Siphokazi, and several other participants were motivated by fear of violent reprisal to put physical and emotional distance between themselves and their partners (see section 5.3.2, chapter 5; and section 6.3.4, chapter 6). Fear of violence played no part in their motivation to remain in their abusive relationships, or in their longing for greater closeness or connectedness with their husbands.

4.4.3. Feelings of anger

Whilst the domestic violence literature pays an inordinate amount of attention to the terror which battered women experience (Walker 1979; Graham et al 1988; Dutton 1995), there is little systematic attention in the literature to the battered woman’s feelings of anger. This may be due to the fact that often battered women themselves often don’t acknowledge, or speak directly about their own feelings of rage. The dominant view on rage in the domestic violence literature that in the main, battered women tend to deny or repress strong feelings of anger and rage in order to avoid violent reprisals from their husbands (See Walker 1979; Hilberman 1980; Graham et al 1988; Dutton 1985).

The findings in this study suggest that deep feelings of anger and rage were very common amongst the participants. Some of the women labelled their feelings of anger directly, others expressed it indirectly through their tone of voice and the language they used to talk about their husbands. Christelle quite openly acknowledged the fact that she was furious with her ex-husband for leaving the marriage; and particularly for having a relationship with her cousin behind her back. She spoke of vengeful feelings and fantasies. She said: “You know he actually had a steady girlfriend in my marriage, driving past me with her, introducing her to my family, how must I feel?... and that’s why I took my revenge (*by getting divorced*), I couldn’t take it anymore” (Christelle interview 1:8). Lindiwe spoke several times of “being fed up with her husband”(Lindiwe interview 1:3,4,5,15; interview 2:2). Xoliswa spoke in a strident, tearful voice of feeling “fed up” (Xoliswa interview 1:5) and “angry (Xoliswa interview 1:2) with her husband. And although Sylvie didn’t label her feelings of anger and disappointment directly, they were evident in the emotional tenor of her interview. She described her husband as “very rude” (Sylvie interview 1:4), and commented on the fact that he had left for another town as “a good riddance” (Sylvie interview 1:3). She was derisive of him, and mocked the way that he begged her to forgive him for assaulting her.

Moreover, the data suggests that at times the participants expressed their anger directly to their husbands, despite the fact that their husbands responded aggressively (see section 4.3.2. above). Aside from Siphokazi who sometimes complied with her husband and suppressed her feelings because she was afraid of her husband’s violence, there was little evidence of this pattern amongst the rest of the participants. Thus the study found that the argument that battered women repress feelings of anger to avoid violence did not apply on the whole to the participants of this study. However, there was strong evidence that the participants feared their own anger although they expressed it directly and indirectly.

Sanette described her response to the abuse she suffered as follows:

“I was scared too, because I know myself I can get cross too, make no mistake, and I’m scared that I will do something, because there’s many times, many, many times that I prayed ‘please God, just tie my hands when he’s drunk.’ because I just felt like killing him, really, really I felt like murdering him, and I prayed, I prayed ‘please God tie my hands because I don’t want to stand in front of you with blood on my hands...When I saw him coming in drunk I’m so cross, really I’m so cross, felt like killing him and at that time... I .. I know that it’s no use fighting with a drunk person, but just to get relief of your feelings inside. I really, really thought about it, I feel ashamed but it’s the truth. I sometimes just felt like putting a pillow over his face” (Sanette interview 1:5).

Sanette felt overwhelmed by her feelings of murderous rage. They terrified her, and she felt genuinely out of control and helpless in the face of these powerful emotions. They paralysed her and left her feeling impotent and trapped. Commenting on her decision to evict her husband from her home she said “I don’t want to live with that again, really, that’s why I want to get rid of him. And there’s better ways, I’ve just realised that there is another way than just murder” (Sanette interview 1:5). The implication of her words is that when she was in the grip of her feelings of rage, she was unable to separate out the fantasy of wanting to kill him, from her desire to be rid of him. She unconsciously invested all her wishes to be free of her husband with her murderous feelings.

The evidence in the study suggests that the battered woman’s numbness and learned helplessness (Walker1979;Hilberman 1980; Graham et al 1988; Dutton 1995) could be ascribed to a paralysis which emanates from her terror of her own rage, rather than from her terror of husbands’ violence towards her. Because both battered women and abusive men are poorly psychologically differentiated (Celani 1994:66) the feelings pass fluidly between them, and it is sometimes difficult to distinguish what feeling belongs to whom, does the woman fear her husband’s rage or her own or both? A segment of

Siphokazi's interview revealed how her terror of her own anger became implicated in her fear of her husband's rage and violence.

Unlike Sanette who articulated her fear of anger directly in the interview, Siphokazi expressed her's obliquely. She never mentioned the word "anger" in her interviews, except by an oblique reference to a cultural injunction that women "are not allowed to feel their feelings" (Siphokazi interview 1:4). She was furious that her husband was having an affair and was sleeping with the woman in her bed, and she told him so: "Please if you still love this cherry, I didn't say leave this cherry, but what I hate is don't sleep in my bedroom with this cherry, you must sleep outside better as you used to" (Siphokazi interview 1:5). She expressed concern that this woman may have AIDS; but also articulated a genuine terror that the woman may bewitch her. She told me: "It is dangerous to use the same bedroom... Maybe she can put something in my bedroom and I will get a swollen leg or a swollen neck" (Siphokazi interview 1:5)

I don't know whether swelling has particular meaning in Xhosa cosmology. However I find it significant that Siphokazi's own mother died of "a Xhosa sickness when her whole face was swollen" (Siphokazi interview 1:9). After her mother's death, her father abandoned the children and went off to live with another woman. Thus for Siphokazi, swelling is associated with the death of her mother, and with feelings of loss and abandonment, which are accompanied by overwhelming feelings of helplessness and rage. Her husband's betrayal of her evoked her father's earlier betrayal of the family, and the pain of her mother's death. This connected with her feelings of rage towards her husband, and towards his lover, and she felt these feelings to be dangerous, even lethal. She may swell up and die like her mother did. She felt hatred and rage towards her husband and his lover, but she projected these feelings outward; believing that it was her husband's lover who hates her and malevolently wishes bad things on her. Her cultural belief in witchcraft dictated the form which this projection took.

The interview data suggests that Siphokazi feared bewitchment even more than she feared violent reprisal from her husband. Her own strong feelings of rage, and of fear of abandonment, fed into her terror of her husband's violence. Thus, during the first interview when she was still grappling with her

feelings of rage and loss, albeit it unconsciously, her terror of her husband's death threats were most acute. By the time of her third interview, these strong overwhelming feelings of rage and abandonment had subsided. She was still wary of her husband, but was not petrified of him, his threats that he would shoot her if he saw her with another man. Thus the findings of this study suggest that the fear of violent reprisal, may be overdetermined by the terror of unconscious, disowned feelings of rage and loss.

Herman (1992:189) argues that feelings of murderous rage and fantasies of revenge are common responses in victims of trauma and atrocity, in whose number she includes battered women. She argues that these feelings often arise from extreme helplessness.

“In her humiliated fury, the victim imagines that revenge is the only way to restore her own sense of power. She may also imagine that it is the only way to force the perpetrator to acknowledge the harm he has done to her. Though the traumatised person imagines that revenge will bring relief, repetitive revenge fantasies actually increase her torment...They exacerbate the victims feelings of horror. They make her feel like a monster” (Herman 1992: 189)

Anger and outrage are appropriate, healthy responses to ill- treatment and abuse. Bass and Davis (1988) encourage adult survivors of sexual abuse to view their anger not as a destructive force, but as the backbone of the healing process. They argue that “anger doesn't have to be suppressed or destructive. Instead it can be both a healthy response to violation, and a transformative, powerful energy.” (Bass and Davis 1988:123). The data from this study suggests that for the most part, the participants feared their own feelings of rage, loss and abandonment. They perceived these feelings to be uncontrollable and destructive. They felt that their anger was evidence of their own inner badness. Their fear of their destructive anger paralysed the women and locked them into their abusive relationships. They tried to erect a set of psychological defences which enabled them to ward off feelings of rage and loss at all costs. These defences helped the participants to feel less monstrous, but they also served to preserve their paradoxical relationships with their husbands.

4.4.4. Splitting

There is ample evidence that the splitting defence described by Celani (1994) was utilised to varying degrees by all the participants in this study. Celani argued that in order to preserve their attachment to their abusive partners, battered women relate to their abusers alternately from the position of the ‘hopeful self’, in which the partner is seen as the exciting object who will gratify the need for love and care; or else from the position of the ‘abused self’ where the husband is seen as the rejecting object (Celani 1994). The nature of splitting is that these selves are kept separate, and the husband is perceived as either loving or abusive. Thus, the battered woman cannot integrate her feelings of both love and hate, and she cannot integrate her image of her husband as sometimes loving, but more often uncaring, rejecting and abusive (see section 2.8., chapter 2).

Christelle’s interviews were marked by feelings of rage and disappointment. Her descriptions of her husband were of a man who had no good qualities. He was completely uncaring, rejecting and hurtful. Similarly, she represented other people in her environment, her family in particular, as uncaring and unhelpful. This despite the fact that in reality her parents helped her a lot with childcare. Her world view was coloured by her feelings of rage, loss and despair. Yet, she described how she had “really tried to save her marriage” (Christelle interview 1:1). When she was trying to save her marriage, she must have been motivated by feelings of hope and love, which were split off and inaccessible during her interviews.

Sylvie and her husband were separated at the time of her first interview. She furious with him and spoke of him in a derisive, mocking tone. When I told her that I would reinterview her some months later, she assured me that I didn’t have to bother as nothing would change. In fact, by the second interview, she and her husband had reconciled. Her feelings of intense anger had given way to feelings of pity for her husband, and hope that things would be okay between them. She spoke quite fondly of him and assured me that “he is really trying” (Sylvie interview 2:1). When I asked what happened to her feelings of anger she was rather taken aback. For a moment she couldn’t remember having felt angry with her husband. She soon recovered and told me that she “wasn’t angry like before” (Sylvie interview 2:3). In

her first interview she had been speaking from the vantage point of her abused self. By the second interview her hopeful self was in ascendance.

Zola made repeated references to how good her husband was when he wasn't drunk, how he helped her with the children, how he was caring towards her. Despite the fact that she was able to give a detailed account of the horrific abuse she suffered and to acknowledge the pain she had endured, she related her story without a hint of anger or rage, and she retained an idealised image of her husband as "basically good". In her case the splitting defence followed the pattern of the cycle of violence. After the abusive incident she would feel hurt and angry, but this would give way to feelings of hope and love when she and her husband reconciled.

Xoliswa's interviews were characterised by her ambivalence towards her husband. She was separated from her husband at the time of the first interview, but was reconciled with him at the second interview. The two sides of the split were revealed in the course of both interviews. She moved from being angry and indignant and despairing, to feeling wistful and loving in the course of the single interview period; and her voice would change from being strident and tearful to being soft and wistful. She retained her hope that her husband would communicate with her and would be loving and caring, despite the evidence that her husband is more likely to assault her, than to talk to her and resolve problems.

Xoliswa clung to the fantasy that someone "can talk to him and make him come right. I want him to trust me, I'm dying for him to trust me" (Xoliswa interview 1:15). There was some data in Xoliswa's interviews which indicated that this hope, and need for the relationship to work was probably grounded in earlier emotional deprivation. Xoliswa's father was an alcoholic man who had behaved abusively to his wife and children and had ultimately abandoned them. When she married her husband, he was drinking heavily. Thus from the outset of her marriage she was recapitulating her own family history, and her own attachment to bad objects. Although her husband has managed to stop drinking, his capacity for reciprocity and mutuality is severely limited. He was quick to anger, had poor problem solving capacities, was excessively sexually jealous and impulsive. More often than not behaved in deeply

hurtful and rejecting ways towards her. Nonetheless Xoliswa retained the persistent hope that things would improve between them. Although she seemed to be aware from time to time during the interview that he may not change, she made repeated references to the fact that she may end up divorcing him, she was unable to relinquish her hope that things will come right.

Lindiwe's case is similar to Xoliswa's, she too wished that her hopelessly alcoholic husband will come right, despite all evidence that he was unlikely to do so. She too operated in terms of the splitting defence, hoping against hope that things will change, and keeping at bay not only evidence to the contrary, but also her own feelings of rage, loss and disappointment. Like Xoliswa she was caught between deeply ambivalent feelings towards her husband. She kept repeating that she'd had enough of him, and that she wanted him out of her house and her life. But she was unconsciously propelled to follow her feelings of hope and love. She retained some optimism that there may be a solution to her problem, and that her husband may come right and listen to her. She split off her feelings of rage. Although she spoke of feeling "fed up", there was no immediate sense of her anger in the course of our interviews. Thus she maintained her attachment to her abusive husband.

The evidence from the study suggests that the splitting defence was instrumental in maintaining the participants' paradoxical attachments to their abusive partners. The data suggests that participants were only able to free themselves from the traps of abusive relationships and assert their own rights when they were able to reflect realistically on their hope that their husbands will change, and to recognise that this was unlikely. Sanette realised that "you can't make ashes burn again" (Sanette interview 1:11). She was able to give up her attachment to exciting object aspects of her husband. Similarly, Siphokazi was able to see that her relationship with her husband was harmful to her and if she stayed with him she risked being killed. She had to give up her fantasy that she and her husband could resume the type of relationship they had during their courtship when they used to pleasurable spend weekends together, but didn't live together on a day to day basis. She had to give up the "exciting object" dimensions of her relationship in order to free herself.

When the participants were unable to give up their attachment to their bad object, they were crucified on the cross of their own love. They were caught in a hopeless paradox, in which their feelings of love and hope were experienced as separate from their feelings of rage and shame which were seen as “deadness” or “harshness” (Christelle interview 1:15). Their unrealistic hope fed off their repressed rage and vice versa. Hope and rage are different sides of the same coin. When the split is not resolved, love is futile. Xoliswa expressed this when she said “I do care for him, I love him... I do like him, love him, love him really but now I can see this love of mine is going to end up being nothing” (Xoliswa interview 1:9).

4.4.5. The moral defence

The findings of this study show that, with the exception of Siphokazi, the women in the sample all experienced strong feelings of pity and care towards their husbands. In addition many of them felt guilty about their husband's behaviour, and responsible for it. For the most part the women seemed to regard their husbands as fragile or pitiful. Only Siphokazi, who perceived her husband as psychopathically manipulative and controlling, did not share these feelings. The findings of this study suggest that feelings of pity and care which the women displayed reveal the operation of the moral defence described by Fairbairn (1952 - see section 2.5, chapter 2).

The moral defence is a psychological defence mechanism which is constructed to defend against internal bad objects. It is based on faulty reasoning. The battered woman wrongly believes that she is being abused because she is in some ways deficient or blameworthy. In other words she has taken the burden of badness onto herself. She also reasons that if she can live up to some ideal of perfection, which is based on an idealised internal object, she will overcome her badness. She therefore strives for perfection, to be beyond reproach, so that she can be worthy of love and respect. Several women in this study strove to be perfectly caring and forgiving towards their husbands. Sanette's, Sylvie's and Lindiwe's cases exemplify this dynamic. Their attitudes of pity and care locked them into their abusive relationships.

Sanette described her decision to remain in her relationship with her husband as long as she did as follows "I really felt sorry for him and for three years I worked on my own and I supported him and three kids... and I never had the heart to say listen, go I don't want you anymore."(Sanette interview 1: 2-3). She genuinely believed that she was to blame for her husband's alcoholism: "I felt as if it was my fault and every time he drinks and things, I feel guilty, I feel what did I do wrong this time" (Sanette interview 1:3). She felt deeply responsible for her husband, and believed that it was her job to ensure that "he eats, that he is still healthy, that he's clean, he's got food"(Sanette interview 1: 9). Even after she had decided that she wanted to separate from him, and take care of herself for a change, she battled

with her feelings that it was her responsibility to care for her husband. She said: “I didn’t want to hurt him...because I’m not so hard that I can’t think of how he will feel, how he will... where will he go to?”(Sanette interview 1:12 -13).

Sanette was locked into her abusive relationship with her husband by her own internalised injunction to be caring towards him. When she was unable to meet her own impossibly high standards, which demanded that she care for him and remain in the relationship even though she didn’t want to, she felt guilty. She felt as though she was behaving in a “hard”, destructive way towards her husband. As such she strove to be even more caring in order to overcome her perceived destructiveness towards him. She was therefore locked into a monotonous cycle of trying to overcome her own harshness, or her own inner badness. It was harder for her to give up her belief that she had to be perfectly caring towards her husband, than it was for her to give up her hope that her relationship with him would work, and that he would be loving and caring towards her.

Sylvie described her decision to take her husband back as follows: “I was feeling sorry for him because he was so thin, even the clothes I bought for him, some of them were ragged, I think I felt sorry for him, not that I love him” (Sylvie interview 2:1); “I think I took him back because I could see that he can’t do anything without me, he was at the stage that he can even hang himself, because he was so miserable, the way he was crying” (Sylvie interview 2: 2). Her anger and rage in the first interview gave way to an attitude of care and concern in the second.

Sylvie’s case exemplifies the way in which the attitude of pity and care operates as a defence against unwanted feelings of rage. Sylvie’s concern that her husband’s clothes are ragged and worn, and that he was at the point of suicide betrays a possible concern that she caused this damage by her own failure to care for him adequately. She perceived his ragged, worn clothing as evidence of her failure to care for him. At an unconscious level she felt that her anger had driven him to the brink of suicide. In Christelle’s words feelings of anger are tantamount to “deadness, harshness, and absence of care” (Christelle interview 1:15).

Lindiwe described how her husband was extremely abusive and exploitative in relation to her. He drank excessively, he squandered her money and resources, he womanised, he damaged her house, he sold her possessions for liquor, he beat her and even stabbed her. Despite all this she continued to support him. "I even feel sorry for him, if he needs something I give it to him. If he asks for bus fare I give it to him....I feel sorry for him, maybe he's got nothing like that so I give it to him, even food..." (Lindiwe interview 1:12). Lindiwe felt deeply responsible for her husband's well being. She expressed anxiety that she would be blamed or harshly judged if something bad happened to him. Her anxiety was not helped by the fact that because her husband was often blind drunk and unable to care for himself, he was particularly vulnerable to accidents and assaults.

Lindiwe really believed that she was responsible for looking after her husband and for seeing that he didn't hurt himself, that he had enough to eat, that he had clothes to wear. At heart she believed that his behaviour was as a result of her own deficiencies and limitations. She took on the onus of mothering her husband, and was concerned that she should not be found to be lacking in this sphere, particularly not by his mother. Speaking of her anxiety about how his mother may judge her if any misfortune befell her husband she said "maybe if he is stabbed, maybe she'll think that it's my boyfriend who stabbed him, you see, I don't look after him" (Lindiwe interview1:13).

Like Sanette, Lindiwe imposed impossible standards on herself in her relationship with her husband. In the interview she projects this harsh internal judgement of herself onto her mother-in-law, who represents an internalised ideal object of self-sacrifice and care.

Lindiwe's persistent feelings of pity, coupled with her heroic attempts to bestow love and care on her rejecting husband suggest she was doing battle with her own internalised bad objects. Her reference to the fact that she may be blamed if her husband is stabbed, suggests that at an unconscious level Lindiwe may feel murderously angry towards her husband. Like both Sylvie and Sanette, her repeated attempts to care for her husband, and to reform him, may be a reflection of her own attempts to overcome her destructive rage and despair. She embraced an heroic standard of care in order to conquer her feelings of rage. She was caught in a vicious cycle, the more she tried to overcome her feelings of anger, and to

embrace her ideal of care and pity, the more angry and despairing she became, and the more she needed to repair the perceived damage caused by her rage, and to bolster her defence against her inner badness.

