

**A QUALITATIVE STUDY OF INTIMATE FEMICIDE:
THE PERPETRATOR'S PERSPECTIVE**

**Thesis submitted in partial fulfilment of the requirements for the
Degree of Master of Social Science (Social Work),
Rhodes University, East London**

By

Lorraine Macdougall

July 2000

ABSTRACT

This research study focused on five perpetrators' experience and understanding of intimate femicide with the hope to develop insight into their experience and view of the crime. A secondary objective of the study was to assess the suitability of a community-based sentence for the crime committed. This study is believed to be a valuable contribution to the limited literature and research currently available on intimate femicide in South Africa. It appears to be the only South African study which focuses on the perpetrator's experience and understanding of the crime. A major finding of this study is the perpetrator's inability or unwillingness to take responsibility for the crime he committed and the projection of blame for the crime onto the victim. The perpetrators justified and/or rationalized the crime and appeared not to feel any remorse for the death of their intimate partner. The perpetrators were also unable to acknowledge or identify the negative effects of the crime on their children. Regarding the suitability of correctional supervision as a sentence option for perpetrators of intimate femicide this study questions the punitive and rehabilitative aspects of correctional supervision, as there was a lack of compliance with the sentence conditions (house arrest, community service, monitoring). Counselling appeared to only be offered on request or not at all. There are no anger management programmes offered or any reconstructive services for the child survivors of intimate femicide. This study ends with recommendations for counselling and groupwork programmes in the prevention and treatment of intimate femicide, strategies for the Criminal Justice System and Department of Correctional Services, and with suggestions of areas for further research.

ACKNOWLEDGEMENTS

The following people need to be acknowledged for their support and encouragement throughout this research process. There are no words to express my deep felt gratitude and appreciation.

1. My husband, Deon van Jaarsveld, for his continuous encouragement and belief that I could complete this study when my enthusiasm waned. A second thank you for your technical computer skills which preserved my sanity on a number of occasions.
2. My mother and sister who believed all along that I would 'do it' and who have inspired me to achieve my goals through their kindness and love.
3. My friends and fellow students. Three of which need special mentioning, firstly to Michelle, for sharing many cups of coffee over discussions on deadlines and experiences. To Mrs Jarman: thank you for all the support, encouragement, consultations and editing. Last but not least, to Allison, your empathy and words of encouragement throughout this research process motivated me to keep working. You are a constant source of inspiration.
4. Dr Felicity Coughlan from the Social Work Department at Rhodes University for supervising this research process and encouraging me to pursue this study enthusiastically.

LIST OF TABLES

		Page
Table 1	Risk factors in lethality	24
Table 2	History of pre-and post crime relationships	65
Table 3	Feelings expressed by the participants throughout the interview	75
Table 4	Coping responses of participants in response to the use of violence and the perpetration of the crime	80
Table 5	Classification of crime, bail posted, sentence given and sentence served	82
Table 6	Correctional supervision conditions and the participants compliance with these conditions	87

CONTENTS

Abstract	i
Acknowledgements	ii
Contents	iii
List of tables	iv

CHAPTER ONE: INTRODUCTION 1

1.1 Background	1
1.2 Research question	4
1.3 Objectives of the research	4
1.4 Anticipated value	5
1.5 Scope and limits of the study	6
1.6 Research design and methodology	7
1.6.1 Design	7
1.6.2 Sampling procedure and data collection methods	7
1.6.3 Analysis of data	8
1.7 Concepts central to the study	9
1.7.1 Intimate Femicide	9
1.7.2 Perpetrator	9
1.7.3 Correctional supervision	10
1.8 Organisation of the study	10

CHAPTER TWO: LITERATURE REVIEW 11

2.1 Introduction	11
2.2 Intimate Femicide defined	11
2.3 Overview of previous African studies	12
2.4 The relationship between the victim and the perpetrator	16
2.5 Overview of Theoretical Perspectives	17
2.5.1 Individual psychopathology	17
2.5.2 Family systems theory	17
2.5.3 Sociological and Social structural perspective	18
2.5.4 Feminist theory	18
2.5.5 Constrained-strained theory	19
2.6 Circumstances surrounding the crime	19
2.7 The Perpetrator	25
2.8 Intimate Femicide and the Media	28
2.9 Child survivors of Intimate Femicide	30
2.10 The Police and Justice Systems response to Intimate Femicide	32
2.11 General Principles of Criminal Liability	35

2.12	Correctional supervision	41
2.13	Conclusion	45
CHAPTER THREE: RESEARCH DESIGN AND METHODOLOGY		46
3.1	Introduction	46
3.2	Research design and methodology	46
3.3	Sampling Procedure	48
3.4	Ethical considerations	49
3.5	The use of in-depth research interviewing as a method of data collection	51
3.6	Data collection through studying secondary data sources	54
3.7	Data analysis	55
3.8	Limitations	57
3.9	Conclusion	58
CHAPTER FOUR: PRESENTATION AND DISCUSSION OF FINDINGS		59
4.1	Introduction	59
4.2	Demographic data on the participants	63
4.3	Relationship history and dynamics	65
4.3.1	Threats of violence and physical violence	66
4.3.2	Expectations of partner	69
4.3.3	Substance abuse	70
4.3.4	Lack of marital skills	71
4.4	Seeking of assistance	73
4.5	The perpetrators feelings and coping strategies	75
(a)	Feelings	75
4.5.1	Anger	75
4.5.2	Hurt	76
4.5.3	Confusion	77
4.5.4	Victimized	77
4.5.5	Traumatized	78
4.5.6	Guilt	78
4.5.7	Anxiety	79
4.5.8	Unhappiness	79
4.5.9	Isolation	79
(b)	Coping responses	79
4.5.10	Denial	80
4.5.11	Justification of use of violence	80
4.5.12	Projection of blame	81
4.6	Legal processing of crime	81
4.6.1	Premeditation	82
4.6.2	Remorse	85
4.7	Correctional supervision	86
4.7.1	House arrest	88

4.7.2	Community service	89
4.7.3	Reporting	89
4.7.4	Therapy	89
4.8	Consequences and adaptation	90
4.9	Conclusion	92
 CHAPTER FIVE: CONCLUSIONS AND RECOMMENDATIONS		 94
5.1	Introduction	94
5.2	Conclusions	96
5.3	Recommendations	100
5.3.1	Counselling and training programmes	100
5.3.2	Criminal Justice System	101
5.3.3	Research	102
5.4	Concluding comment	103
 APPENDICES:		 104
Appendix 1 Approach for voluntary participation in the research project		104
Appendix 2 Interview guide		105
Appendix 3 Interview with Adam		106
 BIBLIOGRAPHY		 131

CHAPTER ONE

INTRODUCTION

1.1 Background

Violence against women is a pervasive problem, not only in South Africa, but globally. Women are more at risk of being brutally victimised by their intimate partners in their own homes, than by strangers. It is estimated that one in four South African women are abused by their intimate partners (Masimanyane 1999:10). According to the research report by Masimanyane (1999:11) South African women are vulnerable to various forms of violence because of society's view of women as being property of, or dependant on a male protector, father or husband.

Violence in an intimate relationship tends to increase in frequency, duration, and extent, physically, psychologically, and sexually over time. It may escalate into the ultimate violent act of intimate femicide. Bean (1992:43) refers to murder as the ultimate expression of men's control over women. Rude (1999:7) in her study of 150 cases of killings and alleged killings of women and girls by intimate partners and male family members in Zambia from 1973 – 1996, identified power and control as the underlying factors in these cases of gender-based homicide. Her study supports the findings of Butchart, Lerer and Terre Blanche (1994); Graser (1992) and Vetten (1995) in that South African women appear most at risk of being killed by an intimate partner. Eighty two percent of the 150 caseload involved husbands, boyfriends, and ex-husbands murdering their intimate partner.

The reasons given for the crime include provocation and poor impulse responses on the part of the perpetrator. The former basically implies that the victim precipitated her own murder and the latter implies that the perpetrator was out of control. It is the

perpetrator's intention to diminish his responsibility for the crime by implying the above. Research by Polk & Ranson (1991:18) contend the explanation of violence as a spontaneous act. In their analysis of 121 case studies of homicide in Victoria, between 1985 and 1986, the researchers found that many of the homicides involving young adult female victims and male perpetrators, were not the result of a spontaneous outburst of violence during an argument, but a premeditated act. Graser (1992:174) in his South African study on family murder, identified two types of family murder, namely, murder-suicide which is characterized as general spontaneous acts motivated by anger, hatred, jealousy, possessiveness, vengeance and so forth. The second type, namely, extended-suicide, is planned, and the perpetrator's motivation appears are fear and the need to escape from both feelings of poor self-worth and problems being experienced. Katz (1988:19) however, points out that it is not important whether the murder was highly planned or an explosive event, rather one needs to take cognisance of the righteous belief system that was behind it. Katz views intimate femicide as a righteous crime, implying that the perpetrator has a distorted and self-serving belief system whereby he feels morally justified in his action. Other reasons given for intimate femicide include alcohol abuse. According to Polk (1994:189) the dominant thread running through cases of intimate femicide is that of sexual possession, commonly mixed with jealousy,¹ and the notion of women as exclusive property. Strang (1991), Bean (1992), Daly & Wilson (1988), Stout (1993), Vetten (1995) and Rude (1999), support the argument that women are more at risk of being murdered upon separation or divorce from the their intimate male partner. This supports Polk's view of women as exclusive property of their intimate partner. Campbell (in Radford & Russel 1992:104) also notes that jealousy connotes ownership, and that the perpetrator's proof of adultery renders intimate femicide "excusable" under patriarchal tradition. For centuries adultery has been seen as extreme provocation excusing the "reasonable" man from punishment for his lethal response. According to Wilson & Daly (in Radford & Russel 1992:83-84) a small portion of men who have murdered their partners have been deemed unfit to stand trial, or were found

¹ Jealousy being referred to in this study refers to morbid jealousy where the intimate male partner is obsessed with suspected infidelity. He finds bizarre "evidence" to support his suspicions (Wilson & Daly 1992:84).

not guilty by reason of insanity since they were found to be suffering from "morbid" jealousy.

With reference to the judicial proceedings in South Africa, Vetten (1995:22) found that the perpetrators were initially charged with murder, but often convicted on lesser charges of assault with intent to do grievous bodily harm, negligent handling of a firearm, or culpable homicide. The sentences handed down ranged from a suspended sentence to fourteen years imprisonment. According to Vetten (1995:22) the following mitigating factors were taken into account by the judge when sentencing, namely that the killer was depressed at the time of the murder, and provocation by the victim, which appeared fairly regularly in judicial statements.

South African studies on domestic violence and intimate femicide tend to focus on either the survivors experience or the victim's story told by significant others. There is little South African based literature and research on the perpetrator's experience of intimate violence. Despite the lack of intimate femicide research, it is important for the reader to know that there is no established profile of the intimate femicide perpetrator. However, numerous authors list a number of behaviours which may characterize a controlling man. Besides attempts to develop a profile of intimate femicide perpetrators, little other research has been conducted on the perpetrators.

Despite a lack of profile of intimate femicide perpetrators, other useful information has emerged from the studies on abusive men. A key factor in understanding the intimate femicide perpetrator is to find out their thoughts, feelings, and understandings on the perpetration of the violent act. One common response by the perpetrator after committing the violent act, is to blame others, especially the victim and outside influences such as poverty or intoxicification for their behaviour, thereby not having to take responsibility for the crime committed (Stordeur and Stille 1989:41).

In order to fully understand intimate femicide one needs to not only research the experiences of the victims and perpetrators, but to explore the child survivor's

responses and society's view of violence against women and the men who perpetrate it. Part of this process involves exploring the role of the media in publicizing cases of intimate femicide and the underlying message reporters send to the public about the people involved in the crime. The South African media's reporting of intimate femicide cases is noted by Vetten (1995:25) to subtly ascribe blame to the victim through their choice of language. She also noted that the deaths of white women were being more frequently reported than the deaths of black women (i.e. 53 % versus 31 %). Radford and Russel (1992:353) criticize the media for failing to represent femicide as a serious crime. This is identified as perpetuating women blaming ideology.

Regarding the child survivors of intimate femicide very little appears to have been written about them. South African researchers Robertson and Donaldson (1998:2) refer to the child survivors as the "silent victims". In their work they point out how the criminal justice system and the families of these children expect them to resume their lives as if nothing has happened. Little to no support, follow up or counselling are offered.

Domestic violence is a pervasive problem in South Africa, with one in four South African woman being abused by their intimate partner. South African studies to date have focused on the victim's experiences and accounts of the violence committed in an attempt to educate the public and prevent further atrocities. This study serves to highlight the perspective and experiences of five intimate femicide perpetrators assessed for community based sentences so as to motivate for further research and the development of specialized services to avoid the re-perpetration of such crimes.

1.2 Research question

The broad research question that directs this study is "What are the experiences of men who murder their intimate partners?"

1.3 Objectives of the research

The objectives of this research study are firstly, to gain a deeper understanding of the experiences of men who murder their intimate partners. The five participants of this study were asked to tell their stories.

The second objective of this research study is to explore the participants compliance with the conditions of a community-based sentence, namely Correctional Supervision and to assess the suitability of this sentence for the participants of this study.

This study is aimed at increasing awareness of violent crimes against women, particularly to encourage members of society to take intimate femicide seriously.

1.4 Anticipated value

Through the development of a deeper understanding of the perpetrator's experience of intimate femicide, the researcher hopes that both existing preventative and treatment programmes for intimately abusive/violent men, their children and significant others will be reassessed and adapted accordingly. And that new programmes based on current research be developed.

Not much research has been completed on intimate femicide and more specifically on the perpetrator's experience. As South African based literature is limited, the researcher hopes to contribute to a better understanding of working with perpetrators of intimate femicide.

The researcher hopes to increase the awareness of violent crimes against women, particularly intimate femicide. This research study is hoped to encourage those human services professionals and members of the criminal justice system who do not take this crime seriously, to acknowledge the nature and seriousness of intimate femicide. And to work together in networking and lobbying for appropriate sentences and the development

of programmes which will meet the needs of the perpetrator and the child survivors ('silent victims') of intimate femicide.

This study also aims to motivate the Department of Correctional Services to assess the rehabilitative services available to their probationers and the punitive steps taken or the lack thereof. The intention behind this is to ensure that probationers acknowledge the seriousness of the crime they committed and to reinforce the message to society that violence against women is a serious crime.

1.5 Scope and limits of the study

This study is based on the interviews with five men who had murdered their partners and who were assessed as being suitable for a community-based sentence. Due to the size and nature of the sample the results of this study cannot be generalised to all perpetrators of intimate femicide and the corresponding sentences.

The researcher's gender may have impacted on the participants' responses. The participants may have edited their disclosures in order to be perceived in a positive light by the researcher. The researcher acknowledges that due to the sensitive nature of this study the interviewees may feel the need to justify or rationalize their crimes. This study is not however seeking a "true" or "accurate" explanation but instead seeks to understand the participants' experience and understanding of the crime. These distortions are thus not viewed as undermining the research process.

Access to the participants was a problem as the researcher could only contact the participants through the correctional service assessment officer, who during the course of the research process relocated after receiving a promotion. Also four of the five participants had completed their sentences and were no longer listed on the

system. The researcher was thus unable to get hold of the participants for further follow-up sessions.

An interpreter had to be used in the last interview. The researcher questions the effect of this on participant/researcher relationship as the participant was communicating via the interpreter and appeared to have developed a rapport with the interpreter. It was also difficult to read non-verbal cues and to assess whether they matched the feedback given. There may also have been errors in the translation of questions and answers.

Not much literature was available on intimate femicide, specifically South African literature and literature focusing on the perpetrator. Other aspects covered for which there was no available literature, were, for example, emotional responses of perpetrators to the crime and coping strategies used, compliance with community-based sentences, and so forth. This however, was one of the main motivating factors for undertaking this research study.

1.6 Research design and methodology

1.6.1 Design

A qualitative study was chosen as it is felt to be more conducive to the study of the experiences and understanding of the research participants and this study is concerned with the perpetrators experience of intimate femicide. According to Burgess (in Allan & Skinner 1991:176), a qualitative study gives prominence to “understanding the actions of the participants on the basis of their active experience of the world and the ways in which their actions give rise from and reflect back on experience.

This study on intimate femicide is exploratory-descriptive in nature. Due to the limited South African based research and literature on intimate femicide, particularly the perpetrators experience and understanding of the crime, the purpose of this study is to provide the groundwork for further knowledge building.

1.6.2 Sampling procedure and data collection methods

The population of this study are men who have been convicted of the deaths of their intimate partner irrespective of whether it was found to be intentional or due to a negligent act, and who were assessed as being suitable candidates for a community based sentence. Whilst their suitability is determined prior to their sentencing three of the participants were sentenced directly to correctional supervision and two fall under the category of first serving 12 months in prison before their sentences are converted to correctional supervision. Five men formed the sample of this study. They were the only men on the system in the area at the time that had committed the crime of intimate femicide. Edward was the only participant at the time that was still serving his 12 months in prison before his sentence is to be converted to correctional supervision. Please note that he was considered to be a suitable candidate for correctional supervision prior to his sentencing and as such the conversion of sentence will take place.

The researcher made use of purposive non-probability sampling as not all intimate femicide perpetrators had an equal chance of being involved in the study. The reason being that the researcher had narrowed the choice down by selecting only men who resided in a specific geographical area and who were assessed as suitable candidates for correctional supervision at the time the research study was conducted (Grinnell & Williams 1990:125).

The researcher made use of unstructured, in-depth interviewing as the data collection method as it allowed the researcher to explore what is in the minds of the participants, their meanings, perspectives and how they experience the world.

The researcher therefore did not make use of an interview schedule but rather used an interview guide comprised of one main question namely “what happened which resulted in the perpetrator having to serve a sentence”. Key topics to be explored

were then listed. For example, the precipitating factors, the crime itself, the charge, trial, verdict, sentence, after effects and future plans. The researcher concluded the data gathering process by consulting secondary data sources, namely the monitoring records of each participant. These documents gave information on the conditions of the correctional supervision sentence, each participant's compliance with the conditions and any punitive measures taken against the participants for non-compliance.

1.6.3 Analysis of data

The analysis approach used is that of Coffey & Atkinson (1996:31) where data is compared, contrasted and tagged, linking segments of data within each interview together and later expanding this linking across the five interviews to generate concepts. The data analysis process began upon the transcription of the first interview where the researcher began to search for meanings and identify themes from the participants telling of "their story". The researcher found it easier to identify themes whilst transcribing the interviews and being able to listen to the participants life experiences. Data was summarized onto A4 sheets of paper and then onto a card system. This process was repeated to prevent information loss. The identified themes were then placed on theme cards, cross-referenced and then summarized onto A4 paper. After this process was completed the multi-level interpretation of data began. According to Delamont (in Coffey & Atkinson 1996:47) "one should be looking for patterns, themes, and regularities as well as contrasts, paradoxes and irregularities. One can then move toward generalizing and theorizing from data".

A similar process of analysis was used in the gathering of secondary data from the monitoring records of the participants. The analysis was broken down into the following categories: house arrest, community service, reporting, and therapy. Notes from the participants' files on their compliance to the above categories/conditions were recorded on separate cards and then linked across all

five interviews. The data gathered was compared and contrasted and then cross-referenced with the literature on correctional supervision compliance and the consequences.

A discussion on the method of data analysis used is contained in Chapter 3 and the analysis itself can be found in Chapter 4. It will thus not be discussed here.

1.7 Concepts central to the study

1.7.1 Intimate Femicide

Intimate Femicide refers to the killing of women by their intimate male partners (Stout 1992:135). Vetten (1995:6), in her pilot study detailing intimate femicide in Gauteng, defines *Intimate Femicide* as the murder of women sixteen years and older by a person that they are intimately involved with in a relationship, namely their husband, boyfriend, common law partner or lover.²

1.7.2 Perpetrator

The Perpetrator refers to the male who was convicted for the death of his intimate female partner. Five of which are synonymously referred to as the participants of this study.

1.7.3 Correctional Supervision

Correctional supervision is defined by Terblanche (1999:327), as “a form of appreciable punishment which does not remove the offender from the community in

² 'Women' refers to females aged sixteen and older since sixteen is considered the legal age at which young women in South Africa may consent to heterosexual activity and marriage.

which he lives and works. It limits the freedom of the offender through house arrest, and it requires direct and free service to the community through community service”.

1.8 Organisation of the study

Chapter 2: is a review of the literature on intimate femicide over the past 20 years.

Books, journal articles, unpublished theses, research reports, newspaper and magazine articles, and the internet were consulted in preparation to write this chapter.

Chapter 3: is a presentation and discussion of the methodology and research design that has been used.

Chapter 4: is a presentation and discussion of the research findings.

Chapter 5: is the final chapter and presents the conclusions based on the findings in chapter 4 and the recommendations with suggestions for further research.

The complete bibliography of sources, appendices and an example of an interview follow.

CHAPTER 2

LITERATURE REVIEW

2.1 Introduction

Gender violence is endemic in all communities and countries around the world. It is a phenomenon that cuts across class, race, age, religious, and national classifications (WILDAF 1995: 4). Despite the notoriously poor statistics, it has been estimated that up to 60 % of marital relationships involve abuse and that a ratio of 1 in 4 women is abused in South Africa. Intimate femicide is the most extreme form of domestic violence. A study on intimate femicide suggests that between 1993-1994 one woman was killed per day by her partner in Gauteng (Robertson & Donaldson 1998:1). The available literature and research focuses on the victims of intimate femicide, at length, and touch on demographics about the perpetrator, such as age, race, employment, weapon used and so forth in an attempt to develop a typology of the intimate femicide perpetrator. What is lacking in the current literature and research is an exploration and understanding of the perpetrator's response to murdering his intimate partner, his insight into the crime and its effect on his children. This is the information that is needed in order to guide the development of treatment and prevention programmes for intimately violent men. This chapter will review the literature on intimate femicide that has been published over the past twenty years. Since problems such as adultery, substance abuse, and marital discord in the intimate relationship are cited as the main causes of violence against women by their intimate partners, this chapter will explore the relationship between the victim and perpetrator, circumstances surrounding the crime, and the legal response to the crime.

2.2 Intimate femicide defined

The term *femicide* was first introduced at the 1976 International Tribunal on Crimes Against Women (Stout 1991:476). It was introduced in order to draw attention to the role

of gender in homicide cases. It highlighted the fact that the majority of victims of homicide are women, and the perpetrators, men. It is interesting to note that the word *Femicide* cannot be found in dictionaries yet. Russel (in Stout 1998:294) notes that it is important for the word femicide to be included, as it focuses attention on the fact that when women are killed it is not accidental that they are women. Stout (1992:135) introduced the term *Intimate Femicide* referring to the killing of women by their intimate male partners. Vetten (1995:6) in her pilot study detailing intimate femicide in Gauteng defines *Intimate Femicide* as the murder of women sixteen years and older, by a person that they are intimately involved with in a relationship, namely their husband, boyfriend, common law partner, or lover.³

Other words used in the literature to describe the killing of women include:

Homicide which describes the killing of one person by another irrespective of gender (Stout 1998:294).

Domestic violence is a term often used to describe a range of violence from beatings to homicide, by members of the same household (Stout 1998:294).

Uxoricide is a term that describes the killing of wives by their husbands (Wilson, Daly & Wright 1993:263).

Dworkin in (Stout 1991:476) has also used *Gynocide* to describe "the systematic crippling and/or killing of women by men".

Intimate femicide is the term that will be used throughout this study to refer to the murder of women by their intimate partners.

2.3 Overview of previous African studies

There is a substantial amount of literature available on violence in South Africa. The focus of the literature, however, is on political violence and often fails to address other forms of violence such as intimate femicide. The South African studies conducted on

³ 'Women' refers to females aged sixteen and older since sixteen is considered the legal age at which young women in South Africa may consent to heterosexual activity and marriage.

intimate femicide by Butchart, Lerer and Terre Blanche (1994), Graser (1992) and Vetten (1995), affirm the international norms regarding intimate femicide. These norms state that women are more likely to be murdered by someone intimately known to them; the murder is likely to take place in their home; and the murder is likely to be the result of sexual jealousy. Butchart, Lerer, and Terre Blanche (1994) explored the tension between at-risk community's perspectives and the current reality of violence against women. Imaginary constructions of their own violent death produced by 45 African female interview respondents were examined in conjunction with forensic data relating to 73 African female homicide victims in Cape Town. The prototypical account of an imagined homicide involved a female commuter being approached by a group of men, taunted and assaulted, raped and then killed. However, the majority of actual homicides occurred at or in the vicinity of the residence of the victim, with the attacker being known to the deceased. The victim's use of alcohol was imagined in only one of the homicide narratives whilst more than half of the actual homicide victims had elevated postmortem blood alcohol levels (Butchart, Lerer & Terre Blanche 1994:21).

There were three areas of convergence in the study. Manhandling and physical abuse preceding death was prominent in the imagery accounts being mirrored in the forensic evidence, with 53 % of the mortuary sample having multiple wounds on their bodies (1994:27-28). Secondly, the rape of victims prior to death with police data referring to this possibility in 18 % of the mortuary sample, while rape and attempted rape was depicted in 20 % of the imagery accounts. The third relates to the type of force resulting in death, with both imagery accounts and forensic records agreeing on the predominance of sharp force (1994:28).

Vetten (1995:24) piloted an exploratory investigation into the relationship between gender and murder. It highlighted the incidence and patterning of intimate femicide as well as how intimate femicide is presented and reported in the media. The study involved an examination of inquest records from the Johannesburg magisterial district, supplemented with newspaper reports.

Vetten's (1995:13) findings were as follows:

Male partners and friends (56 % of 29) posed a greater danger to women than strangers did. Women between the ages of 19 and 41 were most at risk of being murdered by their partner. 'Arguments' were given as the popular explanation for the murder, however the cause of the argument could not be identified. Women estranged, separated, or divorced from their male partners, and women involved with policemen are the most at risk of being murdered by their intimate partner. The majority of perpetrators from the newspaper sample committed suicide after the murder. In some cases the perpetrators killed their children or the woman's lover, or bystanders. A killing perpetrated by an estranged or divorced partner seemed most likely to result in suicide. Provocation as a mitigating factor appeared fairly regularly in judicial statements.