Fairbairn describes this cycle of shame as follows:

“To say that the child takes upon himself the burden of badness is the same thing as to say he internalises bad objects. The sense of outer security that resulting from this process of internalisation is, however, liable to be seriously compromised by the presence within him of internalised bad objects. Outer security is thus purchased at the price of inner insecurity; and his ego is henceforth left at the mercy of internal fifth columnists or persecutors, against which defences have to be first hastily erected, and later labouriously consolidated” (Fairbairn 1952:65)

Sanette was ultimately able to take some reflective distance from this cycle of shame. She was able to admit to her murderous feelings, and to acknowledge the futility of her hope that her husband will come right. She consciously decided to begin to look after herself. By contrast, Lindiwe was caught in the grip of her attachment to her bad object. She was not able to give up her unrealistic hope that her husband will change, and she did not seem aware of the depth of her own anger. When her anger surfaced she tried to defend against it by being even more caring. As such she was hopelessly locked into her futile relationship with her husband, and could not look after her own needs and rights.

4.5. Gender ideology and attachment

4.5.1. Idealised images of femininity

The findings of this study suggest that as much as the men behaved in rigidly patriarchal ways (see section 4.3.2. above), the women themselves identified with rigid patriarchal ideologies which define femininity. Despite the fact that several women in the study complained bitterly of their husbands' sexism, the data suggests that they responded to the abuse they suffered in ways that are consonant with patriarchal ideologies associated with the ideal of feminine gender identity. The study revealed that the participants identified with three main images of femininity identity.

The first of these is the ideal of female stoicism. In this study it took a particular cultural form amongst the Xhosa speaking women who referred to their attempts to *ukunyamezela*, or stoically endure the abuse they received. A formerly battered woman who now works in a voluntary capacity as a counsellor and educator at FAMSA explained the term to me as follows: "even if a person is doing something you don't like you have to keep quiet, even if it's painful, you don't have to express your feelings about it" (Focus group 15th September 1999). The virtue of stoically accepting pain and discomfort without complaint is not gender specific in Xhosa culture. It is for example common to hear young Xhosa initiates use the term *ukunyamezela* to describe their ability to withstand the pain of circumcision. What emerged from this study however, is that within the patriarchal context of marriage, the woman's ability to withstand hardship without complaint is a highly valued ideal to which she is trained to aspire.

Siphokazi described her initial acceptance of her husband's maltreatment of her as follows:

"We accept those things, we are married. We are married we must accept those things, there is no other way, you can't go. You can't feel your feelings, you can't do what your feelings want to do... My parents told me I must nyamezela, because things will happen like this things he was doing (Siphokazi interview 1: 4), "Even if I don't love him I must pretend I have feelings for him" (Siphokazi interview

1:12). She was thus instructed to ignore her own feelings and wishes, and to comply with her husband's treatment of her.

The social workers working for FAMSA, explicitly linked the concept of *ukunyamezela* to the power inequalities in gender relations in Xhosa culture. They argued that women are expected to tolerate without complaint behaviour from their husbands that no self-respecting man would accept from his wife. (Focus group 15th September 1999). They shared their perceptions of how the value of *ukunyamezela* is formally transmitted to women in the Xhosa wedding ceremony. They described how the young bride is covered with a blanket to symbolise that the problems in her household should not be uncovered for public view. They argued moreover the young woman is schooled in the value of submission during the time that she serves her mother-in-law as a young *makoti* (Focus group 15th September 1999). Thus to be able to *ukunyamezela*, to tolerate with fortitude and stoicism the discomforts of marriage, is to accept the mantle of womanhood which is passed from generation to generation. The women in this study received clear messages that they should *nyamezela* from social workers, family members, friends, and church people (see section 5.4, chapter 5).

Although *ukunyamezela* was seen by the Xhosa speaking participants in the study as a uniquely Xhosa cultural attribute, the study reveals that the gender ideal of stoicism and fortitude operates across cultures. The participant who seemed to most successfully embody the value of *nyamezela* in this research was Sanette, the only white interviewee. Sanette managed to keep her abuse deeply hidden from view, even her family didn't know that her husband was assaulting her. She literally kept the silence and discretion which Xhosa culture demands of women. She rationalised her decision to remain in her abusive relationship by thinking "if I can't cope with it I'm weak." (Sanette interview 1:4), "I always thought I'm strong, I'll handle it" (Sanette interview 1:8). She imposed unrealistically high expectations of her capacity to cope onto herself, and when she fell short of these expectations she berated herself and blamed herself for not being sufficiently strong or stoical.

The second image of femininity which had wide currency amongst the women in the sample was the ideal that women should be soft-hearted, loving and caring towards their husbands. The focus group with the FAMSA social workers and volunteers highlighted that Xhosa women receive the message that it is the woman's job to build the home. Women are responsible for building relationships in their household and for keeping these relationships in-tact. (Focus group 15th September 1999) It is the woman's job to be caring and loving. Lindiwe's assertion that "men don't care, but women she's got a feeling that she must *nyamezela*" (Lindiwe interview 1:12) attests to this. To *nyamezela* is to remain loving and caring, to retain that "last little bit of love" (Xoliswa interview 1:18). Yet again, this value of feminine "softness" or "soft-heartedness" was universal and was not restricted to the Xhosa speaking women. All the women in this study saw themselves as "soft". They contrasted "a woman's softness" with a male attitude of stubbornness and lack of care (Sylvie interview 2:3). They rationalised the pity which they felt towards their husbands, and the maternal care which they bestowed on them in terms of this attribute of soft-heartedness.

The final image of femininity which emerged in this study is best framed in terms of the 19th century ideal of the "moral mother". Chodorow (1989:90) describes how in the 19th century 'the bourgeois mother received moral training and guidance to improve her motherly performance, guidance that, if followed, would lead her children and the world to moral perfection'. The women in this study espoused the idea that they were responsible not only for their husband's physical well-being, but for his moral well-being as well. The zealous attempts by Lindiwe in particular, but to a lesser extent, by Sanette, Sylvie and Zola to reform their husbands, to make them come right, can be understood in this light.

The burden of blame for the husband's shortcomings, and for problems in relationships, falls on the woman. The data from this study suggests that in the cultural context of African society, this 19th century patriarchal ideology is given a sinister twist, as women run the risk of being accused of bewitching their husbands (Sylvie interview 1). Lindiwe's fears that she would be blamed for orchestrating her husband's murder become explicable in terms of the way in which the ideology of the moral mother intersects with the particular cultural context of her community. She saw herself as responsible for her

husband's physical and moral well-being, and for the problems in their relationship. She was fearful that she would be found to be lacking in this sphere and would be accused of bewitching her husband or of orchestrating his downfall.

4.5.2. The intersection of patriarchal ideology and psychological defences

An examination of the interview data revealed that the sexist behaviour of the husbands in this study reinforced the women's ideas that they should behave in feminine ways, and should espouse the ideals of femininity. Sylvie and Lindiwe's husbands came and went as they wanted and always expected them to be available to feed, clothe and shelter him when they returned. All the husbands demanded respect no matter how abusively and disrespectfully they treated their wives. As such the interactive dynamics of these patriarchal relationships reinforced patterns of compliance with rigid ideological formulations of feminine gender identity. But this alone does not explain why the women espoused these ideals in the ways in which they did, and the individual differences which were visible in this small sample in terms of the degree to which these gender ideals were embraced.

The data in this study suggests that the participants were not all bound to the same degree by all the ideals of femininity. Siphokazi, for example, dismissed the advice from a social worker that she should *nyamezela* as: "she advise me shit"(Siphokazi interview 2:6), and Sylvie said: "I am not one to *nyamezela*" (Sylvie interview 1: 3). By contrast Lindiwe saw her inability to *nyamezela* as a failing. She said: "I've tried to *nyamezela, nyamezela, nyamezela*, but I can't anymore, it's too much for me" (Lindiwe interview 1:12). Sanette had to make a conscious decision that she didn't have to be strong all the time, and that she should heed her body's message that she was no longer able to bear the stress imposed on her by remaining in the abusive relationship. She said: "I always thought I'm strong, I'll handle it. You know, my body showed me my mind is strong, but my body is not so strong" (Sanette interview 1:8).

The feminine ideal of being “soft-hearted and caring” seemed to have the greatest power amongst the women in this sample in terms of keeping them locked into their relationships. With the exception of Siphokazi, who was the least emotionally attached to her husband, all the women in the sample, to some degree, espoused the idea that they should be caring, loving and sympathetic to their husbands. The findings of this research upheld the assertion that “ by remaining in abusive relationships battered women affirm the feminine ideal of holding connections together, caring for and healing another, no matter what the cost to the self” (Goldner et al 1990:357). The data suggests that the feminine ideal of softness was associated with goodness; by contrast the absence of care was seen as harsh and bad. The findings suggest that the women tried to care and hold relationships together in order to overcome the harsh, punitive, rejecting aspects of themselves, which they perceived to be evidenced by their anger and rage. In this sense the feminine ideals described in section 4.5.1. inter-leaf with the psychological defences described in 4.4.4 and 4.4.5.

The injunction that women should *nyamezela* reinforces the splitting defence. Siphokazi’s explanation that “women are not allowed to feel their feelings”(Siphokazi interview 1:4) epitomises the operation of splitting. Positive, loving feelings are permitted, whereas feelings of anger, hurt and disappointment must be suppressed and ignored. Similarly the belief held by the women that they should be loving and caring and solicitous towards their husbands, meant that they were not allowed to feel anger or hatred or anything that could potentially destroy the relationship. These ideological representations resonated with the women because they were engaged in their own battles with introjected bad objects.

More importantly however, these gender ideals functioned to reinforce the moral defence. The ideal of the self-sacrificing mother functions as a powerful idealised internal good object. By espousing the ideal of self-sacrifice the women felt that they were able to overcome internal badness. Thus they all strove, albeit to varying degrees to be soft and caring in their interactions with their husbands. As Goldner et al (1990) suggest, they derived their sense of self-worth from their ability to care for others, no matter what the cost to themselves. When their capacity to care was tried to the limit by their husbands’ abuse, they

felt themselves to be deficient or destructive, and they tried even harder to *nyamezela*, or to reform their husbands to make them come right.

Thus the findings of this study demonstrate a point of intersection between social and political external reality, and internal psychological dynamics. Because of the patterns of identification which structure feminine gender identity, women are particularly vulnerable to the paradoxical patterns of attachment in the abusive relationship. Women's attempts to defend against internal bad objects by means of splitting and the moral defence inter-leaf with rigid prescriptions of femininity which abound in patriarchal societies. By the same token the moral defence and splitting enable patriarchal ideology to operate so effectively and persuasively even when the material conditions of gender inequality are diminished or obliterated.

4.6. Conclusion

In this chapter I demonstrated that the abuse endured by all the women in the sample was serious. I showed that despite the fact that the women all suffered serious abuse, they all demonstrated, in varying degrees, an emotional attachment to their husbands. I argued that neither financial need, nor fear of violent reprisal formed a basis for this attachment. I suggested that the research data points to the fact that the women all had deep feelings of anger and rage towards their husbands. I showed that the psychological defences of splitting and the moral defence enabled the participants to ward off these angry feelings and also formed the basis of their paradoxical attachment to their abusive partners. I showed how the women explained their behaviours towards their husbands in terms of patriarchally informed images of femininity. I conclude that specific patterns of identification whereby female gender identity is forged, give form to the operation of splitting and the moral defence amongst battered women, and conversely that the idealised images of femininity hold sway because they intersect with powerful defences against bad objects.

CHAPTER 5
FINDINGS ON HELP-SEEKING STRATEGIES
AND INTERACTIONS WITH NON-LEGAL RESOURCES

5.1 Introduction

In this chapter I discuss the ways in which the patterns of attachment in the abusive relationships, as described in chapter 4 above, structured the way in which the women in the sample sought help from non-legal resources. The data shows that the women in this study sought help from a wide range of informal, semi-formal and formal resources aside from the law. The findings also suggest that they had varying motivations for seeking help, and they were not necessarily trying to elicit protection from abuse when they approached others for help.

5.2. A review of the participants' help-seeking behaviours

5.2.1. Help-seeking strategies

Because the dominant domestic violence literature is dominated by the idea that the battered woman's relationship with her abusive husband is based on fear, trauma and compliance, the common, unspoken assumption in the literature is that battered women seek help primarily to get protection from assault. The findings of this study indicate clearly that all the participants wanted the abuse to stop and they sought help to this end. A sample of the interview data indicates the women's desires for an end to abuse: "He threatens me, so there's no life, I can't live like this" (Siphokazi interview 1:1). "I don't want to be beaten, I don't like to be beaten and what's worse, you mustn't beat my children" (Zola interview 1:9). "I wanted him (*the police social worker*) to tell him (*her husband*) to stop threatening me" (Christelle interview 1:10). "I don't want him to assault me" (Xoliswa interview 1:2). "I don't like someone to hit me" (Sylvie interview 1:7). "I'm just fed up now of his things (abusive behaviour). Otherwise next time he's going to kill me"

(Lindiwe interview 1:5). “I had years of suffering... I don’t want to live like that again” (Sanette interview 1:5).

However the research data shows that the women did not only seek help because they wanted protection from abuse. The only help-seeking behaviour which unequivocally reflected the participants’ desire for protection from abuse was the strategy of taking refuge with family or friends. A careful analysis of the research findings suggests that often the women had goals other than protection in mind when they approached people for help.

Several women confided in others in order to get relief from overwhelming feelings. Siphokazi put it this way “if I’ve got something itching me, I’m used to talk because I don’t want to keep this thing to make me unhappy” (Siphokazi interview 1:10). When the women confided in others they did not necessarily want others to intervene and rescue them from abuse, or to advise them on how to get protection from abuse. Xoliswa described how she responded to unwanted advice that she should lay charges against her husband: “I didn’t want to have him arrested, I just wanted him not to assault me”(Xoliswa interview 1:10).

Many of the participants also enlisted the help of others to witness what their husbands were doing. This help seeking strategy is quite different from the strategy of confiding in others, as the objective is not simply to ventilate uncomfortable feelings or to garner emotional support. Rather the aim of this strategy is to get others to acknowledge that the husband is behaving abusively and to affirm this. Lindiwe said that she wanted other people “to see what he is doing” (Lindiwe interview 1:13). Sylvie said “I want people, at least older people to see. I want witnesses” (Sylvie interview 2:3).

In addition the women called other people in to talk to their husbands. Sometimes the purpose of this “talking to” was to ensure that the assaults stop. Xoliswa said “I wanted him just not to assault me, if I do something wrong he must talk to me and tell me, not hit me” (Xoliswa interview 1:6).

In this sense help-seeking was motivated by an attempt to get protection. But the strategy of talking to husbands was also geared towards making husbands change and to “make him come right”(Lindiwe interview 1:3). For Lindiwe and Zola, this involved persuading their husbands that they should no longer drink. For Xoliswa it involved the hope that someone could talk to him to “make him come right ... so that there can be communication in our house”(Xoliswa interview 1:7).

Christelle enlisted the help of several people to talk to her husband in order to “try to save her marriage” (Christelle interview 1:1). When it was clear that her husband was having an affair she divorced him. At this stage he became extremely abusive and threatened to kill her and her child. She approached his station commander and the police social worker to talk to him and to tell him to stop threatening her. It is significant that she deployed the same basic strategy of getting others to talk to him.

Several the participants spoke of “wanting advice”. Sometimes, as in Zola’s case, they wanted advice about what they could do to prevent their husbands from assaulting them. At other times they wanted advice on how to reform their husbands and make them come right. Lindiwe asked for advice from a range of people and institutions. She was eager to get any information as to how to “solve her problem” (Lindiwe interview 1:13). A close reading of the interview data suggests that in the main Lindiwe was seeking advice on how to make her husband “listen to her” (Lindiwe interview1: 12; 13). She believed that if her husband would listen to her and accept her care, things would improve between them. Sylvie sought advice as to whether or not to take her husband back. Although she professed that she wanted to be rid of him, the evidence from the second interview, that she finally took him back reveals that she was deeply ambivalent about separating and actually wanted to preserve the relationship. Xoliswa sought advice about how to get her husband to stop hitting her and start communicating with her.

Table seven below shows the help-seeking strategies utilised by each of the participants in this study:

Table seven
Help-seeking strategies used by each participant

Participant	Strategy used
Siphokazi	Confiding; seeking refuge; getting others to talk to her husband; advice.
Xoliswa	Confiding; seeking refuge; getting others to talk to her husband; advice.
Sylvie	Confiding; calling others to witness; getting others to talk to he husband; advice.
Christelle	Confiding; getting others to talk to her husband
Lindiwe	Confiding; seeking refuge; calling others to witness; getting others to talk to her husband; advice.
Sanette	Confiding
Zola	Confiding; seeking refuge; getting others to talk to her husband.

The data on table seven shows that with the exception of Sanette, the women all used a wide range of helping strategies. The strategy of confiding was used by all the women in this study, and indicates the extent of their need for emotional support from others. The next most widely used strategy was that of getting other people to talk to their husbands (see section 5.3.4). This strategy was used by all the participants except Sanette. Four women sought refuge with family and friends. The data shows that for the most part they sought refuge for a few days at a time, though Xoliswa reported that she had once stayed for several weeks with her mother. Four women used the strategy of asking others for advice, and two women, Sylvie and Lindiwe deployed the seemingly unusual strategy of getting other people to witness what their husbands were doing.

5.2.2. Resources approached for help

A common perception in the early domestic violence literature was that battered women keep their abuse hidden from the outside world, as suggested by Erin Pizzey’s evocative title Scream softly so the neighbours won’t hear (Pizzey 1978). The literature now acknowledges that in many cases women in abusive relationships share their stories with a range of people and institutions in an effort to get help (Ellis and Wright 1997; Hoff 1990). The findings of this study show that with the exception of Sanette, the women in the sample approached a surprisingly wide array of resources for assistance. Table eight below shows the resources approached by each woman.

Table eight
The resources approached for help

Participant	Resources approached for help
Siphokazi	her family, friends, colleagues, her employer, his mother, formal family meeting; social worker; FAMSA
Xoliswa	Her family; colleagues; her employer; her medical doctor; his mother; formal meeting of both families
Sylvie	Colleagues; friends; formal meeting of both families; church leaders and members
Christelle	Her family; her friends, mutual married friends; his mother; FAMSA; his employer; police social worker; psychologist
Lindiwe	Her family; friends; neighbours; colleagues; her employers; church leaders and members; his mother
Sanette	Siblings
Zola	Her family; friends colleagues, her superiors at work; the social worker at work

This sample shows that Sanette was exceptional in this sample in that she didn’t approach a wide range of people for help. The other women elicited help from a large number of different people. Lindiwe was particularly extreme in this regard. Her efforts to get help to reform her husband had a compulsive quality. She involved no fewer than five priests, many of the elders in her church and

several members of the mothers' union to witness what her husband was doing, and to talk to him to try to get him to mend his ways. Whilst Xoliswa, Siphokazi and Zola confided in their employers and superiors because the abuse impacted on their work⁷, Lindiwe confided in her superiors voluntarily and involved them in her project of getting them to witness what her husband was doing to her and asking them to talk to her husband.

For the most part, the women in the sample confided in family and friends. They also sought refuge with them. None of the four women who sought refuge (see table seven above) reported being refused refuge by family or friends. However Xoliswa reported that her mother “say she shame of me (*means sympathetic, not ashamed*), but she don't want me to come stay with her, but she also don't want me to be assaulted”(Xoliswa interview 1:11). Xoliswa's mother's reluctance to have her stay with her probably resulted from the fact that Xoliswa's husband insulted and threatened her mother when she sought refuge there. Lindiwe reported that her husband was often physically and verbally abusive towards her mother when she sought refuge at her mother's home. On one occasion he smashed all the windows and doors in the house with a spade. Siphokazi's husband broke into her friend's flat and stole Siphokazi's clothes and jewellery when she finally left him. McConachie and associates (1993:23) argue: “The family's limited resources of money, food and space may be compounded by the woman's own personal constraints. Her extended family's tolerance for the tension and potential threats to their own home is limited” (McConachie et al 1993:23). The findings of this study suggest therefor that there is a an urgent need for proper shelter facilities.

Christelle drew a distinction between her friends in whom she confided for support, and “married friends” whose help she enlisted to try to persuade her husband to return to her. She perceived her “married friends” to have both status and authority. The fact that they were married meant that they were no longer young and irresponsible, but that they were steady and responsible and could prevail on her husband to do the right thing. Church leaders and elders are also perceived to be authority figures, who could wield influence over errant husbands. Thus Sylvie and Lindiwe enlisted their help particularly to talk to their husbands and to make them reform their ways.

Similarly, when the women enlisted the help of their families to talk to their husbands, they approached their parents and older siblings, and member of their husbands' family whom they perceived as having authority and status.

Some of the women in this study approached professionals for assistance. Zola and Xoliswa were both treated by their doctors for injuries and were both encouraged to lay criminal charges against their husbands. Xoliswa told the story of how she had gone to her doctor when her husband had denied paternity of her child. She had wanted her doctor to witness how irrationally her husband was behaving, and to talk to him to make him accept that the child was his.

Siphokazi approached her family caseworker for advice. This social worker had been working with her family since her mother's death and her father's subsequent abandonment of the children. She viewed her as a substitute mother. She said "I always ask her she can help me, she can advise me, because I don't have a mother" (Siphokazi interview 2:6). She wanted this woman to tell her how she should manage her abusive marriage, and was given the advice that she should *nyamezela*. She approached FAMSA for trauma counselling and support after she applied for an interdict against her husband.

Christelle also enlisted FAMSA services. She wanted the social workers to call her husband in to talk to him in the hope that they could persuade him to return to the marriage. Predictably, her husband refused to come in for an appointment. Zola and Xoliswa both reported that they had made appointments at FAMSA but they hadn't kept them because their husbands hadn't wanted to go. Xoliswa said "I ask him, let's go to FAMSA, let's go there and hear how is the marriage, but he didn't want to go and he assault me for that thing" (Xoliswa interview 1:5). Zola also asked her husband to attend sessions at FAMSA but he refused. After she was granted the interdict she told her husband "I was trying you to go to FAMSA, but you didn't go, that's why I went to the police" (Zola interview 1:14). This data suggests that often when battered women approach professional

marriage counselling services, they do so with the hope in mind that the social workers will talk to their husbands and prevail on them to change their behaviour.

Zola consulted the social worker at her work place, she asked for help in filling out the interdict application. Christelle was the only participant who consulted a clinical psychologist. She was referred for therapy to treat her depression after her husband left her. She stayed in therapy for a relatively short period of time, about three months, but reported that she found it helpful in terms of managing her feelings of stress, and building her self-confidence.

5.2.3. Cultural differences in help-seeking behaviour

The findings of this study suggest that there may be a cultural difference in the help seeking behaviour of battered women from different communities. The evidence suggests that cultural mores may influence the woman's choice of helping resources. Three of the Xhosa speaking women in the sample reported that formal family meetings had been constituted to address their problems with their husbands. McConachy et al (1993:24) write "in African customary law where marriage is seen as a social and economic alliance between families rather than the union of two individuals, wives are the links between the two families. Consequently when problems do arise, they are of concern to both sides. It is imperative that a battered woman utilises the formally established procedures if she wants any support from her kin." Siphokazi and Xoliswa reported that their husbands had been warned not to assault them during these meetings. Sylvie described a process whereby such meetings were used to negotiate a reconciliation between her and her husband.

It was also culturally significant that Siphokazi, Xoliswa and Lindiwe all approached their mothers-in-law for help. In traditional Xhosa culture the relationship between the mother-in-law and daughter-in-law is particularly significant. It is a deeply unequal relationship in which the mother-in-law wields authority over her son's wife. "So long as she lives in her mother-in-law's *umzi*, or homestead, a wife, no matter how long she has been married is responsible to her mother-in-law, even more than to

her husband” (Hunter Wilson 1936:41). A daughter-in-law is expected to serve her mother-in-law. In exchange, “the mother -in-law is expected to be an *ihlati* (sheltering bush) to her daughter-in-law against her husband. A son respects his mother’s hut, and if a wife is beaten she may fly for refuge there” (Hunter Wilson 1936:41). Although the modern township is a far cry from the deep rural community of the 1920’s, the relationship between mother-in-law and daughter- in-law is still perceived to be culturally privileged, and still bears the stamp of the mother-in-law’s authority (Van der Vliet 1982).

The fact that Sanette, the only white woman in the sample, was at pains to keep her abuse hidden and very private may signal a significant cultural difference in help-seeking behaviour. The other women in the sample, who all lived in township communities, shared their stories liberally with family, friends, neighbours and other support structures. Clearly the sample in this research is insufficiently representative to draw firm conclusions on this score. An in-depth examination of the links between culture and abuse is beyond the scope of this thesis. I would suggest that this area would provide fruitful ground for further research.

5.3. Ambivalence and paradox in help-seeking behaviour

The data provided in sections 5.2.1. and 5.2.2. above demonstrates the fact that the help-seeking behaviour of the women in this sample was, in large measure, dictated by their ambivalent and paradoxical attachments to their abusive partner. The evidence from this study suggests that in order to protect their attachments to their abusive partner, the participants sometimes did not seek help when they should have. Often when they did seek help it was not only to gain protection from abuse, but also to try to improve and preserve their relationships.

5.3.1. Reluctance to seek help

Sanette was the participant whose help-seeking behaviour most clearly reflects a reluctance to ask for help; but Xoliswa and Zola reported that they too were reluctant to ask for help from others. Xoliswa

said that although she was forced to seek refuge with her family, and to account for her bruises to her colleagues at work, she didn't want to tell others what was happening to her. She said: "I didn't want to show people that there is a conflict between me and my husband see, because maybe we're going to come together again, people are going to say what's going on between these two. No I don't want to show people what was going on in my house" (Xoliswa interview 1:6). Zola described how when her husband assaulted her for the first time, she didn't tell anyone what had happened. It was only later that she began to confide in others and to actively seek help.

Zola's initial reluctance to share the details of her abuse with others enabled her to deny the reality of the abuse she suffered and to retain her hope that her husband would change. As the assaults became more frequent and more severe it became harder for her to maintain her denial. When her husband assaulted her child severely she was forced to acknowledge that he was abusive. The fact that she began to get help to ensure that she and her children were protected from further violence reflects her realisation of the seriousness of her situation. Zola managed to reconcile with her husband after this abusive episode. She managed to retain a high level of hope that things would improve between them, and continued to rely on the splitting defence to preserve her attachment to him. However the evidence from Zola's second interview suggests that her defences were never as rigidly maintained as before her husband assaulted Mzwandile. She was never again able to deny completely the fact that things between her and her husband were volatile. She suggested that the improvement in her marriage was precarious, and acknowledged her anxiety that she may be assaulted again.

Xoliswa's reluctance to talk about her abuse reflects her unwillingness to acknowledge the severity of her husband's behaviour and the futility of her love for him. She didn't want others to question why she remained with her husband. She said: "There at work they are usually saying 'why are you staying, it's not nice, you've got a difficult life, why don't you leave your husband?' Because I've still got that bit of love for him" (Xoliswa interview 1:18). When others questioned Xoliswa as to why she stayed with her husband, it challenged the validity of that "last little bit of love". Thus Xoliswa's reluctance to discuss her abuse reinforced the splitting defence which enabled her to retain that last

little bit of love, and with it the hope that her husband would reform and become communicative (see section 4.4.4, chapter 4).

Sanette's account of her reluctance to ask for help suggests that for her, as for Xoliswa, divulging her story to other people put her under pressure to leave her husband before she was ready to do so. She reported that although her family didn't even know the full details of her story "they wanted me to get rid of him, but I couldn't because it was too hard"(Sanette interview 1:8). Unable to cope with the discomfort caused by the dissonance between the message she got from her family, whom she describes as close, and her own inability to leave her husband at that time, she resolved her dilemma by concealing the reality of her circumstances from her family. In so doing she protected "close relationship" with her siblings, by not allowing the conflict between their wishes and her desires to emerge in the open. She also protected her paradoxical attachment to her abusive husband. By not acknowledging to herself and to others how hopeless and futile her attempts to care for her husband were, she was able to continue to mother him, to ensure that he has clean clothes and enough food to eat, in the hope that perhaps "it will get better" (Sanette interview 1:11). Her failure to seek help reinforced her reliance on the splitting defence.

This enabled her to avoid her own painful, unwanted feelings.

In Sanette's case her failure to seek help is also indicative of the operation of the moral defence. One of the factors which made it hard for her to ask for help was the fact that she believed that she had to be strong and to hold everything together by herself. To ask for help was to acknowledge weakness. She could not acknowledge to herself or to others that she was feeling overwhelmed or out of control. To do so would be to betray the ego ideal of stoicism and fortitude to which she aspired. It was only when She realised that "I must look after myself for a change" (Sanette interview 1:2) that she was able to seek help, and to loosen the deep attachment which had kept her tied to her husband for the better part of twenty seven years.

5.3.2. Fear, anger and loss as catalysts for help-seeking

The data in the study suggests that many of the women sought help when they were fearful. The fear they experienced was sometimes fear of their husbands' violence. Thus, for example, several of the women fled their husbands' abuse in terror and took refuge with friends and family. Siphokazi's help-seeking endeavours were largely motivated by her fear of her husbands' violence and by her desire to ensure that she was protected from further abuse. Similarly Zola was motivated to seek help because she feared that her husband would kill her and her children. Christelle too enlisted help which she feared for her life.

The research shows that the women were also motivated to seek help by feelings of anger at their husbands. As Lindiwe said "it's enough now, I've had enough" (Lindiwe interview 1:3). She sought help when she could no longer tolerate her husband's drinking, womanising and abuse. Sylvie called a family meeting when she was furious that her husband had threatened her with a knife. Sanette confided in her brother when she felt that she could not stand her husband's abusiveness any longer.

The research suggests that feelings of fear and anger are closely bound up with each other. The findings suggest that the women were not only frightened of their husbands' violence, they were also scared that they may lose their relationships. They sought help at those points at which their relationships with their husbands were most clearly in jeopardy. When Lindiwe's anger at her husband surfaced it evoked her helplessness in the face of her husband's recalcitrance, and her fear of losing her relationship. She said "if there is no love what can I do?" She embarked on ever more compulsive attempts to get help, from an ever widening array of people in order to preserve her relationship with her husband. Similarly Xoliswa's rage at the disrespectful way that her husband treated her evoked her desperate fear that her relationship may end, that this time it would be "the end of love"(Xoliswa interview 1:17). She too sought help to "make him talk to me"(Xoliswa interview 1:6).

5.3.3. Approach and withdrawal in the help seeking process

The findings presented in section 5.3.1. above show that anger, fear and loss were strong motivating forces in the participants' decisions to seek help. The women were therefore faced with the dilemma as to how to manage these strong feelings, which were not only terrifying to them, but which threatened their attachments to their abusive husbands. One way in which they managed to cope with these unwieldy feelings was by splitting. The splitting defence was evident in the pattern whereby several women sought help when their feelings of anger, fear and loss were in ascendancy and withdrew from helping process when these feelings abated.

This pattern was most clearly marked in all Xoliswa's help-seeking behaviour . It was also enacted in her relationship with me. She was very cooperative and eager to share her story in her first interview, which took place within days of a particularly brutal assault. But she failed to arrive for her second interview which was scheduled shortly after she and her husband reconciled. Fortuitously, I rescheduled this interview when she and her husband were again in conflict, and she was again eager to participate.

Siphokazi, Xoliswa, Zola and Lindiwe sought refuge with relatives and friends when they were overwhelmed by acute feelings of terror and anger at abuse. At this point they were behaving in terms of the feelings associated with their "abused selves" (Celani 1994:170). When their husbands apologised or promised to reform they left the safety of their families and returned to the relationships. This behaviour was motivated by the feelings of the "hopeful self" (Celani 1994:170).. The polar opposites of seeking help and then withdrawing for help reflect the splitting defence.

When the women sought help they were filled with rage and despair about their relationships. When they withdrew from the help-seeking process their feelings of hope and optimism were restored. The help-seeking process put the women on a path which, if followed through to its logical conclusion, could result in their relationships ending. They defended against this possibility by withdrawing from

the help-seeking process before such a conclusion was reached. In this way they preserved their attachments to their husbands and defended against the unwanted feelings of anger and loss.

5.3.4. Help-seeking as a neurotic symptom of conflicts around anger

The process of enlisting help and then withdrawing, as described in section 5.3.3. above, is well documented in the domestic violence literature (Ellis and Wright 1997; Ford 1991; Hoff 1990). However this pattern alone does not capture the full sense of the battered woman's ambivalence about seeking help. In order to understand the depth and extent of the battered woman's ambivalence about enlisting assistance it is important to understand the psychological value of using certain help-seeking strategies rather than others. The data presented in table seven above (section 5.2.1) reveals that all the participants in the study, with the exception of Sanette, asked other people to talk to their husbands. In addition Sylvie and Lindiwe called on other people to witness what their husbands were doing. These strategies were favoured because they enabled the women to manage their conflicts around anger. By asking others to talk to their husbands, the participants hoped that someone, somewhere, would have the authority and power to persuade their husbands to stop assaulting them, and to change their ways.

At face value these expectations are not unreasonable or irrational. However the evidence from this study suggests that more often than not the strategy of getting others to talk to their husbands was unsuccessful. It failed completely when the husbands ignored or actively scorned the advice of others, as in Siphokazi's case: "he didn't take a notice, he was just laughing" (Siphokazi interview 1:5). Alternatively the good effects of the scolding were short-lived. Lindiwe describes her husband's response to the many "talkings to" which he received as follows: "He listens when they are there, but when they left he's doing the same thing" (Lindiwe interview 1:8). Despite the evidence that these strategies were basically unsuccessful, the participants repeatedly requested this form of help from an

ever widening array resources, including the law (see section 6.6.5. chapter 6). They showed a dogged persistence in using this basically unsuccessful strategy.

The strategy of getting others to witness what their husbands were doing was similarly unsuccessful. When Sylvie and Lindiwe called others to “witness” what their husbands were doing, they enlisted the help of people whom they perceived to be in positions of authority. Sylvie said “ I wanted people, at least older people to see, I wanted witnesses” (Sylvie interview 2:3). Lindiwe said “I called everybody, the big people to see what I can do”(Lindiwe interview 1:8). These people were accorded a degree of authority to define what is right and wrong. For both women they represent arbiters of morality. Lindiwe and Sylvie called them in to see for themselves and to acknowledge how badly their husbands treated them. Sylvie also wanted other people to hear her husband’s promises to mend his ways, as a way of ensuring his commitment to change.

Lindiwe needed people to witness not only her husband’s bad behaviour, but also her own heroic efforts to care for him and to remain stoically soft-hearted in the face of his rejection and abuse. She felt it was important that she be absolved of any blame for her husbands’ behaviour. And she needed witnesses to testify as to her blamelessness. In particular she wanted her mother-in-law to witness her son’s behaviour, to see how he refused to listen to Lindiwe, and rejected the care she bestowed on him. In the previous chapter I suggested that Lindiwe’s profound anxieties about her mother-in-law’s perception of her betrayed the depth of her rage against her husband. And her herculean attempts to care for her husband suggest a need to defend against that rage and sense of inner of badness (section 4.4.5. chapter 4). Her preferred strategies of getting help are symptomatic of her conflicts around anger.

In his seminal work, The interpretation of dreams, Freud (1900) argues that neurotic symptoms must be understood a compromise formation between unconscious wishes and preconscious attempts to control them. He writes:

“Neurotic symptoms show that the two systems are in conflict with one another; they are the products of a compromise which brings the conflict to an end for the time being. On the one hand they allow the unconscious an outlet of its excitation, and provide it with a kind of sally-port, while on the other hand they allow the pre-conscious to control the unconscious to some extent” (Freud 1900:738)

In this sense Lindiwe’s attempts to call others to witness is itself a neurotic symptom. This form of help-seeking is a compromise formation between the (unconscious) anger against her husband, and her attempts to ward off this anger. By inviting others to witness his bad behaviour she is simultaneously giving expression to her own anger (by inviting others to be outraged at the way in which he treats her), and keeping this very anger in check(by exhibiting her own caring, solicitous and stoical behaviour.) Not surprisingly the relief offered by this compromise is short-lived, and the symptom of asking people to witness for her is repeatedly enacted with grinding monotony.

In the same vein, the repeated efforts by many of women in the study to get other people to talk to their husbands is also a neurotic symptom. The women enlisted the support of others to express displeasure and moral outrage on their behalf. This enabled them to strike a compromise between giving vent to their own anger, whilst at the same time defending against these unwanted feelings. Other people expressed the anger on their behalf, and for a short time the participants were relieved of their overwhelming feelings of rage. At the same time, as I argue in section 5.3.3. below, the strategy of talking to their husbands represented the participants’ attempts to defend against their anger by being soft-hearted. The relief offered by this neurotic compromise was short-lived. The real problem, their husbands’ abusive, disrespectful behaviour, was not addressed in an effective manner. Thus the help-seeking strategy of asking people to talk to their husbands was repeated over and over again.

5.3.5. Help-seeking, gender identity and the moral defence

The fact that talking to the husbands was the preferred help-seeking strategy of most of the women in this study reflects the way in which help-seeking behaviours in this sample were over-determined by the dictates of feminine gender identity. Unlike men whose sense of self is based on the assertion of difference, and on the establishment of defensively firm boundaries; women's sense of self is based on maintaining connectedness, and on boundary negotiation (Chodorow 1989:2). Women are schooled from the earliest age that their sense of self is dependent on their ability to keep relationships alive (Goldner 1990; Benjamin 1990). In this sense talking to their husbands is an obviously feminine strategy.

By talking to their husbands the women ensured that their relationships were preserved. When they asked other people to talk to their husbands they indicated their preparedness to "try him one more time"(Sylvie interview 2:1). As Xoliswa said:" I didn't want to arrest him, I wanted him not to assault me, to talk to me...I'm dying him to talk to me" (Xoliswa interview 1:6). The strategy of 'talking to him' is a strategy which reflects a willingness to restore relationships, and to maintain connection.

Moreover, talking is a "soft-hearted" option. It allowed the women to affirm that "we are soft-hearted, we are not so stubborn as men" (Sylvie interview 2:3). Thus when Christelle's husband harassed her and threatened to kill her and her child, she approached the police social worker, and her husbands' superior officer to "call my husband in and tell him to stop threatening me"(Christelle interview 1:10), instead of laying criminal charges against him. Despite her professed desire to break her husband and get him down in life, Christelle still behaved in accordance with the ideological prescriptions that women should be soft, sympathetic and caring. She said " I was still concerned about his job and the state he was in, I actually felt sorry for him that time"(Christelle interview 1:14).

By talking to their husbands and by getting other people to talk to their husbands the women were behaving in accordance with deeply internalised ideals associated with feminine gender identity (see section 4.5 chapter 4). They believed that they should be loving, caring and sympathetic towards their husbands. They also believed that they should demonstrate their ability to *nyamezela*, to bear the

abuse with fortitude by forgiving their husbands for treating them badly. Most importantly they believed that as women they were responsible for their husbands' behaviour, and that they bore sole responsibility for the success of their relationships. As I argued in section 4.5.2, chapter 4, these highly prized ideals of femininity intersect with the moral defence against inner badness. The women felt that they were only worthy of love and respect if could reform their husbands or if they were able to be perfectly loving, caring, responsible and stoical.

Armstrong -Perlman (1994) described her work with patients who had been admitted to a psychiatric institution, following the loss of relationships which in many ways resembled the relationships studied in this research project. She comments that in all these cases "internal reality was super-imposed on external reality" (Armstrong-Perlman 1994: 222). Her patients remained blind to the reality that their partners were limited in terms of their capacity to be loving and reciprocal. They persisted in the fantasy that they could "omnipotently repair [the other person] and then convert [the other person] into the loving, accepting objects or persons that they are so desperately seeking" (Armstrong-Perlman 1994: 223 -224). When the partners in Armstrong-Perlman's study failed to respond lovingly, many of her patients assumed "that the rejecting response of the other can be attributed to the extent of their own needs driving them away" (Armstrong-Perlman 1994:223).