Regarding the media's reporting of intimate femicide cases, Vetten (1995:25) noted that through their choice of language the media would subtly ascribe blame to the victim. They would obscure the differences between intimate femicide and family murders, ignoring the gender of who is most likely to be the victim and who is most likely to be the offender. She also noted racial skewing from the amount of coverage devoted to intimate femicide with the deaths of white women being more frequently reported than the deaths of black women (i.e. 53 % versus 31 %).

Graser (1992:3) piloted a study on cases of family murder reported in newspapers during the three-year period from 1983 to 1985. He did a comprehensive newspaper search for cases and attempted to trace survivors and relatives in cases of family murder.

From his findings, Graser (1992:173), constructed two distinct types of family murders, namely murder-suicide and extended-suicide family murders. The murder-suicide cases were characterized as generally spontaneous acts motivated by anger, hatred, jealousy, resentment, possessiveness, and vengeance. The murders generally took place in the day. The weapon most often used was a gun, but sometimes a knife or blunt instrument was used. Due to the haphazard nature of the act, some victims survived or lived for some

time after the act. The perpetrator was often characterized as aggressive, jealous, possessive, selfish and unrealistic (1992:174).

In the extended-suicide category, the act was planned. It was motivated by fear of suffering, or fear of degradation, escape from problems, deep seated feelings of inadequacy and worthlessness, a sense of hopelessness and helplessness, a sense of impending doom or catastrophe, deep seated feelings of guilt, anxiety, love and concern for the family. The act usually occurs late at night. The weapon used was usually a gun, but sometimes gassing in a car (especially where only one spouse and his/her children are involved). Due to the calculated and rational nature of the act both the victim and the perpetrator were unlikely to survive. Persons involved usually died instantly or shortly after the act. The perpetrator was usually described in positive terms such as intelligent, friendly, caring, sensitive, and as a good person (1992:174).

Gerald's study of nine cases of intimate homicides explored the socio-historical factors, which influence the act of homicide. He found that intimate femicide seems to be linked to a powerful range of determinants, or factors which interact to create a violent outburst of uncontrollable anger, which the perpetrators label as "passion". These factors were separated into pre-event, event, and post-event categories.

Rude (1999:7) in her study of 150 cases of killings and alleged killings of women and girls by intimate partners and male family members in Zambia from 1973 – 1996, identified power and control as the underlying factors in these cases of gender-based homicide. Her study supports the findings of Butchart et al, Graser and Vetten in that women appear most at risk of being killed by an intimate partner -82 % of the 150 cases involved husbands, boyfriends and ex-husbands murdering their intimate partner. Other relevant information gathered includes the fact that the perpetrators fall between the ages of 21-71 years and represent all classes of Zambian society, from professors, church ministers to semi-skilled workers and the unemployed. Rude noted that in 7 of the cases there was the element of 'overkill' where the perpetrators mutilated the victim's body by beheading her, removing organs or chopping the body into pieces. Little detail was given

in terms of motive, however domestic disputes and quarrels were mentioned with senseless minor motives such as losing shoes, spilling beer, missing money and uncooked food being confirmed by the perpetrators.

The fundamental contribution of Butchart et al (1994), Graser (1992), Vetten (1995), and Rude (1999), is that they support the hypothesis that women are at greater risk of being murdered in familiar environments by men known to them, than they are at risk from strangers in strange places. Rude, in her study, highlights deviation from gender role expectations as a major risk factor in intimate relationships in Zambia and the level of rage and hatred directed towards women, which is often undiminished by their death as illustrated in the cases of “overkill”.

2.4 The relationship between the victim and the perpetrator

Because homicide⁴ is a social act it requires homicide researchers to explore the victim-perpetrator relationship (Polk 1994:3). Attention was drawn to the victim-perpetrator relationship in 1948 when Von Hentig (in Stout 1991:477) cautioned that we look to a woman's family, mainly her husband in the event of her death. Von Hentig's caution attracted the attention of Wolfgang, who in 1958 in a city study of Philadelphia found that 41 % of female homicide victims were killed by their husbands. Polk & Ranson (1991), Radford & Russel (1992), and Hendricks, Black & Kaplan (1993) support the notion that "homicide is a crime which typically occurs among intimates". More precisely, homicide is likely to occur in situations where the central actors share a sexual bond of intimacy. This includes married couples, those in de facto relationships, lovers who do not cohabit, and dating couples.

⁴ Homicide is defined as "the killing by whatever means of one human being by another" (Oxford Dictionary 1985 sv "homicide").

Women are more at risk in their own homes by the people that they are intimately involved with than by strangers out on the street. This leads us to ask the fundamental question of "what leads men to kill their intimate partners?" There are a number of theories, which attempt to explain the causes of domestic violence and ultimately intimate femicide. A brief overview of some of the explanations of violence in intimate relationships follows.

2.5 Overview of theoretical perspectives

In the search to understand why some men are abusive to their intimate partners the following explanations of domestic violence (of which intimate femicide is the most extreme manifestation) were developed:

2.5.1 Individual psychopathology

Traditional early theories of domestic violence focused on the personalities or individual characteristics of either the abuser or the victim. This approach looked for psychological and/or biological explanations of intimate violence. The psychological explanation identified possible psychological problems such as personality disorders, immature personalities, poor impulse control, low frustration tolerance, dependency, depression, fear of intimacy and/or abandonment, jealousy, addiction, and other psychiatric illnesses. In this individual psychopathological view, the victims of intimate violence have been implicated as having personality or psychological disorders that lead their partner to assault them. Biological theories on the other hand, follow the premise that the perpetrator is suffering from a mental illness due to chemical, electrolytical and metabolic anomalies, which cause violent behaviour (Stordeur and Stille 1989:24).

Individual psychopathological and biological theories imply that the perpetrator has no control over their violent behaviour and can be interpreted and used by the perpetrator to deny, justify and/or minimize their own actions. The perpetrator will then not have to take personal responsibility for his actions as they are considered “out of his control due to his “mental illness” and/or “biological problems”.

2.5.2 Family systems theory

This theory maintains that violence is a relationship issue with the violence being one symptom of a disturbed or pathological relationship. Family systems theory postulates that all parts of the system contribute to the maintenance of homeostasis. Homeostasis refers to the tendency of the system to maintain dynamic equilibrium and to undertake operations in order to restore that equilibrium whenever it is threatened. All members of the family participate in the system and carry the responsibility for family dysfunction. Intimate violence is thus no longer the sole responsibility of the perpetrator, but is maintained by the actions of all the family members (Stordeur & Stille 1989:25-26). Responsibility for the intimate violence has thus been shifted to both the victim and the perpetrator, indicating some level of victim precipitation. The victim thus becomes responsible for changing her behaviour to stop the violence. This implies that the victim is responsible for her partner's feelings and actions.

This approach fails to acknowledge the seriousness of intimate violence, and appears to support women staying in abusive relationships despite the risk to their lives.

2.5.3 Sociological and social structural perspective

Sociological theories postulate that violence is the result of feelings of frustration caused by environmental and societal factors. This theory appears to be based on one culture ignoring a multi-cultural response to stress and frustration.

Another sociological approach suggests that violent behaviour is learned in interactions with others. For example, modeling parental behaviour and subsequently experiencing gratification from the use of violence. This then reinforces the likelihood that violence will be used again.

Sociological theories fail to explain how some men raised in abusive households do not resort to using violence as adults. Social learning theory also fails to address how violence is used to maintain power and control.

2.5.4 Feminist theory

The feminist approach focuses on the sociopolitical context of male power and control in society. Violence is viewed as one of the methods by which men oppress and subjugate women. Intimate violence is believed to be sanctioned by society and maintained by political, social, and economic factors within our society (Stordeur & Stille 1989:31).

2.5.5 Constrained-strained theory

The constrained-strained theory which asserts that violence is firstly located in the prevailing conditions of social structural constraint, secondly in experienced psychological strain and thirdly in the prevailing threshold of social tolerance. Bulhan's (in Gerald 1999:32) theory, states that oppressive social conditions lead to levels of psychic conflict, unhappiness, and frustration within the perpetrator which he does not know how to deal with. He suggests that the perpetrator may also have biological defects due to a lack of adequate nutrition or harmful substances in the environment. The culture and group which the perpetrator surrounds himself with may impact on his behavioural choice.

This theory appears to imply that violence is endemic in impoverished communities as oppressed individuals do not have adequate coping skills or are violent because of biological disorders. This theory fails to take into account that violence is found in all

social and cultural groups. It may also be interpreted as offering justifications or minimizing homicide cases, as it may imply that the violence was out of the control of the perpetrator.

The purpose of this study however, is not to establish why men murder their intimate partners but to gain some insight into their experience of the crime they committed and their response to it. A brief overview of the different theories of intimate violence was included for the sole purpose to give you the reader, some insight into possible explanations developed of intimate violence.

2.6 Circumstances surrounding the crime

In order to develop some understanding of intimate femicide the reader needs to have some insight into the dynamics surrounding mens' violence towards their intimate partners. Issues of domination and control appear to predominate domestic violence literature and research. Intimately violent men appear to view their intimate partners as their property and thus feel justified in using violence to maintain their position in the relationship and possession of the love object. Men who murder their intimate partners frequently cite adultery as the leading cause of the crime, implying that they were overcome with "passion" and had no control over their jealous rage.

Bean (1992), Daly & Wilson (1988), and Polk & Ranson (1991), identify control as the predominant theme in intimate femicide cases. According to Polk (1994:188), males account for the most perpetrators in homicide. He explains that even in the cases where women kill men they do so in self-defence against extreme violence by their intimate partner. According to Polk (1994:188), the theme of masculine competitiveness runs through homicide. Males feel compelled to compete for resources, for status, for dominance and control of sexual partners. These men are willing to employ violence against other males if called for to ensure success, e.g. keep their partner. If a woman leaves, especially for another man, a competitive theme emerges as the male feels challenged. This then becomes a test of his manliness to bring the woman under control.

Violence is often used to reach this end. As can be heard in the following statement often reiterated by men prior to murdering their partner: "If I cannot have you, no one can" (Polk 1994:188).

Wilson and Daly (in Radford & Russel 1992:85), explain that intimate femicide is a manifestation of the intimate male partner's proprietariness. The intimate male partner will do anything to protect his "property" at the threat of loss of their sexual and reproductive property.

At times the perpetrator will take the life of the male he perceives as his rival or sexual competitor. Another form of masculine control is where depressed men take the lives of their sexual partners as part of their suicide plan. In this scenario the female partner is viewed as a commodity over which the male has rights regarding disposal. Here the male does not want to leave the female alone to fend for herself.

Polk & Ranson's (1991:18) analysis of 121 case studies of homicide in Victoria between 1985 and 1986, revealed that many of the homicides involving young adult female victims and male perpetrators were not the result of a spontaneous outburst of violence during an argument, but a premeditated act. In many intimate femicide cases there is a pattern of prior violence often resulting from the woman attempting to break off the relationship.

Rude (1999:11), supports the notion that a woman's experience of violence may start with insults and a few slaps from her intimate partner, escalate over time, and culminate in a lethal attack.

According to Katz (1988:19) whether the murder was highly planned or an explosive event, a righteous belief system was behind it. Katz views intimate femicide as a righteous crime, implying that the perpetrator has a distorted and self-serving belief system whereby he feels morally justified in his action.

Women of all ages are at risk of being murdered by their intimate partners. Older victims⁵ of intimate femicide may become victimised due to their partner's depression resulting in his suicide and the homicide of his female partner. Once again the female partner is viewed as a possession not to be left behind and therefore her demise forms part of the suicide plan. Women play a passive role in the events since they did not provoke the violence in an attempt to evade control, or threaten their partner's masculinity by starting a relationship with another man. Masculine possessiveness is however present in the perpetrator's rationalisation that his partner must also die (Polk & Ranson 1991:18). According to Polk (1994:189), separation (or its threat), or jealousy, are major precipitating factors in cases involving young women. Strang (1991), Bean (1992), Daly & Wilson (1992), Stout (1993), Vetten (1995) and Rude (1999), support the argument that women are more at risk of being murdered upon separation or divorce from their intimate male partner. According to Polk (1994:189), the dominant thread running through these cases is that of sexual possession, commonly mixed with jealousy,⁶ and the notion of women as exclusive property. Campbell (in Radford & Russel 1992:104) highlights that jealousy connotes ownership and that the perpetrator's proof of adultery renders intimate femicide "excusable" under patriarchal tradition. For centuries adultery has been seen as extreme provocation excusing the "reasonable" man from punishment for his lethal response. According to Wilson & Daly (in Radford & Russel 1992:83-84), a small portion of men who have murdered their partners have been deemed unfit to stand trial or were found not guilty by reason of insanity since they were found to be suffering from "morbid" jealousy.

Control is the primary warning sign for violence and murder. Murder is the ultimate expression of men's control over women. For some men their need for control is not satisfied until their partner has died (Bean 1992:43). In assessing dangerousness, experts cannot predict which women will be murdered by their partner. The female partner is in

⁵ Older victims of intimate femicide refers to women from the mid-40's and older.

⁶ Jealousy being referred to in this study refers to morbid jealousy where the intimate male partner is obsessed with suspected infidelity. He finds bizarre "evidence" to support his suspicions (Wilson & Daly 1992:84).

the best position to identify signs of danger. Unfortunately, in some cases there are no warning signs.

Bean (1992:43) points out that men who injure and kill are not "out of control" as is commonly assumed. Some men may be enraged or they may be cool and calculating, but they still make a choice to carry out the homicide. No woman can make them do it. The perpetrators may appear not to be abusive and are often law-abiding citizens prior to the homicide. The perpetrators are often only dangerous to their intimate partners.

Alcohol abuse and victim precipitation has also been identified as motivating factors in the perpetration of intimate femicide. In Butchart (1994:21), and others studies of intimate femicide in Cape Town, South Africa, forensic evidence revealed that over half of the homicide victims had elevated postmortem blood alcohol levels. However, no data is available on the perpetrators' blood alcohol levels. It is therefore difficult to gauge the role alcohol might play in intimate femicide cases. From her study of homicide cases in Dayton, Ohio between 1975 and 1979, Campbell (in Radford & Russel 1992:103) states that intoxication cannot be said to explain the majority of intimate femicide cases since the majority of perpetrators were not intoxicated at the time of the killing.

According to Campbell (1992), Daly and Wilson (1992), and Lundsgaarde (1977), victim precipitation refers to the violent behaviour initiated by the victim. For example the victim was the first to show a weapon or to strike a blow. Victim precipitation is sometimes used to blame victims for their own victimization. Campbell (in Stout 1993:84) highlighted that battered woman and rape victims are the population groups at highest risk for lethal victimization. Campbell's study of Dayton, Ohio for the years 1975 to 1979, revealed that 67 % of men who killed their intimate partners had recorded histories with the police department showing prior violence toward the murdered woman. Vetten's (1995:17-18) study of intimate femicide in Gauteng, South Africa indicates that two murder victims of the inquest sample and 9 murder victims from the newspaper sample had been assaulted at least once prior to being killed. These statistics could be

higher considering the fact that abuse within relationships is notoriously underreported as well as under-recognised by family and health care practitioners (Vetten 1995:18).

Robertson and Donaldson (1998:1), state that intimate femicide murders are seldom premeditated but often occur in families where there are high levels of domestic violence. They list alcohol abuse, low self esteem, immaturity, poor interpersonal relationships, aggressive and impulsive behaviour, abusive relationships, economic problems, patriarchal attitudes towards women and children, jealousy and the threat of or loss of the relationship as factors which appear to contribute to spouse homicides. Polk and Ranson (1991:22), on the other hand, state that many acts of intimate femicide are premeditated. Evidence of premeditation can be found in the choice of murder weapon, especially handguns. They argue that guns are not generally available, meaning that the offender as part of the homicide plan arranges to obtain a gun days or weeks prior to the homicide. Bean (1992:47) identifies constant accusations, extreme jealousy and possessiveness, continual watching, and overreaction to minor arguments as predictive of escalation to physical violence. The most significant controlling behaviour is refusing to let his partner leave, separate, or divorce him. The controlling partner would often rather kill his partner and himself than separate.

Various researchers such as Sonkin, Martin and Walker; Hart; and Strauss (in Campbell 1995:100-103) and Stout (1993:83), have published danger lists in order to assist professionals working with survivors of domestic violence to assess their risk of lethal victimization.

Table 1: *Risk factors in lethality*

RISK FACTORS	AUTHORS			
	Sonkin, Martin & Walker (1985)	Hart (1988)	Strauss (1991)	Stout (1998)
WEAPONS	Weapons in the home	Presence of weapons	Owens a gun and threatens to use it	Presence of a weapon in the home

USE OF WEAPONS	Use of weapons in prior abusive incidents			
THREATS WITH WEAPONS	Threats with weapons		Threatened partner with a weapon in hand	
VERBAL THREATS	Threats to kill	Threats and fantasies of homicide	Threatened to kill partner	Threats or attempts of homicide
MEDICAL INTERVENTION	Serious (life threatening) injury in prior abusive incidents		Wife needed medical treatment from abuse	High severity and frequency of abuse
SUICIDE THREATS	Suicide risk	Threats and fantasies of suicide		Threats or attempts of suicide
HISTORY OF VIOLENCE	Frequency / cycle of violence		Perpetrator initiated two most recent instances of violence	High severity and frequency of abuse
SEXUAL ABUSE			Physically forced sex, extensive destruction of property, and threats	Marital rape or sexual assault
SUBSTANCE ABUSE	Substance abuse	Drug or alcohol consumption	He was drunk more than 3 times a year and abused drugs in the past year	Substance abuse
ABUSE OF OTHER FAMILY MEMBERS	Assaults on other family members		Physical abuse of a child	Child abuse
CRIMINAL HISTORY	Previous criminal history/activities		Police were involved in an incident in the previous 12 months	
HISTORY OF STRANGER VIOLENCE	Violence outside the home		Assault of a non family person or other violent crime	Violence outside the home
ISOLATION	Isolation	Centrality of battered woman batterer is isolated from other support systems		Isolation
ACCESS TO THE VICTIM	Proximity of the victim and offender	Access to the battered woman		
PERPETRATOR'S VIEW OF VIOLENCE	Attitude towards violence		Thinks that there are some situations where it is okay for a man to hit his wife	
PSYCHOLOGICAL FACTORS	General functioning	Rage/depression	History of psychological functioning	Poor general mental functioning
DOMINATION AND CONTROL ISSUES		Obsessiveness about partner	Extreme male dominance or attempts to achieve such dominance	Violent jealousy

Despite the development of high risk/danger lists one cannot predict that homicide will take place. It does however serve as an indication that one is at risk of lethal victimization. Authors argue that danger assessment instruments lack reliability and

validity but are of use in clinical prediction. The instrument may also be used with survivors of domestic violence and in the treatment of abusive men (Campbell 1995:101).

2.7 The Perpetrator

There is no established profile of the intimate femicide perpetrator. According to Gondolf (in Hampton, Gullotta, Adams, Potter, & Weissberg 1993:233) profile research is either based on limited clinical samples or contradicts itself. Stout (1993:91), in her study of 23 intimate femicide perpetrators within the Missouri correctional system, established a basic portrait of the perpetrator. The profile which emerged from her data was that of white males between the ages of 20 - 24, employed full time prior to imprisonment. The perpetrators had a stable childhood, i.e. few moves, no reports of physical or sexual abuse during childhood. There were some cases of emotional abuse and some perpetrators witnessed domestic violence in the home. There were also some reports of alcohol and drug abuse by one of the parents. The families appeared 'normal' to outsiders but had family secrets, namely 'family violence' and/or 'alcohol abuse'. Regarding the perpetrators' immediate family, there were reports of family violence prior to the murder. There was also evidence that the relationship between the victim and the offender was endangered through break ups and shortly after this separation their partner was killed.

Despite the lack of a profile of the intimate femicide perpetrator, Gondolf formulated a typology of batterers based on their behaviour, which suggests a continuum of sporadic, chronic, antisocial, and sociopath batterers. Saunders (in Hampton et al 1993:233) supports the typology in his study combining behaviour indicators with attitudinal scales. Saunders found three similar batterer types, namely emotionally volatile, family only and generalised aggressors. Gondolf (in Stout 1993:85) addresses the stressors of the male batterer. He describes it as "The Malignant Masculinity", where the male is "fraught with frustration for not fulfilling the masculine role, or from struggling with irreconcilable extremes". He notes that the majority of abusers are likely to suffer from chronic stress but cannot explain why the violence is directed toward women rather than friends,

coworkers, or pets. Gondolf (in Hampton et al 1993:233) expands on his theory further linking the severity and extent of wife abuse as being greatest among those batterers who are violent outside the home.

Bean (1992:147) lists a number of behaviours that may characterize a controlling man:

- using any type of physical coercion
- destroying property
- being cruel to animals
- showing an explosive "temper"
- intimidating or bullying weaker family members with loud voice, gestures, intimidating looks
- maintaining constant, critical watch on his partner
- keeping her "off balance", not knowing what to expect regarding his moods
- using male privilege to treat her like a servant
- claiming to be "the authority"
- interrupting her conversations, changing topics, not responding, twisting her words, manipulating the children
- making all the "big" decisions, blaming her for all unsatisfactory outcomes, and telling her the children's problems are her fault
- being cold and withholding
- interfering with her job, sabotaging her job
- trivializing her complaints
- using ridicule or sarcasm to "put her down"
- being obsessed with her, refusing to accept separation or divorce
- being jealous of her, her friends, her family, the children
- accusing her of infidelity
- being unfaithful
- telling her she is ugly, unappealing, does not attract him sexually
- forcing sexual intercourse, including sexual acts with which she is uncomfortable
- forcing her to watch pornographic videos, demeaning her if she refuses

- preventing her from becoming economically independent
- insisting on selecting her clothes, especially for occasions important to him
- isolating her from her family and friends
- threatening to take the children and the house and to commit suicide if she leaves
- withholding money, spending excessively on himself, using her money as he sees fit, not wanting her to have her own money
- making her afraid to leave him

The researcher wishes to reiterate that the characteristics listed above do not form a typology of an intimate femicide perpetrator, they are simply a list of characteristics, which may be found in a controlling male. Some of these characteristics may however be present in the intimate femicide perpetrator.

Katz (in Hampton et al 1993:234) divides perpetrators into deniers and admitters. The deniers refuse to admit that they battered anyone. They justify their violence in the following ways: - they were protecting themselves, doling out warranted punishment, or making a point in an argument. Admitters on the other hand tend to blurt out shameful confessions and wonder what is wrong with them. They search for clues in their alcohol abuse, stressed out body, poor upbringing, or confused mental state. The violence is relegated as secondary to another disorder. Both types of perpetrators are not taking responsibility. The former fails to be responsible through their justifications and the latter through their excuses. Both may simply be acting out of their sense of righteousness in different ways. According to Katz (in Hampton et al 1993:236), after being jailed, perpetrators tend to deflect responsibility, also supporting the notion of a belief system of righteousness underlying attacks on women.

Marzuk, Tardiff, and Hirsch (1992:3182) in their study of spousal murder-suicide, state that all individuals who commit suicide are found to have a mental illness, they are found to particularly suffer from depression.

The researcher could find no reference to the perpetrator's response to their crime and their insight into what happened. Graser (1992:182), in his South African study on family murder, highlights the impact of family murder on the survivors, relatives, friends, neighbourhood, relevant institutions, the community and society in general. He found denial to be a common element in the aftermath of the crime, especially experienced by those closest to the affected family.

Denial is just one of the coping strategies⁷ the mind uses to reduce anxiety. Everyone uses coping strategies. Some are however more effective, adaptive, and useful than others. Most abusive men use denial, minimization, and projection of blame onto others or their circumstances to avoid having to take responsibility for their behavior and to obscure the reality of what they have done. Denial may take two forms, namely that the perpetrator denies the violence outright, or he may deny the intention to be violent or denial of responsibility for the violence. Abusive men, besides offering justifications of lack of control or intoxication, often ascribe their behaviour to confusion or the lack of intention. When minimizing their own behaviour the perpetrator tends to exaggerate and overpersonalise the behaviour of others. The perpetrators tend to see their intimate partners as violent as they are when they try to defend themselves. A common coping strategy of the perpetrator is to blame the victim for the crime, presenting themselves as 'victims'. They may blame outside circumstances such as poverty or intoxicification for their behaviour thereby not having to take responsibility for the crime committed (Stordeur and Stille 1989:41).

2.8 Intimate femicide and the media

The public's awareness of pertinent and sensitive issues such as domestic violence and intimate femicide stems from what they have read in the media or watched on television. Journalists are thus faced with the huge responsibility to accurately report instances of domestic violence and intimate femicide. The reality however appears to differ from the responsibility, as journalists are often uninformed of the dynamics of violence against

⁷ Alternatively known as defense mechanisms.

women, or write articles purely for their sales value irrespective of whether they distort the “true” story of what actually happened.

The researcher has noticed that media coverage of intimate femicide cases has increased over the past five years. A number of authors have commented on the media’s response to violence against women. Radford and Russel (1992:353) criticize the media for failing to represent femicide as a serious crime. According to them, feminists have long been critical of the media’s voyeuristic approach to violence against women and its reproduction of women blaming ideology. They have noted that a killing of a woman by a stranger in a public place often gets front-page coverage, exploited for its ability to sell newspapers. Instances of domestic violence, however, unless somehow spectacular, are subsumed under the category of “family tragedy”, and are given less attention. Rude (1999:9) supports what Radford states about only dramatic cases receiving coverage and also notes that the articles often contain factual errors. In her study of 150 femicide cases she noted that the media coverage tended to reflect the myths and misinformation about domestic violence and homicide. She explains that cases were presented as isolated, exceptional events, rather than as part of a trend resulting from a system of gender domination. The language used and details revealed were said to often hide the brutality involved, blamed the victim for the assault and perpetuated the idea that intimate femicide cases were domestic affairs. The newspaper accounts were also criticized for not providing a full, fair, or accurate picture of events.

Specifically related to South African media coverage, Vetten (1995:25), states that newspaper coverage given to African victims was disproportionately low in comparison to white female victims. Vetten also criticized media coverage for not exploring why men murder their partners. She states that this may create the impression that such behaviour is both natural and inevitable. She criticizes the media even further, explaining that newspaper reports subtly assign blame through their choice of language, for example, “jilted or scorned lovers”. This then lowers sympathy for the victims and implies that she treated her partner badly. Newspaper reports tend to also remove the blame from the

perpetrator as words such as “beserk” or “ran amok” imply that the perpetrator has no control over behaviour and is thus less responsible.

Other criticisms of the media’s coverage of intimate femicide include reporters referring to intimate femicide cases as being the result of domestic squabbles or arguments. This fails to take into account the dynamics of the intimate relationship and the violence involved. It also tends to take the responsibility for the crime off the perpetrator and partially project it onto the victim. This then trivializes the seriousness of the crime.

2.9 Child survivors of intimate femicide

Intimate femicide not only effects the adult surviving family members of the victim but has a huge impact on the child survivors. Very little appears to have been written on the child survivors of intimate femicide. The plight of these children is seldom recognised. Both professionals and the families of the child survivors fail to take note and act on the trauma these children have been through. Robertson and Donaldson (1998:2), in their South African study on child survivors of intimate femicide, refer to them as the “silent victims”. They have pointed out how the criminal justice system and the families of these children expect them to resume their lives as if nothing has happened, and little to no support, follow up or counselling are offered. According to the Centre for the Study of Violence and Reconciliation in Gauteng, South Africa, ten child survivors of spouse homicide have been seen in their trauma clinic within a six month period in 1998 (Robertson and Donaldson 1998:2). This, they say, is only the tip of the iceberg as they project that those referrals will increase as the public becomes aware of this service.

The effects of intimate femicide on a child are listed as:

- extreme disruptions in their lives
- the stigma of being a child of a murderer
- the loss of both parents, either through suicide after the homicide or due to imprisonment
- all family routines are disrupted

- face having to be uprooted from home, familiar environment and relationships
- may be parted from siblings and suffer multiple losses, for example, of parents, home, school, friends and possessions
- are often placed in foster care or with relatives whom may be reluctant to care for children
- the family may be dealing with feelings of shame and guilt about the crime and are therefore unable to respond to the emotional needs of the child.

Robertson and Donaldson (1998:3), state that it is common for the family to deny the horror of what the child has experienced. They state that it is also difficult to gauge the impact of the murder on the child. The child may initially be in a state of shock and numbness. People around him or her may associate the quietness or lack of emotional display as a sign that the child was not affected by the crime. The child may also hide levels of disturbance out of fear of becoming a burden.

These children also face a loyalty dilemma where the child battles to understand how one parent could kill the other, as he/she loved both parents. This raises issues in terms of access by the perpetrator to the child. Children are not consulted about their needs and are often ignored. This poses problems as the perpetrator often returns to the family due to socio-economic factors. Robertson and Donaldson (1998:3), state that this willing acceptance of the perpetrator back into the community seems to condone and sanction their actions and discounts the women and child victims.

In terms of the long term effects on the child of being exposed to intimate femicide, Robertson and Donaldson (1998:4), state that prolonged exposure to trauma may lead to personality changes and emotional detachment, rage, sadness and fear. Female survivors appear to be more prone to further victimisation in adulthood and depression and anxiety. In contrast, males are said to appear to display more aggressive behaviour. This is considered to either be a result of using the perpetrator as a role model, or simply because violence is learnt as an acceptable way of resolving problems. Childhood traumas have

also been linked to higher risk of becoming a victim or perpetrator of violence, suicide attempts, self-mutilation, and personality disorders.

It is evident from the above that child survivors of intimate femicide are severely traumatised by their experience of the crime, whether they witnessed it or not. It is therefore vital that these children receive counselling and support to deal with the emotional effects of the crime in order to break the cycle of violence. The criminal justice system and department of correctional services has a responsibility to see to the needs of these children and to offer reconstructive services before returning the perpetrator to the family.

2.10 The Police and Justice Systems response to intimate femicide

Vetten's (1995:22) pilot study detailing intimate femicide in Gauteng, South Africa found police investigation techniques to be sorely lacking at times. No fingerprints and other evidence were collected from the crime scene. In some cases, there was a frequent turnover in detectives working on the case, and little time being spent on investigations of a specific case, due to lack of commitment, expertise, attitude, and interest. According to the inquest records half of the assailants remain at large. Strang (1991:34) states that police records don't reflect previous episodes of violence. It has therefore not been possible to establish whether a correlation exists between this form of homicide and pre-existing violence in the relationship.

With reference to the judicial proceedings, Vetten (1995:22) found that the perpetrators were initially charged with murder but often convicted on lesser charges of assault with intent to do grievous bodily harm, negligent handling of a firearm, or culpable homicide. The sentences handed down ranged from a suspended sentence to fourteen years imprisonment. According to Vetten (1995:22), the following mitigating factors were

taken into account by the judge when sentencing, namely that the killer was depressed at the time of the murder and provocation by the victim, which appeared fairly regularly in judicial statements.

In Stout's (1991:482) exploratory study of women killed in the United States, between 1980 and 1982, she found that the majority of intimate femicide cases fell into the 'non-felony' (i.e. domestic quarrel) category. The second most frequent category was cited as that of "lovers triangle" or "crime of passion". Alcohol and/or drug abuse, on the part of the perpetrator was also cited as a cause of the murder. Stout (1991:482) argues that the terms "domestic quarrel", "lovers triangle", and "crimes of passion", diminish the seriousness of the killing of over two thousand, six hundred women. It also masks the reality that these are crimes of violence and control - a concern reiterated in a report by Women in Law and Development in Africa's report (WILDAF) on femicide (1995:15).

In theory, the legal processing of a violent crime between spouses is the same as other violent crimes. However, the reality is somewhat different. The police are reluctant to become involved in domestic disputes. The police often justify their lack of involvement by stating that it is a civil matter, not a criminal one. Violence within the family, is seldom recorded by the police since it is considered a "non police matter". The police use their discretion in deciding whether to issue a formal warning or to arrest the perpetrator. This is another reason for the problem in assessing the history of violence in cases of intimate femicide, since no records are kept.

The police are responsible for deciding what charge to lay against the perpetrator. Once a docket has been opened by the police it goes to the senior prosecutor, who decides whether the case should go to court, i.e. is there sufficient evidence to prosecute, was the proper procedure followed during the investigation, and so forth. Upon being arrested the perpetrator is informed of his right to apply for bail. In cases of murder and culpable homicide (Schedule 6 and 7 crimes)⁸ in South Africa, the arrested person can apply for

⁸ Schedule crimes simply refer to the relevant Schedules to the Criminal Procedure Act, 1977 (Act 51 of 1977)

bail through court on his/her first appearance. There are a number of factors that are considered before bail is granted and the onus is on the arrested person(s) to prove that their release on bail is in the interests of justice. The Criminal Procedure Act 51 of 1977 section 60(4), lists the factors which may lead to a refusal of bail. Bail is refused should it be considered that the release of the accused would –

- (a) endanger the safety of the public or any person, or that the accused will commit a Schedule 1 offence, which includes murder, rape, robbery, indecent assault, assault which results in the infliction of a serious wound, theft and offences for which the punishment may be a period of imprisonment exceeding six months without the option of a fine.
- (b) cause the accused to attempt to evade his trial.
- (c) cause the accused to attempt to influence or intimidate the witnesses, or to conceal or destroy evidence.
- (d) undermine or endanger the objectives of the proper functioning of the criminal justice system, including the bail system.
- (e) in exceptional circumstances, disturb public order, or undermine public peace or security.

The above factors, which are taken into account when weighing up grounds for refusing bail, are by no means exhaustive. The court has the discretion to admit any other factor it deems relevant in the assessment of suitability of the accused for bail. This was not always the position. Prior to the Amendment of the Criminal Procedure Act 51 of 1977, in August 1998, it was considered easier for the accused to get bail. With the commencement of the Constitution the onus to disprove the eligibility of the accused for bail rested on the State. Currently Schedule 6 and 7 crimes, which are crimes the

participants in this study were convicted of, the accused only qualifies under exceptional circumstances. The duration of time spent in jail prior to posting bail is dependent upon whether crucial investigative work still needs to be done. This simply means that the investigating officer requests a postponement (of up to seven days) of the bail application in light of the above (Joubert 1999:280). Finally, after the trial is completed and the perpetrator is found guilty, the magistrate decides on the sentence to be handed down. From the above it is evident that the entire process of referral, investigation and examination is dependent upon the choices and decisions of a range of individuals. The question is, whether they aspire to traditional patriarchal values that relegate women to possessions of their intimate male partners and trivialise intimate femicide.

Radford (1992:255) noted the special defences unique to the charge of murder, which are often used to justify intimate femicide, and/or to get the perpetrator a lighter sentence. They are diminished responsibility and provocation (i.e. sufficient to cause a 'reasonable' man to lose control of himself and do what the defendant did).

Lees (in Radford & Russel 1992:193), explains that the defence of provocation is based on the premise that the behaviour of the victim precipitates his/her own death, to some lesser or greater extent, namely that of physical violence or detection of a spouse in the act of adultery.

According to Atkins & Hoggett (in Lees 1992:271), writers of a legal textbook, provocation is

"The most insidious concept of all to emerge from cruelty cases".

Provocation is based on the following three very questionable assumptions. Firstly, that the reasonable man rather than by controlling his emotions, can be provoked into murder by insubordinate behaviour, such as infidelity, bad housekeeping, withdrawal of sexual services, and even nagging. This leads to the focus of the trial being shifted, from the defendant to the victim. Secondly, the idea that women can be similarly provoked, even when they have been beaten up or raped is rarely entertained. This would be a "licence to kill" rapists and wife batterers. Thirdly, although the main distinction between the

murder and manslaughter revolves around whether the killing is premeditated or not, in practice, a defence of provocation on the basis of "loss of self-control", often overrules evidence of premeditation. Provocation has therefore functioned as the grounds for the commutation of murder to manslaughter, with the result that the judges have allowed men who kill their intimate partners to walk free from court (Lees 1992:271). Morbid jealousy has also been used to find the offender unfit to stand trial, or not guilty by reason of insanity (Radford & Russel 1992:254).

It is important for the reader to be informed of how criminal cases are processed, in order for the reader to become aware of the criminal justice systems response to perpetrators of intimate femicide. The following section serves to inform the reader of the general principles of criminal liability that guide the South African legal system, with a focus on crimes such as murder and culpable homicide, and the punishment meted out for such crimes. This chapter is directed at providing a basic understanding of how the criminal justice system works.

2.11 General principles of criminal liability

In this section the general principles of criminal liability will be discussed, in order to give the reader a basic understanding of the legal theories underlying the legal processing of a crime. This section is based on South African law, as this is a South African study. Firstly, criminal proceedings are commonly referred to as "prosecutions", and in order for an accused to be prosecuted, the State must prove beyond a reasonable doubt that the accused has committed a crime. This crime (either defined so by common law or by statutory law), for which he has no legal justification (implying unlawfulness), and for which he is criminally accountable, either due to intentionally committing the crime or through negligence.

There are some statutory exceptions to the rule, that fault is required for criminal liability (Burchell & Milton 1997:95). Each of the requirements for criminal liability will be discussed in turn.

According to Joubert (1999:47), an offence is defined as “unlawful and blameworthy conduct, which is defined by law as a crime and for which punishment is prescribed”.

Legality is present when the conduct is defined by common or statutory law as being of a criminal nature. And for which there is a prescribed punishment. Once it has been established that the principle of legality has been satisfied, the next element of an offence that needs to be proved, is conduct.⁹ Conduct is an actual, physical act or omission (failure) to act on the part of the accused. To be criminally accountable, a person must have acted voluntarily at the time of committing the offence. In other words, a person has the ability to decide whether to act or not, and thus exercises control over this. This is based on the assumption that, all human beings can choose between different courses of action. In other words, conduct for which there is no legal justification

1. Unlawful conduct

The term ‘unlawfulness’ does not refer to something that is ‘against the law’, but rather indicates what is unjustified. Criminal conduct must be voluntary (i.e. controlled by the

accused’s conscious will). Involuntary conduct during sleep, concussion, heavy intoxication, provocation, or severe emotional stress is not considered by the courts to be criminally liable conduct. Conduct must consist of doing something (a positive act) or not doing something (an omission¹⁰). Besides being voluntary, the accused’s conduct needs to be deemed unlawful, in order for him/her to be found criminally

⁹ Also referred to as the act

¹⁰ There may be criminal liability for failure to act.

liable. This means, that there must be no defense available to the accused. In other words, the accused did not act on private defense; because of legal obligation; superior commands (e.g. the police or military); excessive use of force in arresting someone; or where the crime is so insignificant that the law disregards it as trivial in terms of criminal liability.

2. Capacity

Capacity refers to the ability to appreciate the wrongfulness of conduct and the ability to act in accordance with that appreciation. Criminal capacity may be lacking, as a result of youthfulness, insecurity, heavy intoxication, provocation, or severe emotional stress. Criminal capacity must be present in both intentional and negligent crimes. Should the prosecution not establish capacity, then the accused is entitled to a complete acquittal. In these cases, the accused has to prove on a balance of probabilities that he was suffering from a mental illness or defect at the time he/she committed the crime. A successful defense of insanity results in the accused becoming a state patient and being sent to a mental institution (Burchell 1997: 97/98).

3. Fault

According to South African Criminal Law, conduct is only unlawful if it is committed with a guilty mind (mens rea or fault). Fault may take two forms, namely intention (dolus) or negligence (culpa). There are four varieties of intention:

- i) Dolus directus which is where, the accused aimed to perpetrate the unlawful act or cause the unlawful consequence;
- ii) Dolus indirectus which is where, the accused foresaw with certainty or substantial certainty that the unlawful act or consequence would occur;
- iii) Dolus eventualis where the accused foresaw the possibility that the prohibited consequence might occur;
- iv) Dolus directus, indirectus, and eventualis may be general where the accused does not

have a particular object or person in mind. For example, where the accused throws a bomb into a crowd of people.

The author feels, that it is important to distinguish motive from intention. Motive is a person's reason for conduct, for example a motive for killing may be revenge. Motive precedes the formation of the intention to engage in conduct. It is important to note, that motive is considered to be irrelevant to the determination of liability. The reason being, that individual motivation is too complex and obscure to provide a reliable basis for determining liability for punishment. Evidence of an accused's motive is admissible and may implicate the accused in the commission of the crime or establish intention, but intention may be proved without reference to motive (Burchell 1997:224-225).

According to South African Criminal Law, genuine ignorance of the law may be an excuse. If the accused, genuinely does not know or foresee the possibility of the unlawfulness of his/her conduct, s/he cannot be held to have the required guilty mind in the form of intention (Burchell 1997:98). In cases of negligence (failure to act), if the accused does not know, or foresee the possibility of the unlawfulness of his/her conduct such ignorance or error must be reasonable in order to excuse.

The central question in assessing whether the accused is criminally liable in cases of omission is whether there was a legal duty to act in the circumstance. The focus here is on unlawfulness, rather than fault (Burchell 1997:108). The general standard for determining unlawfulness is based on the following:

“A legal duty to act may arise in situations where the accused has created a potentially

dangerous situation; where the accused has control over a potentially dangerous thing or animal; where a protective or special relationship exists between parties; where the accused occupies a public or quasi-public office or calling which imposes

on him/her a duty to act and where statute or contract imposes legal duty”.

(Burchell 1997:109)

In order to determine whether the accused has been negligent, one needs to ask:

(a) would a reasonable person, in the same circumstances as the accused, have foreseen

the reasonable possibility of the occurrence of the consequence, or the existence of

the circumstance in question, including its unlawfulness?

(b) would a reasonable person, have taken steps to guard against that possibility? and,

(c) did the accused, fail to take the steps, which he/she should reasonably have taken to

guard against it?

If yes to all three questions, then the accused’s conduct is regarded as negligent.

According to South African criminal law, voluntary¹¹ intoxication and provocation or severe emotional stress cannot be used as a full defense. It can however, be used as a partial defence, and is considered in the mitigation of sentence. According to the general principles of criminal law, the use of alcohol or drugs and provocation or severe emotional stress may deprive a person of the capacity to appreciate the wrongfulness of his/her conduct or the capacity to act in accordance with such appreciation. Intoxication removes or weakens the restraints and inhibitions, which normally govern conduct, and impairs the capacity to distinguish right from wrong or to act in accordance with that appreciation. It may also conduce to crime of negligence, by impairing powers of perceptions, delaying reaction time and rendering the movement clumsy (Burchell 1997:183/184).

¹¹ According to the general principles of South African criminal law the accused voluntarily induces his/her condition and should therefore be held responsible for his/her conduct while intoxicated.

In many cases, the response to provocation is in the nature of revenge for harm suffered. Justice is however, expected to be sought through the criminal justice system, as according to South African law, provocation does not fully excuse the accused from criminal liability, as people are expected to control their emotions. Provocation is however, considered during mitigation of sentence if the anger was justified by provocation. The criminal justice system recognizes that severe provocation might cause a person to act in the heat of the moment and thus without direct intention or premeditation. In such cases the accused is found to be guilty by reason of culpa and thus entitled to a lesser punishment. The accused is then found guilty of culpable homicide, namely the unlawful negligent causing of the death of another human being (Snyman 1995:403).

Culpable homicide differs from murder (the unlawful and intentional causing of the death of another human being), in the form of culpability required. Negligence is required for culpable homicide, whereas intention is required for murder (Snyman 1995:403). The role of negligence in culpable homicide is to determine whether the killing was an accident (and thus not punishable) or an unlawful (albeit unintended) killing, which is

deserving of punishment. The test of negligence is that of the “reasonable man”, mentioned on page 18 (Milton 1996:363).

The General Principles of Sentencing

The basic principles according to which sentence is imposed are the following:

- (1) The sentencing court has to impose an appropriate sentence, based on all the circumstances of the case. The sentence should neither be too light, nor too severe.
- (2) An appropriate sentence should reflect the severity of the crime, while at the same time, give full consideration to all the mitigating and aggravating factors surrounding the person of the offender. In other words, the sentence should

reflect the blameworthiness of the offender, or be in proportion to what is deserved by the offender. These two factors, the crime and the offender, are the first two elements of the triad of Zinn.

- (3) An appropriate sentence should also have regard to, or serve the interests of society,

(the third element of the Zinn triad). The interests of society can refer to the protection which society needs, or the order or peace which society may need, or the deterrence of would-be criminals, but it is not to satisfy public opinion.

- (4) In the interests of society the purposes of sentencing are deterrence, prevention, rehabilitation, and retribution.

- (5) Deterrence is the most important of the purposes of punishment. Although this statement, has been shown to be an oversimplification. Deterrence has two components, namely to deter the offender from re-offending, and to deter other would-be offenders.

- (6) Rehabilitation should only be pursued as a purpose of punishment if the sentence

actually has the potential to achieve it. In the case of very serious crime, where long

terms of imprisonment are appropriate, it is not an important consideration.

- (7) Prevention as a separate purpose of punishment is rarely discussed any further.

- (8) Retribution, in the sense of society's abhorrence with the crime, has been held not to be as important as in the past, but it may nevertheless be of great importance, depending on the facts of the case. Thus, if the crime is viewed by society with abhorrence, the sentence should also reflect this abhorrence. Retribution can also be related to the requirement that the punishment should fit the crime, or that there should be a proportional relationship between the punishment and the crime.

- (9) Mercy is contained within a balanced and humane approach when considering the appropriate punishment. This appropriate punishment is not reduced in order to provide for mercy. There is no room for a vindictive and vengeful attitude from the sentencing officer.

In sentencing the accused, the criminal justice system needs to take into account the crime that was committed; the circumstances of the accused; and the interests of society¹² (Snyman 1995:16). It is here that intoxicification and provocation or severe emotional stress as mitigating factors can be presented.

Punishing the offender/accused for the crime committed has four objectives, namely:

- (a) retribution (where the accused must suffer for the damage caused to the victim or community by the crime committed);**
- (b) Deterrence (the discouragement of criminal behaviour by the convicted offender and the community);**
- (c) Rehabilitation (the equipping of the offender with skills to change his/her attitude and behaviour patterns); and**
- (d) Prevention of recidivism (namely the partial or complete elimination of criminal tendencies) (Snyman 1995:18-25).**

The types of sentence range from imprisonment (periodical to life); a suspended sentence with conditions such as a fine, community service, supervision by a Social Worker to correctional supervision, depending on the crime committed, the circumstances of the accused and the interests of society.

2.12 Correctional supervision

As this study focuses on interviewing perpetrators of intimate femicide who are currently under Correctional Supervision this sentence will be discussed in some detail. Correctional Supervision is a form of appreciable punishment, which does

¹² This is referred to as the Triad of Zinn in legal texts.

not remove the offender from the community in, which he lives and works. It limits the freedom of the offender through house arrest, and it requires direct and free service to the community through community service. It was introduced into law in August 1991, as a means to combat overcrowding in prisons and for its rehabilitative value. However, due to the criticism of correctional supervision being a soft approach, pressure has been placed on the courts since 1994 to not impose it for any serious crime (Terblanche 1999:327).

According to the Correctional Services Act 111/1998, the objective of correctional supervision is to enable persons subject to community corrections to lead a socially responsible and crime free life during the period of their sentence and in the future. The immediate aim of the implementation of community corrections is, to ensure that persons subject to community corrections abide by the conditions imposed upon them in order to protect the community from offences, which such persons may commit.

A correctional supervision sentence can be imposed in terms of the Criminal Procedure Act 51 of 1977, on sentenced and unsentenced offenders as

- an alternative to imprisonment
- as a condition to a postponed sentence
- as a condition to the suspension of sentence
- as a substitute for imprisonment imposed and as an alternative to a fine

According to the conditions of correctional supervision, the person concerned

- is placed under house detention;
- does community service;
- seeks employment;
- takes up and remains in employment;
- pays compensation or damages to victims;
- takes part in treatment, development and support programmes;

- participates in mediation between victim and offender or in family group conferencing;
- contributes financially towards the cost of the community corrections to which s/he has been subjected;
- is restricted to one or more magisterial district;
- lives at a fixed address;
- refrains from using or abusing alcohol or drugs;
- refrains from committing a criminal offence;
- refrains from visiting a particular place;
- refrains from making contact with a particular person or persons;
- refrains from threatening a particular person or persons by word or action;
- is to be subject to monitoring; and
- in the case of a child, is subject to the additional conditions as contained in section 69.

The offender can be sentenced to a maximum of three years. The sentence consists of house arrest, monitoring (via telephonic and physical visits to the home and place of employment), community service (free services for a fixed number of hours), victim compensation, and restriction to the magisterial district. According to van Zyl (1999:28) the following correctional programmes and lectures are offered to offenders under correctional supervision as part of the rehabilitation process:

- preventing criminal acts
- instilling or fostering a sense of responsibility
- preventing the abuse of alcohol and drugs
- developing interpersonal relations and family responsibility
- learning of social skills

In terms of Section 276-(1) (h) of the Criminal Procedure Act 51/1977, each candidate for correctional supervision needs to be assessed, to establish whether

she/he is a suitable candidate for a sentence of correctional supervision. The criteria include:

- The accused must not be considered to be a danger to the community;
- A sentence of correctional supervision should be acceptable to society;
- The accused must be willing to participate in treatment programmes;
- The accused must have no previous convictions of aggression or sexual crimes against children;
- The accused must be self-supportive if unemployed, have enough funds to support himself or have a family to support him/her;
- The accused's behaviour and adaptation in society must be stable and co-operative;
- The accused's work record/past employment record must give evidence of responsibility. Unemployment is not a disqualifying factor.
- The accused must have a stable residential record where s/he can be monitored. This is an important factor.
- The accused must, as far as possible, have stable support systems (family and friends)
- During the interview there must
 - be acknowledgment of remorse
 - insight with regard to criminality
 - some commitment to a reasonable and crime free future
 - assess whether the accused has learnt from previous experience

Terblanche (1999:333) cites the following as advantages of correctional supervision:

- it can be a sentence with a high punitive value
- it has substantial potential to promote the rehabilitation of the offender
- the many disadvantages of imprisonment are absent
- probationers are not exposed to hardened criminals
- probationer does not suffer the isolation and stigma attached to imprisonment

- prison space is not taken up
- he/she can keep his employment and support his family and society does not lose the skills of someone who can look after himself
- costs of correctional supervision are less than imprisonment
- there is no parole

Regarding rehabilitation, Terblanche (1999:334) notes, that the rehabilitative content is not specified but that the rehabilitative value is placed in the fact that the offender is with his family and in society and thus stands a better chance than in prison. He notes that, no punishment is likely to “cure” an offender from his/her criminal tendencies but that rehabilitation is more likely to come from correctional supervision than imprisonment.

A question often asked regarding correctional supervision, is what happens to the offender if he violates the conditions of his sentence. Should the Commissioner be satisfied that the probationer has violated his sentence condition(s) a warrant of arrest for the probationer may be issued. This warrant allows for the probationer to be detained in prison for up to 72 hours. The probationer may be placed under correctional supervision from prison, which is often the case or he may be remitted to the court for reconsideration of sentence. This brief incarceration of 72 hours is said to be beneficial to the probationer’s compliance with the conditions of the sentence (Terblanche 1999:364).

2.13 Conclusion

There has been little South African research on the subject of intimate femicide, and the research conducted, has focused on demographics of the victim and accounts of the family and friends of victims. The researcher could find no record of research conducted on the perpetrator of intimate femicide and there is little reference to the processing of intimate femicide cases through the criminal justice system. The question is not so much as, to why men murder their intimate partners as issues of

power and control, proprietariness, morbid jealousy offer explanations for this. The question should rather be, whether the perpetrators' of intimate femicide have any insight into the crime they committed and what effect it has had on their current behaviour and view of women. The criminal justice systems' response to intimate femicide, fails to address the serious nature of the crime and evidence of its trivialization is found in the low bail posted, length and type of sentence imposed and failure to address non-compliance with sentence conditions. The criminal justice system also fails to acknowledge the effect of the crime on the child survivors and the risk placed on women who find themselves in intimate relationships with abusive men. This is perpetuated by South African society's patriarchal view of women and media's perpetuation of man's right to dominate and control women.