Like Armstrong- Perlman's patients, the women in this study persisted in the fantasy that they could omnipotently repair their husbands, and in the beliefs that their husbands' rejection was a result of some inner flaw or badness. Their help-seeking strategy of getting others to talk to their husbands was a manifestation of this internal reality which was super-imposed on external reality. When the women in this study enlisted the help of others to talk to their husbands, they were projecting their omnipotent fantasy that they could repair their husbands onto other people. Confronted by their own helplessness and rage in the face of their husband's rejection they retained the fantasy that someone else may be powerful enough to reform their husbands on their behalf. By getting others to talk to their husbands they affirmed and enacted their own internalised moral obligations to keep their husbands on the straight and narrow, to make a worthy, substantial men of them. They demonstrated their defiant care towards

their husbands in the face of terrible rejection and abuse by not giving up on them, and by trying harder and harder to reform them.

Thus the participants' repeated efforts to get others to talk to their husbands reflected the operation of the moral defence. Lindiwe's case in particular characterises the fact that this basically unsuccessful strategy was repeated with such grinding monotony because it operated as defence against internal bad objects. The more recalcitrant her husband's bad behaviour, the more Lindiwe believed that this was evidence of her own deficiency. She feared that she would be found lacking by her mother-in-law, and that any misfortune which befell her husband would be seen as evidence of her malevolent wishes towards him. She tried desperately to overcome this perception of her own deficiency. The more recalcitrant her husband became, the more desperately she tried to reform him, and the more she called on an ever-widening circle of people to talk to him, to "make him listen, to make him come right" (Lindiwe interview 1:13). By calling on others to talk to her husband, Lindiwe was not only trying to preserve her relationship to avoid loss, she was publicly providing evidence of her heroic attempts to care for her husband. This enabled her to retain a sense of dignity and self-worth in the face of his profoundly rejecting behaviour.

5.4. The responses of helping resources

The participants in this study reported a wide variation of responses from the people they approached for assistance. Some of these responses reflected the conservatism and traditional patriarchal attitudes of the particular helping resources. Siphokazi reported that the social worker who had been providing services to her family for several years advised her to *nyamezela*. Sylvie and Lindiwe received the same message from church leaders. Sylvie reported that her church members had not only suggested that she *nyamezela*, but "were pleading 'I know you're angry, but please try for the last time, just try him for the last time'" (Sylvie interview 2:3). Lindiwe said that the priests advised her "that she should try and stay with him and maybe he will come right"(Lindiwe interview 1:6). However, Lindiwe also

reported that the church leaders eventually asked her husband to step down from his duties as a deacon because they were tired of his drunken disorderly behaviour.

Several of the women in the sample reported that their colleagues and employers advised them to apply for interdicts against their husbands and to lay criminal charges against them. They received clear messages from these quarters that the abuse they endured was unjust and that they did not have to tolerate it. Sometimes the women found these messages to be unempathic. As Xoliswa said her colleagues did not understand that she loved her husband. Nonetheless these messages provided a clear alternative to their firmly internalised beliefs that they should tolerate abuse and maintain their relationships at all costs.

Zola, Siphokazi and Sanette reported that their families were supportive of their decisions to apply for interdicts against their husbands. The data shows that in Zola's, Siphokazi's and Lindiwe's cases, families and friends offered shelter willingly and unconditionally (see section 4.2.2). The findings suggest that when the women in this study consulted traditional family structures, they were not given clear messages that they should leave the relationship, or take action against their husbands, but they were not forced to remain in the relationship either. Xoliswa recounted how her husband was reprimanded by both families for being abusive (Xoliswa interview 1:11). Sylvie described how when her husband approached her father to mediate a reconciliation, her father emphasised that it was her decision as to whether she would go back and he would not force her to do so (Sylvie interview 2:2).

The findings of this study suggest that in many instances the participants' reactions to the responses they received from helping resources was coloured by their internal psychological responses to abuse, and by their paradoxical attachments to their abusive partners. Thus the directive to *nyamezela* resonated for Lindiwe and Sylvie in a way that it did not for Siphokazi. Sylvie and Lindiwe justified their decisions to "try him one more time" (Sylvie interview 2:1), in terms of the fact that they had been encouraged to do so by church leaders, neighbours and members of the community. By contrast Siphokazi dismissed her social worker's advice that she *nyamezela* as "shit" (Siphokazi interview 2:6).

Nowhere was the imposition of internal reality on external reality more visible than in terms of the women's reactions to the responses which they received from their mothers-in-law. The women who asked their husbands mothers to help reported angrily that this avenue of help seeking had led to a dead end. In reality, Xoliswa's and Lindiwe's mothers-in-law had responded that they were helpless to assist their daughter-in-laws, because their sons were behaving abusively just as their fathers had done. Christelle's mother-in-law said she couldn't tell her son what to do (Christelle interview 1:2). Lindiwe's mother-in-law stated explicitly that she had left her own husband because she had been abused by him. She rather cryptically advised Lindiwe "to see what she can do" (Lindiwe interview 1:2). Lindiwe ignored the message that her mother-in-law had left her father-in-law due to abuse. She persisted in the belief that if she left her husband, or did not care for him adequately, her mother-in-law would blame her or judge her harshly.

The intensity of rage and blame which the participants expressed towards their mothers-in-law suggests that they couldn't accept that their mothers-in-law felt helpless in the face of their sons' behaviour. They persisted in the (infantile) belief that their mother-in-laws wielded enormous power over their sons, as the cultural ideal suggests. Their mother-in-laws' impotence reverberated too strongly with their own helplessness. They angrily rejected their mothers-in-law and projected blame onto them because their responses challenged their own omnipotent fantasies that they could somehow reform their husbands.

There is some evidence in this study that the women sought help from the resources which were most likely to reinforce their own feelings of ambivalent attachment to their husbands. It is not coincidental that Sylvie, herself a professional woman, did not seek professional advice with regards to her marriage. Instead she relied on the advice and assistance of conservative, traditional, patriarchal structures to make her decision as to whether or not to return to her husband. At some level she must have known that these structures would encourage her to return to her husband, and would reinforce the defences which maintained her paradoxical relationship to her husband. By contrast, professional counselling would have forced her to reflect on her own motives for staying with her husband, and

would have heightened her feelings of ambivalence about the relationship. Similarly, Lindiwe who consulted the widest range of people in the study, restricted her help-seeking endeavours to family, friends and non-professionals. When she consulted her bosses who were lawyers, she did so for non-professional support, she wanted them to witness what her husband was doing.

The findings that the participants' reactions to help was sometimes coloured by their own internal realities, does not in any way diminish the importance of appropriate, sensitive and humane responses to domestic violence. There is some evidence in this study that when helping resources failed to respond empathically, or lacked capacity to provide protection, that the women may have been hindered in their struggles to look after themselves. One wonders whether Siphokazi may perhaps have left her relationship earlier had she been encouraged to do so by her social worker? It is clear that had Siphokazi's employer responded decisively by calling the police, or by banning her husband from entering the work premises on the day he abducted her, she would have suffered much less trauma. Similarly, one wonders whether Xoliswa may have been less reluctant to return to her husband, had her mother been more prepared to shelter her for longer periods.

Nonetheless, despite bad advice, Siphokazi was able to leave her relationship. Whilst the absence of adequate emergency shelter may have contributed to Xoliswa's returning to her abusive husband when she did, it was not the over-arching factor in her decision to remain in the relationship. The findings of this study suggest that because the participants were all financially independent, and had the means and resources at their disposal to live apart from their husbands had they so wished, their difficulties in leaving their abusive relationships were the products of their paradoxical attachments to their partners. There is no evidence in this study, that the absence of humane, facilitating responses from helping resources alone trapped these particular participants in their abusive relationships.

However there is strong evidence in this study that when the women were ready to receive help to protect themselves from abuse, sensitive and appropriate responses were critical in providing them with the support they needed to validate their feelings and to legitimate their attempts to look after

themselves. Siphokazi valued the fact that the FAMSA social worker believed her story. She said: “I’m getting relieved because I know that there is somebody on my side, who can accept what I am saying”(Siphokazi interview 1:11). She particularly valued that the social worker did not pressurise her to call her husband in and try to mediate between them (Siphokazi interview 1:12). The fact that the FAMSA social worker helped her to find a flat to live in, and supported her by referring her to lawyers for divorce, helped Siphokazi to reestablish a sense of personal safety and integrity. Zola met with similar support from family, friends, colleagues, superiors and the work social worker when she decided to apply for an interdict against her husband. This support gave her the courage to look after her own interests.

When Sanette made up her mind that she needed help, she confided in her brother. His empathic, caring response gave her the opportunity to really cry for the first time ever, and to acknowledge feelings that she had kept hidden for several years. The fact that he validated her feelings, and supported her decision to take action, gave her the strength to begin to look after herself and to assert her own rights. Although this initially felt alien to Sanette, and she wondered whether she was being selfish, her brother’s ability to connect with her and to affirm her, provided her with the strength and courage to reconnect with herself. She was able to begin to learn to fight back, to reconcile herself to her own feelings and needs, and to reach out to others for connection and support (Herman 1990:196-213). She said: “I’m cross because I didn’t speak with someone long ago. I wouldn’t have had years of suffering. I’ll never recommend that to anyone, rather be open and say listen, now I need help” (Sanette interview 1:8)

5.7. Conclusion

In this chapter I have described the women’s interactions with non-legal helping resources. I demonstrated how the women’s paradoxical patterns of attachment to their abusive partners impacted on their patterns of help-seeking. I argued that the participants conflicts around anger and loss, and their heroic attempts to be caring and sympathetic to their husbands influenced the their help-seeking

behaviours. I showed how the psychological defences of splitting and the moral defence which preserve the battered woman's attachment to her husband were reflected in the women's help-seeking endeavours. I argued that whilst the women's reactions to the help and advice they received was in large measure coloured by their internal realities, there was strong evidence in this study that empathic and appropriate support is critical in empowering battered women to overcome their persistent attachments to their abusive partners.

CHAPTER 6
FINDINGS ON THE PARTICIPANTS' INTERACTIONS
WITH THE LEGAL SYSTEM

6.1. Introduction

In this final findings chapter I review the research data on the participants interactions with the legal system. I begin the chapter by arguing that the women needed legal protection and legal advice and that their decisions to engage the legal system were, on the face of it, rational and reasonable. I then review the data on their contacts with the different parts of the legal system, the magistrate's court where their interdicts were issued, the police and lawyers. I demonstrate that the women were, to a greater or lesser degree, ambivalent about enlisting legal help in all these situations. I argue that this ambivalence cannot be reduced to fear of retaliatory violence, lack of knowledge about legal rights and procedures, or the insensitivity of the legal system. I show how the women's paradoxical attachment to their abusive partners affects their help-seeking behaviour in relation to the legal system. I argue however, that despite the participants' ambivalence, and the inadequate response of the police in particular, the women's decisions to take legal action empowered them and improved their confidence about looking after their own rights and interests.

6.2. The participants' needs for legal intervention

The women in this study all needed legal assistance. They needed the law to provide protection against abuse and to uphold their rights to safety, dignity and respect. The data show that the women all approached the law with complaints of serious abuse and maltreatment at the hands of their husbands (see section 4.3, chapter 4). The findings presented in this study uphold the conclusion that "women who seek (legal assistance) have serious complaints of abuse, women are not seeking relief because of trivial annoyances" (Harrel and Smith 1993:216).

The information provided by the women in their interviews suggest that they wanted the law to offer them relief in a number of areas. Table nine below describes what the participants in the study wanted from the legal system.

Table nine
What the participants wanted from the legal system

Type of advice or intervention requested	Participants
To press criminal charges	Siphokazi, Christelle, Zola
To have firearm removed	Zola (Christelle)
Advice as to whether it is possible to change the community of property clause of the antenuptial contract	Xoliswa, Sylvie
Advice on legal rights in terms of division of property in case of divorce. Specifically on how to secure rights to the house	Xoliswa, Sylvie, Lindiwe
Advice on how to alter a will	Sylvie
To evict their husbands from their homes	Sanette, Lindiwe
Legal representation in divorce matters	Siphokazi, Christelle, Lindiwe, Sanette

As the data on this table indicates, the participants needed protection from abuse, information about their options, and advice about their legal rights. They also needed a range of criminal and civil legal remedies, as the multiple needs of battered women are seldom served by a single legal remedy (Novitz (1996:13). The evidence from this study shows that all the women were referred for interdicts in terms of the Prevention of Family Violence Act 133 of 1993, and that several participants were offered the option of representation in divorce matters. However other remedies such as eviction orders, and removing firearms in terms of the provisions of the Arms and Ammunitions Act 75 of 1969 were not offered to the women (see appendix A).

The participants' decisions to approach the law for help were motivated by rational needs for protection and advice. The surprisingly wide range of queries and requests which they had from the

legal system indicates the extent to which legal intervention is critical in providing support and protection to battered women. The fact that the participants were able to enlist legal assistance indicates that at some level they all had a healthy and realistic desire for self-preservation. However there is strong evidence that the participants were, to varying degrees, ambivalent in their dealings with all aspects of the legal system. The descriptions that follow of the women's contacts with the law demonstrate the manifestations of their ambivalence, which appears to be contradictory in light of their genuine needs for legal assistance, and their genuine desires for protection from abuse.

6.3. Contact with the magistrate's court

6.3.1. Reasons for applying for interdicts

All the women in this study applied for interdicts in terms of the Prevention of Family Violence Act 133 of 1993 through the local magistrate's court. The research findings show that only four participants procured interdicts to gain urgent protection from assault. Xoliswa, Siphokazi and Zola all reported that they had decided to apply for an interdict after their husbands assaulted them. Siphokazi and Zola were both referred to the court by the police. In Siphokazi's case this followed the incident when her husband abducted her from work and threatened to kill her. Zola procured an interdict after her husband assaulted her and her child and threatened the family with a firearm (see section 4.3.5, chapter 4). Xoliswa was referred by her doctor after her husband beat her severely, leaving her body covered in bruises. Christelle was referred for an interdict by her husband's superior, the station commander at the local police station, when she reported that her husband was threatening to shoot her and her child. In all four of these cases it was clear that the women feared further assault, and wanted urgent protection from abuse.

By contrast Sylvie, Lindiwe and Sanette's decisions to apply for interdicts were not motivated by an immediate sense of threat or danger. Sylvie's husband had consulted a lawyer to find out how to exclude her husband from her will after her husband left her following a family meeting during which

time he denied that he threatened her with a knife. Her lawyer advised her to institute divorce proceedings and suggested she apply for an interdict. When her husband returned after a few weeks away, she applied for the interdict. Sanette applied for an interdict after suffering a health crisis. There is no indication that her husband's abuse had worsened, or that she was in any way in immediate danger at the time. She simply knew that she had to "do something ... I can't keep on like that... I had to just get him out of my life" (Sanette interview 1:5). Lindiwe applied for an interdict because she "was fed up of his things... I was upset at that time because he was hitting me and everything" (Lindiwe interview 1:5). She was angry at her husband for abusing her and she wanted to "to leave this man and I want him to move out of my house" (Lindiwe interview 1:7). In her case she could have been advised to institute divorce proceedings and to apply for an eviction order in addition to applying for an interdict.

6.3.2. The application and service of interdicts

The findings of this study reveal that the women received courteous service from the clerk of the court when they applied for their interdicts. They all reported that they were interviewed in private, and that the clerk explained the purpose of the interdict to them and described how it worked. Siphokazi and Xoliswa both made their affidavits in support of their applications for interdicts orally to the clerk of the court, who seemed to have spent a lot of time with them. She helped Xoliswa to plan how she would take refuge at her father's house in order to get protection in case her husband became violent when he received the interdict. In so doing she allayed Xoliswa's anxieties about possible retaliatory violence, and encouraged her to proceed with the application of the interdict although she was reluctant to do so.

In the other cases the women were asked to write their own affidavits in support of their applications for interdicts. Sanette said that she preferred this as it afforded her a degree of privacy that she valued, but Zola said that she had felt extremely anxious about writing her own affidavit. She eventually elicited the assistance of the social worker at her place of work to help her to prepare the

affidavit. Zola's anxiety about writing her affidavit was possibly an indication of how ambivalent she felt about applying for the interdict, and of how difficult it was for her to take legal action against her husband.

The women also reported that the clerk had explained the purpose of the warrant of arrest, and the process of reporting violations to the police. Christelle expressed surprise that a warrant of arrest was issued at all. She said "I just thought it's an interdict that they warn the guy... I don't want to arrest the guy"(Christelle interview 1:13). She was clearly ambivalent from the outset about pursuing possible criminal charges arising from a violation of the interdict. Similarly Zola indicated that she had not understood why she was issued with a warrant of arrest. It took several minutes of my first interview with Zola for me to explain to her the purpose of the warrant of arrest, and how to report violation of the interdict. She reported that the clerk of the court had tried repeatedly to explain this process to her in Xhosa, without success.

Zola's confusion about the warrant of arrest is evidence of her ambivalence about taking legal action. The fact that she was not able to understand what the clerk was saying suggests that her strong feelings of anxiety about possibly having her husband arrested, and about losing her relationship, blocked her ability to understand the instructions that the clerk gave her. By the same token the data suggests that the clerk was not sufficiently aware that the standard procedure of issuing a warrant of arrest along with the interdict may have strong emotional meanings for applicants, which may interfere with their abilities to comprehend the legal process.

A review of the data pertaining to the application and service of the interdicts suggests that although the interdicts were seldom served as a matters of absolute urgency, the delays were minimal when the respondents resided in the jurisdiction of the court. On the whole the process of issuing and serving interdicts was smooth and efficient. Table ten below indicates the time lapses between the application for an interdict, the granting of the interdict, and the return of service of the interdict in the case of each of the seven participants.

Table ten
***Times between application for an interdict, the granting of an interdict
and return of service of the interdict for the
participants in this study***

Participant	Time between application for interdict and interdict being granted	Time between granting of interdict and return of service
Siphokazi	Same day	3 months
Xoliswa	1 day	Same day
Sylvie	Same day	1 week
Christelle	Same day	Same day
Lindiwe	Same day	Two days
Sanette	5 days	1 month
Zola	2 days	1 day

The information on this table shows that only in Christelle’s case was the interdict issued and served as a matter of absolute urgency. Most of the other interdicts were issued within a day or so of application. The lapse of five days between Sanette’s application and the granting of the interdict may have been due to the unavailability of a magistrate (interview with the clerk of the court, 14th January 2000). The main problem revealed by this table was that there were several delays in return of service.

In Sylvie’s case this delay was due the fact that she herself did not pick up her papers at the court for several days in order to take them to the sheriff’s office as she was busy at work. This in itself indicates that she was not motivated by an urgent need for protection from abuse when she applied for an interdict. Eventually she arranged for the court personnel to drop the papers at the sheriff’s office on her behalf, and the interdict was served the next day. The delays in Siphokazi’s and Sanette’s cases were due to the fact that both their husbands were both resident in other magisterial jurisdictions, and they had to make special arrangements for the interdicts to be served on them.

Siphokazi relied on the police to serve her interdict, and Sanette herself arranged for the sheriff in another town to serve the interdict on her husband. The onus was on the women themselves to arrange for the service of these interdicts, and that they received relatively little assistance and information from the staff at the magistrate's court in this regard. Siphokazi was assured that the police would serve the interdict and she was given no information about other options at her disposal to ensure that the interdict was served more speedily than the three months that it took for the police to get around to it.

The interview results show that both women had to be fairly assertive in order to get their interdicts served. Siphokazi had to remind the police, and pressurise them before they eventually delivered the interdict to her husband as they had promised to do. Sanette had to look up the sheriff's address herself, and made several phone call to remind the sheriff in the other town to serve her interdict. The fact that they persisted in having their interdicts served despite these difficulties indicates their determination to use the law to get protection from abuse.

Despite the minor problems discussed above, the women reported that they found it easy to apply for the interdicts. Siphokazi said "I thought it would be difficult for me... when I hear that she never refuse what I was saying I was pleased... I am getting relieved because I know that there is someone on my side who can accept what I'm saying" (Siphokazi interview 1:11). Similarly Lindiwe said "there at the court they did what they could... I mean they did something for me...she's a nice person and she listens to you"(Lindiwe interview 1:14). Sanette said "the lady who organised the interdict was excellent" (Sanette interview 1:6). The finding suggest that the women found the clerk's empathic response affirming, and that this mitigated their fears about seeking legal assistance.