CHAPTER THREE

RESEARCH DESIGN AND METHODOLOGY

3.1 Introduction

This chapter will focus on how the study was undertaken, the design and methodology used, how the data was obtained and the results generated. Due to the sensitive nature of this study the ethics guiding this body of research will be highlighted. The limitations of the research design and methodology used will be

highlighted as well as the problems which manifested throughout the process of the study. The results of this study are hoped to provide an illustration of the experiences of men who murder their intimate partners, as well as explore the suitability of correctional supervision as a sentence option for this crime.

3.2 Research design and methodology

A qualitative study was chosen as this type of research allows for the investigation of the deeper meanings of human experience (Rubin & Babbie 1997:364). Intimate femicide is a relatively new area of study in South Africa. Research specifically focusing on intimate femicide in South Africa began in the early 1990's. This research focused on the demographics of the victim and the offender, media reports and case study information on the victim. There is a shortage of literature on intimate femicide in the South African context, specifically literature and research focusing on the perpetrator. International studies on intimate femicide focusing on the perpetrator are geared towards developing a profile of the perpetrator and generating a danger/high risk list to be used to identify which women are most at risk of being murdered by their intimate partner. There appears to be no information that focuses on the perpetrator's experience of intimate femicide. The researcher aims to explore the perpetrators experience and understanding of intimate femicide in order to give you the reader, an insight into how the perpetrator views his crime. It also explores his emotional response to the crime; his relationship with the victim, his children and significant others; and finally the legal consequences of the crime.

A qualitative study was chosen to explore the above as it gives prominence to "understanding the actions of the participants on the basis of their active experience of the world and the ways in which their actions give rise from and reflect back on experience" (Burgess in Allan & Skinner 1991:176). This study is aimed at building on the limited South African research and literature on intimate femicide.

This study on intimate femicide is exploratory-descriptive in nature. The purpose of this study as mentioned above is to provide the groundwork for further knowledge building. As Yegidis and Weinbach (1991:76) state “we have to know considerably more about a problem before we can begin to understand it”. Studying the perpetrator of intimate femicide’s experience of the crime is vital in developing a full picture of the crime and is vital in working towards prevention and other needs.

In terms of the descriptive nature of this study the researcher acknowledges that a lot of groundwork has been done internationally on intimate femicide, as mentioned above however little specifically focusing on the perpetrators experience. This study on one level is considered to be building on the existing level of knowledge on intimate femicide but in terms of its focus on the perpetrator’s subjective experience is a pioneer or beginning study. It is not in the scope of this study to produce statistically sound data or conclusive results as is noted in Rubin and Babbie (1997:109) who conclude that “exploratory studies seldom provide satisfactory answers to research questions and can only hint at the answers”. Rather, the aim of this study is to provide general ideas and tentative theories, which can be explored rigourously later on (Grinnell & Williams 1990:150). In terms of the descriptive side of this study the researcher hopes to offer some description of the perpetrator and the crime in order to develop a deeper understanding of the subject of intimate femicide. As Rubin & Babbie (1997:110) point out that descriptive designs are more concerned with conveying a sense of what it is like to walk in the shoes of the people being described”. The focus here is thus on the perpetrator’s interactions and the meanings given to these interactions.

3.3 Sampling procedure

The researcher when considering how to access possible participants for the study decided to interview perpetrators of intimate femicide who had been assessed for a correctional supervision sentence. The population of this study is thus men who have been convicted of the deaths of their intimate partner irrespective of whether it was found to be intentional or due to a negligent act, and who were assessed as being suitable

candidates for a community based sentence. Whilst their suitability is determined prior to their sentencing three of the participants were sentenced directly to correctional supervision and two fall under the category of first serving 12 months in prison before their sentences are converted to correctional supervision. Five men formed the sample of this study. They were the only men on the system in the area at the time that had committed the crime of intimate femicide. Edward was the only participant at the time that was still serving his 12 months in prison before his sentence is to be converted to correctional supervision. Please note that he was considered to be a suitable candidate for correctional supervision prior to his sentencing and as such the conversion of sentence will take place. The reasons for this choice of population were two-fold: firstly the researcher through her undergraduate practical social work experience at the Department of Welfare doing legal social work became aware that perpetrators of intimate femicide were often referred for assessment for community-based sentences. Secondly, the researcher felt that it would be interesting to explore the suitability of correctional supervision as a sentence for perpetrators of serious crimes such as murder.

The first step in gaining access to the participants of this study involved writing to the Area Manager of the Department of Correctional Services requesting access. Permission was granted in writing. The researcher then contacted the correctional supervision assessment officer and discussed suitable candidates for the study. How the participants were chosen is outlined above. This form of selection is referred to as purposive non-probability sampling. Grinnell and Williams (1990:125) explain that non-probability sampling refers to the fact that not all people in a population have the same chance of being included in the sample. Note that, awaiting trial prisoners and past intimate femicide perpetrator's who had completed their sentences prior to the conducting of this study were not screened. The term 'purposive' refers to the fact that the researcher has narrowed the field of selection down by setting criteria for the selection from that specific population. This method of sampling is often used in exploratory studies, as the purpose of the study is just to collect as much data as possible. The small size of the sample, namely five participants is considered suitable in terms of the exploratory nature of the study.

As expressed above, the researcher is interested in providing a groundwork of knowledge on the subject of ‘the perpetrator’s experience and understanding of intimate femicide’ and not to generalize in order to provide statistically sound results or conclusive comments.

3.4 Ethical considerations

The researcher in the process of accessing the participants in the study drafted a letter requesting voluntary participation in the study as is ethically required in the university guidelines on ethical standards. The correctional supervision assessment officer then hand delivered the letters to the research candidates as posting the letters was considered a hazard as it may not arrive at the candidates residence because three of the candidates lived periodically in informal settlements.

Those candidates interested in participating in the study contacted the researcher who then explained the nature, purpose, and usefulness of the study, the voluntary nature, and other ethical boundaries such as anonymity/confidentiality and the limits. For instance, pseudonyms would be given to protect the identity of the participants. The researcher however realised that the correctional services officer, monitors, families and friends of the participants could be able to identify them from the information contained in the study in terms of the details of the crime, the sentence given and served and so forth. Lee (1993:102) notes this limit to anonymity and explains that identification may carry with it the risk of sanctions and stigmas from various sources. He suggests that a possible way to conceal the identity of the participant is to change some of the content of the interview, however the researcher needs to be careful that the editing does not alter the analysis and ultimately the results of the study.

The researcher made use of pseudonyms to protect the identity of the participants but chose not to alter other information contained in the interviews as the possibility of the perpetrators being threatened by sanctions or stigmatized is assessed as being rather slim. The researcher makes this assessment on the following beliefs, namely that the

correctional services officers and monitors are bound by confidentiality clauses in their employment contracts. The researcher is however not naïve as to think that breaches in confidentiality do not take place at times. Secondly, the families and friends of both the perpetrator and offender are often aware of the dynamics of the crime and stigma and sanctions may be the result of the perpetration of the crime and not specifically a result of information contained in this study. The candidates were also warned about the intra-psychic effects ‘telling their story’ might have on them, for example, a flooding of emotions, reliving the event and the possibility of unanticipated emotional reactions.

All five of the candidates contacted, agreed to participate in the study. Miles and Huberman (1994:291) discuss the importance of obtaining consent from the participants in the study as weak consent usually leads to poor data. They highlight the argument that truly informed consent is impossible in qualitative studies because of events in the field and the researcher’s actions. The researcher agrees with this argument as despite the participants voluntarily agreeing to be a part of the study, the researcher believes that to some extent their decision to participate was based on being assessed as complying with the correctional supervision system.

A third ethical issue specifically related to the nature of the topic is to explore the harm or risk to the participants. Ethical issues related to anonymity and confidentiality were highlighted above. The researcher however had to bear in mind the intra-psychic response the participants would have to disclosing information on their intimate relationships and reliving the perpetration of the crime. The researcher is aware that the participants of the study may have held back information on their experience of the crime or subconsciously changed information in order to portray themselves in a more favourable light should they have assessed some risk to themselves. McCall and Simmons (in Miles and Huberman 1994:292) believe that real or feared harm will always occur to someone in a qualitative study. The researcher believes in the importance of warning participants of the possible risks or harms to them. However, in terms of the participant’s experience of the data gathering process participants may benefit from the opportunity of ventilating to someone who is perceived as being neutral and will not

impose some form of sanction or punishment on them. The researcher however acknowledges that there is a risk of harm should the participants not agree with the analysis or results of the study.

In terms of competence boundaries, Miles and Huberman (1994:291) warn that unacknowledged incompetence may be responsible for analytic weaknesses in qualitative studies and borders on the line of research malpractice. The researcher acknowledged her competence boundaries and made use of supervision and consultations with her research peers in order to deal with the above.

3.5 The use of in-depth research interviewing as a method of data collection

The researcher made use of in-depth interviewing as the data collection method. Marshall & Rossman (1995:80) describe interviewing as “a conversation with a purpose”. The researcher chose in-depth interviewing as it allows the researcher to explore what is in the minds of the participants, their meanings, perspectives and how they experience the world. In-depth interviewing has been defined as a

“face-to-face encounter between the researcher and informants directed toward understanding informants perspectives on their lives, experience or situations as expressed in their own words”.

(Taylor & Bogdan 1984:77)

In-depth interviewing is identified by Reid & Smith (1989:213) as being particularly useful in obtaining data on topics that are complex, highly sensitive, emotionally laden, or relatively unexplored. This researcher believes that this study falls into all of the above and thus selected in-depth interviewing as the method of data collection for this study.

In-depth interviewing is generally unstructured meaning that there is no set interview schedule containing all the questions to ask. Rather the interview guide contains one or

two key topics which are to be explored, i.e. a list of general areas to cover. According to Taylor & Bogdan (1984:92) the researcher decides how to phrase the questions and when to ask them when in the interview situation. The interview guide serves solely to remind the interviewer to ask about certain things.

The use of in-depth unstructured interviews was based on the sensitive nature of the topic, namely the exploration of the perpetrator's experience of intimate femicide. Unstructured interviews allow the interviewer to move with the flow of the dialogue, starting with the general theme of discussion directed at the interviewee's experience, feelings and beliefs, and the posing of further questions as these emerge (Huysamen 1994:174).

In approaching a sensitive topic Brannen (in Lee 1993:103) suggests that the topic of the research should be allowed to emerge gradually over the course of the interview. This however causes problems in terms of obtaining informed consent. The researcher for ethical reasons chose to inform the participants ahead of time of the topic, the emotional costs and then obtained their informed consent.

The first interview was used as a basis for the remaining four interviews. The main question, which forms the basis of this study, is "Why are you here?" In essence the question initiated the participants to share "their story", their experience of the crime they committed. From "their story" the researcher extracted information on precipitating factors which influenced the commission of the crime, their feelings throughout the experience, details on the crime itself, the legal processing of the case from being arrested through the trial, verdict, sentence and their compliance with the sentence conditions.

Three of the participants, Barry, Dan, and Colin were interviewed at the researcher's office, as they lived in an informal settlement. The researcher's office was spacious, sound proof and quiet as it was used to render therapeutic counselling services. There were also no interruptions as, other staff in the building were aware that when the door is closed they are not to interrupt. The researcher and participant sat facing each other in

comfortable chairs. A dictaphone was set up to record the interviews. The first participant (Adam) was interviewed at his place of employment during a lunch break. He had arranged for the interview to be conducted in an empty office. The venue was not suitable in that we could hear the noise from the busy street and there were interruptions by colleagues coming to get their belongings. The last interview with Edward took place in the Social Worker's office at the Department of Correctional Services. It was also unsuitable in that the telephone would ring constantly and we could hear the Social Worker conducting a meeting in the waiting room outside. The office was tiny and uncomfortable.

Prior to starting the interview the researcher requested permission to tape-record the interviews. All five participants granted permission. Due to the in-depth nature of the subject matter with the participants expected to tell "their story" the researcher chose to tape record the interviews in order to ensure that their words used, the sequence of "their story" and changes in tone of voice were noted for transcription. Tape recording the interviews then allowed the researcher to focus on the content of the interviews as the participants were talking.

Two of the interviews were conducted in English, two primarily in Afrikaans with dispersed English, and one in Xhosa. Despite being bilingual (i.e. being able to read, write and understand Afrikaans) the researcher had her transcripts proof read by an Afrikaans Masters student to edit the transcripts for spelling errors. An interpreter was used in the final interview. The correctional service assessment officer volunteered to interpret for the researcher. The participant was asked if he felt comfortable with this.

The interviews lasted between 70 minutes and two hours. The first, second and fifth interviews illicited the depth of information the researcher had hoped, however the researcher experienced problems in interviews three and four. In interview three the participant shared mostly the factual events that happened and little emotional content. In interview four the participant denied perpetrating the crime and thus also gave mostly factual information on the events. The researcher acknowledges in retrospect that her

lack of experience in conducting in-depth interviews and overconfidence from the first two interviews going well, that there were opportunities to follow-up on the emotional content that were missed.

The researcher considered that gender may have impacted on the interviews and that the participants may have altered or censored some of the information disclosed during the interviews in order to have the researcher view them in a positive light. Wise (Lee 1993:109) however argues that success in interviewing depends more on power issues and the interviewer's skill and style of interviewing than it does on a simple identity of gender. For example, in interviews three and four the researcher relinquished control by not using skills to move the participants from focusing on the factual events to their emotional responses. Lee (1993:110) also notes that the type of interview effects the power being exerted in the research situation. When using an unstructured interview format that is not rigidly specified by prior standardisation, power is open to be exerted by both the participant and the interviewer.

At the conclusion of the interviews, the participants were informed that a copy of the study would be made available at the Department of Community Correctional Services should they wish to read it. A contact number would also be left should they wish to discuss the findings with the researcher. The only participant at the time who expressed an interest in the results of the study was Adam.

3.6 Data collection through studying secondary data sources

The researcher concluded the data gathering process by consulting secondary data sources, namely the monitoring records of each participant. These documents gave information on the conditions of the correctional supervision sentence, each participant's compliance with the conditions and any punitive measures taken against the participants for non-compliance. The analysis was broken down into the following categories: house arrest, community service, reporting, and therapy. Notes from the participants' files on their compliance to the above

categories/conditions were recorded on separate cards and then linked across all five interviews. The data gathered was compared and contrasted and then cross-referenced with the literature on correctional supervision compliance and the consequences. This information served to be useful in analysing the suitability of the sentence. The researcher attempted to gain access to the Correctional Services Assessment Officer's counselling file on each participant but was denied access. The reason given was that participants one to four had completed their sentences, the assessment officer had been promoted, and there were difficulties in locating the files. Participant number five has no open counselling file at the prison where he is serving his sentence as no services had been offered to him at the time of the enquiry.

3.7 Data analysis

The data analysis process began upon the transcription of the first interview where the researcher began to search for meanings and identify themes from the participants telling of "their story". The researcher found it easier to identify themes whilst transcribing the interviews and being able to listen for the participants life experiences. Some of the themes which emerged included feelings expressed, coping responses, relationship expectations, violence and threats of violence in the relationship, presence of alcohol, premeditation, and so forth. The researcher then began to code the interviews by assigning labels or tags to the data. Seidel and Kelle (in Coffey & Atkinson 1996:277) note that "codes represent the decisive link between the original 'raw data', that is, the textual material such as interview transcripts on the one hand and the researcher's theoretical concepts on the other". From the literature read on domestic violence and intimate femicide the researcher was able to link the participant's responses to findings in from other research studies and theoretical positions of a number of writers. This literature control served to assist the researcher to identify similarities and differences between the findings and the literature consulted. For example, the link between previous episodes of violence and the threats of violence and intimate femicide

where Campbell (in Stout 1993:84) and Rude (1999:11) warns that minor acts of violence may culminate into a lethal attack (intimate femicide). Through comparing and contrasting the data and the allocation of tags the researcher linked segments of data within each interview together and later expanded this linking across the five interviews to generate concepts. By comparing and contrasting the data from the five interviews the theme of violence in the relationship was identified as reference to previous episodes of violence was made in four of the five interviews. Miles and Huberman (1994:56) explain that coding is a process that enables the researcher to identify meaningful data and set the stage for interpreting and drawing conclusions.

Tesch (in Coffey & Atkinson 1996:31) states that coded data segments are still not ready for interpretation in that they need to be reassembled or recontextualised to provide a new context for viewing and analysing data. The researcher after coding all five interviews summarized the data onto A-4 paper and then onto a card system. A-3 paper was used to compare and contrast the participant's responses under certain themes. The theme was listed as the heading and a column drawn for each participant where their responses were listed. The researcher's only concern in coding the data was that some useful information might slip through. The researcher attempted to prevent this by reading through the interviews; coding multiple times and having a research peer go through the work done. Coffey and Atkinson (1996:46) state that there will be some information loss when reorganizing data but the extent of the loss depends on the thoroughness and detail of the coding. The identified themes were then placed on theme cards, cross-referenced and then summarized onto A-4 paper. Once the researcher had completed the coding, cross-referencing and summarizing the process of interpreting the data began. According to Coffey and Atkinson (1996:46) this process involves a number of levels. Firstly, coded data retrieval, which needs to be displayed in a way, which makes it easy to read and explore, for example through diagrams, matrices, or maps. Secondly, newly created codes and categories need to be played with and explored in order to

make pathways to your data. The last level of interpretation involves transforming the coded data into meaningful data. Delamont (in Coffey & Atkinson 1996:47) suggests that

“one should be looking for patterns, themes, and regularities as well as contrasts,

paradoxes and irregularities. One then can move toward generalizing and theorizing from data”.

In order to verify and ensure the trustworthiness of the qualitative data the researcher made use of two independent coders. The researcher’s supervisor supervised the initial coding process as she had access to all the transcripts. After completing the coding process the researcher made use of one of her peers to read through the transcripts and A-5 theme sheets so as to identifying any themes that may have been omitted through the initial coding process.

3.8 Limitations

This study is based on the interviews with five men who had murdered their partners and who were assessed as being suitable candidates for a community-based sentence. Due to the size and nature of the sample the results of this study cannot be generalised to all perpetrators of intimate femicide and the corresponding sentences.

As mentioned before in the study three of the participants (Adam, Barry and Edward) in the study disclosed more in-depth information in terms of emotions, and effects than Colin and Dan who tended to focus on the events that transpired. The researcher also mentioned concerns about the impact of her gender on the interviews and the possibility of the interviewees editing their disclosures in order to be perceived in a positive light by the researcher.

Access to the participants was a problem as the researcher could only contact the participants through the correctional service assessment officer. The researcher was thus unable to get hold of the participants for any further follow-up sessions as the correctional services assessment officer had relocated and four of the five participants had completed their sentences and were no longer on the system.

Not much literature was available on intimate femicide, specifically South African literature and literature focusing on the perpetrator. There were also aspects covered for which there was no literature at all, for example, emotional responses of perpetrators to the crime and coping strategies used, compliance with community-based sentences and so forth. This however, served as one of the main motivating factors for conducting the study.

3.9 Conclusion

This chapter covered how the research was conducted and highlighted some of the problems which emerged whilst conducting the research. Conducting this study proved to be a valuable lesson in research offering the researcher more insight into the nature of qualitative studies as well as identifying which areas the researcher needs to develop to become a skilled researcher. The researcher made use of pseudonyms to protect the identity of the participants. The problems outlined above are deemed to be typical of qualitative studies of an exploratory nature. The researcher is confident that the design and method outlined above are sound and that the study is replicable.

CHAPTER FOUR

PRESENTATION AND DISCUSSION OF FINDINGS

4.1 Introduction

This chapter presents the themes that emerged from the five participant's stories.

Each participant was asked to tell the story of how he came to be assessed for a

Correctional Supervision Sentence. They were asked to relate their story on events prior to the crime, throughout the crime, up until this point in time (i.e. the time of the interview). The purpose being, to explore the perpetrator of intimate femicide's experience of the crime committed. The monitoring record of each participant was then explored, and data from the monitoring records used in the analysis of the participant's compliance with their sentence conditions in order to shed light on the severity of the sentence and its appropriateness for the crime committed.

This chapter is structured around the themes that emerged from the breakdown of the content of the stories and the information contained in the participants monitoring records. Please note that pseudonyms are used to allow for easy reading and to protect the identities of the participants of this study.

A brief history of each participant's background, relationships, and crime follows.

This will give the reader insight into the participant's experience. Further information on the crime and the legal processing of the crime will follow later in this chapter.

Adam

Adam (a 40 year old man) gave a wealth of information about his upbringing and life experiences before the perpetration of the crime. His parents separated when he was 6 years old. He witnessed his father having an affair with another women. His mother died before he had completed his schooling resulting in him having to stay with a number of family members. He did not complete his schooling and got a job in a factory. He met his first wife (the victim) during the same year and married her after she fell pregnant. Two children were born of this union. Their ages are not documented. This relationship lasted 12 years despite Adam's affair, sexual and other relationship problems, and frequent separations. Adam reported that his wife started having an affair near the end of the relationship and requested a divorce. When he refused to grant her the divorce he reported that she attempted to have him framed for rape. This enraged him and on the day of the crime he went home, reminisced about their relationship and family life, sorted out the knives in the kitchen, drew one and went looking for her. He located her at the neighbourhood butchery and spoke to her about what was going on. At the place where

she was staying she indicated that she would not drop the charges. He then stabbed her fourteen times. During the trial Adam met a woman and married her, a week later. This relationship lasted two years and ended a few months after his release. There were also reports that his second wife was having an affair with an ex-boyfriend. One child was born from this union. A few months after Adams divorce from his second wife in 1999, he married his third wife whom he reports he married because his teenage daughter needed a mother. He reported that he was not in love with her and made a mistake marrying her. He was considering a divorce.

Barry

Barry's (a 40 year old man) mother died when he was 9 years old. He spent his childhood moving between both sets of grandparents and then living with his strict father. His relationship with his father deteriorated during his teenage years resulting in him leaving school at the end of Std 7. He married at the age of 20 and fathered 5 children from this union. The marriage ended in divorce 13 years later. Barry then met his second partner (the victim). Two children were born from this union. Both he and his partner abused alcohol and Barry described the relationship as violent on both sides. Four years into the relationship Barry reports that one night, whilst both parties were intoxicated and during an altercation his wife stabbed him in the hand and he started walking away but his partner pursued him with the knife and he pulled out his gun and shot her. Both children from this union were under the age of five at the time of the murder. His son subsequently went to stay with a maternal uncle and his daughter with his first wife. Less than a year later Barry met his current partner with whom he is still cohabiting. Both parties are abusing alcohol. One child was born of this union but died a few months later after contracting a lung infection.

Colin

Colin (a 61 year old man) is the eldest of 6 children. His parents were happily married and he had a happy childhood. He has four children from a previous relationship. His children are grown and live independently. No other information on this partner or his children is available. He was never married but cohabited with his partner for 7 years.

His partner (the victim) had two daughters from a previous relationship, which were removed by the Department of Welfare, due to the victim's reported alcohol abuse. Colin's relationship with his partner was characterized as argumentative and violent. Colin abused alcohol for 18 years but has been in recovery for 10 years. He later began to use and deal in dagga. He still associates with past drinking buddies. Colin denied murdering his partner and reported that she went out to a local tavern, ran into her ex-boyfriend who propositioned her for sex and when she refused he beat her. She arrived home intoxicated and informed Colin who then put her to bed and upon waking the next morning he found her dead. He reported that the only reason he pleaded guilty was upon the advice of his legal counsel so that he could get a lighter sentence. He believes that someone plotted against him to have him imprisoned. He has a long criminal record having been found guilty of using and dealing in dagga, theft, resisting arrest, and three grievous bodily harm assault convictions. Colin states that he has not been in a relationship since.

Dan

Dan (a 45 year old man) offered no information on his family background and little on his previous relationships. The information contained in this summary is from the interview conducted and from custody placement reports involving his three sons. Dan was involved in a common-law relationship for 17 ½ years and three sons were born from this union. Dan's common-law wife left him and his sons in 1991, whereafter Dan met the deceased whom he married in the same year. Dan and his second partner agreed to raise his three sons in their mother's absence. In the custody report it is reported that Dan's first partner had an alcohol problem and Dan reports that he had caught her in bed with a white man. His sons' mother returned two years later and the problems between Dan and his ex-wife led to problems in the parent-child relationship leading to all three boys being placed in foster care. It is reported that during Dan's four-year relationship with the victim she developed an alcohol abuse problem. No children were born from this union and Dan reported that he was informed on numerous occasions that his wife was having an affair. The relationship had broken down to the extent that they no longer shared a bed. On the night of the crime Dan reported that his wife had locked him in

their bedroom and had gone out, leaving her wedding band behind. Dan subsequently went looking for her picking up a plank on the way and was confronted by her suspected lover whom he reports attacked him with a pick. In defence he hit his wife's suspected lover with a plank who then ran away. Dan then found his wife in a neighbour's shack and beat her twenty times with the plank.

Edward

Edward (a 37 year old man) is the youngest of four children. His father passed away when he was still very young and his eldest brother became the primary caretaker. He left school to seek employment due to their financial problems and married his first wife in 1989. During their 3 years of marriage two children were born. His wife died giving birth to their second child. A year later the accused married his second wife (the victim). She had a child from a previous relationship and one child was born from their union. Edward reported that his wife had a gambling problem and would lie, borrow and steal money. He initially thought that she was having an affair, until a neighbour informed him of his wife's problem. He evicted his wife from the marital home when it became evident that he could not sort out the problem. Edward reports that his wife would still come to the marital home and take things. On the night of the crime he and his wife's mother went to confront her and warn her not to go to the marital home. Edward reports that she insulted him and informed him that he would have to get an interdict against her. She started shaking a bottle of 'muti' and threatened that the next time he comes to her home he would leave as a corpse. Edward then pulled out his firearm and shot her. He reported noticing that there was a man in her bedroom, who came out when he heard the gun shot.

4.2 Demographic data on the participants

Five men who were assessed for a correctional supervision sentence after murdering their intimate partner were recruited for this study. All five of the participants are men with no noticeable differences from other men who have not murdered their intimate partners. All five of the men interviewed were over the age of thirty-five. The youngest participant

Edward was 36 years old at the time of the interview. Two participants, Adam and Barry, were aged 40 and a third Dan was 44 years of age. The eldest participant Colin was 61 years of age. Four of the participants are coloured and one black. The researcher wishes to highlight that due to the small sample and nature of this study the information contained herein is not generalizable to all intimate femicide perpetrators and that intimate femicide is perpetrated by men from all racial and socio-economic groups. Their employment status differed in the following respects: Adam and Barry were employed, the former working in a factory and the other as a bricklayer. Colin performed odd jobs as they came available. Dan received a government pension whilst Edward owned his own taxi. Intimate femicide occurs across a wide range of ages and is not exclusive to one race or status group (Wilson, Daly and Wright (1993); Stout (1991:1993); and Rude (1999)).

Adam and Barry do not have criminal records whilst Colin, Dan and Edward do. The exact nature of Dan's offences are not known whilst Edward has two traffic violations and Colin has an extensive history of criminal behaviour ranging from dagga abuse and dealing, theft, resisting arrest and three charges of assault with intent to do grievous bodily harm. Not having been charged or convicted of assault does not mean that the participants of this study do not have a history of being abusive. Bean (1992:43) warns that perpetrators may appear not to be abusive and are often law-abiding citizens prior to the homicide. Domestic violence in South Africa has long been considered a civil matter and despite the amendment of the Family Violence Act 133 of 1993, perpetrators of domestic violence are often not charged let alone convicted. The criminal justice system appears to treat domestic violence as a "private family matter" not a criminal act as police officers are often unwilling to respond to domestic violence calls, to process such complaints and public prosecutors are often not willing to prosecute such cases.

As mentioned above, there are no distinguishing features separating intimate femicide perpetrators from non-intimate femicide perpetrators. Despite the lack of a profile of the typical intimate femicide perpetrator Sonkin, Martin & Walker

(1985), Hart (1988), Strauss (1991) and Stout (1993) have identified a number of risk factors which increase the probability that intimate femicide might occur. These risk factors include previous episodes of intimate violence with increasing severity and duration; threats of violence; morbid jealousy; and substance abuse. Bean (1992:43) warns that control is the primary sign of imminent violence and murder. She describes murder as the ultimate expression of mans control over women. It is important to note however that in assessing dangerousness experts cannot predict which woman will be murdered by her intimate partner.

4.3 Relationship history and dynamics

A breakdown of the participants legal and/or common-law unions, the duration of their unions, and termination of unions pre- and post-crime are listed in Table 2 below.

Table 2: History of pre- and post-crime relationships

Participants	Pre-crime relationships			Post-crime relationships		
	Partner number:	Duration	Reason for termination	Partner number:	Duration	Reason for termination
Adam	1 - victim	12 years	Murder	2	2 years	Divorce
				3	six months	Currently married but wanting to divorce
Barry	1	11 years	Divorce	3	2 years	Still together
	2 - victim	4 years	Murder			
Colin	No info. on relationships prior to the victim	8 years	Murder	0		
Dan	1	17 ½ years	Wife left	0		
	2 - victim	4 years	Murder			
Edward	1	3 years	Wife died giving birth to 2 nd child	0		
	2 - victim	5 years	Murder			

Three of the participant's, Adam, Dan, and Edward were legally married more than once. Barry was married once but subsequently had two common-law wives whilst not much is known about Colin's prior relationships to the victim.

Barry, Dan and Edward's second unions ended in homicide after four years. The literature does not reveal much in terms of duration of marriage as a risk factor or its impact on intimacy, relationship problems, and other relationship dynamics. The

researcher however believes that the participants inability to sustain long term relationships and other factors such as the presence of violence; substance abuse and the crime itself indicates a lack of relationship, communication and problem-solving skills.

All five participants experienced their relationships as conflictual. The researcher has categorized the problems, which emerged in the participants' relationship with the victim under the following headings, namely physical violence, non-physical factors, and lack of relationship skills.

4.3.1 Threats of violence and physical violence

Adam, Barry, Dan, and Edward mentioned the presence of violence as factors in their relationship with the victim. All five relationships appeared to be characterized by violence including violent behaviours and gestures. A first hand account of violent episodes perpetrated by each participant follow.

Adam “we were talking outside and she got cross and she picked up I don’t know what and was going to hit me and I grabbed her and threw her to the ground. And then that scene the kids were crying and so I left but then I came back ...” (pg 11 lines 370-373).

Barry *“ek was nie violent towards her nie. Want die ding is jy sien sy was die eerste om te slaat. Sy het sommer ’n beker gevat ... en my sommer geklap met haar beker. Dan sou ek die beker van haar hande afvat en haar terugslaat”* (pg 5 lines 151-154). (I was not violent towards her ... the thing is she was the first to hit. She hit me with a mug then I would take the mug from her and hit her back).

Dan *“ek het vorig toe sy dinge voor my oë doen en gaan na ’n ander man het ek haar ’n paar klappe gegee en ek sê verstaan dat ek haar man is”* (pg 4 line 80-83). (I hit her before when she would openly flirt with other men but explained that she needs to understand that I am her husband).

Edward he used to ask her where she has been and there wouldn't be any clear answer. I then assaulted her the other day because of this (translated from Xhosa by an interpreter) (pg 1 line 11-13).

Adam, Barry, Dan, and Edward refused to take responsibility for the violence they perpetrated against their intimate partner's. Adam and Barry blamed the victims for the violence implying that they initiated the violence and if it were not for the victims they would not have been violent. This projection of blame is evidence of the perpetrator's lack of insight into his inadequate coping skills and aggression problem. Lundsgaarde (1977), Campbell (1992) and Wilson & Daly (1992) in their studies of spousal homicide found that victims were often blamed for initiating the violence implying that they are to blame for their own victimization. Dan and Edward's patriarchal values of domination and control were evident from their perceived justification of their abuse. In stating that his wife needs to remember that he is her husband Dan reflects his proprietary view of her as his property. Edwards need to control his wife by knowing his wife's whereabouts when not at home is indicative of patriarchal behaviour. The above supports the notion that men's view of women as property, the patriarchal values that appear to govern their relationships, and their inadequate coping skills relegate women into subordinate and subservient positions which increase the probability of violence being perpetrated by men on their intimate partner's. According to Campbell (in Stout 1993:84), these episodes of physical violence may then culminate in the ultimate form of violence namely intimate femicide. Rude (1999:11) states that a woman's experience of violence may start with insults and a few slaps from her intimate partner, escalate over time, and culminate in a lethal attack.

Colin made no mention of previous episodes of violence. His SAP 69 (list of all crimes of which he has been convicted) contains two assault with the intent to do grievous bodily harm charges. This record does not specify whom the violence was directed at. The researcher suspects that Colin's failure to admit to murdering his partner, his history of violent crimes and his being found guilty of murdering his intimate partner may

indicate an aggression problem which extends from strangers to women that he may be intimately involved with. Gondolf (in Hampton & Gullotta 1993:23) has linked the severity and extent of wife abuse as being greatest among those batterers who are violent outside the home. This would then support the link between Colin's history of assault of both strangers and his partner and the subsequent act of intimate femicide.

Threats of violence were prevalent in four of the five interviews. Some threats were made the by perpetrators and some allegedly¹³ by their partners, the victims of intimate femicide. Adam and Dan threatened their partners prior to the crime. Whilst telling his story Adam mentioned drawing the line "I don't know why I am that kind of person ... I am going to forgive you. You are going to keep on doing the same things to me I am going to forgive you, forgive you, forgive you until I draw the line. That is what she does to me" (pg 5 lines 150-154). He subsequently warned his wife not to make him angry and expressed to his neighbour that should anything happen he was not at fault. Adam claimed to be referring to divorce not homicide. Adam also expressed the realization that things were getting out of hand. Adam's insight into his emotions appears limited as he describes his escalation of anger in ways which portray him in a positive light, for example, "I am going to forgive you, forgive you, forgive you" (pg 5 line 153). The escalation of anger is however evident where his reference to forgiveness ends with the words "until I draw the line" (pg 5 line 154). Adam does not explain the behavioural response to this, i.e. whether it ends in violence.

Dan (referring to his partner's affair) told her that she was making a mistake and that she must beware of the day he catches her out (pg 1 lines 4-5).

Barry reported that his wife threatened him. He went to see if she was all right one day and found her in the bathroom. There was allegedly a big knife on the flusher (toilet) and she told him to get out if he did not want to get hurt (pg 2 lines 47-49).

¹³ The word allegedly is used as the researcher is unable to obtain a first hand account of what the victim said or did in the various situations described in this study.

Edward also reported that his wife threatened him on the night of the crime by saying that the next time he came to her home he would leave as a corpse. Edward believed that his wife was “giving him a message” (pg 5 lines 176-178).

Colin made no reference to threats or existing violence. He denied having perpetrated the crime and thus had no contributions on certain themes that emerged.

Threats by the perpetrator and alleged threats by the victims are indications that the couple lacked relationship and problem solving skills. Numerous authors have identified threats of violence, relationship problems and the presence of violence as factors that result in homicide (Sonkin et al (1985), Hart (1988), Strauss (1991) in Campbell (1995:100-103)) and Stout (1993:83).

4.3.2 Expectations of partner

All five participants appeared to have had expectations of their partners and their relationships that were largely unmet. These expectations are patriarchal and point to the participants need to control and/or dominate their partners. African studies on intimate femicide support the view that challenging male privilege and authority by failing to fulfill expected gender roles is the leading cause of intimate femicide (Rude 1999:19). Explorations of the participants gender role expectations follows.

Adam, Colin and Dan pointed out domestic duties they expected their wives to perform. Adam expected his wife to iron his clothes and appeared to feel rejected when his wife failed to do so. Colin felt that his partner was a good caretaker as she cleaned and cooked. Dan expected his partner to be quiet and to bring him coffee in the morning. Edward expected his wife to be at home when he returned from work

Adam also had sexual expectations of his wife. He believed that his wife should have sex with him whenever he wanted it and that his wife should be more active during sex. That “she must do the work” (pg 24 line 845).

There is no evidence that the victims were aware of the patriarchal nature of their partner’s expectations or that they wanted them to change. Whether the victims were aware of issues of domination and/or control is however not the issue. The issue is that patriarchal views and expectations of women place women in subordinate positions where they are viewed more as property than as equal partners in the relationship. Viewing women in proprietary terms then makes it easier for men to use various forms of violence on their partners and then justify this to others. Both Adam and Colin had negative or derogatory views of women. During the interview Adam stated that “some women are very stupid” (pg 10 line 334). Colin on the other hand expressed that women worry too much and fall apart when separated from their children.

Inclusion of the perpetrators’ expectations of their partner serves to offer insight into the perpetrators’ perception of their partner’s roles and position in the relationship. There appears to be a link between the perpetrator’s expectations and the conflict experienced in the relationship. The victim’s failure to fulfill the perpetrator’s expectations by submitting to sexual requests, and performing household duties appears to have been perceived as a threat to the perpetrator’s masculine authority. Rude (1999:24) spells this out simply

“a woman who commits adultery or refuses to have sex, obey orders or do housework may be seen to be casting doubt on her husband’s status as **household head**”.

4.3.3 Substance abuse

While three of the participants (Adam, Barry, Colin) indicated that alcohol was a contributing factor in their marital discord all three indicated that it was the abuse of alcohol by the victim that was the issue. Alcohol was not raised as a contributing factor

to the marital discord in Dan's relationship whilst Edward alleged that the victim's gambling was the major source of problems in their relationship. Barry's use of alcohol was used as a mitigating factor in sentencing. The blood alcohol level of the perpetrators and victims at the time of the crime is not known and certainly none of them (except Barry) present alcohol as either exacerbating or mitigating their actions. In one study found in the literature more than half of the victim's of intimate femicide had an elevated blood alcohol level (Butchart, Lerer and Terre Blanche 1994:21) while in another the perpetrators were not intoxicated at the time of the killing (Campbell 1992:103). The findings of my study thus only add to the generally contentious debate about the role of alcohol in this kind of crime. It can only be noted that the participants themselves did not offer alcohol as a significant factor, which is not a clear argument either way. It is uncertain what their response would have been had they been asked a direct question about their own use of alcohol.

Alcohol abuse has been identified as a risk and a motivating factor in the perpetration of intimate femicide. No data was available on the perpetrator's blood alcohol levels. It is therefore difficult to gauge the role alcohol might play in intimate femicide cases. In another study by Campbell (Radford & Russel 1992:103) she found that perpetrators were not intoxicated at the time of the killing. Therefore, intoxication cannot be said to offer an explanation for intimate femicide. It can however be identified as a risk factor in the prediction of intimate femicide.

4.3.4 Lack of marital skills

All five participants appeared to lack the skills to sustain the relationship. Adam indicated that he and his wife were divided with regards to the children and whenever there was conflict the victim would return to her parents. Barry would often not go home, or delay going home because he could not deal with the situation, so he chose to avoid it.

Colin attributed his relationship problems to his partner's loss of her children who were placed in alternative care by the Department of Welfare indicating a lack of insight into the problems being experienced in their relationship. Edward's lack of problem-solving skills, led to his inability to deal with the spending of money by his partner and alleged deception resulting in his termination of the relationship and the eviction of his partner from the marital home. The researcher believes that inadequate problem-solving, communication and general relationship skills perpetuate feelings of inadequacy, disappointment and hurt which are often not identified as such by the perpetrator but translated or identified as anger, often resulting in violence. This is supported by Chimbos who identified that low self-esteem, verbal ability and inadequate coping techniques tend to quickly resort to violent situations (1978:56). Adam and Edward's partners would return to their parents' home in times of trouble. The researcher believes that a lack of insight into the issues and problems affecting the relationship and the participant's lack of problem solving skills cannot be used as an explanation and/or justification for the crime. It is however a useful indicator of the perpetrators' response to situations where they have no perceived control i.e. where they are unable to sort out the problem or have the answers, may be perceived as emasculating. Stordeur and Stille (1989:38) state that men who often devalue or dismiss conflict management strategies and expression of feelings in order to be perceived as masculine tend to only have an awareness of and respond through anger and violence.

Adam, Colin, Dan, and Edward reported that their partners had affairs. Despite this the perpetrators' remained in the relationship instead of terminating it. The researcher believes that the adultery was not the basis of the crime. Authors such as Gerald (1999) and Katz (1988) refer to intimate femicide as the 'crime of passion'. This implies that the basis of the crime is love and adultery whereas the researcher views intimate femicide as a build up of anger and frustration at their perceived inability to exert their power and control over 'their partners'. The fundamental issue of concern is whether the perpetrator experiences adultery as a sign that he may lose his "love object" (his partner) and thus his control over her. It is interesting to note that (Adam, Colin, and Dan) did not leave their partners when finding out about their affairs indicating their unwillingness to give up the

possession of their love object. Polk (1994:189) states that the dominant thread running through intimate femicide cases is that of sexual possession, commonly mixed with jealousy and the notion of women as exclusive property. Campbell (in Radford & Russel 1992:104) takes this further by stating that jealousy connotes ownership and that the perpetrator's proof of adultery renders intimate femicide "excusable" under patriarchal tradition. Edward on the other hand reported that he left his partner due to her gambling problem but at the end of the interview disclosed that he suspected that his wife was having an affair. The researcher however questions whether he left her because of the reported affair or whether he is disclosing the affair in retrospect having not mentioned the affair during the investigation and trial, hoping to portray himself in the 'victim' role. Adam was the only participant to admit to having an affair. His response to his affair was to project blame and rationalise the affair as due to his wife not wanting to have sex when he wanted to. Adam disclosing his affair to his wife said: "I tried to establish how it happened and so I said okay listen for all that time that you were not willing to have sex with me this is what it caused" (pg 4 lines 104-106).

Infidelity has been identified as a risk factor to intimate femicide (Stout 1993:91). The researcher argues that the reported affairs are not the basis of the crime; rather that the perpetrator's perceived inability to control and dominate his partner's behaviour is experienced as frustrating and disrespectful. This then leads to a build up in these emotions and results in violence culminating in the ultimate form of violence -intimate femicide. Gondolf (in Stout 1993:85) describes this as the "malignant masculinity" where the male is "fraught with frustration for not fulfilling the masculine role or from struggling with "irreconcilable extremes".

4.4 Seeking of assistance

Despite all five participants' experience of conflict and other problems in their relationships with the victim's only two interviewees, Adam and Edward sought assistance prior to the perpetration of the crime. The exploration of whether the participants sought assistance prior to committing the crime is included in order to assess

the perpetrator's insight into their relationship problems and to what extent they were prepared to obtain assistance in dealing with intra-and interpersonal problems or issues. The researcher believes that none of the perpetrators were open to outside professional assistance as only two of the five participants sought such assistance and both of these participants failed to follow up on the services. The researcher believes that Adam and Edward sought to diminish their responsibility by projecting blame for their crime onto the professionals they sought assistance from.

Adam approached his supervisor at work who referred him to the company psychologist. Edward approached the Social Workers at NU 11 police station and consulted a traditional healer. What is important to note here is that Edward despite having consulted with a Social Worker at NU 11 police station and a traditional healer did not follow up or follow through with the treatment. Whereas Adam, who had consulted with his company psychologist on a number of occasions was only reminded to control his anger without any steps being taken to assess the risk to the victim and to act on this to protect the victim. According to Adam the psychologist focused on his problem with anger and reminded him on occasion to control himself. Adam's supervisors and colleagues appeared to be aware of his anger problem "after my anger burst my superintendent and the manager tried to calm me down because they knew my state ... they told me not to do anything foolish as I wanted to resign" (pg 12 lines 421-423). It appears as though Adam failed to take responsibility for controlling his anger. His work colleagues, supervisor and therapist brought to his attention the need for him to control his anger and not act impulsively.

Edward's experience of seeking help was also not very fruitful. He stated that the Social Worker at NU 11 police station informed him that she was not aware of how to help him and had to consult with her colleagues. Edward's visit to the traditional healer had similar results as he failed to attend a follow-up visit.

Colin on the other hand, indicated that the only assistance he needed was to get his wife to stop drinking but he was unaware of the available services. He however only thought of therapeutic assistance for his partner's alcoholism during the research interview.

Barry and Dan did not indicate as to whether they had sought any assistance. Dan informed the researcher that he would have referred his partner for treatment for her alleged alcohol abuse if he had been aware of the services available. This appears to support the researcher's view that Dan has no insight into the dynamics of his relationship and denies any part of the relationship problems and the resultant crime. Stordeur & Stille (1989:41) support the researcher's assessment of the participants' diminished responsibility. They explain that it is characteristic of violent men to make use of coping strategies such as denial, minimization and projection of blame to avoid having to take on responsibility for their behaviour and to obscure the reality of what they have done.

There is no literature available on the perpetrator's use of services to deal with personal and relationship problems. However domestic violence texts remind us that the privacy issue is powerful and that both victims and perpetrators tend to isolate themselves socially. Jecker (1993:778) in his article on privacy and the violent family highlights the sharp distinction drawn between public and domestic realms and how justice often gives way to the protection of family relationships instead of protection of the individuals constituting the family.

4.5 The perpetrator's feelings and coping strategies

(a) FEELINGS

Throughout the interviews each perpetrator expressed a number of feelings that they had experienced prior to, during and after the perpetration of the crime. A table of the feelings expressed follows:

Table 3: Feelings expressed by the participants throughout the interview

Feelings	Interviewees: Adam	Barry	Colin	Dan	Edward
Anger	*			*	*
Hurt	*	*			
Confused		*	*		
Victimized	*		*	*	*
Traumatized	*	*			
Guilty	*	*			
Anxious		*		*	
Very Unhappy					*
Isolated	*	*		*	

4.5.1 Anger

Stordeur & Stille (1989:38) state that men who assault their partner's are unable to identify and acknowledge the emotions they feel, other than anger. They may identify feelings of sadness, fear, or embarrassment but ignore them, as they are not considered masculine. This avoidance of emotion may then result in the inability of the perpetrator to recognize the stress or frustration they are experiencing, allowing it to build until they feel that their anger is out of control and ultimately it turns into rage.

Adam, Dan and Edward reported experiencing feelings of anger. Adam mentioned feeling angry throughout the interview. He mentioned feeling angry eleven times. The researcher questions whether Adam had insight into his anger during the events leading up to the crime. He makes reference to a barometer and the anger raising from his feet up in his body. And stated that "the anger increases over the years as things just keep going not right for me man". The researcher suspects that the analogy to a barometer emerged

from the counselling he received whilst under correctional supervision implying that Adam may not have had insight or awareness into the emotions he was experiencing and which led to the violence in the relationship and ultimately the crime. Dan and Edward mentioned feeling angry two and three times respectively. Adam and Edward also discussed the escalation of anger.

Edward on the other hand did not appear to be aware of the escalation of his anger whilst telling his story. The researcher noted the escalation of his anger whilst transcribing the interview. Edward disclosed “so I was very angry on that day so I went to her place and I was told that she was at work and whatever, whatever I couldn’t find her. So I was so furious I just gave up and I decided to go to the Social Workers at NU 11” (pg 3 lines 93-96).

Dan made two references to anger, when finding his partner with another man he stated that he hated her and that the anger was so great that he blacked out. After attacking his partner’s suspected lover he felt that his anger was out of control.

4.5.2 Hurt

Adam and Barry expressed feeling hurt. Adam felt hurt by his wife not wanting to go to the Holiday Inn with him for the weekend and also by his wife’s subsequent filing for divorce. Barry on the other hand, expressed feeling a lot of hurt after the perpetration of the crime.

4.5.3 Confusion

Barry and Colin expressed feeling confused. Barry “I was so confused” (referring to wife sitting in the toilet with a knife and threatening to hurt him if he did not leave) (pg 2 line 50). Colin on the other hand was confused as to how his wife could be dead when her body was still hot to the touch.

4.5.4 Victimized

Adam, Dan and Edward expressed feeling victimized by their partners. Adam verbalized feeling victimized by both his second and third wives. He felt victimized by his second wife filing for a divorce and he felt stupid for forgiving her for their relationship problems prior to the divorce. Adam stated that he was not in love with his third wife and felt that every time they had intercourse she was “raping” him. Non-verbalised feelings of victimization were noted in the following text “this is what she does to me”(pg 5 line 155). Here Adam is referring to his first wife, the deceased.

Dan stated that his wife was having affairs and that his neighbours informed him of this, but that he was in denial about what was going on. Dan sounded as though he perceived himself as the victim in the relationship.

Edward was offended by his wife’s lack of respect for him and appeared to portray himself as the victim. This was also noted from his projection of blame onto the victim for the breakdown of the marriage “it is her fault that she was forced to leave ...” (pg 4 line 134).

Colin on the other hand, believed that he was framed for his partner’s murder, thereby implying victimization.

4.5.5 Traumatized

Adam expressed feeling traumatized twice and shocked four times during the course of telling his story.¹⁴ His parents “split up”, his father’s rejection and his father’s extra-marital affair traumatized Adam. Adam expressed feeling shocked at the following - on the occasions when his wife left him, her unwillingness to rekindle their relationship, receiving the divorce summons and by his daughter telling him that he is not her father.

¹⁴ The interviewer treats trauma and shock as synonyms as the definition of trauma is an emotional shock

Barry was shocked at being stabbed by his partner.

4.5.6 Guilt

Adam expressed feeling guilt over his affair “I feel dirty man ... I cannot describe to you how I felt”. If the reader believes that intimate femicide is a result of the victim’s adultery one may ask how the perpetrator in light of his own extramarital affair would respond to his partner’s reported adultery by murdering her. The probable reason is the perpetrator’s feeling of entitlement. Katz (in Hampton, Gullotta, Adams, Potter & Weissberg 1993:234) refers to this as righteous slaughter. He states that despite whether the murder was premeditated or an explosive event, the perpetrator saw himself as justified because of the violation of their moral order.

Barry’s feelings of guilt however arose from the crime itself. According to Barry after the crime he went to a priest to pray and he cried and cried. Also when out on bail he expressed feeling “bad, bad, bad”. Barry appeared to be looking for absolution and forgiveness. Despite his regrets and the evidence that the crime effected Barry both physically and emotionally, he appeared to feel justified in his action because it was reportedly taken in self-defence. Near the end of the interview Barry made reference to witchcraft. The researcher feels that this may either be the onset of psychosis or an attempt to imply the involvement of an outside force. This may be to ease his conscience and/or to make his actions seem more socially acceptable

4.5.7 Anxiety

Barry and Dan expressed feeling some anxiety in the form of tension and fear. Barry expressed feeling so tense that he could not sleep. He was afraid of his wife because of her reported abusiveness.

producing harmful lasting effects (Oxford Dictionary 1995 sv “trauma”).

Both Barry and Dan expressed getting a fright during the commission of the crime. Barry got a fright when the gun went off and Dan reported that he got a fright after hitting his wife with a plank and killing her.

4.5.8 Unhappiness

Edward expressed feeling very unhappy during his relationship with the victim. He stated that “he was miserable the last four days they were together because he could see that the relationship was destructive and at the same time he loved his wife”.

4.5.9 Isolation

Adam, Barry and Dan expressed feelings of loneliness and isolation. Barry disclosed that he did not trust anyone and that he wanted to be alone. He apparently feels the need to isolate himself from others. Dan expressed initially feeling lonely after his partner’s death but has come to terms with this. Dan also has no contact with his children thereby isolating himself from any family.

(b) COPING RESPONSES

A number of coping responses emerged from each participant’s story. These are listed in Table 4 below.