6.3.3. The enforcement of interdicts

The majority of the participants reported that the interdicts had been effective in curbing physical violence and in ensuring protection from assault for the duration of the study. Zola described how after her husband received his interdict, he sits quietly in front of the TV when he has been drinking, and doesn't pick quarrels with her in the way that he used to. She attributes this change directly to the interdict "it's that interdict, he's scared of jail" (Zola interview 2:2). Xoliswa reported similar results. She said "he talks rough but he doesn't touch me...I'm thinking the reason he don't hit me it's because of that interdict... because when we argue he like to come fast and hit me, but now because of that interdict he's scared to go to jail... He said he don't care, but he didn't hit me"(Xoliswa interview 2:3). Sylvie said that her husband hadn't assaulted her since they had reconciled a month before her second interview, and Siphokazi reported that since the interdict was served on her husband and she had divorced him, he had not harassed her.

These results are encouraging, particularly when one considers that several studies report that interdicts are basically ineffective at curbing physical abuse (Harrel and Smith 1993; Klein 1993; Fleetwood 1995). However, the fact that the women were reinterviewed only three to five months after obtaining the interdicts suggests that at best one can be cautiously optimistic about the effectiveness of the interdict, as there is no guarantee that there will not be a resurgence of abuse at a later stage. However, the findings do suggest that legal intervention, particularly the threat of imprisonment can be a powerful tool in the fight against abuse.

Three participants said that their interdicts had been violated. Table eleven which follows indicates whose interdicts were violated, when the violations occurred, the nature of the violation, and whether or not the matter was reported to the authorities.

Table eleven

Data pertaining to violations of the interdicts

Name of participant	Nature of violation prior to first interview	Was violation reported to police	Was respondent arrested?	Nature of violation between interviews 1+2	Was violation reported to police	Was respondent arrested?
Christelle	-Death threats with firearm -forced entry into property	No	No	Nil	N/A	N/A
Lindiwe	-Illegal disposal of property -Refusal to move out of house	Yes	No	-Refusal to move out of property -Barring Lindiwe from entering her home	Yes	No
Xoliswa	Nil	N/A	N/A	Verbal abuse and insults	No	No

The minor violations recounted by Xoliswa indicate that although the interdicts were successful in curbing physical abuse, many of the abusive patterns including threats, sexual jealousy and verbal insults and abuse, which were reported by the participants in this study persisted after the interdicts were served. Xoliswa's failure to report these violations indicates that although she was prepared to apply for an interdict she was reluctant to enforce the conditions of the interdict against her husband. She had never wanted to involve the police, and was vocal about her reluctance to have him arrested. She said: I don't want him to go to the police, I didn't want him to go to jail, I want him just not to assault me" (Xoliswa interview 1:7). Similarly Christelle, whose husband violated the conditions of

his interdict in a very serious manner, did not report these violations to the authorities. She too was reluctant to pursue criminal charges against her husband. She wanted her husband to be warned not to assault her, but was hesitant about following through with legal action when he failed to heed the warnings.

Xoliswa and Christelle's behaviour stands in sharp contrast to Siphokazi's actions. Siphokazi's husband continued to harass her by phoning her and threatening her after she had left him. These threats are not technically violations of an interdict, as his interdict had not yet been served due to police inefficiency. Nonetheless, Siphokazi reported all these threats to the officers who were investigating criminal charges against her husband (see section 6.4 below). Of all the participants in the study she was most prepared to pursue criminal proceedings against her husband.

Lindiwe reported her husbands' violations of his interdict to the police on more than one occasion. The police refused to arrest him although they were legally obliged to do so⁸. Lindiwe herself was deeply ambivalent about having her husband arrested. Initially she said: "I blame the police. They should have arrested him, and he appear in court and teach him a lesson" (Lindiwe interview 1:14). Not a few lines later she recanted on this sentiment, saying "I don't want them to arrest him, otherwise he's going to lose his job" (Lindiwe interview 1.14). And in her second interview she confessed: "I didn't want the police to arrest him, I just wanted the keys so I can enter my house" (Lindiwe interview 2:3). She too preferred the police to warn her husband, to talk to him to persuade him to leave her house and return her keys. She was not committed to enforcing the conditions of the interdict by having her husband arrested.

6.3.5. Fear of retaliatory violence, lack of knowledge about the law or the paradoxical attachment to abusive partners?

The findings of this study suggest that Xoliswa's, Christelle's and Lindiwe's ambivalence about enforcing the conditions of their interdict could not be reduced to fear of retaliatory violence or to lack of knowledge about legal procedure. There is evidence in the study that many of the women

feared retaliatory violence by their husbands. This was particularly acute in Xoliswa's case. She was anxious that her husband would respond violently when his interdict was served on him. She said "I was afraid to (*apply for an interdict*). It's that threatening I was having from my husband. The time he assault me last year he say 'I don't care about lawyers or the police, I'm his wife'" (Xoliswa interview 1:14). Later in the interview she elaborated on the fact that she was even afraid to apply for a divorce because "last year he was threatening that he wouldn't allow for that thing, even if I saw him in town he's going to assault me. I told him I'll go to the police, he say he don't care even for the police" (Xoliswa interview 1:16).

Fear of retaliatory violence is well documented in the domestic violence literature as a reason why battered women are reluctant to cooperate with the legal system (Hanna 1996; Fedler 1995; Hart 1993). Despite the fact that all the women, including Xoliswa, reported that their husbands had reacted angrily in response to their applications for interdicts, none of the husbands responded violently.⁹ None of the women withdrew the interdicts against their husbands on the grounds that their husbands were displeased or were behaving in a threatening manner towards them. Once the participants in this study had overcome their initial fear that their husbands would respond violently towards them if they enlisted legal assistance, they demonstrated no further anxiety in this sphere. The findings of this research show that the women's fear of their husband's violence was most acute when they themselves were angry (see section 4.4.3, chapter 4). Without minimising the acute terror which Xoliswa felt when she applied for her interdict, I want to suggest that her terror of her husband's retaliatory violence may indicate the intensity of her own rage at the time that she applied for her interdict against her husband; and may have fed off her own sense of being powerless and out of control.

Celani (1994) argued that battered women fear the loss of the abusive relationship more than they fear their husbands' violence. This appears to be true for Christelle. Her anxiety about further alienating her husband may have contributed to her reluctance to report the serious violations of her interdict. Christelle's husband threatened her not to apply for an interdict, he said: "don't even try to

get one out, don't even try to do that to me, then I'm finished with you." (Christelle interview 1: 12).

The domestic violence literature argues that lack of knowledge about the law and about legal procedure contributes to the battered woman's reluctance to cooperate with the legal system (Hart 1993; Smith and Harrel 1993; Hanna 1996). There is no evidence in this research that the participants' ignorance about legal procedure in itself prevented them from cooperating with the legal system. Siphokazi was the participant who was most unaware of her legal rights and most fearful of going to court. She said "I didn't be at court, I don't know what's going to happen there" (Siphokazi interview 1:10). Despite this she was the participant who was most cooperative with the legal process and most willing to report her husbands' abusiveness to the authorities.

The findings suggest that much of the women's confusion about legal process was symptomatic of their underlying ambivalence about having their husbands arrested, or of taking legal action against their husbands (see section 6.3.2.). Christelle's confusion about the issuing of a warrant of arrest is an example of this. Lindiwe worked for lawyers. She had access to information on her legal rights, and legal representation against the police, had she been determined to have her husband arrested. Thus the findings suggest that the women's desires to preserve their relationships and their reluctance to have their husbands arrested determined the ways in which they perceived the legal system and understood legal procedure.

6.4. Contact with the police

6.4.1. The women's contacts with the police

Five of the seven participants in this study came into contact with the South African Police Services as a result of the abuse they suffered at the hands of their husbands. Table eleven below indicates the

police were called to attend to seven complaints, five of which involved severe physical abuse which resulted in serious injuries. The table also documents the outcomes of the complaints to police.

Table eleven
Contact with the police

Name of participant	Incident	Husband arrested	Charges laid	Outcome
Siphokazi	Abduction from work and assault prior to interdict application	No	Yes	Charges withdrawn
Sylvie	Assault with knives 1998	No	No	Nil
Christelle	Assault 1998	No	Yes	Charges withdrawn, internal disciplinary hearing
Lindiwe	Stabbing 1998	Yes	No	Released without court appearance
	Violation of interdict prior to 1 st interview	No	No	Nil
	Violation of interdict between 1 st and 2 nd interviews	No	No	Nil
Zola	Severe assault of herself and her child prior to interdict application	No	No	Nil

The information above shows that none of the seven cases reported to the police by the women in this sample reached court let alone resulted in a conviction. On only one occasion was the abusive husband arrested, and then he was released on warning, without facing criminal charges. The overwhelming evidence from this study was that the police were negligent and inept in their management of the participants' complaints of domestic violence. Moreover the findings of this study suggest that the police perceived domestic violence to fall outside the scope of criminal investigation and prosecution, despite the fact that since 1994 violence against women and children has been identified as a policing priority.¹⁰

The participants themselves complained that the police were unhelpful and unwilling to take their complaints seriously: “ I didn’t get a help from the police. The police don’t want to help me”(Siphokazi interview 2:1). They also levelled complaints that the police were more sympathetic to their husbands than they were to them. Siphokazi described one police officer as follows “he’ve got the style of my husband, because he phone my husband, discuss the matter with him”(Siphokazi interview 2:4). Lindiwe commented that when the police attended one of her calls they were sympathetic to her husband asking “where will he sleep tonight?” (Lindiwe interview 1:14). But they showed no concern that Lindiwe was going to have to seek refuge for the night. Moreover, Christelle complained of cronyism and corruption amongst police officers. However, not all the reports on police officers were negative, Lindiwe described the one policeman as “a nice chap, he was so caring”(Lindiwe interview 2:3).

6.4.2. Problems with the police response

The findings of the research suggest that there were several problems with the way in which the police managed the women’s complaints. The data show that the police were tardy in responding to the participants’ calls. When Siphokazi was abducted the police failed to respond at all to calls to come to her assistance. Eventually a private security company was called out to respond to the crisis. The security officers took Siphokazi to the police station to lay charges. Zola reported that when her husband threatened her and her children with a firearm, it took the police approximately an hour to respond to the call.

Furthermore the overwhelming evidence from the study is that the police were reluctant to pursue criminal charges against the abusive husbands. The police refused to press criminal charges in all the cases reviewed in this study. They actively discouraged the women from laying charges. Zola recounted how when the police finally arrived to attend to her call the officers on duty said: “oh no, we are not going to accept (*charges*) because many of the women always lay charges and then after some days they come and cancel everything” (Zola interview 1:6). She was advised to sleep on her

decision to press charges against her husband. The following day Zola went to the police station to say that she had thought it over, and had decided that she wanted to pursue charges against her husband. She was told by the officer in attendance that she couldn't do so, because she had told the officers the night before that she hadn't wanted to press charges. The policeman at the station refused to disclose the names of the officers who had attended the call the night before. He referred Zola to the magistrate's court for an interdict instead of opening criminal charges against her husband. Siphokazi and Christelle reported similar difficulties in getting charges against their husbands accepted. Christelle spoke to three separate police officers, and called the station commander before she could persuade her husband's colleagues to open a case against him. Similarly, Siphokazi had to stand firm before the police agreed to open criminal cases against her husband. The police tried to fob Siphokazi off by referring her for an interdict.

Both Siphokazi and Christelle reported that once the police had agreed to open cases against their husbands, they were reluctant to investigate the charges. Both said that they were asked by the police to withdraw criminal charges on several occasions. Christelle agreed to withdraw charges, but Siphokazi stood firm until the interdict had been served on her husband and her divorce had been finalised. Siphokazi reported that when she did withdraw charges at the police were supportive of her decision to do so: "the police were asking me many times to withdraw that case many times. They say it would have been difficult to investigate because we are married" (Siphokazi interview 3:5).

Siphokazi reported several problems with the way in which her cases were handled by the police. She opened two cases against her husband, one of assault, and one of theft arising from an incident where her husband broke into her friend's house, where she had taken refuge, and stole her clothes. She reported that each charge was handled by a different police officer. As a result she had to liaise with two policemen instead of one, and it was extremely difficult to keep track of the progress of her cases. Siphokazi's experience reflects a pattern whereby the police concentrate on individual complaints made against a perpetrator, rather than viewing the complaints together as part of a domestic violence syndrome. Hanna (1996) argues that this is poor legal strategy in the management

of wife abuse. This type of fragmentation often results in lower conviction rates and more lenient sentences. She contends that every effort should be made to build strong cases for prosecution on the grounds of multiple charges against the perpetrator (Hanna 1996:1905).

Siphokazi also reported that it took the police approximately three months to take a statement from her husband, this despite the fact that her husband had not moved from their home or from his place of work and was thus easy to contact. She said that when the police finally took a statement from her husband, they phoned her to try to persuade her to talk to him and to sort it out between them. This suggests that the police were following an unwritten policy of mediating between violent couples rather than of pursuing criminal charges against perpetrators. Siphokazi was adamant that she did not want to talk to her husband. She said “he was lying to the police, because he wants me to come back to him. The time for talking is long past” (Siphokazi interview 2:4). The charges against Siphokazi’s husband were never brought to the attention of the public prosecutor as no date was ever laid down for him to appear in court.

The evidence from the study suggests that the police officers’ modus operandi in domestic violence cases was to issue a warning to the husbands not to beat their wives again. They did not arrest the husbands, or bring criminal charges against them. Sylvie reported that the police had told her husband “we are supposed to arrest you...but we know that you are an old person ... so please tata don’t do it again”(Sylvie interview 1:9). Lindiwe said that her husband was warned by the police to move out of her house when she reported that he had breached his interdict (see section 6.3.3). In these cases as in Siphokazi’s case the police favoured an approach based on mediation and settlement between the partners, rather than the pursuit of criminal charges and the punishment of domestic violence offenders. This suggests that the police do not see domestic violence complaints as serious criminal offences.

The sample size in this research is too small to make generalisations about whether these attitudes and behaviours are typical in the SAPS, or whether they are examples of unfortunate isolated incidents.

It is also not clear from this study whether the way in which police intervene in domestic violence cases differs from the way in which they handle criminal complaints which emanate from non-familial assault. There is strong evidence in this study that the police are extremely reluctant to intervene in domestic violence cases, and that they perceive these matters to be beyond the jurisdiction of the criminal justice system. Moreover the findings suggest that many members of the South African Police Services retain deeply sexist attitudes towards battered women and towards the problem of domestic violence. Therefore, even when women are prepared to cooperate with the criminal justice system, police bias and prejudice makes it extremely difficult for them to see justice done. As such, this research upholds the conclusions drawn by several international studies that police unwillingness and inability to respond appropriately to domestic violence complaints is a major stumbling block in the process of ensuring legal protection for battered women (See Dutton 1995; Buzawa and Buzawa 1993; 1996).

6.4.3. The women's willingness to pursue criminal charges

The police justified their reluctance to intervene in domestic violence cases by arguing that battered women always lay charges against their husbands and then withdraw them later. The interview data show that this is not necessarily true. There were marked differences between participants in terms of their willingness to institute and follow through criminal proceedings against their husbands. Xoliswa was adamant that she did not want her husband arrested, and she never approached the police for help. Sanette too never called the police. She justified her decision saying "you always think that other people will think bad if the police are involved. I tried to keep it private" (Sanette interview 1:8). Sanette's desire for privacy and her reluctance to ask for help reflected her need to preserve her relationship with her husband (see section 5. , chapter 5). Her pattern of keeping her troubles under wraps applied as much to her dealings with the legal system as it did to her dealings with non-legal resources.

Although Sylvie, Christelle, Lindiwe and Zola all contacted the police, their interactions with the legal system reflected their ambivalence about following this path of action. Despite the fact that Sylvie professed that she was angry that the police did not arrest her husband, she did not pursue the matter by insisting that criminal charges be brought against him. The same is true of Zola, who was more concerned that the police remove her husband's firearm, than that he be charged and brought to justice. Lindiwe called the police more often than any other participant, however she was highly ambivalent about having her husband arrested (see section 6.3.4 above). Her help-seeking behaviour in relation to the police was similar to her help-seeking behaviour in relation to non-legal resources. She initiated several contacts in the hope that the police would witness her husband's behaviour and would talk to him.

Although at face value Christelle's behaviour appears to be different from Lindiwe's it is in fact similar. Although she fought angrily for the right to lay criminal charges against her husband in the year before he left her, she was persuaded to withdraw charges against him on the grounds that he would be subject to a disciplinary hearing. His superiors would talk to him, and warn him not to assault her again. When her husband threatened her with a firearm, she approached his commanding officer to talk to him instead of laying criminal charges against him. Her real reluctance to have him arrested was ultimately revealed by her failure to report his serious violations of his interdict to the authorities. She said "I was still concerned about his job and the state he was in. I actually felt sorry that time, because if I did take in that interdict they would have arrested him. They would have arrested him, that's why I told myself, I'll rather keep it, something else will come up" (Christelle interview 1:14).

By contrast Siphokazi demonstrated a fierce determination to press criminal charges against her husband. She fought for her right to lay charges against her husband and was not bullied into withdrawing these. She didn't want mediation of any sort because "he can talk nicely in front of you...whereas I know that he can kill me"(Siphokazi interview 1:11). She was determined to impress on her husband that she was serious when she said: "he must be away from me, he mustn't come to

me, he mustn't talk to me" (Siphokazi interview 1:2). As such Siphokazi was eager that the police act so that her husband would appreciate that she was not making idle threats. She said: "maybe he thinks I'm joking or I make him scared" (Siphokazi interview 2: 2). She was clear from the outset that "I am making this case because I want my life to be safe" (Siphokazi interview 1:1). And she was determined that she would do what it took to achieve this goal.

Despite this she wasn't necessarily committed to following the criminal justice route to ensure that her husband stayed away from her, and to guarantee her own safety. She said that she approached the police for help "because I didn't have any alternatives in the township" (Siphokazi interview 1:10). Thus when she felt that she was adequately protected from abuse by the interdict and by the fact that she was divorced, she withdrew charges. Her ambivalence about criminal proceedings was revealed. She said "It will make *iinzondo* (grudge) for my family and his family...he will lose his job and his car.. his family will get cross for me and my family as well" (Siphokazi interview 3:3). It is possible that Siphokazi may have been open to persuasion not to withdraw charges if the police had been more encouraging and committed to criminal prosecution of domestic violence offenders.

6.4.4. Police reluctance or battered woman's reluctance?

The question arises as to whether the negative and insensitive responses which the women received from the police could account for the participants ambivalence about taking legal action against their husbands. There is a compelling argument in the domestic violence literature that battered women do not cooperate fully with the law, and are ambivalent about using legal assistance primarily because of deficiencies in the way in which the legal system responds to the problem of domestic violence (Buzawa and Buzawa 1996; Hanna 1996; Hart 1993; Klein 1993). Several authors argue that women are discouraged from pursuing criminal charges against their husbands by the criminal justice system's indifference to their plight, and by sexist and unsympathetic attitudes amongst police, prosecutors and presiding officers (Klein 1993; Fedler 1995; Olckers 1994).

The findings of this study show that it demanded a high level of assertiveness and resolve on the part of the participants to pursue criminal charges against their husbands in the face of police reluctance. The research findings demonstrate that the negative attitudes of the police failed to support the women's attempts to seek a legal remedy for abuse. They discouraged the women from following a path of action which would help them to break free of the psychological and ideological constraints which trapped them in their abusive relationships. However, the research concludes that the insensitivity of the police, and the inadequacy of the criminal justice response to domestic violence is not a sufficient explanation of why Siphokazi and Christelle withdrew charges against their husbands, or why Christelle did not report the violations of her interdict, or of Lindiwe's paradoxical use of police services.

Many of the participants were deeply anxious about hurting their partners, about losing their relationships with their partners, about causing harm to their families, and about jeopardising their own sense of themselves as soft, caring and forgiving. The study suggests that police's negative attitudes meshed with the participant's underlying ambivalence about seeking legal help, which was rooted in their paradoxical attachments to their husbands. The police's unwillingness to intervene in domestic violence matters concurred with the women's ambivalence about enlisting legal help. The police reluctance to intervene effectively intertwined with the participants' desires to their paradoxical attachments to their partners. But the price of this was high. When the women genuinely wanted protection and help, the assistance they received was woefully inadequate.