Table 4: Coping responses of participants in response to the use of violence and the perpetration of the crime

Coping Responses	Interviewees:				
	Adam	Barry	Colin	Dan	Edward
Denial		*	*		*
Justification of violence		*		*	
Projection of blame	*	*	*	*	*

The researcher has identified denial, justification of violence and projection of blame as three commonly used coping responses which allowed the perpetrators to avoid having to take responsibility for their behaviour and to obscure the reality of what they had done. Denial and projection of blame despite having psychodynamic connotations are frequently used in domestic violence literature in order to illustrate the coping strategies used by perpetrators. The researcher not being experienced in psychoanalysis will be using the terms denial and projection of blame, simply to illustrate the coping responses of the participants in this study.

4.5.10 Denial

Barry denied his violent tendencies “I was not violent towards her ... she was the first to hit”. Colin denies having committed the crime. Edward denies the impact of his wife’s reported affair on the crime. This denial allows the perpetrator’s to avoid having to take responsibility for their crime and obscure the reality of what they did (Stordeur & Stille 1989:41).

4.5.11 Justification of use of violence

Barry justified and rationalised his use of violence with the statement that he slapped his partner in response to her slapping him.

Dan rationalizes his violent response to his partner’s affair as normal “Ek het vorig toe sy dinge voor my oë doen en gaan na ’n ander man het ek haar ’n paar klappe gegee ... sou

enige mens dit gevoel het ...” (pg 4 lines 80-83). (“Previously when she flirted in front of me I would simply give her a few slaps ... any person would respond this way”).

4.5.12 Projection of blame

All five of the interviewees project blame for the crime onto others.

Adam projected blame for his relationship problems and subsequent breakdown onto his partner and his in-laws. He blamed his affair on his partner as she failed to satisfy him sexually. Barry also projected blame for relationship problems onto his partner accusing her of being aggressive and violent. Adam, Dan and Edward blamed the victim for the crime basically stating that their actions resulted in the crime.

Barry and Colin also projected blame onto others for the crime. Barry stated that witchcraft was involved and implied that they were cursed. Colin on the other hand denied murdering his partner and believed that her increased drinking caused by the removal of her two daughters from her custody by the Department of Welfare, resulted in her death.

4.6 Legal processing of crime

The section of the analysis chapter explores the legal processing of the crime. It explores how the perpetrator’s murdered their partner, the labelling of the crime, bail granted and the sentence passed down. Along with the legal factual account the researcher explores premeditation and lack of remorse. The former concept is vital in deciding what category the crime will fall into and the later provides for mitigation in sentencing. A table summarizing the factual information contained in the above follows.

Table 5: Classification of crime, bail posted, sentence given and sentence served

	Interviewees: Adam	Barry	Colin	Dan	Edward
Bail	Out on bail after a week. Amount of bail posted not remembered.	Out on bail after a weekend. R300 bail.	Out on bail after a weekend. R500 bail.	Spent four days in jail before bail was posted. Got free bail.	Released on bail after one day. Amount of bail posted not remembered.
The criminal act	Stabbed wife fourteen times.	Shot common-law wife.	Denies committing crime. Partner died due to head injuries.	Hit wife with two by four plank twenty times.	Shot wife.
Crime of which the participant was found guilty	Murder	Culpable Homicide	Culpable homicide	Culpable homicide	Murder
Sentence Given	5 year prison sentence	18 months imprisonment suspended for 4 years and 3 years correctional supervision	2 years 6 months prison sentence	2 years 6 months correctional supervision	8 years in prison (initial 12 years in prison of which 4 years were suspended) * According to Correctional Services assessment officer sentence will probably be converted to correctional supervision after 12 months
Sentence served	10 months in prison and 4 years correctional supervision were served	As above	10 months in prison and 1 year 8 months correctional supervision served	As above	Currently serving the above

4.6.1 Premeditation

As illustrated in the table above, all the participants' were granted bail of a limited amount. This implies that even before the commencement of the trial, these men were considered not to be a danger to the safety of the public. They were also considered not

to be a flight risk, not to be likely to intimidate witnesses or any of the other conditions under which bail is normally refused (The Criminal Procedure Act 51/1977: Sec 61). It is of interest to note that two of the five participants (Adam and Edward) could not remember how much bail was posted for them suggesting that the amount was not significant. This attitude of the justice system (that bail was appropriate) is supported both in what the participants were charged with and in their sentencing. Culpable homicide is defined as “the unlawful, negligent causing of the death of another human being” and three of the participants (Barry, Colin, and Dan) were convicted of this rather than murder (Snyman 1995:403). Barry intoxicated, shot his partner reportedly in self-defence after she stabbed him in the hand. Colin’s partner died of head injuries of which he denies any knowledge or involvement. Dan hit his wife twenty times with a plank yet he was found guilty of the negligent causing of his partner’s death. It is not possible to second guess the sentencing process but in terms of making a contribution to the literature we will consider the conditions under which this kind of sentence is normally imposed and compare it to the stories the men present of their crimes. (It is accepted that detailed evidence was provided in court but the aim of this study is to consider from the perspective of the perpetrator some of these aspects). Thus, premeditation will be explored as three of the participants (Adam, Dan, and Edward) appeared to have planned the crime. Premeditation points to intention, thereby placing the crime into the category of murder. As murder is “the unlawful and intentional causing of the death of another human being” (Snyman 1995:401). And the careful planning of a crime is considered an aggravating factor in the sentencing of the perpetrator (Terblanche 1999:214).

From their story and the circumstances surrounding the crime it appears as if Adam, Dan and Edward appeared to have planned the crime. Adam went home, fetched a knife, followed his wife to and from the neighbourhood butchery to where she was staying. Stabbing her outside the satellite police station went through his mind. The couple then reportedly quarreled about the rape case and he stabbed her fourteen times.

On the day of the murder Dan suspected that his partner was having an affair and when she left their marital home on the day in question, he picked up a two by three metre

plank from his home and went looking for his wife. Her suspected lover and a friend confronted him and he subsequently attacked them. He then found his partner in a shack nearby and beat her twenty times with this plank. The researcher assesses this as an indication that he planned to assault her. The researcher accepts that the state may have felt that there was insufficient evidence to try Dan for murder. However, settling for a lesser charge minimizes the crime perpetrated and sends society the message that murdering your partner is not a severe crime and thus does not warrant a severe sentence. The researcher believes changing the classification of crime from murder to culpable homicide sends a message to the perpetrator that there is diminished responsibility on their part.

Barry and Edward both had firearms during the confrontation with their wives. It is perceived by the court of law that they acted in the moment. In other words that they did not premeditate the crime but that the crime happened at the spur of the moment implying negligence on the part of the perpetrators'. Barry reportedly shot his partner in self-defence. They had both been drinking and as the participant was leaving the marital home the victim reportedly stabbed him in the hand and as she came towards him again with the knife, the participant shot her. Even in Barry's situation and the legal interpretation of his actions as negligent, the circumstances may be perceived as implying that the victim precipitated the crime. This may send the message to society that women do things to bring about their own demise and the perpetrators' are somehow justified in their actions.

Edward's crime was considered intentional. He confronted his partner on the night of the crime about her coming and going to the marital home when he was away and warned her not to return. She reportedly refused, saying that he would have to get an interdict as they were still married. She reportedly insulted him and started shaking a bottle of "muti". The victim then reportedly told him that if he ever comes to her home again he will leave as a corpse. Edward then drew his firearm and shot her. Edward later disclosed that he had seen into his partner's room and saw that someone was there. It turned out to be the victim's ex-boyfriend. This information the participant failed to

disclose to the investigating officer and to the courts when tried. The researcher therefore questions whether this is an indication that the participant felt justified in his actions due to the suspected adultery or whether he was attempting to portray himself in a 'victim' role due to the gender of the researcher.

Colin, on the other hand, denied having murdered his wife despite the pre-crime circumstances, which indicated that he did. According to Colin his partner went out drinking at a tavern and met her ex-boyfriend who assaulted her when she refused to have sex with him. She reportedly came home, informed the participant of what happened, and went to bed where she died of her injuries to the head. Neighbours reportedly testified that they heard screaming and crying coming from Colin's shack. Colin's response to this was that they were lying and someone was out to frame him. Colin was convicted of culpable homicide. The researcher assesses that this was probably due to insufficient evidence to lead to a murder conviction. Rude (1999:25) warns that failure of the criminal justice system to view domestic homicide as serious and to issue harsh punishments sends a message that men may use violence even to the point of killing and are justified in their efforts to maintain control.

4.6.2 Remorse

An important indicator of the perpetrator's insight into the crime he committed, and a mitigating factor used in sentencing, particularly when motivating for a community based sentence, is the showing of remorse. Adam, Colin and Edward showed no signs of remorse. Adam only expressed sorrow for the victim's family having been hurt but not for the actual crime. Colin denied any involvement in the crime whilst Edward was confused by the sentence and projected blame for the crime onto the victim. According to Katz (1988:19) whether the murder was highly planned or an explosive event a righteous belief system was behind it. Katz views intimate femicide as a righteous crime implying that the perpetrator has a distorted and self serving belief system whereby he feels morally justified in his action.

Barry expressed remorse and feelings of guilt and appeared to not have come to terms with the crime. Whilst Dan expressed not feeling guilty or had no conscience but felt some relief after speaking about the crime which indicates that he is feeling bad. The researcher cannot assess whether he is remorseful or not.

The perpetrator's lack of remorse points to the fact that they felt justified in the actions they took and relegate their partners to that of a possession. The victims may be viewed as a possession to be kept until their usefulness has run out or the risk of losing them is so great that discarding them is the only way to maintain ownership. This is supported by literature where intimate femicide is said to be the manifestation of the intimate male partner's proprietariness. The intimate male partner will do anything to protect his "property" at the threat of loss of their sexual and reproductive property (Wilson and Daly in Radford and Russel 1992:85).

4.7 Correctional Supervision

Correctional supervision is the only sentence that will be focused on in this analysis and discussion chapter. The reason being that this study is based on intimate femicide perpetrator's who have been assessed as suitable candidates for a community-based sentence, irrespective of whether the sentence is served on its own or after a period of imprisonment. Barry and Dan served immediate Correctional Supervision sentences whilst Adam and Colin initially served a period in prison. Edward is currently in prison but the Correctional Services Assessment Officer is confident that he will be placed on the Correctional Supervision system after serving 12 months in prison. Refer to the literature section for more information on the conversion of prison sentences to community-based sentences or on how criminals are placed under Correctional Supervision

The researcher considers Correctional Supervision to be a lighter sentence than imprisonment despite what Dr Irma Labuschagne, a forensic criminologist says about house arrest "being no joke" (You 1999:10). Despite the advantages of Correctional

Supervision such as the benefit to the perpetrator to stay in society and the alleged therapeutic programmes available, the researcher believes that the sentencing of intimate femicide perpetrator's should be tempered by both punishment and rehabilitation. This simply means that perpetrators of intimate femicide should serve both prison sentences and then when only having approximately one year left of their sentence should be reintegrated into society under Correctional Supervision. The researcher's skepticism when it comes to the alleged severity of Correctional Supervision is born from the participants' lack of compliance with the sentence conditions and the failure of Correctional Services Officers to institute punitive measures for non-compliance with these conditions as noted in the table listed below.

A table illustrating Adam, Barry, Colin, and Dan's compliance with the conditions of the correctional supervision sentence follows:

Table 6: Correctional Supervision conditions and the participants compliance with these conditions

Sentence conditions	Adam	Barry	Colin	Dan
House Arrest (the number of times the participant was not at home)	Was not at home on 14 occasions when the monitors checked up on him	Was not at home on 8 occasions when the monitors checked up on him	Was not at home on 25 occasions when the monitors checked up on him	Was not at home on 16 occasions when the monitors checked up on him
The monitors assessment as to whether the above was in violation of the condition.	10 of the above occasions were not considered violations as the probationer had a reason or permission	3 of the above were not considered violations	14 of the above were not considered violations	10 of the above were not considered violations
Consequences of the violation	The probationer received the following warnings for non-compliance of house arrest: 3 verbal warnings 1 final warning	Warnings issued: 3 verbal warnings 1 warning letter 1 final warning	Warnings issued: 3 verbal warnings 1 warning letter 72 hour warrant of arrest issued	Warnings issued: 3 verbal warnings 2 warning letters 1 final warning

Community Service Compliance and consequences of non-compliance	Non-compliance evident. Warnings issued: 1 verbal warning 1 final warning	Probationer completed all hours after 9 months. He was given a congratulatory letter for his good work.	Initially probationer complied and his community service was suspended due to his good work. 3 months later his hours were reinstated due to his non-compliance of other conditions.	Non-compliance evident. Warnings issued: 1 verbal warning 2 written warnings 1 final warning
Reporting Compliance and consequence of non-compliance	Non-compliance evident. Warnings issued: 1 warning letter	Complied with condition.	Failed to report for long periods of time. Warnings issued: Warrant of Arrest issued	Poor reporting. No indication of any warnings issued for this.

4.7.1 House arrest

As noted in the table above, the four participants (Adam, Barry, Colin and Dan) who were placed under Correctional Supervision all violated their house arrest condition. Despite the fact that the participants were not at home when supposed to be, on numerous occasions, not all of these infractions were considered violations. In fact the majority of time the reasons given for non-compliance were accepted and no violation was recorded. In other words, monitoring was being done and warnings given, however further action was only taken in Colin's case where a 72 hour warrant of arrest was issued. It was found that Colin had been arrested for shoplifting. He failed to report to the Community Correctional Services office and had subsequent violations but no further action was taken. It is important to note that Adam, Barry and Dan's violations also warranted time spent in jail but no action was taken. The researcher believes that the above implies that the participants did not acknowledge the seriousness of the sentence they received and were in fact living more liberally than what the house arrest condition intended.

According to the Correctional Services Act 111 of 1998 when a probationer does not comply with the conditions of the sentence, and the commissioner is satisfied that there has been non-compliance, a warrant of arrest may be issued. The probationer may then be incarcerated for up to 72 hours after which he may be once again placed under correctional supervision or remitted to the court for reconsideration of sentence. Terblanche (1999:365) notes that the probationer will usually be placed under correctional supervision again rather than incarcerated as the brief incarceration often has a beneficial effect on the probationer's compliance with the conditions of the sentence. However, should the probationer show that he cannot be trusted to comply with the conditions he should be remitted to court. This raises serious concerns about the effectiveness of the monitoring and the value of the sentence if all four of the participants who violated their sentence conditions were not incarcerated despite the recorded value of a 72 hour period of incarceration on subsequent compliance. Regarding Colin's numerous violations of all his sentence conditions, and his subsequent perpetration of a crime (irrespective of its relatedness to the crime he is serving the sentence for). The researcher would assess that he was in need of being incarcerated for the 72 hours and then be remitted to court for reconsideration of his sentence. Despite the warrant being issued for his arrest by the Department of Community Correctional Services there is no reference to him having been arrested for the violations. He was in custody but this was due to his arrest for shoplifting. The researcher suspects that no punitive measures were taken as he was to be released approximately four months later.

4.7.2 Community service

In terms of the community service condition, only Barry complied. Adam, Colin and Dan were issued warnings for their non-compliance. Adam, Colin and Dan also failed to comply with the reporting condition. In summary it is thus assessed that Adam, Colin and Dan violated the three conditions of Correctional Supervision and limited action was taken against them. This then leads to one questioning the

effectiveness of a Correctional Supervision sentence especially in light of the severity of the crime committed.

4.7.3 Reporting

Barry was the only participant who fully complied with this condition. Adam was issued with a warning letter for his non-compliance, whilst Dan despite the notes in his file on his poor reporting did not face any warnings or punitive measures. Colin, who failed to report for long periods of time eventually, had a warrant of arrest issued for his non-compliance. It is evident from the above that a uniform response to the non-compliance of reporting is lacking. One participant faces no consequences at all whilst at the other extreme a participant faces arrest.

4.7.4 Therapy

According to two Correctional Service officer's therapy is taking place. This consists of individual sessions and a lifeskills programme. Not all individuals placed under Correctional Supervision attend individual therapeutic sessions and the lifeskills programme content depends on the life problems experienced by the individual on the system. The general life span of the lifeskills group is eight sessions. Also there is not an established anger management programme specifically aimed at violent offenders. The researcher did not have access to the participants' counselling/therapeutic files, only to their monitoring files. It can therefore, not be reported as to what therapy is actually taking place and whether the offenders are in fact being rehabilitated. Van Zyl (1999:28) states that correctional supervision fosters a sense of responsibility in the probationers and that it develops interpersonal and family responsibility. The researcher's findings based on information obtained from the participants in this study, points to the contrary. A common thread throughout this study is the perpetrator's lack of or unwillingness to takes responsibility for example for the violence in their relationships, the crime committed, the effects on their children and finding support and assistance not only for themselves but for the child survivors. These are valid concerns as according to

Terblanche (1999:333), the main advantages of correctional supervision as a sentence is its high punitive value and its potential to promote rehabilitation of the offender. In light of the information gathered from the monitoring files and the lack of information on counselling received by the participants of this study. The researcher questions the punitive and rehabilitative value of correctional supervision for the five men involved in this study and the perpetrators of intimate femicide who are surely to follow.

4.8 Consequences and adaptation

Despite supposedly having received some therapeutic assistance from Correctional Services Adam, Barry and Dan appear to not have come to terms with the crime they committed. Adam and Barry expressed feeling different and longed to be their former selves. All three interviewees appeared to need to ventilate and expressed relief upon sharing “their story”.

Adam appeared to be fixated upon his deceased wife and expressed that he cannot love anyone as he loved her. He was also not able to sustain any long-term relationships since his crime and impulsively married twice since his crime. The crime and Adam’s lack of contact with his children appeared to have contributed to the breakdown in his relationship with his teenage daughter.

Barry appeared to still have no control over his alcohol abuse problem and may use it as a coping response. Barry expressed fearing relationships but has been in a relationship with the same woman since prior to his sentencing. The loss of his son to the paternal uncle appeared to have resulted in anguish and guilt. Barry however was not prepared to try to get his son back.

Both Barry and Dan expressed wanting to leave the area where they are currently residing to escape the painful memories. Barry expressed wanting to live on a farm in order to isolate himself.

Colin and Dan appeared to have no insight into the crime. Colin still maintained his innocence and Edward felt that he should not be in jail but serving a community based sentence. Edward expressed no interest in marrying for a third time. He alleged that this was due to the effect of his second marriage on his children. Dan felt that he had made amends to the victim's family by burying her.

It is evident from the above extracts that all five of the participants are in need of further therapeutic services. It again brings into question the therapeutic services offered to Adam, Barry, Colin, and Dan. According to the Correctional Services officer, Edward has not received any therapeutic services from the prison social worker despite his request to see a social worker on numerous occasions.

All five participants appeared to have had no insight into the effect of their crime on their children. Adam appeared to project blame for his adolescent daughter's behavioural problems onto the maternal grandmother's *lax* attitude to discipline. Adam in discussing the effect of his crime on his children said "*they understand, especially the eldest ... she wrote to me that she wants to see me because she missed me ...*" (pg 22, line 755-758). He states further "*and what happened it turns out very ugly because my daughter was getting rebellious ... she failed Std 8, ... the school expelled her, ... she stayed three weeks by me ... she didn't like my laws ... at her granny she used to go to disco, drink, smoke, do whatever she wants to ... but by me it just the opposite and she knows me ...*" (pg 22/23 Lines 783-799). Further on in the interview Adam recalled his daughter telling him "*...you died 7 years ago*" (the time Adam murdered her mother). He concluded by saying that "*... I tried my best to give her everything really*" (pg 23 line 827).

Barry on the other hand had not seen his son for four years but visited his daughter on occasion. The only concern he expressed about his son was the fear that his son would want revenge when he was older. Colin and Dan's children were not living with them at the time of the crime and thus indicated that they had no idea what impact the crime may have had on their children. According to the translator,

Edward on the other hand stated that his children *“might not have understood everything but they knew that there were problems and they knew that their mother was always a troublemaker. He knows that they think of him as the man that murdered their mother but somehow they might understand”* (pg 9 line 291-295).

Very little has been written on the child survivor of intimate femicide. Robertson & Donaldson (1998:2) who refer to these child survivors as the ‘silent victims’ state that the families tend to disregard the impact of their traumatic experiences. The children do not receive therapy or any other assistance and are expected to resume their lives as if nothing has happened. This is noted in the participants responses above. There appears to be the perception that the effects on the children should be minimal as the children were not present. Implied in this is also a lack of parental responsibility to obtain assistance for the children. This may be due to denial and/or fear of having to discuss the crime with their children when resuming family life. There are also concerns about the Welfare, Criminal Justice System and Correctional Services responsibility in ensuring that appropriate therapeutic and reconstructive services are available.

4.9 Conclusion

Based on the information gathered from the five participants of this study it was found that there was a history of violence and threats of violence in their intimate relationships prior to the commission of the crime. None of the participants appeared to be willing to accept responsibility for the violence perpetrated against their intimate partner’s and the blame for the violence and the crime tended to be projected on the the victim’s. All five of the participants appeared to lack effective relationship and impulse control skills. Along with the inability to identify deep seated emotions. Only surface emotions were such as anger, feelings of victimization and isolation were identified. Patriarchal values of domination and control were evident from the participant’s expectations of their intimate partner’s and their views of women. This resulted in the participant’s needs largely being unmet.

Alcohol was listed as a contributing factor to the marital discord and used as a mitigating factor in the sentencing of one of the participants. Infidelity was reported as being another contributing factor to the perpetration of the crime. This clearly highlights the fact that intimate femicide is not a crime of passion but rather a desperate attempt by the perpetrator to not lose his love object.

On the criminal justice front the amount of bail requested appears ludicrous ranging from free bail to R500, granted that intimate femicide perpetrator is considered only to be a threat to their intimate partner's. However, violence towards outsiders is not uncommon. Sentences of imprisonment tend to be short (generally under 10 years) but are uncommon Community based sentences appear to be the norm in intimate femicide cases with only some perpetrator's first having to serve 12 months imprisonment before the sentence is commuted to a correctional supervision sentence of 3 years. Some perpetrators' are immediately sentenced to a community-based sentence. Of major concern is the lack of compliance of the participants to correctional supervision and the lack of punitive consequences for this. As well as the lack of specialized therapeutic services focusing on preventing further violence in the participant's intimate relationships, reconstructive services to the child survivors and other surviving family members.

CHAPTER FIVE

CONCLUSIONS AND RECOMMENDATIONS

5.1 Introduction

Based on the findings presented in chapter four, the researcher believes that the overall objective of this study has been met. The participant's sharing of the crime, and the pre-and post factors have led to a deeper understanding of how they experienced the crime and made sense of it. It also revealed their insight or lack of insight into the event, their emotional response, and the effects on their children.

The study of secondary data sources, namely the monitoring records, revealed the lack of compliance to the sentence conditions of house arrest, community service, and reporting. As well as the lack of punitive measures meted out for non-compliance. This along with the lack of use of therapy and availability of anger management, and specialized services shed a negative light on the suitability of correctional supervision for participants' of this study. This meets the second objective of the study.

In terms of whether this study has increased awareness of violent crimes against women, and encouraged members of society to take intimate femicide seriously.

The researcher believes that this study is a valuable contribution to domestic violence research and literature and will increase the awareness of any person reading it. This is a long-term objective as it will take time for members of society

to be informed of the dynamics of intimate violence and in so doing highlight the seriousness of the crime.

This first section of the chapter draws on the most important factors to emerge from the study and highlights the conclusions drawn. The second section offers recommendations for further research and practice interventions in the field of intimate femicide. The conclusions made in this study are based on the information given by the participants of the study during the interview process and from secondary data sources such as the reports and information contained in the Community Correctional Services Monitoring files.

The purpose of this study on “the perpetrator’s perspective of intimate femicide” was two fold, namely

- to develop a deeper understanding and insight into the perpetrator’s experience of intimate femicide with the hopes of using this insight and understanding in developing both preventative and treatment programmes for intimately abusive/violent men, their children and significant others
- to explore the suitability of a community-based sentence for the perpetrator’s of intimate femicide. It is aimed at increasing the awareness of violent crimes against women, particularly intimate femicide. It is envisaged to encourage society in general and the criminal justice system in particular to take this crime seriously by networking and lobbying for appropriate sentences and the development of programmes which meet the needs of the perpetrator and the child survivors (‘silent victims’) of intimate femicide.

This study is considered a valuable contribution to intimate femicide as there is a shortage of South African based literature on the topic. This study also appears to be the first study to focus on the perpetrator’s experience of intimate femicide. To some extent

the researcher feels disadvantaged by not having a large literature base but is excited and privileged to pioneer this study.

The researcher is thankful to the five participants who voluntarily agreed to be a part this study. It is the researcher's hope that the conclusions and recommendations which will follow shortly will be used to further research this topic and be used as a base in the development of treatment and preventative programmes with violent/abusive men and the child victims of intimate femicide.

5.2 Conclusions

Please note that the sample of five participants used in this study serves as an insufficient base from which to generalise. It was also not the purpose of this exploratory-descriptive study to generalise from this sample to all perpetrators of intimate femicide. The conclusions drawn therefore apply to the five participants however the methodology and concepts can be used as a guide for further explanatory research which is based on sound statistical data.

- Intimate femicide is not an age or race specific crime. Domestic violence and its most extreme form, namely intimate femicide occur in all race, age, cultural and status groups.
- The participant's inability to sustain long term relationships, the presence of violence, substance abuse and the perpetration of the crime itself were linked to the participants lack of relationship, communication and problem-solving skills. One of the participants would delay going home or avoid going home at all so as not to have to deal with the tension at home.
- Previous episodes of violence were evident in all five of the participants relationships with their partners.