The opposite is also true. The findings suggest that the respectful sensitive responses of the clerk of the magistrates encouraged the women to overcome their fears of applying for interdicts. They were made to feel that their decisions to apply were valid and legitimate, and they felt supported and cared for. However, this support alone, whilst extremely valuable, was not a sufficient condition to ensure that the women would be prepared to have their husbands arrested if they violated the conditions of their interdicts.

6.5. Contact with lawyers

With the exception of Zola, all the women in the study reported that they had consulted lawyers. Sanette had enlisted legal help to divorce her husband several years before she finally applied for an interdict (see section 4.2.2, chapter 2). Siphokazi finalised divorce proceedings against her husband in the course of this research project. She reported that when she initially moved towns to get away from her husband she had not planned to divorce him, however when he abducted her from her workplace she recognised that she no longer wanted to be married to him. Her divorce was finalised without problems, though her husband did threaten that if he caught her with another man he would shoot her.

Sylvie once consulted a lawyer. At the time she was furious with her husband. He had threatened her with a knife and had then denied that he had done so at a family meeting. Following that he had left her for a few weeks. She had wanted advice on how to exclude her husband from the community of property agreement in their antenuptial contract, and also how to exclude him as a beneficiary from her insurance policy. The lawyer advised her to institute divorce proceedings, and to apply for an interdict (see section 6.3.1). She did not pursue divorce action, rationalising her choice by saying: “I didn’t have money at that time”(Sylvie interview 1:3).

Xoliswa reported that she had gone to the legal aid in 1998 to enquire about divorce. They had told her that they could not help her and she had felt discouraged and returned home. After she applied for an interdict she consulted a lawyer because she wanted advice for “when I’m ready to divorce him... because I’m not ready to divorce him you see, I’m still in love with him” (Christelle interview 2:4). She continued to maintain contact with her lawyer, reporting the details of her arguments with her husband to him. In some senses she was using the help-seeking strategy of witnessing (see section 5.2.1, chapter 5). She needed her lawyer to see how badly she was being treated.

Lindiwe had several contacts with lawyers. She worked for a legal firm and often related the details of her abuse to the attorneys so that they could witness her husbands' ill-treatment of her. She instituted divorce proceedings against her husband in about 1998. Her lawyers had gone so far as to issue summons against him. However when her husband promised to come right, she withdrew from proceedings. At the second interview she told me that she had asked her employers to reopen her divorce case, but it wasn't clear whether or not summons had been issued. At several points in both interviews she said "it's better I must divorce him"(Lindiwe interview 1:15; interview 2:5). However she remained extremely ambivalent about following through on this intention.

Christelle divorced her husband when it became clear that he had another girlfriend and that he was not going to come back to her. She described the divorce as "her revenge" (Christelle interview 1:2). She seemed to regard her lawyer as very powerful, and repeatedly threatened to take legal action against her husband. In her first interview she said that if her husband violated his interdict again she would get her lawyer to see to it that "he doesn't only spend one night in jail, but they he doesn't come out until the case is finalised" (Christelle interview 1:6). She also said that if he continued not to pay maintenance to her "my lawyer will see to it that you give me even more"(Christelle interview 1:5). She also threatened that if her husband bought himself a car she would get her lawyer to attach this asset to pay for the financial losses she suffered as a result of the divorce. Despite these threats she took little action. Her husband reneged on his maintenance payments and she did not press maintenance charges against him. The only action she took was to ask her lawyer to write a letter warning him not to harass her.

Interestingly, when her husband stopped harassing her in a serious way, Christelle continued to ask her lawyer to write warning letters to him. In her second interview she reported that she had not had any direct contact with her husband for several months, but she did receive an unpleasant phone call from a woman who pretended to be a social worker, and who enquired about her fitness to look after her children. Christelle suspected that her husband was behind this call and she requested that her

lawyer write yet another letter warning him to leave her alone. Her lawyer refused, and suggested that she should ignore the call.

6.6. The paradoxical attachment to bad objects and interactions with the law

The findings of this study show that fear of violence, and the need for protection from abuse were not the sole reasons why the participants sought help from the legal system. Although the desire for self-preservation was present to some degree in all the participants' interactions with the law, the findings demonstrate that the women were also motivated to seek help from the law by feelings of anger, shame and anxiety about possibly losing their relationships. As a result the participants held contradictory perceptions of the legal system and conflicting expectations of how the law could help them. These perceptions and expectations were often reflections of their own internal emotional states, and of their paradoxical feelings towards their partners. On one hand their interactions with the legal system reflected the feelings of rage, shame and hatred which are associated with the "abused self". On the other hand they reflected the feelings of love and hope associated with the "hopeful self" (see section 2. , chapter 2). The women's ambivalent behaviours in relation to the law were to some extent organised by these paradoxical feelings.

6.6.1. The hopeful self in interaction with the law

There is strong evidence in the study that several women enlisted legal help in the hope of reforming their partners. I asked Xoliswa during her first interview how she thought the interdict could help her? She replied " I think it can help me not to be assaulted at the house... I don't know about that ill treating. I don't know if it can help me so that my husband can...if he wants something, we can come together and talk, not to force things to me" (Xoliswa interview 1:9). Submerged beneath Xoliswa's rational expectation that the interdict would provide protection from assault, was her hope that the interdict would improve communication in her marriage. She invested her decision to enlist legal help with her deep desire for her husband that her husband would talk to her and to care for her.

Xoliswa's response was not atypical in this study. Lindiwe admitted unabashedly that she had applied for the interdict because she hoped that maybe "he's going to get a fright and come right. I thought even when he had that interdict he's going to come right" (Lindiwe interview 1:10). She hoped that by enlisting legal help she could persuade her husband to listen to her and to reform his ways. Zola was disappointed that although the interdict had curbed her husband's physical violence, it had not stopped him from drinking heavily. At an unconscious level, she had hoped that by enlisting legal help she could persuade him that "You mustn't drink, because you are so kind when you are not drunk" (Zola interview 1:9). Similarly, Sylvie hoped that by taking out an interdict against her husband she could persuade him that "you must stay in peace" (Sylvie interview 1:6).

Xoliswa made an interesting slip of the tongue. She referred her lawyer as "Dr N" (Xoliswa interview 2:4). A doctor is associated with healing. At an unconscious level the women believed that the law had the power to heal their relationships. Unable to countenance the possible loss of their relationships, the participants applied for interdicts, consulted lawyers and reported the abuse to the police in the hope that their husbands would be reformed, and that their relationships would be restored. They invested the law with their own hope that their husbands will change and become loving and reciprocal, despite strong evidence to the contrary (see section 4.4.4, chapter 4).

Their unrealistic expectations of the law are in conflict with the intentions of the legal system. The interdict is designed to offer protection from assault. The divorce system exists to ensure that fairness and justice prevail when the marital contract is dissolved. The purpose of criminal justice intervention in cases of domestic violence is to punish batterers in order to protect victims and to reduce recidivism. Although the rehabilitation of criminals is a goal of the criminal justice system (Hanna 1996:1870), the law does not seek to make abusive men love their wives. The law is designed to punish and rehabilitate criminals in order to deter crime and to do justice.

6.6.2. The abused self in interaction with the law

The abuse which the women endured left them feeling angry, ashamed and rejected. Not surprisingly the research found that, in addition to wanting to reform their husbands, the women were motivated to seek legal help by a desire to hurt and punish their abusive partner. Thus Christelle said “I took my revenge (*by getting divorced*)...I got what I wanted, he’s down today” (Christelle interview 1:8). Sylvie wanted to shame and punish her husband after he threatened her with a knife and then left her. She described the reasons why she went to the lawyer as follows: “I don’t want him to inherit my property, my furniture, my everything when I die, I want my son to have all my belongings” (Sylvie interview 1:5). The same desire was evident to some degree in Lindiwe’s case as well. She approached the law for assistance because she was “fed up of his things”(Lindiwe interview 1:5), she wanted her the police to “arrest (her husband) and take him to court to teach him a lesson” (Lindiwe interview 1:14).

The women’s anger was wholly justified. They had suffered physical injuries as a result of the abuse, and their dignity had been wounded by their husbands’ disrespectful, rejecting behaviours. However their legitimate desires for justice and punishment, had complex emotional associations for the participants in this study. In much the same way as they invested the legal system with unrealistic powers to heal their relationships, so they invested it with equally unrealistic powers to destroy and annihilate their husbands. They projected their own feelings of murderous rage towards their husbands onto the legal system. As such they confused the assertion of their rights to safety, dignity and justice with aggression. They believed that by taking legal action against their husbands they were being extremely cruel and vindictive.

Christelle’s case epitomised the way in which the women confused their protection of their rights with excessive cruelty and vindictiveness. She described her divorce as her revenge against her husband. She said “I told my lawyer I want my house, I want maintenance, I want the car, I want everything, he’s going to pay for the divorce” (Christelle interview 1:8). There was nothing unusual or excessive about Christelle’s demands. She was awarded a divorce settlement which allowed her to keep the house that she had bought with her own housing subsidy. . She was also awarded R550 a month’s

maintenance, which her husband was not paying. However the car they owned jointly was repossessed to defray expenses. It would appear that her lawyer had been able to secure a fair deal for her, which meant that neither she nor her child was unduly financially prejudiced by the divorce.

However she perceived the divorce settlement as having broken her husband. She said “I got what I wanted, he’s down today, I mean he’s sitting with his clothes that’s all”(Christelle interview 1:8). It was striking that Christelle seemed to have internalised her husband’s accusations against her. When she applied for the interdict restraining him from threatening to kill her “he said to people that I’m trying to get him down in life and that I want him to lose his job” (Christelle interview 1:15). Although, at one level she knew that she was trying to protect herself, she perceived her attempts to get legal redress for her situation as vengeful and cruel.

Her sense that it was cruel and unfair to take legal action against their husbands was shared to some degree by all the women in the study. The women doubted whether their anger was warranted. They felt that their legitimate desires for justice were excessive. They felt that they had to justify their decisions to take legal action against their husbands. Thus Siphokazi said “I didn’t blame myself to do that thing, to take the decision to do court interdict, I didn’t blame myself because it’s too much” (Siphokazi interview 1:8). She felt it necessary to exculpate herself from blame for taking legal action against her husband, despite the fact that he had almost killed her. Xoliswa’s and Lindiwe’s patterns of bringing her husband’s misdemeanours to the attention of their lawyers is also an attempt to justify their decisions to take legal action. They felt that they needed to pile on evidence that their husbands behaved badly in order to defend their wishes to get divorced. At some level the women believed that they had to protect their husbands from the full force of their own rage which they projected onto the legal system.

6.6.3. Patterns of approach and withdrawal

In much the same way as the participants approached non-legal resources for help at times of crisis and then withdrew from contact when the crisis abated, so several of the participants moved in and out of contact with the law. Sylvie contacted her lawyer when she was angry and upset with her husband. He advised her to divorce her husband. At her first interview, when she was still angry and hurt she said that she would institute divorce proceedings when she had the funds to do so. By the second interview her husband returned to the relationship and her feelings of rage had given way to feelings of pity and care. She had shelved her plans to divorce him altogether, and had not resumed contact with the lawyer. Lindiwe instituted divorce proceedings against her husband but withdrew these when her husband promised to reform. Similarly, Xoliswa approached lawyers for advice, but failed to follow through when her feelings of hope that her husband would come right got the better of her. Zola approached the police with the intention of laying charges against her husband, but did not follow through on her intention when she and her husband reconciled.

All these cases reveal how the splitting defence affects the women's interactions with the legal system (see section 2.9. chapter 2; section 4.4.4. chapter 4). They approached the law for help when they were infused with the feelings of anger, hurt and despair associated with their abused selves. When their hopeful selves took over, and their feelings of pain and rage were repressed, they withdrew from contact with the legal system. In this way they were able to preserve their paradoxical attachments to their abusive partners.

6.6.4. The reluctance to have their husbands arrested

The evidence in this study shows that although the women approached the legal system for help they were, to varying degrees, ambivalent about following through on criminal charges against their husbands. Many of the women failed to enforce the law when they were faced with the real possibility of having their husbands arrested. Instead they fell back on their common responses of pity and care. Lindiwe said "I didn't want him to suffer for my sake you see" (Lindiwe interview 2:3), Xoliswa said "I didn't want him to go to jail"(Xoliswa interview 1:6). Christelle justified her decision

not to report her husband's violation of the interdict saying "I actually felt sorry for him that time, because if I did take in the warrant of arrest they would have arrested him" (Christelle interview 1:4). Even Siphokazi acknowledged that she had not wanted her husband to lose his job and his car.

At some level the women's reluctance to have their husbands arrested was yet another manifestation of the moral defence against internal badness. If they had allowed the police to arrest their husbands it would have revealed their absence of care which they conflated with harshness, and with their murderous rage towards their husbands. In their own terms it would have been unspeakably cruel to let their husbands suffer the consequences of their abusive behaviours. The women had to defend against these feelings of rage at all costs. They needed to maintain idealised images of their husbands as basically good, or else fragile and in need of special treatment or care. And they needed to overcome their own rage, shame and rejection in order to retain a sense of self worth.

Celani (1994) argues that the moral defence enables the battered woman to preserve her relationship with her abusive partner. If the women had allowed their husbands to be arrested, they would have jeopardised their relationships. Xoliswa said "it would be the end of love" (Xoliswa interview 1:14). And Zola concurred that if her husband violated the interdict she would report him to the police, and that would "be the end of the relationship" (Zola interview 2:). They could not afford to have their husbands arrested if they were to maintain a connection with them. Even Christelle could not jeopardise her residual hope that her husband would come back to her, by reporting his violations of his interdict to the authorities.

Thus the women were caught in a vicious cycle of instability and insecurity. At the level of inner reality they doubted their legitimate anger against their husbands, and they confused their attempts to see justice done with a desire to destroy their husbands. They constantly needed to justify their decisions to seek legal help, and to defend against the realisation of their rage. At the level of external reality, their ambivalence about having their husbands arrested hobbled the capacity of the legal system to provide meaningful protection from abuse. There is compelling evidence that legal

intervention against domestic violence is most effective when it results in the arrest and prosecution of offenders (Sherman and Berk 1984; Hanna 1996).

6.6.5. The strategy of talking to husbands

It is not surprising that several of the women in this study reported that they had wanted the police to talk to their husbands rather than wanting the police to act against their husbands (see sections 6.3. and 6.4. above). By enlisting the help of the police and the courts to “talk to their husbands” and to warn them not to assault them, the women were able to strike a compromise between expressing the anger and rage on one hand, whilst at the same time defending against these unwanted sentiments (see section 5. , chapter 5).

It is striking that the participants desire for someone to talk to their husbands, and the police’s preferred strategy of mediation fit together like hand in glove. The interaction with the police turns into an elaborate, and costly dance in which neither party is truly committed to ending the violence, and in which both parties secretly condone the male’s right to do as he pleases, and the woman’s duty to sacrifice her own safety and dignity in the service of others. Talking to perpetrators and mediating in the conflict is the soft option. Research shows that as a strategy for policing it is hopelessly inadequate in reducing recidivism (Buzawa and Buzawa 1993;1996; Dutton 1995; Hanna 1996).

The evidence from this study suggests that at an unconscious level all the women, except Siphokazi and Sanette, used the law in order to communicate with their husbands. The very act of enlisting legal help was an attempt to talk to their husbands. The strategy of asking the police, lawyers and courts to warn and talk instead of taking action meshed with the participants’ unconscious desires to maintain connection with their partners. The women were trying to prevail on their husbands to change, and to commit themselves to behaving in a loving way. Even when they were infused with

rage and the desire for revenge, the participants were trying to make their husbands understand how hurtful their behaviour had been.

Christelle used the law to connect with her husband when all other means of communication and connection had ceased. Thus when she had not had contact with her husband for several months, and she received the suspicious telephone call, she asked her lawyers to write to her husband to warn him not to harass her. Perplexingly, she preferred it when her husband behaved aggressively towards her, to when he ignored her. When he threatened her and behaved in a sexually possessive way she felt that she existed for him. When he ignored her, when the connection between them was severed, she felt dead and overwhelmed by her feelings of emptiness and despair. She could not give up her paradoxical attachment to her bad object. At some level, her failure to report his breach of interdict was symptomatic of this attachment. At a perverse unconscious level she needed his unwanted, aggressive attentions, they were preferable to the intolerable pain of his absence.

By contrast Siphokazi soon gave up her attachment to her husband, which had been superficial from the outset. She described her decision to withdraw criminal charges against him as follows: “I don’t want to continue that case because he will think I want to be an enemy for him, he will think I am crying for him. But I don’t want nothing of him” (Siphokazi interview 3:3). She no longer needed the law to communicate her hurt and pain to her husband. She wanted all contact between them to cease. She was determined to move on with her own life. She did not want to attend to the problems which had occurred between her and her husband. She said “I have new problems now, I have to look after my family” (Siphokazi interview 3:4).¹¹

6.6.6. Gender identity and the law

The findings of this study suggest that battered women are ambivalent about taking legal action against their abusive partners, not only because it is difficult to take legal action against a person with whom one has an intimate relationship, but also because taking legal action threatens their ability to see

themselves as caring, soft-hearted and feminine. In patriarchal societies there is strong disapproval of women who approach the law for help. Sylvie explained: “With us (*in the Xhosa community*) they think you are a cruel somebody if you go to the law. They say our mothers have beared this, they were not having any problem, they were left by their husbands, they were hit, they were not doing anything. Why did she turn to the law, why didn’t she go to the relatives” (Sylvie interview 1:7).

The evidence from this study suggests that the women themselves internalised these patriarchal injunctions against taking legal action against their husbands. At heart they believed that it was cruel to approach the law for help. It was thus difficult for them to assert their rights to safety, dignity and respect, by taking legal action and by following through on the enforcement of their interdicts. Instead they favoured the soft-hearted, feminine approach of talking to their husbands, and using the law to gently warn their husbands not to hurt them. Their attitudes towards legal action indicate that gender ideal of soft-heartedness intersects with the moral defence against internal badness (see section 4. chapter 4). The participants chose pity and care over decisive action which would protect their interests. In so doing the women unwittingly confirmed their husbands’ beliefs that as men they could behave with impunity. They also colluded with the police’s sexism.

Sylvie’s case epitomises the paradoxes of what it means for a woman to take legal action. It demonstrates the conflicts which the decision to take legal action evokes for women. Sylvie had to choose between following the “masculine route” of asserting her own rights by taking legal action, or falling back on the source of feminine power which she knew she had at her disposal. She ultimately chose the power of self-sacrifice. Although she gained considerable control in the sphere of her own relationship, she did so at the price of submission to the broad patriarchal structure of her society.

Sylvie was reluctant from the outset to divorce her husband. She consulted a lawyer, but did not follow through on his advice, and his offer of legal representation. She chose instead to submit to the traditional process of formal negotiations between the men in her family and her husband in order to decide the future of her relationship. Her husband approached her father and brother to apologise for

his behaviour and to intercede on his behalf. Her father had emphasised that it was ultimately Sylvie's decision as to whether she took him back. However the negotiations were undertaken by men, and the final outcome lay in the hands of men.

It was interesting that Sylvie, who was the only professional woman in the sample should have taken this route. Her relationship with her elderly husband was characterised by a power imbalance which inverted traditional patriarchal relationships. She was the sole earner, she was educated and highly employable; he by contrast had basic primary schooling and had little hope of employment at all. In all respects, Sylvie held the power in the marriage. However she relied on being married to affirm her sense of femininity. Thus when it came to the decision as to whether to separate from her husband permanently, she abdicated her real power to decide for herself whether this was what she really wanted to the men in her family. When she decided to take him back she affirmed her maternal power, which is based not on the assertion of difference, but on self sacrifice (see Benjamin 1990:79).