- All five of the participants refused to take responsibility for the violence. Two of the respondents stated that the violence was always victim precipitated. The participants also appeared to feel justified in their use of violence. This pointed to a lack of insight into their inadequate coping skills and responses, and their aggression problem.
- There was also evidence of a patriarchal value base system in all the interviews. The participants insisted on knowing their partner's whereabouts and demanded respect. The participants appeared to place the value of their partners in their ability to nurture and take care of them, for example, to cook, clean, not be noisy and to fulfill their sexual needs. This indicated a disproportionate power base in the relationship where the 'victims' were viewed as subordinate. Two of the participants appeared to have derogatory views of women as weak and stupid.
- The presence of substance abuse was considered a contributing factor to the relationship discord, according to three of the respondents. The researcher suspects that the abuse of alcohol was used as an escape or coping response, placing the participants in a position where they did not have to take responsibility for dealing risk of violence and the perpetration of homicide. The one participant appeared to use his substance abuse as a way of abdicating his responsibility for the violence in his relationship and the crime itself. The presence of alcohol abuse was used as a with the relationship problems. Substance abuse is also considered to increase the mitigating factor in his sentencing.
- Two of the participants' appeared to have some insight into deeper emotions which were present prior to, during and after the crime, whilst three of the respondents mainly identified with the surface emotion of anger. The latter three participants tended to relate the factual components of their stories and gave little information on the feeling side. The emotions shared by the participants included feelings of hurt, confusion, trauma, and victimization. These feelings tend to place the participant in the role of "victim". The researcher believes that inadequate, problem-solving,

communication and relationship skills perpetuate feeling of inadequacy, disappointment and hurt not identified as such, but translate these feelings into anger, which then leads to violence. All five respondents to some extent to explain or justify their use of violence used anger. This indicates an expectation of poor impulse control as an acceptable and legitimate explanation for violence. The researcher questions how much of the respondents insight into their emotional response is due to insight or the result of therapeutic explanation, especially since two of the respondents compared their rise in anger levels to a barometer, an exercise commonly used in teaching anger management.

- Only one participant expressed any feeling of guilt specifically related to the crime. He however still appears to feel justified in his action because it was reportedly taken in self-defence. The researcher concludes that none of the five participants feel remorseful about the death of their intimate partner, nor the role they played in it. In fact, one participant denies any involvement at all stating that he was framed. Three of the participants do however appear to feel the impact of the loss of their intimate partner. This is however expressed in the feelings of loneliness and isolation.
- Adultery was mentioned as an aggravating factor in three of the interviews and appeared to be implied in Colin's case. The participants continued to live with their partner's for some time after the allegations were made about their affairs. The researcher believes that the affairs are not the basis of the crime. Intimate femicide is not a crime of "passion". Intimate femicide is the end result of a build up of anger and frustration due to domination and control expectations
- The participants generally had three responses to the use of violence and the crime itself. These responses were denial, justification, and projection of blame. One participant denied perpetrating the crime. Two participants rationalized their use of violence and all five of the participants projected the blame for violence in the relationship and the crime itself onto the victims. From the interviews with the participants it becomes evident that they diminish their responsibility for the crime

and the effects on their children. The participants showed no insight into the effects of the crime on their children and appeared to believe that their children were not traumatized as they did not witness the perpetration of the crime. There also appeared to be the expectation that their children's lives will basically continue unaffected or that any negative feelings will disappear after some time.

- The participants failed to take the responsibility of seeking assistance for their relationship problems in order to prevent the escalation of violence. Two of the participants sought assistance. The one participant sought assistance from social workers at a local police station and a traditional healer, the other was being counselled by a company psychologist. The former however never followed up on the services and the latter failed to take heed of the advice given by his psychologist, supervisor, and peers to not act on impulse.
- The legal response, i.e. low amount of bail posted, change in crime from murder to culpable homicide due to insufficient evidence and the length of sentence appears to trivialize the crime of intimate femicide.
- The changing of the charge of murder to culpable homicide due to insufficient evidence fails to take into account the premeditative aspect of the crime and the lack of remorse on the part of the participants for committing the crimes.
- The punitive and rehabilitative aspects of correctional supervision are brought into question due to the lack of compliance with the sentence conditions (house arrest, community service and monitoring). There also appears to be little to no counselling taking place. There are no anger management programmes, reconstructive services and no services offered to the child victims of intimate femicide. Besides giving warnings and issuing a warrant of arrest (not put in action) the participants received no punishment/negative consequences for their violations of the sentence conditions.

5.3 Recommendations

The following issues emerged from this study as needing further attention and detailed research. The issues highlighted are a combination of those arising directly from the study undertaken with the five participants, and those related to intimate femicide at a broader level, from the literature studied. These issues are categorized under three separate sections, namely counselling and training programmes, criminal justice system, and research.

5.3.1 Counselling and training programmes

- Violent/abusive men need to be identified as soon as possible in order to avoid the escalation of violence and possible ending of the violent relationship in intimate femicide. Possibly the crimes committed by the five participants could have been avoided should they have been slotted into an anger management programme by the

South African Police Services responding to a domestic dispute. On a broader level, the literature studied has revealed that often in intimate femicide cases the police had been to the couple's home in response to previous domestic disputes. Professionals need to work together to develop a system where intervention takes place from when the SAPS are called out on domestic disputes or when applications are made for interdicts.

- Anger management and gender sensitivity training programmes need to be developed for violent/abusive men to assist them in identifying their emotions and dealing with them without having to resort to using violence. The programmes should also focus on gender issues to assist men to alter their view of women, roles and expectations and the impact of the above on their intimate relationship. This recommendation is based on the participants' post response regarding the build up of anger, their difficulty in identifying their feelings and their patriarchal views of women, their perceived gender roles and expectations regarding their intimate relationships.
- Gender sensitivity training, roles, expectations and relationship lifeskills training for boys and girls from primary school levels to work on changing the patriarchal views about women. This is based on the participants lack of relationship skills and their views of women.
- Counselling, support and reconstructive services need to be offered to the child survivors of intimate femicide in order for them to be heard, assisted with the trauma of losing their mother and the stigma associated with their father being the perpetrator. This is based on both the participants lack of insight into the effects of the crime on their children and the lack of specialized services to these children during the legal process and father's sentence.

5.3.2 Criminal Justice System

- The criminal justice system needs to acknowledge the seriousness of intimate femicide by increasing bail, and imposing longer sentences, as the sentences imposed on the participants do not appear to be in line with the nature of the crime committed.
- The Department of Correctional Services needs to standardize the criteria of what constitutes a violation of a sentence condition as the monitors appear to be using their own discretion and the participants appear to be getting away with many violations. The Department of Correctional Services appears to need to get tougher on people placed on the system and remit them to court for reconsideration of sentence when violating their sentence conditions. Refer to table 6 to see the non-compliance of the participants to their sentence conditions and the lack of punitive action in response to this.
- Both the criminal justice system and the Department of Correctional Services need to develop counselling, support and reconstructive services to the child survivors of intimate femicide. As mentioned in 5.3.1, this recommendation is based on the lack of services available to child survivors as outlined in the findings.

5.3.3 Research

- Further research needs to be conducted on the experiences of intimate femicide Perpetrator's with the objective of building on South African literature and research, which may be used in the implementation of treatment and prevention programmes. This is based on the limited literature available.
- Research needs to be conducted into the investigation of intimate femicide cases with the objective of finding out how to deal with the problem of insufficient evidence to ensure that the perpetrators of intimate femicide are found guilty of murder and not

culpable homicide which may result in a lighter sentence, as is suspected in the cases of Barry, Colin, and Dan.

- Further research needs to be conducted on the suitability of correctional supervision as a sentence for intimate femicide. The focus being placed on both the punitive and rehabilitative value of the sentence, as the participants' non-compliance of the sentence conditions in this study indicate that it is not a suitable sentence option. However, the results are not generalisable to all intimate femicide perpetrators serving correctional supervision sentences. It is important to note though, that the lack of punitive results for non-compliance of the sentence conditions contradicts the said strict nature of correctional supervision as laid out in the legal texts.
- Research needs to be conducted on the counselling being offered to intimate femicide perpetrators' both in prison and those serving community-based sentences, as little is known on the content, its usefulness, or even whether counselling is taking place.
- Further research needs to be conducted on the experiences of child survivors of intimate femicide and their needs, as little literature is available on the topic.
- Finally, the media's reporting of intimate femicide cases needs to be studied further. Steps need to be put in place to educate the media on intimate femicide so that they can write articles which reflect the dynamics of intimate violence and not place blame on the victim's and not create sympathy for the perpetrator's. This is based on research and literature conducted by Radford & Russel (1992), Rude (1999) and Vetten (1995).

5.4 Concluding comment

The researcher has extracted the participant's perspective and experience of the crime they committed. It has emerged that the participants lack insight into the relationship problems preceding the crime, their own feelings of inadequacy and

need to control their partners as well as their diminished responsibility for both the perpetration of violence and the crime itself. The universal coping response was to blame the victim for the violence, and their death and the effects on their children were left largely ignored. Of major concern is the Criminal Justice Systems' and Department of Correctional Services' failure to acknowledge the seriousness of the offence of intimate femicide, as is illustrated in the sentence imposed and ultimately served.

This study has suggested a number of counselling and training programmes, criminal justice system and research strategies to continue the fight against all forms of violence against women particularly the ultimate form of violence, namely intimate femicide.

Appendix One

Approach for voluntary participation in the research project

21 June 2000

Dear Sir

As a Masters student at Rhodes University, I am currently doing research on ‘Men who have murdered their intimate partners’ (e.g. wife, girlfriend, lover). The focus of the study is on your experience of the crime.

The Department of Community Correctional Services gave me the names of men who may be willing to participate in the study and who qualify for the study as said above. Participation in this study is voluntary, in other words, you do not have to be interviewed if you do not wish to be a part of this study.

Confidentiality and anonymity will be maintained. Your name will not appear on any documentation and will not be published in the thesis. Your name will not be mentioned to anyone requesting information on the study.

Please note that this study is highly sensitive and as such may make you feel uncomfortable or may bring up past feelings related to the crime. As such and due to the voluntary nature of this study you may withdraw from it at any time.

Also note that this study will not have an effect on your sentence or the services you currently receive.

This study is being conducted in order to provide more information on intimate femicide, particularly the perpetrators experience and understanding. This information will hopefully be used in further research on the topic. Upon completion of the research a copy of my thesis will be given to the Department of Correctional Services. You are free to read it and/or contact me about its contents.

**Please contact me as soon as possible in order to inform me as to whether you will be participating in the study or not. Your participation will be greatly appreciated. My contact numbers are: 7224123 (w)
083 487 4514 (cell)**

Kind regards

Lorraine Macdougall

Appendix Two

Interview Guide

1. Identifying details

1.1 Age:

1.2 Population group:

2. Main question

2.1 Tell me the story of how you came to be under Correctional Supervision, starting from before the crime itself, right through the sentencing until now.

- precipitating factors
 - the murder
 - after effects
- legal processing - charge
 - trial (date/length)
 - verdict
 - sentence

2.2 What now?

Appendix Three

Interview with Adam

Key: I = Interviewer

P = Participant

Identifying details:

Age: 40 years old

Population group: Coloured

I: All I am wanting is for you to basically tell me your story of how you came to be under Community Correctional Supervision, starting from before the crime itself, right through the sentencing until now.

P: Okay. As I grew up I didn't have that parents love you know because they split up when I was six years old and so what happened my mother used to run after my father. We were in this town and he was in Cape Town so we as kids had to go through all this kind of trauma you know. So um, she eventually caught up with him and what happened she caught him with another woman in Cape Town. So um, we stayed there for a couple of years and so I grew up with this. But I thought ... This was after many years when I realised that it doesn't seem right. Why must my father sleep with another woman and yet he is my father and that is my mother.

I: (Nodding) Yes!

P: And what happened I saw them one night. It was kind of something new to me. I just could not understand it as a kid. So I stood in the door. I was on my way to the toilet I don't know what time of the night it was. I stood in the door. I came out shocking, freezing I don't know what you can call it, that um moment. So I just thought to myself

when I got married one day I would never do this to my wife. I mean I stood there, I was, this was going through my mind and my father he shouted to me I must get away from the door and this is none of my business and all that. And all those words were in my mind and I went back to my mother tell her and okay he chased us away. But that promise I made.

So my mother died and I was on my own and we came back to town and as I grew up I couldn't finish my studies because I was staying by different people and um in 1981 I got a job there. I didn't finish school. I went um because of all this happening the people not happy with me and all you know.

So I got a job and not too long after that say four, three months after that I got this woman. Um there was something about her that I. She was like the perfect woman for me you know. I didn't, I wasn't involved in any other relationships before her but I just couldn't get the right woman for me, the girlfriend. And all of a sudden here she appeared. Like that saying love at first sight. And so I went out with her, went to her parents and asked her parents permission because she was sixteen then and I was twenty one. And okay they all agreed and the fact that I worked I was sure that should anything happen you know, pregnancy or that I can take care of. And um okay as the time passed she got pregnant and we got married in 1981 and I told her my sad story, what promise I made. I even talked to her parents too, what happened to me as a child and I will look after her you know and care for her and okay.

The first three years everything is okay. Two years after that (by the first five) the boat was starting to rock because they were more on her side. I don't know what was it but whenever we had a quarrel or whatever she runs to them. And things were just getting from bad to worse then they were not willing to listen to my side of the story. How it happened you know. After six/seven years things got really bad. And so they took her once to where her granny stays and I was alone, without coming to me to ask me what happened, why is that um. I was shocked man. It happened that that morning I didn't have a shirt. She didn't iron the day before. I didn't have a shirt uh, so when I asked her

she was cross like so I took the iron myself with all the crinkles I just take the shirt off and go to work. That night she wasn't there. That was the Thursday night. She wasn't at home.

Friday, Saturday, the Sunday morning I went to them. I asked her where's my wife. No she's gone to her granny and blah, blah, blah. I said her do you know what happened because they are not willing to listen to my side. After I told them what happened they were so shocked. I said that's not the first time. I keep on telling you there's two sides of a story and you keep on doing what you are doing. And okay, what's that thing called? A barometer. Anyway and I feel like a barometer neh. The anger starts from my feet neh and it came up.

As the years passed by and as they ill treat me it just came up. And things just keep going not right for me man. When I want to have sex. This is now my eight/ninth year with her. Remember my promise, I am going to stick to one woman. You must excuse me because ... um. Every time when I want to have sex with her either she has got her period, she has got a headache but just all kinds of excuses. I don't know what was it love that for me, was the sex bad, was too, too ... What's the word I am looking for man. But the fact that I promised one woman. Maybe she found it bored then you know. But anyway and so but if I get sex twice a week it's a miracle. Once is enough. I mean I was young then. And so just at the end of the day um it was once a month you know. And what I used to do I would rather go to the toilet and satisfy myself there just to keep peace. I don't know what was wrong with her. I couldn't go to her parents to tell them because I know it's in here and out there.

And so on my ninth year with her I met this lady and um. Okay I know her this lady neh. And she told me that her husband is a policeman and he's gone. I don't know how that happened but I went out, we had sex. But during intercourse deep in myself I feel dirty man. I am not used to it you know. I feel, I cannot describe to you how I felt. And so the following night ne um I call her I said listen there is something I want to tell you. You can do one or two things. Put on the water, warm water wait until it boils and then

you can throw me with it. Or you can cry or you can pull out your hair, you can hit me, you can do anything but sit I am going to explain to you something and then you can take the actions after that. So she just wanted to know what it is. I said listen you give me once a month sex lately did you notice it. Ja but H, I keep on telling you um ... this pain and that ache. I said ja. And you used to tell me that you sleep comfortable on your left side of the bed. And so I turned the bed when I realised that you sleep uncomfortable. So I turned the bed so that you can sleep on the other side too. That didn't work. I keep on like giving her a picture now. She was the cause of what happened. Why? I didn't tell her straight away that I went out with a woman and had sex. I tried to establish how it happened and so I said okay listen for all that time that you were not willing to have sex with me this is what it caused and I came to the point now. I told her the night before that I went out with this woman and we had sex but as I feel now... I feel dirty and you know I am not used to it and it is not a woman who came to you to tell that your husband is trying me or he wants to until today. That was my ninth year with her.

Even she said yes that there was not one woman who came to me and say your husband did this. But as I speak to her I could see you know like I don't know the cause or what is it that is going through her the fact that I was sleeping with another woman. I don't know what was it. And she started crying. I said okay you can cry, you can do anything you want but I am telling you this, you are the cause of what happened. I said you know I used to go to the toilet to satisfy myself and then come back. Why must I do it and I am a married man you know. And this is now what you caused. And so she apologised and that she didn't know that she was driving me to do that. So for my honesty she thanked me and she's going to try to make it up now. And okay she did make it up you know and five times a week was ... But okay then it was my ninth, tenth year, eleventh year and things were back to normal like it was in my first two or three years with her.

In the eleventh/twelfth year I didn't know that she was doing some things behind my back because I used to go out running. I am a road runner. And I used to go out weekends (Saturday mornings) to the races you know wherever it is in town. And some times we go to Durban, Cape Town for the Comrades you know and all the big races. Then I must

leave one or two days before and she was happy with my road running all that, no quarrels or ill feelings. I used to take her with sometimes when it is here in town. I took her up in 1992 for the Two Oceans marathon. I took her up there you know, because I was trying to keep this a happy family.

Anyway, so then one day the neighbour, ... she was not the only one, all the others they know what she was doing behind my back but they didn't want to come to me and tell me what she is doing because they don't want to break up my marriage you know. And so, the neighbour's daughter, not the daughter herself, the granny came to me one day and she says "I want to tell you something but I am afraid that um that there will be ill feelings between you two". So I said no okay tell me I am not going to mention names I am just going to ask her about this. Then she says that when you were away two/three weeks. I went away for a race. When you were away that date my daughter, that girl saw my wife in the disco. She was dancing with I don't know whose this. So at the end I am going to tell you who this person was. She was dancing and boozing and all this type of thing. And um I was shocked man so I thought okay this is why the performance is not so lekker. So I said okay thanks for telling me this.

I am not going to tell her now I am going to see ... You know what I am that kind of person, you can tell me anything, you can do everything to me. I don't know why am that kind of person like I am going to forgive you. You are going to keep on doing the same things to me I am going to forgive you, forgive you, forgive you ne until I draw the line. This is what she does to me. Anyway the drinking it was in here out there. But I saw her once not once more than once I saw her. And I took her once to Steers in town and I ordered coke and she wants to order uh okay that it looks like coke but it's got a red heart label.

I: Rum?

P: Ja it looks like coke that. So I looked in the mirror and I could see that that guy was pouring from that bottle. And so I asked her what was it she ordered. She said no it's

coke. I didn't know what smell is it. I saw it when he was pouring from the bottle. Anyway uh then things really look this is now between the eleventh and the thirteenth year. Things just didn't work out you know. It's just one side. She just wants to get out of this marriage now. And so and my kids were suffering man because there is more ill feelings between me and her and in the house. And what happened now the kids they a kid can feel on man whose wrong. When the kids come out of school they usually run to me. They wait until I come home from work then daddy is work alright, daddy this, this, this and she didn't like that.

Like that once when she was wearing funny clothes man so she asked my boy. She asked his advice how does mommy look? Nee mommy jy lyk soos 'n skabberdash. Now that in English means Mommy you look like a prostitute. The way she was dressed you know. And so she wants to hit him and I blocked. I said listen you asked him. He can't help it he sees on TV the prostitutes and all that now you are wearing and he was just, it just came out like uh because she was asking him. And so I could see uh kind of hatred to the kids now because the kids are more on my side.

So things really were not working all the time and at work my job was suffering. I couldn't concentrate I make more a mess than anything else. I spoke to my superintendent. I tell him what is happening and they refer me to a psychologist there at work because we've got everything there at work. I told her the whole story where it starts where its going to, how I'm feeling now and the fact that that news that lady told me her daughter saw my wife in when I am leaving town with races and the fact that she is drinking all.

So that is the, is my thirteenth year. Twelve years six months ne. That is not the first time that she is running away and her parents know where she was. That's why I blame them you know. Everytime she they are not going to come to me and listen to my side where it happened, why she's running away.

When I was hit by a combi taxi ne off my bike I won the case. The lawyer manoevered it so I won the case. I got R3 000 out of it. So I said okay listen I promised that. No I got a letter before the cheque saying this is what I was going to get out that and that and the date I am going to get the cheque. So I said okay listen that Easter I am going to take you out with the kids to the Holiday Inn we are not gonna to pay any bills, nothing, that whole R3000 Holiday Inn we are gonna eat it ne. And okay she was excited like and the kids too. Everybody were excited. So the cheque came and then it was say the Monday and the Friday was Easter. So the Monday, the Tuesday she came to me in the night to say that she is not interested anymore in going there to this Holiday Inn. I got the cheque and everything and she is going to pull out. I was shocked man. I mean you imagine your husband making a suggestion like that you would be in the sky. And she came to me and I feel shocked man. It hurts man. What is after this? What's she trying to do here, you know? Because she hurts me she is gonna hurt the kids too because we didn't tell the kids yet cause they know where the Holiday Inn is. I mean you can imagine the world that they were living in because we are going to Easter to that place. Here she comes on Tuesday night to tell me this story. I was hurt man.

This is the Tuesday night, the Wednesday, the Thursday, the Friday is Easter and uh I said I am still gonna go do you wanna come with. No! I am not going to give you half of that money I am still gonna take that R3000. You gonna come with? No! I am going to take the kids with me ne. Ja you take them all. Just like that and uh so the Thursday night I am first thinking man something is wrong here. Anyway the Friday morning that Easter umm she helped me pack my bags. Imagine! She helped me pack it neat man but still inside it hurt man. You know and now I must look at the kids now tell them go with you mum rather. I want to be alone ne because I don't want the family split. I want them together and now with me and the kids there and she alone is not going to make the family as I want it.

So I decided okay let they go with her then and I'm going to sit there think whatever I want to think or, or umm but I didn't enjoy it. Let me tell you that the Friday night. The Saturday I couldn't sleep. The Sunday ... she's expecting me the Monday. The Sunday

morning very early I got up, went there, knock on the door, nobody. Knock, knock, knock nobody. I went to my neighbours I asked them listen where's my wife and 'cause I left her with the kids ne. We thought you were in the house because at two o'clock on Saturday, Sunday morning the music was loud, your lights were flashing and they were drinking and all that. So we thought that you since when are you drinking they asked me. And while I was talking she opened the door, my wife. So I went in. I'm not a drinker, I'm not a smoker ne. So when I went into my house the smell of liquor and the on my dressing table the cigarettes were not finished smoked. I was telling you about the barometer it was in my half already, the anger. I was trying to get rid of this but what must you do when these sort of things happen and umm so I couldn't speak. And I thought there was a guy lying next to her because the head was covered, in my bed. And um, you know, these caps that these lighties is wearing, that cap was on my couch the one where I usually sit. It was hanging there and I saw it when I came in and I think she took it off when I was in the toilet looking for some things. She was in the bed when I came back to the bedroom I asked her what is the meaning of this. No what do you think uh you going off to the Holiday Inn and you enjoy yourself and I must enjoy myself too. You see this picture too now. And so I didn't want to. I was too cross and this kind of anger seems just boils man and I tried to control myself and I went. But this smell of liquor was still in the house. I want to know, I want to see if there's any bottles or what. And I went under the sink, check there, there was all kinds of that very same rum. There was three of those bottles, coke and some other flavours you know. I took one of those bottles and went to the room. And I just controlled myself. I thought that this is the one month that everything is going to be over. But why is this. I turn around I hit the bottle the other way around toward the window. There was burglar bars on the window so I hit the bottle against it. I don't know how hard I throw the bottle because it was spinning like that. And I asked her to just get up and get out and the sister too.

So I forgot to tell you um it was her sister in the bed. I thought it was a guy. And okay I felt a bit better because anyway and uh she left. I was thinking man and felt yissee. So I was just sitting there man and the tears were just, you know. While I was sitting there the neighbour the one that told me about the boyfriend story. She came, H, what happened

last night blah, blah, blah. I said Ouma wait a bit man. Just give me one or two minutes so and um I called her after I felt a bit better now with this anger because I want to. Uh I said remember what you told me uh man. I said ja I took out all the bottles. I said I wasn't here and she was expecting me the Monday and this is the Sunday morning. Look at this. Should anything happen I didn't. This was not in my mind. I was like referring to a divorce you know. Killing her was never on my mind. You must really believe me there and um. So I said Ouma should anything happen one day you must know that it is not my mistake or I am not in fault here because you know, I keep on talking to her mother, her parents they don't take me seriously. And um okay I said Ouma you see this now look at all the proof and all because I know she was the Daily Dispatch there and then. You know what the Daily Dispatch is like, too much busy. And I was so glad she came. And okay I showed her everything, put it away, locked the doors, she left, I left, I went back to the hotel. That was the Sunday ne. Hey I felt bad man and that cap!

Okay the Monday night she came home. I'm so soft man. I don't know what kind of person am I and uh, all the anger was just gone. I asked her she must start from the beginning, what was it, why did she say no the Tuesday. And she did not give me a straight answer. Okay but I accepted that. Okay then she just. It was like a demon in her, in herself. She wants now a divorce! She wants me out of the house and you know. I asked her hey listen to yourself, what you're doing. No I am sick, sick and tired of you and this, blah, blah, blah. And um so she left that night. Monday night.

And she took. By the way I asked her where are my kids. She said no I on the Friday night I took them to my mother's because I want a weekend to myself because me, I'm there in the hotel. I don't know what the story she tells her mother. I really don't know. Still today I really don't know the story why her mother accept the kids and why her mother let her have our house for herself that weekend. Anyway this is now. So she left the Monday and I used to leave her when she was angry. I never forced her to take her back or anything I just leave her ne. And um, so she left the Monday night and took some clothes. The Tuesday I went back to work. I called that psychologist and told her what happened and she asked me how I feel. I said that this barometer thing in me is

going up. You can say its there now (indicating to his chin) the anger. Right she said H don't do anything foolish. Try to control yourself. Maybe she is going to come right and all that. This is Tuesday ne. So Wednesday um there was no more of her clothes in the house because she decided that she is not going to come back anymore. She put her foot down now.

Anyway, she took I mean I took my kids clothes. When I came there where she stays by her sister uh she was on the phone to the police to tell them that I have come to molest her and you know. I heard her on the phone man I was in the door and I heard what she said. So I decided okay I am going to wait for the police to give my side of the story because maybe she gave her the address, my name and everything. Why must I wait for the police at home for things that um I want sorted out. So I sit there. This was now half past five. I was already out of work and all. I sit and wait and um it got dark six o'clock, past six o'clock. The police did not come. I keep on sitting there because I am not going to move. I know the family. They used to attack me. They didn't once. They didn't listen to what my side of the story was. Jo, they would just attack man. And um so I was waiting there for the police to come but what she did was the biggest mistake of her life.