When Sylvie reflected on her decision to take her husband back in the course of her second interview, she commented that there had been strong community pressure for her to do so (see section 5. ,chapter 5). She expressed a lingering regret that she had not filed for divorce as she intended to. She said "If I had the money that time I should have filed for divorce. And if I did file for divorce I wouldn't change, I would just keep quiet and process the divorce, and I would tell him 'no I go so far, I can't change'" (Sylvie interview 2:4). She also mentioned that she doubted that a man would have changed his mind about divorce as she had done . She said "if a man decides what he wants about you, even if you are pleading with him, even if people, I mean elderly people are pleading with him, it's difficult, very difficult for him to change. In fact they don't want to change if they have decided about you...but women, we are soft hearted, that's the thing, we are soft hearted, we are not so stubborn as men" (Sylvie interview 2:3).

The decision to take legal action, be it to institute divorce proceedings or press criminal charges, demands a high level of resolve and a clear sense of one's own rights to justice. The legal process is adversarial (Scott-Mcnabb 1989). The women in this study felt uncertain about whether they were entitled to protect their own rights if it meant limiting their husbands' rights. They felt sorry for their men. They preferred to sacrifice their own needs for safety and their rights to justice in order to protect their husbands. Unfortunately, even if they were prepared to fight the fight as Siphokazi was, they couldn't trust that the system would support them in their endeavour. She never knew whether she would be believed, or whether officials would take her husband's side. When women engage with the law they have a double struggle. They have to overcome their own inner anxieties about whether they are entitled to justice, and at the same time they have to take on the sexism of the legal system to ensure that justice is done.

6.7. Empowerment

Despite the evidence of police reluctance to intervene in domestic violence, and of the participants' own self-defeating patterns of interaction with the legal system the data from this study suggests that the women's decisions to approach the law empowered them. Siphokazi and Sanette both used the legal process successfully to separate from their husbands, and to curtail their husbands' abuse and threats of violence towards them. In her third interview Siphokazi described herself as "a free woman" (Siphokazi interview 3:1). Sanette said she felt "wonderful, really well. I'm a different person, I'm much more relaxed" (Sanette interview 2:1).

Ford (1991:318) argues that the threat of criminal prosecution may be sufficient for the battered woman to "to bargain for arrangements satisfactory to her wishes... indeed such informal negotiation may help her to attain outcomes that would be impossible through criminal processing". The results of this research show that the women were indeed able to use the interdict to bargain for more suitable arrangements with their partners, whilst at the same time preserving their relationships. Xoliswa said that she was better able to discuss issues with her husband now that he isn't so quick to

assault her (Xoliswa interview 2:3). She reported that although the relationship remains volatile, she and her husband have been able to negotiate how to manage the problem of his outside child. Sylvie reported that she had been able to negotiate a more satisfactory arrangement with her husband. She said “he’s listening, and he’s doing everything... he’s not aggressive, he’s trying to be a man of the 90’s not a man of the 30’s” (Sylvie interview 2:2). However the findings that the women all remained anxious that their husbands may assault them at a later stage suggest that Ford (1991) is overly optimistic in his assessment of the positive outcome of the threat of prosecution. The threat of prosecution alone does not guarantee safety.

The findings of this research suggest however that the real benefits of seeking legal assistance were that the women were enabled to increase their own feelings of freedom and control. Although Lindiwe’s material circumstances didn’t change much between the first and second interviews there was some change in the way in which she used help which suggested some progress along the lines of empowerment. After the first interview she asked her employers to help her to institute divorce proceedings on her behalf. She managed to organise for her employers to get her keys back from her husband when the police had failed to do so (Lindiwe interview 2:1). She also asked a male colleague to accompany her to her house to fetch her clothes (Lindiwe interview 2:1). She took a copy of her interdict with her when they went to the house. She used the interdict for psychological purposes rather than for practical enforcement of her rights. The fact that she had an interdict bolstered her confidence to confront her husband and to demand her clothes.

Zola was the interviewee who showed the most growth and change over the two interviews. She had been anxious and tearful in her first interview, but seemed much more in control in her second interview. The fact that she had managed to marshal help and support from family, colleagues and employers when she decided to apply for an interdict gave Zola a confidence which she had previously lacked. At the end of her first interview Zola said ‘so I have to take my treatment every morning, I can’t avoid it’(Zola interview 1:14). Not four months later, when I interviewed her for the second time, she reported that she was no longer taking the medication. Her depression had lifted. It

is not clear what made the difference. The fact that she had not been physically assaulted for four months could only have been good for her.

I believe however, that her decision to apply for the interdict enabled her to take control over her life. She no longer split off her feelings of anger to the extent that she had previously. As a result she felt less helpless and overwhelmed. Her decision to apply for an interdict enabled her to feel more confident in her own ability to look after herself and her children. Sanette too reported that she felt more confident as a result of taking legal action against her husband. She summed up her feelings as followed: “I did it and I feel good about it. I feel like I’ve achieved something” (Sanette interview 1:8). “I thank the Lord that he couldn’t break me down. I could still stand up and do something with my life” (Sanette interview 1:13).

6.9. Conclusion

In this chapter I demonstrated that the women were to a greater or lesser degree ambivalent in all their dealings with the legal system. They enlisted help from the police, but were reluctant to have their husbands arrested, they approached lawyers but in some cases they refused to institute divorce proceedings, or withdrew from proceedings when their husbands promised to change. I showed that there were problems with the way that the legal system responded to the participants’ needs for assistance. The police in particular were negligent and remiss in the ways in which they dealt with the women’s complaints. The police’s reluctance to pursue criminal proceedings against the women’s husbands discouraged the women when they sought to lay criminal charges against their husbands. However I concluded that the police’s negative attitudes meshed with the women’s own underlying ambivalence about enlisting legal help.

I showed that the women approached the legal system for help when they were fearful, angry, shamed, and anxious that they may lose their relationships. As such they were not only motivated to enlist legal help by the need for protection from abuse. They enlisted legal help in attempts to change

their husbands to make them loving and reciprocal. They also enlisted legal help in order to punish and shame their husbands. I concluded that their personal desires to restore their relationships do not fit with the actual aims and intentions of the law, however their desires for justice and punishment do.

Even though their desires for justice and punishment were legitimate and understandable, the women were anxious that if they pursued these ends they would be unreasonably cruel and vindictive. I suggested that this anxiety was underscored by their fear of their own anger. I concluded that many of the participants ambivalent behaviours in relation to the legal system reflected their attempts to protect their husbands from their anger, to overcome their own inner sense of badness, and to preserve their paradoxical attachments to their abusive partners.

I also concluded that it is particularly painful and difficult for women to enlist legal help. The ends of justice and punishment stand in contradiction to the feminine ideals of soft-heartedness, and keeping relationships alive no matter what the cost to the self. When women enlist legal help they have to overcome their own inner anxieties emanating from their harsh inner voices which tell them that they should be soft-hearted and forgiving, and that they should put others' needs before their own. They also have to contend with sexist responses in the legal system and the broader community which favour men's rights to behave with impunity in their intimate relationships.

Despite these difficulties, I conclude that although the women's interactions with the legal system afforded them limited protection from abuse, their decisions to enlist legal help improved their confidence and extended their sense of freedom, control and autonomy.

CHAPTER 7

CONCLUSIONS AND RECOMMENDATIONS

7.1. Introduction

In this chapter I present a summary of the main findings and conclusions of the study. I also offer recommendations as to how social work services to battered women can support them in their interactions with legal and non-legal sources of help; and as to how the legal system's response to the needs of battered women can be improved. Finally I suggest areas for further research.

7.2. Summary of main findings

7.2.1. The nature of abuse suffered by the women in this study

The research showed that all the participants had suffered some form of physical abuse at the hands of their partners. The participants reported that they had also endured sexual and emotional abuse. The research showed that the men's behaviours were sexist, and that violence was used as a means for maintaining gender domination and control. The study recorded a range of injuries and stress related complaints as a result of domestic violence. Although there were differences between the participants in terms of the frequency and severity of the assaults, the study found that in five of the seven cases reviewed the participants endured severe physical abuse, which were potentially life-threatening. The findings of the study thus confirm findings of international research which suggests that "women who seek out court orders have serious complaints of abuse, [they] are not seeking relief because of trivial annoyances" (Smith and Harrel 1993:216)

7.2.2. The participants' attachment to their abusive partners

The research demonstrates that at the time of the study there were marked differences between the participants in terms of how deeply attached they were to their abusive partner. By the time they were interviewed both Siphokazi and Sanette were no longer psychologically invested in maintaining their relationships with their abusive partners in the ways in which the Xoliswa, Sylvie, Zola and Lindiwe clearly were. Although Christelle was divorced from her husband, the findings show that she had not separated emotionally from her marriage.

Despite the individual differences in the women's current levels of attachment to their husbands, the data showed that the women could not extricate themselves easily from their relationships with their husbands. These relationships were all characterised by a "peculiar stickiness"(Goldner et al 1990:356), and in each case there were indications of a paradoxical attachment which bound the women to their husbands. The study concluded these attachments were not based on financial need, nor were they rooted in fear or trauma.

The findings of this study suggest that the women were deeply angry with their husbands and that they feared their own rage more than they feared their husbands' abuse. The research concluded that the women's fear of their own anger heightened their fears of their husbands' violent behaviours, and left them feeling overwhelmed and paralysed. The study showed that, as Celani (1994) suggests, the participants deployed both splitting and the moral defence to defend against their own unwanted feelings of rage, and also to preserve their relationships with their abusive partners. Thus the women in the study clung to the hope that their husbands would change, that they would stop drinking, stop abusing them and become loving, caring husbands. They also believed that they were somehow to blame for their husbands' behaviour, and they embraced heroic standards of care towards their husbands in the hope that they could reform them.

The research showed that the women's behaviour towards their husbands was influenced by patriarchal ideology. The participants behaved in accordance with idealised images of femininity. To

varying degrees they believed that they should *nyamezela*, they should always be soft-hearted and caring towards their husbands, and that they were responsible for their husbands' physical and moral well-being. The study showed that these patriarchal ideologies intersected with the women's attempts to ward off unwanted feelings of rage and loss. They reinforced the women's reliance on splitting. The ideals of feminine self-sacrifice also represented idealised good objects, which formed the basis of the women's moral defence against internal bad objects.

7.2.3. The participants interactions with non-legal resources

The study found that all the participants, with the exception of Sanette, sought help from a wide range of resources. The research demonstrated that the women did not seek help only to gain protection from abuse. In many cases they sought help in order to reform their husbands and to improve their relationships. The research identified five help-seeking strategies which were commonly deployed by the women in the study: confiding in others, seeking protection and refuge, asking others to bear witness, getting others to talk to their husbands, and asking for advice and seeking professional help.

The study revealed that the women were often motivated to seek help by feelings of fear, thus contradicting Walker's (1979) assumption that fear prevents women from asking for help. However, the findings suggest that the women were also motivated to seek help by feelings of anger and loss. The research showed that several of the participants' help seeking behaviours were symptomatic of their conflicts around (unconscious) anger. The women chose the strategies of getting others to witness their husbands behaviour, and of getting others to talk to their husbands because these strategies enabled the women to strike a neurotic compromise between expressing their anger whilst at the same defending against their anger.

The research also showed that the women's help-seeking endeavours were influenced by their paradoxical attachments to their abusive partners. The splitting defence was evident in the way in which many of the participants sought help. Several women sought help at points of crisis and withdrew from contact with help when the crisis abated. Moreover the women's help-seeking

behaviour was shaped by the moral defence against bad objects, and by the patriarchal ideologies which inform the ideals of feminine gender identity. As such the women used help-seeking strategies which affirmed their sense of themselves as caring and soft-hearted, and they sought help in order to prove they that were caring and concerned about their husbands' well-being.

The data suggests that the women's appeals for help were met with a range of responses. Some of the responses reflected conservative patriarchal beliefs. Some participants were told by church leaders and by social workers that they should *nyamezela*. More commonly however, the women were advised by family members, friends, colleagues and employers to take legal action against their husbands or to leave the relationship. The findings suggest that participants' internal realities coloured their reactions to the help and advice which they received from other people. Nonetheless there was strong evidence in the study that empathic and appropriate support from others was important in empowering the participants to take decisive action to protect their own interests.

7.2.4. The participants interactions with the law

The research found that the women approached the law with a range of problems. The findings suggest that the participants needed the legal system to provide them with information, advice, and a range of criminal law and civil law remedies which could offer relief. The study found that the staff at the magistrate's court treated the women sensitively and empathically, but that the police were unhelpful and negligent in the way in which they managed the women's complaints.

Several problems with the police response to domestic violence were recorded. The findings showed that the police were reluctant to pursue criminal charges against the women's husbands, despite the fact that the complaints which the women brought to their attention were severe. Moreover, in one case the police failed to arrest a respondent who had clearly breached his interdict. The findings suggest that the police believed that domestic violence is not a criminal justice matter and they intervened by warning the men, and by trying to mediate the conflict between the parties. The findings showed that despite these problems there were marked differences between the participants in terms

of their willingness to pursue criminal charges against their husbands, and to cooperate with the criminal justice process.

However the data indicated that all the participants were ambivalent about taking legal action against their husbands. The research demonstrated that although the participants feared retaliatory violence, and lacked knowledge about their rights and about legal procedure, these factors alone could not provide a sufficient explanation of the women's ambivalence in relation to the law. The research also found that the police response was not in itself a sufficient explanation of the participants' ambivalence. All these factors meshed with the women's own underlying ambivalence about taking legal action. This ambivalence was rooted their paradoxical relationships with their abusive partners, or more correctly in the internal psychic reality on which this attachment was founded.

The findings showed that the women sought help from the law not only to gain protection from abuse, but also to reform their partners, or to punish and shame them. Their personal desires to change their husbands did not fit in with the aims and intentions of the law, as the law is not concerned with making husbands love their wives. Although their desires to punish and shame their partners were consonant with the objectives of the legal system, the participants were anxious that if they pursued these ends, their behaviour would be unreasonably cruel and vindictive. Their fear of pursuing the aims of justice and punishment were underscored by their fears of their own anger, and by their desire to preserve their paradoxical attachments to their abusive husbands. The study thus found that the women's interactions with the law reflected the two main defences of splitting and the moral defence.

In addition the study found that it is particularly painful and difficult for women to enlist legal help. The ends of justice and punishment stand in contradiction to the feminine ideals of soft-heartedness and of making relationships work. There is a conflict between the ethic of care, and the ethic of justice (Gilligan 1982). In the psychoanalytic terms of reference which guide this research, there is a conflict between masculine power, which is based on the assertion of difference and autonomy, and feminine power which derives from self-sacrifice (Benjamin 1990). The women's paradoxical interactions with the legal system reflect the dilemma. In order to preserve their feminine gender

identity and their sense of self-worth, the women enlisted legal assistance but were reluctant to enforce legal sanctions against their husbands.

As a result, the study found that the women's interactions with the law afforded them limited protection from abuse. Several participants reported that the interdict had been successful in curbing physical assault in the short-term. But they added that they were doubtful about the permanence of this cessation of violence. Despite this, their decisions to take legal action bolstered their feelings of confidence in their abilities to look after their own interests, and empowered them by extending their inner sense of freedom, autonomy and control.

7.3. Conclusions

On the basis of the findings above, the research concludes that whilst fear of violence may be the basis for compliance in abusive relationships, it is not a basis for an emotional attachment to the abusive partner. The findings of this study conclude that the participants' attachments to their husbands were based on their own internal psychic realities, their own attachments to internal bad objects. The participants superimposed their own internal psychic realities on external reality. They held omnipotent fantasies that they could reform their husbands, and equally irrational beliefs that their husbands' rejecting behaviour was a response to their own deficiencies. They were unable to apprehend the reality that their husbands' deficiencies could not be repaired by their own heroic efforts to care for them (Armstrong-Perlman 1994). They also seemed unaware of their own strengths and limitations. As a result they tried to preserve their relationships at all costs in order to stabilise their sense of self.

The research also concludes that gender identity is a critical factor in maintaining attachment to abusive partners. Gender inequality and patriarchy are real structural forces which are internalised by individuals. Gender identity operates as a deeply internalised psychic structure which organises the way in which women see themselves, and the way in which they relate to men. None of the women in this study was financially dependent on her husband. On the whole the participants were

better educated, and they held down more stable jobs than their husbands. Nonetheless they subscribed to rigid patriarchal prescriptions about how women should feel and behave. The research concluded that patriarchal ideologies intersected with the women's psychological defences against internal bad objects, and it was this factor which ensured that patriarchy has a stranglehold on women even when the material circumstances in their relationships with their husbands are not unequal.¹²

Overall, the research concludes that an appreciation of the significance of internal psychic reality in the battered woman's relationship with her abusive partner allows for a richer understanding of the battered woman's paradoxical relationships with the law and other helping resources. When it is clear that the battered woman is a victim of her own unconscious forces as much as she is the victim of her husband's abuse, her perplexing and infuriating patterns of help-seeking become explicable. She is guided in her help-seeking endeavours by her internal object relations as much as she is guided by external circumstances. The contradictions and splits which structure her internal world underpin her interactions with helping resources. The study therefore concludes that the battered woman's capacity make optimal use of the protection and assistance offered by helping resources is determined by the extent to which she has been able to overcome her paradoxical attachment to bad objects. When she is trapped in the vicious grip of her attachment to bad objects her interactions with the law and with other helping resources will be marked by ambivalence.

Despite this, the research findings suggest that it is essential that the battered woman has access to a range of humanely managed services and resources including counselling, shelter facilities and both criminal law and civil law remedies in order that she can be protected from abuse, and can be helped to assert her own needs and rights in relation to her abusive partner. Whilst it cannot be guaranteed that the battered woman will make optimal use of these services, the findings show that when the women in this study were met with a humane, empathic and supportive response from the legal system and from other helping resources they felt encouraged and validated. They were enabled to take steps towards asserting their own needs, and towards loosening the psychological bonds which kept them trapped in their relationships with their husbands.

7.4 Recommendations

7.4.1. Recommendations for improved service provision to battered women

a. The findings show that the battered woman's attachment to her abusive partner is complex and tenacious. Social workers and lay counsellors who provide casework, groupwork and community work services in the field of domestic violence should be trained to understand the unconscious conflicts which underpin the battered woman's love for her abusive partner. If social workers and counsellors work from a basis of this understanding, they will be able to provide a more effective services to battered women. They will not collude with the woman's hopes that she will be rescued, nor with her hopes that she can save her husband. In addition they will not respond in a retaliatory manner when the woman rejects their help by withdrawing or responding angrily. Not only would such training improve services to battered women, it would help to reduce burn-out amongst service providers.

b. Because the battered woman's attachment to her abusive partner is both tenacious and complex, there is no quick fix solution to the problem. Whilst it is essential that battered women have access to crisis counselling services, it also important that they has access to long term therapeutic services. These should preferably be provided by trained professionals, and if this is not possible they should be provided by well-trained, experienced lay counsellors working under the supervision of a professional.

c. The findings suggest that there is a need for greater cooperation between the legal system and counselling services. Battered women who engaged legal help may be helped if they receive counselling and support. A trained counsellor could confront the battered woman to reflect on her motives for enlisting legal help, and could advise her on her options should it become clear that the woman's motives for seeking help do not mesh with the objectives of the legal system. In addition a counsellor could support the woman through the legal process by validating her decision to seek legal relief, and by helping her to reflect on her desires to drop charges, or to withdraw from legal

proceedings. As such there should be stronger partnerships between magistrates, prosecutors, lawyers, police and social workers in order to maximise the benefits of legal intervention to battered women, and to minimise the costs to the state.

d. The evidence from this research points to a strong need for holistic legal services for battered women. Such services would include:

- Legal counselling on the range of civil and criminal law options available to women who are abused
- Assistance in pursuing criminal charges against abusive husbands
- Help in getting firearms removed,
- Assistance in applying for an interdict or protection order
- Legal representation in divorce, maintenance matters, and in civil proceedings for damages which arise from abuse
- Advocacy services for more comprehensive legislation to combat domestic violence

e. The research showed that the clerk of the court who helps domestic violence victims to apply for protection orders plays a pivotal role in helping and supporting battered women. It is thus recommended that court officials who work with battered women should receive specialised training. Such training should include:

- Information on the dynamics of the abusive relationship.
- Training in the basic counselling skills of listening, reflecting and probing (Culley 1991)
- Training on the provisions of the Domestic Violence Act 116 of 1998, and on the range of legal options available to battered women.

f. It is recommended that similar training be made available to magistrates, police officers¹³, paralegal advice workers and church leaders.

7.4.2. Recommendations for further research

- a. This research project describes the manifestations of the battered woman's attachment to internal bad objects. There is need for further research into the early childhood experiences of battered women in order to explain the aetiology of these paradoxical attachments. Such research would enable a better understanding of how the patterns of parenting, and particularly the disruptions in care-giving in early childhood, contribute to the problem of domestic violence in South African communities. More research is needed on the early childhood experiences of both abused women and abusive men, and on the ways in which traumas and losses in childhood and adolescence impact on the individual's propensity to engage in a domestic violence relationship in adulthood.

- b. The effect of marital violence on children was a disturbing dimension of the research which was beyond the scope of this study. It was specifically striking that "outside children" seemed to be caught up in the violent conflicts in the homes, and seemed to be burdened with blame for the conflicts. Research is needed into the ways in which marital systems in contemporary African communities manage, or fail to manage the demands of caring for "outside children"; and on the psychological and social impact on these children, of exclusion from the family system.

- c. The way in which cultural beliefs and practices influence battered women's decisions to remain in abusive relationships, and structure their help seeking endeavours needs to be researched more fully.

- d. There is a need to monitor the effectiveness of the new Domestic Violence Act 116 of 1998, and to explore how battered woman's needs can be effectively served by the South African legal system.

- e. There is also an urgent need for a national survey on domestic violence in order to establish the prevalence of the problem in this country.

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Legislation referred to in the thesis

The Arms and Ammunitions Act 75 of 1969.

The Domestic Violence Act 116 of 1998

The Prevention of Family Violence Act 133 of 1993

APPENDIX A
THE LEGAL CONTEXT OF THIS STUDY

In this thesis I use the terms “law” and “legal system” interchangeably to discuss both the criminal justice system and the civil law remedies available for battered women. In the course of the thesis I use these terms to refer to the women’s interactions with police, lawyers, magistrates, the clerk of the court and the sheriff.

The legal remedies available to battered women

In theory there are several legal remedies available to the victim of domestic violence:

(i) She may press criminal charges against the domestic violence perpetrator. Although domestic violence is not in and of itself a crime, the domestic violence perpetrator may be charged in terms of a number of common law and statutory offences. These, most commonly include assault, assault with intention to do grievous bodily harm, attempted murder, indecent assault, rape, arson, kidnapping, malicious damage to property and *crimen injuria*.

(ii) She may institute civil proceedings for injury to the person.

(iii) She may apply for an interdict or protection order to prevent further abuse.

(iii) She can institute divorce proceedings

(iv) She can apply for the perpetrator’s firearm to be confiscated in terms of section X of the Arms and Ammunition Act 75 of 1969

(v) If she can find a lawyer, or paralegal, willing to assist, she can enlist mediation services.

Domestic Violence legislation

Two pieces of South African legislation address the problem of domestic violence directly. The Prevention of Family Violence Act 133 of 1993 came into operation in December 1993. All the participants in the study had applied for and been granted interdicts in terms of this law. The Prevention of Family Violence Act, was repealed and replaced by the Domestic Violence Act 116 of 1998, which came into operation on the 15th of December 1999, a few weeks before the research for this thesis was complete. Although the data in this thesis does not relate directly to the latter law it is useful to understand the provisions of both laws, and to assess the way in which the Domestic Violence Act sought to overcome the limitations of the prior legislation.

The Prevention of Family Violence Act 133 of 1993

In December 1993 the Family Violence Act, 133 of 1993 was introduced following debate over two draft bills which preceded its enactment, The Prevention of Domestic Violence Bill and the Prevention of Family Violence Bill (Novitz 1996:). Although it was a deeply flawed piece of legislation which was fiercely criticised by feminist activists and conservative supporters of male perpetrators alike, it was an important piece of legislation in that for the first time battered women were offered the option of an affordable legal remedy. And for the first time, domestic violence itself was formally recognised as a problem which falls within the ambit of the legal system.

- Section 4 of the Prevention of Family Violence Act 133 of 1993 specified the obligation to report the suspected ill-treatment of children.
- Section 5 repealed the marital rape exemption, thus making it possible for a man to be convicted of raping his wife.
- Most importantly, section 2 provided for a streamlined procedure whereby interdicts can be obtained from either a judge or a magistrate in cases of family violence.

The explanatory memorandum to the Act states that the Act is intended to supplement existing legal remedies. (Novitz 1996:22). Thus battered women still had the option of applying for a Supreme Court interdict restraining their partners from assaulting them, or to the magistrate's court for a peace order to be issued against their abusive partners. They also had the option of laying criminal charges against their partners.

The interdict provided for by the Prevention of Family Violence Act was a civil law remedy. In terms of section 2(1) a person who is a party to a marriage", or a person who has a material interest in the matter on behalf of the applicant, could apply for an interdict restraining the respondent from:

- (i) Assaulting or threatening the applicant or child living with the parties or with either of them.
- (ii) Entering the matrimonial home or place where the applicant is residing.
- (iii) Preventing the applicant or child who lives in the home from entering or leaving the home or
- (iv) Any other act specified in the interdict.

The act made provision for a judge or magistrate to issue an interdict on the basis of a sworn affidavit made by the participant, without hearing oral evidence. Section 2(2) specified that a warrant of arrest be issued with the interdict, but be suspended as long as the respondent complied with terms of the interdict. Section 2(2) of the act also made provision for the respondent to apply to the court to have the interdict set aside.

If the respondent breached the interdict, section 3 made provision for the police to execute the warrant of arrest and to detain the respondent for a period not exceeding 24hrs, before bringing him or her before a judge or magistrate. The respondent is then charged with contravening the interdict,

and if found guilty was liable for a fine and/or a period of imprisonment not exceeding 12 months (section 6).

Critics of the act argued that this legislation was hastily drawn, and reflected several weaknesses and limitations (see Clark 1997; Novitz 1996; Keen and Vale 1997):

(i) The civil orientation of the act

Clark (1997:592) notes that although the Act has been hailed as a breakthrough for women, the question remains as to whether this type of legislation only serves to decriminalise domestic assault further. One of the main criticisms of the Act is that it is too oriented to civil law and there is no onus on the police to pursue criminal charges against domestic violence offenders. (Novitz 1996:28). In fact an unintended consequence of this type of legislation is that police may be reluctant to act in domestic violence cases unless the complainant is in possession of an interdict.

(ii) No definition of domestic violence

The Act was criticised because it failed to define domestic violence, thus magistrates have the discretion to decide whether an applicant is at risk of abuse. In practice it seemed that magistrates defined domestic violence primarily in terms of physical abuse only, and will issue interdicts in cases in which there is a history of physical assault.

(iii) The scope of the Act was too narrow

The fact that the Act only protected "parties to a marriage" is seen to be a major weakness in the legislation. No protection is afforded to domestic violence victims who are homosexual, or victims who are dating, but do not live together and have not lived together previously. In addition victims of child abuse, or abuse by children or grandchildren are excluded by the act.

(iv) The conditions of the interdict did not cover stalking

The interdict did not specifically restrain respondents from stalking their partners or harassing them outside the home. As such victims of violence are not offered meaningful protection from abuse.

(v) Alleged procedural unfairness

Some critics of the Act claim that the audi alterem partem rule is violated by the fact that the Act makes provision for a court order to be granted on the basis of an ex parte affidavit.

(vi) Penalties provided for by the Act

The Act was criticised on two counts. In the first place the penalties seemed inadequate. In the second place a fine simply diverts money from the family, and whilst imprisonment is usually the most effective way to prevent further abuse, it can result in destitution if the offender is the sole breadwinner. Alternative sentencing like community service orders, periodic detention and mandatory counselling are not specified in the legislation (Clark 1997:).

(vi) Jurisdiction

Under normal rules of civil jurisdiction, the applicant must apply to the court which has jurisdiction over the respondent. The law is not explicit about what happens if the applicant is assaulted outside the jurisdiction in which the interdict is issued (SA Law Commission, Issue Paper 2, 1996:6). As a result, domestic violence victims who often move towns to escape abuse are offered limited legal protection.

(viii) Other practical difficulties

No provision was made in the regulations to the Act as to what happens after the respondent who has breached his interdict has been convicted and sentenced. Is the original interdict still valid? Is the magistrate required to issue another warrant for his arrest? How should the applicant and respondent be notified of the court's decision? The absence of specific provisions in this regard has led to a lack of clarity and to disparate practices even within the same magisterial jurisdiction. Thus one of my clients was told that her interdict remained valid and she was issued with another warrant of arrest. Another was told she had to reapply for another interdict.

The Domestic Violence Act 116 of 1998

The Domestic Violence Act 116 of 1998 is a progressive, comprehensive, far-reaching piece of legislation, which takes a tough stance against domestic violence and obligates the authorities to view domestic violence as a serious problem worthy of court intervention. The law addresses several needs of the domestic violence victim for protection, financial assistance, child custody, even for her whereabouts to remain secret. At the same time it irons out the problems of procedural unfairness and ensures that the respondent has a right to have the court order set aside.

The scope of this act is broader than the previous legislation which it replaces. Whereas the Prevention of family violence act applied only to “parties to a marriage”, the new legislation offers protection to anybody in a “domestic relationship”, thus embracing relationships between both heterosexual and gay couples, who are or have been dating, or living together, or married by custom or law. It also applies to relationships between parents and children, between members of the same family who are related by consanguinity or affinity, and between members of the same household. Similarly the act provides a comprehensive definition of domestic violence, which includes stalking..

Section (2) specifies the duties and obligations of the police to assist the domestic violence victim, and section (3) gives the police the power to arrest without a warrant a respondent who is reasonably

suspected of having committed an offence against a complainant at the scene of a domestic violence incident.

Sections 4 -6 regulate the issuing of protection orders. In terms of this law, the court is empowered to issue an interim protection order on the basis of an ex parte affidavit, if there is prima facie evidence that the respondent has committed, or is committing a domestic violence offence. A return date is then set for the respondent to appear in court for a hearing, in which oral evidence may be submitted as to why the order should be set aside. This provision addresses the issue of audi alterem partem.

If the respondent fails to appear on the return date, and if the court is satisfied that a proper service has been effected on the respondent, and that the application contains prima facie evidence that the respondent has abused or is abusing the applicant then the protection order is made permanent. If the respondent does in fact appear on the return date, the court may hear oral evidence or consider affidavits as to why the order should be set aside. Section 6 (3) regulates the manner in which cross-examination may be conducted in these cases, and it outlaws the cross-examination of complainants by respondents.

Section 7 specifies the court's powers with respect of protection orders. Again the scope of the Act is much wider than the previous legislation. In terms of section 7(1) the protection order may forbid the respondent from committing an act of domestic violence (as defined in section 1 of the Act). It may also forbid the respondent from entering the complainants residence, or part thereof, entering the complainants place of employment, or preventing the complainant from entering his or her own residence. The court may also impose other conditions which it deems to be reasonably necessary to ensure the safety and well being of the complainant in terms of section 7 (2). This includes ordering the seizure of weapons (as regulated by section 9) and ordering a peace officer to accompany the complainant to her home to collect possessions. In terms of section 7(3), the court may order the respondent to provide emergency monetary relief to the complainant. The court may

also rule on contact between the respondent and minor children (section 7 (6)). There is also provision to withhold the address of the complainant to ensure her safety.

If the respondent breaches the protection order against him, he is liable for a fine or a period of imprisonment not exceeding five years. The Act also specifies the issuing of a warrant of arrest and procedures to be undertaken if the warrant is executed or lost (section 6). The procedures for service of documents is specified in section 13, and the jurisdictions in which the protection order is valid are regulated by section 12

Appendix B

Consent form for participation in the study

1999.07.13

To whom it may concern,

I am a Social Work Masters student conducting research on women who apply for interdicts in terms of the Prevention of Family Violence Act. I want to understand more about why women apply for interdicts and their expectations of the courts. In order to do this I will be interviewing women who have applied to the local magistrate's court for an interdict.

I am writing this letter to ask whether you would be prepared to participate in my research project? If you agree to participate I will interview you in a few days time and then again in three months time to see how you are doing. Each interview will last about one and a half hours. Please fill in this reply slip, and hand it to the clerk of the court. I will then contact you to make an appointment. I want to emphasise the participation in this research is completely voluntary and you are free to refuse to be interviewed. I also want to reassure you that if you do agree to participate in the research, what you say will be treated confidentially.

I would really value your cooperation, and I look forward to meeting you.

Regards

Dana Labe
Social Work Masters student

Dr F. C. Coughlan
Head of Department

—
REPLY SLIP

I.....AGREE TO BE INTERVIEWED FOR THE RESEARCH PROJECT. I
CAN BE CONTACTED AT THE FOLLOWING NUMBER.....

SIGNED.....DATE.....

Appendix C

Interview guide for first interview

1. Identifying details

Name

Partner's name:

Age

Partner's age:

Occupation:

Partner's occupation:

Level of education:

Partner's level of education:

Children:

(with partner, from other father's, partner's children from other relationships)

Date of application for interdict:

Date interdict was granted:

Date of this interview:

Contact telephone number:

2. Could you describe to me what prompted you to apply for this interdict?

3. History of abuse

Is this the first time you have been assaulted by your husband?

(Look for nature of violence, patterns of leaving and reconciling, what made her return; feelings about abuse and her partner)

4. In what way do you think the interdict will help you?

5. Exploration of experience of process of application

How did you find out about the interdict?

Can you describe what happened when you went to the court to apply?

Was the process of applying what you expected it to be?

How did you think it would be different?

6. Is this the first time you've applied to the courts or to the police for help?

Explore previous interactions with legal system (What happened, feelings, outcomes)

What is different about this time?

7. Who else have you approached to help you with this problem?

What did you want these people to do?

8. What do you think people in your community (family/friends/neighbours) would say about the fact that you have applied for an interdict?

Who would approve/disapprove?

Why?

9. How did your partner respond to being served with the interdict/ how do you think he will respond?

What will he think/feel/do?

What do you fear he may do?

What do you hope he will do?

10. What will you do if the interdict is violated?

11. Do you know what you can do if your partner violates his interdict?

Was this explained to you at court?

How would you feel about reporting a violation?

12. Any questions you want to ask me?

Appendix D

Interview guide for second interview

1. What has been happening in the relationship since the last interview?

(Reconciliation? perceived improvement in relationship - how? Feelings about relationship; Pick up on themes from previous interview)

2. What did your partner do when he received the interdict?

(Probe feelings about his response; Pick up on themes from previous interview)

3. Has your husband assaulted you or abused you since you applied for the interdict?

4. If yes - did you report this to the police or court?

(Probe reasons for reporting/not reporting? What she thinks would have happened/should have happened to partner? Impact of reporting on the relationship? Response of family/friends to decision? Pick up on themes from previous interview)

5. If reported - what happened when you reported to the authorities?

Was the process/outcome different from what you expected?

In what way was it different?

6. Any regrets about reporting/not reporting?

7. Any hopes about reporting/not reporting?

8. Any questions you want to ask me?

Footnotes to the text

1. For the purpose of this thesis domestic violence is defined in terms of the criteria set out in section 1 (viii) of the Domestic Violence Act 116 of 1998. This definition includes the following behaviours: Physical abuse, sexual abuse, emotional verbal and psychological abuse, economic abuse, intimidation, harassment, stalking, damage to property, entry into complainants property without consent, any other controlling behaviour which harms the complainants safety, health or well being. This research is only concerned with abuse of women by their intimate male partners, and the generic terms domestic violence, or family violence, as well as the specific terms “wife abuse” and “women abuse” are used interchangeably to denote this form of domestic abuse.

2. There is no national prevalence study on domestic violence. Moreover, statistics kept by hospitals and social service agencies are incomplete and thus unreliable. Because “domestic violence” is not itself a criminal offence, police record domestic violence complaints in terms of specific criminal charges which are pursued eg assault.

3. There is a rigid code of customs and practices whereby respect and modesty are maintained in Xhosa culture. The young bride, or *makhoti*, in particular is expected to show respect for her husband’s senior relatives, particularly his male relatives, in specifically encoded ways. The customs of *ukuhlonipha*, prescribe and proscribe certain behaviours which befit the new wife. She is not allowed to enter certain parts of the homestead, she may only enter and exit the homestead by specific routes, she must avoid certain foods, and is expected to dress in a prescribed manner. In order not to offend she avoids names and words in which the primary syllable is similar to the names of her husband’s senior male relatives, living or dead, and she may not name the names of her husband’s mother or senior female relatives. As Hunter Wilson (1936:44) writes “custom lays down very definitely what the behaviour of the wife should be, and breach of that code would be a sign of bad breeding.”

4. Object relations theory is itself a huge field which is by no means monolithic. It represents the diverse positions of central theorists such as Klein, Fairbairn, Winnicott, Balint, Guntrip and others. I have not addressed the important differences between these thinkers at all in this thesis.

5. Although Freud used the term “object”, it had no special significance in his work and was viewed as that towards which the drive was directed (Hinshelwood 1989:362) The importance of objects was discovered by Melanie Klein whose use of play techniques in her analysis of very young children revealed that her young patients invested toys and fantasy people with strong feelings of love, hate, greed, envy etc. She came to understand that in her patients' minds there were full and intense relationships with these "objects".

6. As it happens the majority of women who apply for protection orders through the local Magistrate’s court are Xhosa speakers whose command of English is minimal. Thus the pool of potential participants was smaller than I had initially anticipated.

7. Siphokazi's husband abducted her from her workplace. Xoliswa had accidents at work as a result of the stress from the relationship. Zola needed permission to take time off work to apply for her interdict.

8. Section 3(1) of the Prevention of Domestic Violence Act 133 of 1993 states that "subject to the provisions of section 2(3) a warrant of arrest issued and suspended in terms of section 2(2) may be executed by a peace officer as defined in section 1 of the Criminal Procedures Act, 1977 (Act number 51 of 1977), upon receipt of an affidavit in which it is stated that if the respondent has breached any of the conditions contained in the order contemplated in section 2(2)".

9. The data from the study suggest that the men against whom the interdicts were issued did not take lightly to legal action being brought against them. Sanette reported that when her husband received his interdict in Umtata he phoned her to "find out why you are doing this" (Sanette interview 2:3). Zola's husband was angry that she had applied for the interdict, he describes himself as "a prisoner in the marriage" (Zola interview 2:1) as a result of the interdict and he tried to persuade her to go to the police to withdraw the interdict against him (Zola interview 2:6). Although Xoliswa's husband didn't retaliate as she had anticipated, he made his displeasure at being served with an interdict clear by pushing the interdict under the door of Xoliswa's father's house the night it was served on him. Sylvie's husband responded to the service of the interdict by packing his bags and leaving for Port Elizabeth.

10. After 1994, the unwritten police policy that wife abuse is a "domestic affair" which falls beyond the jurisdiction of the police practice (Craig 1991: 22), was replaced by an articulated commitment to policing domestic violence. Domestic Violence is viewed as a priority crime, and as early as 1997, the national police commissioner identified the following objectives with respect of domestic violence:

- To increase arrests and prosecutions for sexual and violent crimes against women and children.
- To support and encourage victims/witnesses to report such crimes.
- To improve service to victims by providing specialised training to members to ensure victim empowerment and support and better crime prevention and investigation skills
- To increase resources allocated to the policing of crimes against women and children (SAPS Booklet 1997:13-14)

11. Siphokazi's father died in the time that the study was being conducted. She accepted the responsibility for supporting her brothers and sisters and their children. In some senses she gave up one bad object for another. She relinquished her attachment to her husband, but retained a paradoxical attachment to her family of origin. She felt that she needed to care for them and prop them up in the way in which the other women felt compelled to care for their husbands.

12. This is not to suggest that gender inequality and patriarchy are not real structural forces.

13. I want to sound a word of caution about being too optimistic about the power of training programmes to improve police services to battered women. The findings of this study show that there are serious problems with policing practice and with the police's attitudes to domestic violence. The new Domestic Violence Act 116 of 1998, and the National Instruction to the Police which accompanies that act (see Appendix A) seek to remedy these problems. There is a need for strict monitoring of police performance against the criteria set down in the Act and the regulations.