While we were waiting for the police, her mother was there. She was performing. I want to tell you, her hands on her hips, I want to tell you that I am finish with you, I am this and that of you. You don't perform in bed anymore. One night with that guy was like uh. That cut me. One night with that guy I don't know how many nights but she says that that one night with him. And so um my eldest daughter they were there, there in the very same room where we were. So my daughter came to me, she asked me "daddy what's mommy talking about". So I stopped her and said "listen repeat that very same". Listen some women, not all, some women are very stupid. So I asked her to repeat that very same sentence what she just said. Ja that one night with this guy was blah, blah, blah. So what I realised hey is that she had heard it for the second time that eldest daughter that one night with this oke. And I said no okay my daughter uh you heard what your mother said that one night with this.

And this anger was already here (indicating by his nose). I forgave her already for all the other things but why must she in front of my kids, her mother was there to, her brother-in-law and her brother and her sister. They were all there they heard what she said. I don't know if it was anger or what it is that came out of her all those words that were just coming without she realising what she was saying. And maybe afterwards she realised what she just said. When I asked her the second time to repeat it. I said okay there you have it. I told her in her face there you have it ne. And so the kids were sitting here by me, sitting crying and especially my lightie. Jo he loves me jong. He was crying. Then the police came. Remember I was waiting for the police to come ne. And so they came in the door where is that Mr so and so, we want to sort him out. This is for me now. So I look on that name plate and I know his rank so I say Sergeant so and so can you please sit. This is not my house can we do it on a decent way. You are not going to come and take me and you don't know what the whole story is. So he sits and I was giving her the chance now to tell them why she phoned them. She was swearing and so now they wanted my side of the story. I tell them that this is the story finished and klaar. They said to her listen we've got serious jobs, there are some serious cases we can attend to. Don't come and waste our time. This is a family matter and there was no need for you to call us. Straight in her face and I left with them. She couldn't take it.

I went home that was the Wednesday ne. On the Thursday, the Friday and I still forgave her. I went the Friday there with the money. I went to give it to her to buy something for the kids. And, so my kids want to come home with me and she was still naar man. And so I did not want to give her the money. I said that I am going to give you half because I must cook for myself, I must have taxi fare to work. She still wanted all my money and uh I said you are ridiculous now, because we were talking outside we were not talking in the house where all the people are. We were talking outside and she got cross, and she picked up I don't know what and she was going to hit me and I grabbed her and threw her to the ground. And then that scene the kids were crying and so I left but then I came back that very same night. It was half ten or so when the kids were sleeping and I went to her and said okay, I am going to give you half. This is the reason I want to give her half, I told her why. I want to buy things for me and I gave it to her. This is now the Friday.

The Saturday, the Sunday, the Monday I got a phone call from the police and uh it was five past eight that morning. Are you H M. I said yes ... and uh can you come to the charge office. I asked him why should I. No you must come because there is a case made against you. By whom? No, please can you come. I said I am not going to go I don't know what this is all about. Why should I go? And so this guy. I didn't know he was the man who was sleeping with my wife. And he was the guy. She went to him to report like a false statement to get me now because she saw that everything she was trying to do just failed. Because I, I told you what kind of a guy I am. I can forgive you very easily. It doesn't matter what hurt you caused me. And uh the anger I told you was already here (indicated to his eye level) but I tried to bring it down you know. But now this is where it went sky high, that morning. I asked him why I should go there. And uh No you must come because there's a case made against you. You raped a woman. Remember she was the last I saw, the last I slept with and I, all those terrible things that happened I wasn't near a woman. What I used to do at night I would go to a friend of mine. We grew up together, me and this friend. I used to sit there. They know about problems with my wife, marriage and all that. And I used to go there and I am not talking about my marriage I am talking about something else you know. Watching TV, laughing, playing dominoes. I used to go to him ... So on that weekend I was there the whole weekend.

The Friday I was there with her giving her the money. So the Saturday I was with them. The Sunday I was with them. The Monday I got this call that I raped a woman. I uh uh, mind you I didn't think it was my ex-wife. She was not even close to my mind. I was thinking that this must be a joke you know. And I asked can you please tell me who this woman who she was. No it is so and so, my ex-wife's name and surname. Imagine! So this kind of anger whatever it was, like it burst you know and uh I can't remember did I move or what did I do. So I just told the sergeant okay I am going to be there now just give me fifteen minutes so I put it down.

My foreman he asked me H what is it. You look pale. My eyes didn't move nothing. He wanted to know what is it. I said what do you think of this woman now. I must go to the charge office for a rape case. Okay I went there but before that I went to my superintendent because he knows from A to Z as I told him. I keep on telling him. I sat there shivering man. They made me black coffee and everything. I said that I didn't feel right. I don't know what to do now and this what's happening now. My superintendent and my manager tried to calm me because they new my state. I didn't know what state I was in. I really do not know because this barometer uh is um ... No it doesn't matter. And uh so he made me coffee, talked to me "No don't do anything foolish now. Just go there, give your side of the story, come back". I said I want to resign now! Give me the papers. I want to get out of town. It's better that I run away. They must rather come behind me or do anything. The police must chase me but I want to get out now. They said H we can't do it. You've been here fourteen already with us. You've got a very good record. We've got no complaints about you. Uh you've established a male choir here in the ... the first thing is the place I work is so old here and you are the first guy who was doing that. You know he was talking all the positive things to try to convince me to stay. I said yes don't just give me the papers or I am going to leave and then you can just send the money after me. They were trying man all sorts of things to like calm me down you know. And I went to the psychologist, the woman there at the work. I tell her what happened now and I must go to and even she tried to calm me down now.

And okay I went there. I read through this and this is what I did to her. I opened her legs and you know. This is her story now. So I said I am not going to do or say nothing ne and uh because I didn't do it. I am not going to say its black or white. I am going to wait until that time when I must appear in court and give my side of story. I said, at this moment I am not going to do nothing. No you must do it and all that. I said I am not gonna do it because I didn't rape her and so I didn't know I was speaking to this. As I told you this is the very same guy, this policeman. And uh so I just left him. I went back to work. I am still feeling angry but before I went to work I went to where she stays and she wasn't there. And I went back to work.

That lunch time I went back to my house. I really don't know how or I can't describe to you but I didn't feel human at that time. I went into my house. It was like I was floating, you know. I don't know if it was anger, what was it but it was a whole new feeling. I can't tell you. This is how I felt. I really don't know. My mind, I was, I just can't give you a word. I went into my bedroom. I saw past visions of how we used to make love. I went into my kids room how I used to play with them and kiss them goodnight. I went into the bathroom ... thought how we used to bath together you know playing with one another. I went to the kitchen um when I come out of work when she's at the sink doing some dishes I used to ... You know all those kinds of things. I really don't know what happened. I went to the dining room where I used to sit, where she used to sleep on the couch with her head on me and I went back to the ... This is what I can remember. I went back to the kitchen, I was putting the knives and uh I couldn't stop myself. I don't know what happened. I really tried to just kind of break. I was putting the knives like that um in a straight row and I drew one of them. And I went to where she stays and um she was on her way to the butchery and so when she's in the butchery, when she looked, when she turned her back I was there in the door of the butchery. And she was like, it looked like she was seeing a ghost and so I asked her what are you trying to do to me. No what you talk about. I said where were you this morning. I got this call, I saw your signature, what you wrote there, what you told the police and you signed it. Did I do it to you! No you didn't but that is the easiest way to get you in jail so I can get rid of you. That was her words. Because you don't want to leave me, I keep on trying to run away from you. I want a divorce, you don't want to divorce. That's the easiest way to get you there. That was her words ne.

We were walking back to where she stays. I said please don't ... what's the word I am looking for? ... do not make me angry man. Don't uh. But she was just talking the negative things to me. She continued talking the negatives and this thing has already exploded in me. And uh I saw a police station there. A small police station. And I thought okay ... I got a knife, do your thing, give you over. That went through my mind because she was keeping saying that you are going to go to jail, that's the easiest way you know. Those kinds of things just keep on in my mind. So I just shook it off this err um

idea and I went. I was still going with her. I was still forgiving her you know because I looked at her and I just wanted to laugh man because I really admire this woman. It doesn't matter what she's doing but this getting out of hand here. And she is really serious about what she is saying now. We went to where she stays and I sit in the room where she sleeps. I sit there and umm still trying to convince her if she can only say okay I'm gonna go back and tell them it's a false statement. I was expecting that. If she can only say that ... those kinds of words. No she was just saying the opposite every time. Now here comes the sad part. I cannot remember when I drew the knife, I can't remember how many times I stabbed her. The actions everything that is what I can't remember. What I can remember is but it was like something came out of me. When I opened my eyes I saw bars. I was already in jail that night. Um I saw the blood on my clothes and so I want to know uh. The woman at the police there she is staying next to me uh. She's a neighbour. So I asked her what happened. She said didn't you know your wife is dead, you stabbed her fourteen times. You know it was I just it was unreal. You know it can't be. I can remember we were still talking. That is the last I can remember. And uh anyway she says this is what happened and all that.

Right I came out on bail. That whole year 1994 I was out and trying to get myself right and back together. I can't get straight man.

I: When was the bail hearing? How many days after you were arrested?

P: a week. So I was a week in jail and uh um that Monday. Ja I came out that Sunday afternoon, that Monday I was back at work. All the people there man, they hugged me and words of encouragement. Oh but we know you man, something really bad must have happened. You know that they were like trying to, they want me to like feel good like human again you know. They tried everything man even my foreman, superintendent, everyone. And um but this thing man I'm just another man I am not the same. I am a different man now, not that I hate people but I am not the same. I can talk to you, laugh with you but that inner man, what you call it, inner person is not the same.

And the conditions were very strict. I must report the mornings, the nights, the afternoons, and the weekends. Seven days a week I was supposed to report that I'm still in town. I had to go and sign. So as the time passed I was alone in my house now. Sleep there, go to work, back home. And what happened, I went to church ne and I was trying to ... and I didn't have contact with my kids. They took my kids away. The kids were staying at the granny, my ex's mother. And so I did not want to make contact with those people including my kids too. They were not there by the way when it happened.

So what happened is I didn't make contact with nobody. I just wanted to be by myself. And uh what happened ... four months after her death I did something very stupid. I was not myself. I met a woman. I met her one-week and I got married to her. One week! They know, she knows, her parents know my history. Um so her mother she says don't you worry we know your story and we're going to help you. And I felt okay you people understand and okay um so the mother says whilst we're going out, okay marry her, you've got a place to stay and all that. And uh so a week after that we got married. A stupid thing man. I don't think that I was myself so. I mean this is unreal, you meet a guy now and you marry him next week. This is a serious commitment ne. Anyway I got married and uh that was now, that was that December '94, my case. Um, I was in front of the judge and so this advocate he says that you did it, you admit you did it I am just going to ask for 12 years in jail for you simple as that. I was thinking that this guy is not serious although he was serious. Twelve years huh! And um so two days when the court was in session I stood up without me telling him I asked the judge. It was the first time I was in the court I didn't know if you supposed to say your highness, your worship or whatever. But I stood up and said Mr, okay I would like to ask a question. Yes sir? I said that I am not satisfied with this uh, this man here. I am not satisfied with him. I didn't tell him the reason but I just said that I am not satisfied with him. And uh the judge said okay if you are not satisfied then we are going to provide another one for you but that's going to be in January. This is already December ne. And uh I mean I asked another question again. I said uh seeing as it is going to be holidays and all that can I make contact with my kids. The judge said yes you can, and give them money and all that.

I only gave them my statement, that thing they read through. It this is why this judge was so like uh not friendly but he was like how can I say man. He did not treat me like a criminal or murderer or whatever. And okay January ne another advocate came to me. He said okay I am your new advocate and I know the story but you tell me what happened. I know what happened but you tell me again. I was half way through my sentence but he said okay no, because what was all on the paper was what I was telling him. I am telling him exactly the same as what is when I gave my statement. And so this guy he says I am going to fight for you for five years. Maybe if you are lucky you are going to get correctional supervision. Okay I said now we are talking.

Okay during the court case and every thing her mother was called, she must describe now what kind of person I am for that thirteen years she knows me. She gave ... she described me as I is. You know, I am not a violent guy. I used to stay at home. All those good things, good characteristics you know. And the sister too because she stayed by the sister. The same story but here small differences. They called my superintendent from Mercedes Benz about my attitude at work. And they called this guy, this policeman. And uh so the judge asked him you say that she was raped. Yes she was raped. Can you describe her? Uh no uh she was neatly and what, what, what when she came to see him. So the judge said I tell you straight to your face you lying to this policeman now. And he was shocked hey. The judge said let me tell you how a rape victim looks. Her hair is ... but he gave a description. So let me tell you why I say that this woman was never raped. Was there any proof on the docket? No, there was not document or any paper to say it is so, she is raped. So again the judge said that's why I told you that that woman was never raped. So that man is not guilty of rape and you told him that he is going to get six years. That's what he told me this guy when I asked him when I was there the first time when I phoned. I asked him if I am guilty what's going to happen. No you're going to go to jail for six to five years. And that, it angered me more.

Anyway the judge told him now. Anyway and uh the Friday I must go to jail now. I still don't know am I going to get the five years or what. And so this, after the judge read the

whole statement and everything he came to the point now, sentencing me. He says that no, no, before, the Thursday ne. The Friday I was going to be sentenced. The Thursday he asked me is there anything I want to say because I said that I don't want, there's nothing I want to say but if I can only say these few words. I turned to the family and asked for forgiveness by them for what I did because what happened was between me and my wife. I am sorry that they got hurt. I turned to the judge and said to the judge. He asked me why didn't I run away from the scene. I said I didn't run because she says that I must go to jail for a thing that I didn't do. I didn't rape her. So I thought okay do the thing and then you go to jail but I didn't. It was not my intention to kill her. And uh okay the judge he turns around and asked me, this woman you married how long did you know her. I was so honest and this is really the truth, I said I only know her uh a week. So maybe he could've thought that you know that you are not all there you know.

And uh anyway the Friday he was reading this whole story so he says that he is going to sentence me on code this, this, this and that. I didn't understand the code. I didn't even know that I was sentenced to over ten months in jail and the rest is going to be community service and correctional supervision. I didn't know that. Okay after all that the people were leaving and I must go to jail now. So my, this advocate came to me and the correctional service officer came to me and said I am very lucky. Still I do not understand all those codes and all that. They understand. He says that no you are only going to go jail for ten months because the judge didn't want to punish you at all. He wanted to just scrap it and let it go but he was thinking of your safety, the judge now. That's why he was thinking okay let me go and sit for ten months and the family feels satisfied that he's in jail. You know that these people are telling me that so I felt okay I can say thanks to the judge for what he did because he got the whole story and he got the witnesses story and he got everybody's story.

This was my first offence. Anyway I went for the ten months there in jail and I was not used to the environment. And I saw all the ugly things. One man is sleeping with another man and one got raped and dagga you know. And so I was a month married then and uh 3 months married and I couldn't get used to this. Lucky there were people who

knew me. Those gangsters they know me. I was there for the whole ten months under their protection. And while I was there I was looking for a job. They didn't have printing so they put me in the library. I was doing the books to occupy my brain and all that. And on Sundays I used to call some of the guys there and we would have church you know. And if the preacher didn't come then I'm taking over there you know, singing songs and all that. And I established a group there and uh we used to sing for the other guys. But I don't know what I was trying to do there and I was so down on myself because here I am in a different environment. In a world that I. I can't get used to that kind of world. So I was trying not to get involved with them smoking dagga, getting a tattoo and all that kind of things. I was just myself and they got respect for me because I was reading the bible every night asking for forgiveness for what I did and all that kind of things you know. And um okay the time passed very quickly.

And I came out and my wife she already got my kid now because February she came to me and said she is three weeks pregnant. That was exciting for me too. And uh when I came out she was already three weeks old. I came out, the kid was already born the 29 September and I came out the 20 October. I came out and everything was happy and all that. Okay time goes on and I did my correction and all that.

With this woman now, the other wife now. When I met her she broke off with her ex-boyfriend. She had 3 kids with him and um while I was inside she used to tell me that he is going on with her man. Ask her out hey come out with me. She used to come and bring me all these messages. When I was outside now I told myself that I am not going to go and face him or do anything because that other four years is a long time still under this supervision. And uh okay I controlled myself and then things started getting bad in the family now. The mother has now turned against me. Ugly man, she turned ugly you know. She put me out of the house. Many things that even my wife, sorry my ex-wife. She turned against me too. I really couldn't understand because that family they were close.

I told you I didn't know her background that well. I only met her a week after that you know. And I didn't even yet get myself to know them that well because I am still in this stage. Things turned ugly jong. And okay as the time passed by she used to throw me out and I used to stay by friends. I make up with her again. She would come to me ask forgiveness. Her mother is like that. I used to forgive that easy man you know. And okay as the time goes on things really got bad jong, now the ex-boyfriend everytime when he was there ne. That one time when I got back to my in-laws I stay at the back of. He came one day and uh so his kids was used to me because of. Um I like kids man. I used to take them out, play with them, do anything especially her kids. I used to help them with their homework and everything. Teach them easy methods of how to cope with problems and all of that. That's why they, they. And he's just the opposite. He was using mandrax, dagga, ... smoking. He was just doing the opposite. That's why the kids ... was for them it's easy for them to accept me.

And uh so that one day he came there and I was standing in the door and he was calling his girl. He has got two boys and one girl by her. And she didn't want to go to him. She was looking at me first because the fact that they call me daddy. Because the granny told them to call me daddy and they call him on his name. And so what happened um, she was looking at me, and that made him cross. He came for me. Luckily my mother-in-law came out to block him and all of that you know. But at the same things were getting worse between me and my ex-wife ... and uh that one day. Okay I am going to cut it short now. That one day uh she told me in my face. I can't remember what happened but she was just turning against me jong. She told me I don't know when I was in jail what is it but his penis is thicker and longer than mine, and he is doing it better. Remember my first wife told me that. Now listen to what this one is telling me. I was trying to get rid of this anger and I am still under this supervision. I cannot do anything foolish. And I said okay thanks, and I just walked away. She couldn't take it. She thought I was going to smack her or do anything. I just walk away. And um so I go and stay with other friends of mine. For quite a long time I did not worry about her.

Okay it was a month, sometime later man she came to me apologized, asked forgiveness. Me stupid again forgave her and stayed together again. And she kept on telling me how sorry she was what she said and didn't mean and all of that. Phew, early last year she filed for a divorce and I didn't know it. We stayed in the servants quarters because I took all my stuff and her because I could not take it with this mother-in-law now. We stayed there and what happened was uh she just took her stuff and went to stay with her mother for quite a long time. I didn't worry about her because I thought to myself why should I keep on going back to her. And it wasn't long after that uh I received. I didn't work. I was rank a taxi you know. I was a taxi driver. And I got this, not a summons man, what this, the sheriff used to give you to tell you your wife is divorcing you. I was shocked man! It hurt. And uh I was thinking of this little one now because I tried to forget about the other three the hurt I caused them. And now this one is going to suffer. Now okay I tried to accept this now. And what happened I got a date. I was supposed to go to court this day when the divorce was on. I didn't go because I knew that if I go I was going to tell the judge this is my side of the story, don't give the divorce. I was going to tell him that's why I thought okay make it easier for her to get it. And what happened ne ... I don't know what kind of a person am I. I asked the correctional service officer why did I marry the woman then. She says you are used to a woman for thirteen years. And uh so the correctional service officer is up to date with what happened until yesterday. She is up to date with all my things.

And so um the fact that I wasn't with a woman ne. I was still taxying and all that and I met this woman my wife. Um, we met in a very strange way and you know is it me or what? And, I told the correctional service officer this is the story. She warned me, don't do it.

I: Can I take you back, there are just two things I want to clarify? One is the verdict, what were you found guilty of specifically?

P: I cannot remember what it was.

I: But you spent 10 month in jail and four years under correctional supervision.

P: Yes.

I: Was there any community service attached to that as well?

P: Yes. I was for 3 years in community service at different places like Orient beach, the municipality, uh. We must clean the pools and cut the grass.

I: How many hours a week?

P: A month, sixteen.

I: And you were under house arrest?

P: Ja!

I: And what did that consist of?

P: My times were from six in the mornings to five at night. During the day I can do what I want. At five o'clock at night until the next day six o'clock I must be in. Weekends the same time. They did allow some church time and the fact that I am a taxi driver and the hours I worked they would set the times. I must sign once a week. That's when they divide you in categories. Like me I was a maximum. That means that you are under strict conditions. You must report once a week. Then your hours they cut it and after six months when your behaviour is good and they got no complaints they promote you to medium. Then you get more hours, less restrictions and so on. And then after that they promote you to a minimum. It depends how you work with them. And that's what I did and I got all the promotions and all that.

I: Then just one other thing, what is your contact like with your children and how has the crime affected them.

P: What happened, um they understood, especially the eldest. She wrote to me once, the first time that she wants to see me. She was twelve then. She wrote to me that she wanted to see me because she missed me. Okay I first went to the correctional service officer to give the letter and uh I spoke to the granny. She came to me. I used to rank there by Checkers and she knocked at the window and I was like shocked to see her and she asked if she can talk to me. I said yes and opened the door. And um I talked to her and she says that we shouldn't um all this hatred. We must forgive one another what happened and all that. I said no okay if you want it. I forgave you long ago in court already I asked for forgiveness and now I am glad you say it. And that is when my daughter wrote to me and we met, and all the bygones were bygones.

But now the Child Welfare does not want to give them back to me. You see. Because I keep on asking this woman what is the hold up 'cause we make contact with one another. I'm in peace with the ex-mother-in-law. My father-in-law before he died he called me. We embraced one another. He was crying, he says that he is sorry, he asked for forgiveness and all that. So I keep on asking this woman why is it that she don't want to sign the kids over to me because they were there when I married this woman. They were there and we were happy. I have the photo's to prove it.

I: Do you think that there have been any negative effects on the children with regards to what happened?

P: I don't think so because look how many times they were there. They accept this woman as their mother now because I asked my eldest daughter before I married her. She said that “sy is die regte vrou vir jou”. She likes her inner and outer looks, my daughter now. No she can try this woman.

And what happened, it turns out very ugly because my daughter was getting rebellious. I didn't know it. She failed standard eight three years ago. Last year she did it over for only six months and they expelled her from school. I still didn't know that. I heard it afterwards. The ex-mother-in-law sent her to her great granny, where my first wife used to go. For those whole six months there was no contact, nothing. So November last year I asked my ex-mother-in-law where's my daughter, and all that. I heard some negative reports like she does not want to see me and I mustn't contact her and all that. So I wanted to know what went wrong you know. And okay eventually I got her back in town. And this year when the schools opened I said she must stay there by me. I am going to get her back into school. So we went to the school, explained the situation and they took her back. And um so she was staying three weeks there by me. She didn't like my laws. At her granny she used to stay out till what time of the night, go to disco's, drinking, smoking, doing whatever she wants to. Here by me it's just the opposite and she knows me. No drinking, no smoking, just church, she has a time when she must be in the house at night. Half past eight is the latest. And so she didn't want those kind of rules. What she did is she left, back to the granny. I don't know what kind of story she gave the granny.

And now three weeks ago I got a letter from. The nineteenth of this month I must be in court for maintenance. She went there and told them that um she wants money from me. So I thought to myself, why didn't I. I went to this social worker because when she was expelled from school they scrapped her name from the list there by the welfare. So I asked why didn't her granny come to me and discuss it how we are going to do this. Why go straight to the court and now I must go to court. Now what I am going to do is just tell them that I am not going to support that kid. I am going to give them my reasons. I didn't chase her away. I gave, I just told her my rules, she knows them as she grew up and now my rules are still the same. And uh that's that. If she wants to leave school she can leave school and go and work. But why must I support her and. I can do it, I can let her finish school but oh before that, on 1 June her birthday, mines the fourth I phoned her from this office. I said M happy birthday it's your birthday today. This kid was telling me this and it was shocking. It was like a knife went through my heart. She asks whose

talking. I said no its your daddy. Who are you I don't know you, you died seven years ago and f***** y**. That was her words as she threw down the phone. It's the first time that she swore at me. I never taught her that. Even me to I can't swear but I am just telling you what she told me. And um so it was like. I was still shocked man you know. And I am thinking of the day the nineteenth when I must go and tell the judge and I am going to tell my kid in her face that it is better that she must turn around or she must forget about me. I tried my best to give her everything really. I even told her that if she wants a boyfriend. In fact she had a boyfriend. I even allow her to do what she wants to. I even asked the boyfriend if he has got any condoms and all that you know. She was laughing at me. I know what I was talking about.

Anyway when she was by me this year when she came back I still gave her the same rules and I explained to her if you want a boyfriend and you want to go somewhere I am going to give you. What sport do you want to participate in? She told me what. I said, okay I am going to give you money. Everything, I was trying to kind of make up man. Okay maybe, its not possible but I was trying to make up what she lost out.

I: Okay briefly, I know that you have got to get back to work. What now? What plans do you have for the future?

P: Good question. Uh, but no answers. Reason, um I'm married to this woman. There is no feeling. I don't enjoy it, my sex life. It's like she's raping me because um when she touches me I used to most of the time take her hands away from me. And sometimes I think okay she is only human and she's a woman and she wants to be satisfied and then I turn my face you know and let her do the work. And sometimes I force myself to please her. But overall I am not happy. I really don't know the future. I just take everyday as it comes. But the way forward I don't know with her because she really wants a kid from me. And I blocked her the other day, she went to hospital and they tell her to bring my sperm. Because I knew what they were going to do, inject her and all that. I blocked her and said no. But overall like the way I feel now man um there's no uh. It's not that I hate woman. That's um I can't. I can't love anybody like my wife. I mean my first wife ...

the love that was there with my first one. When at night when I come home any woman wants to be kissed by her husband but me I do it. There is no taste in it ... in the mornings too, when I leave. If she wants to touch me its like I just want to push her but I don't want to hurt her feelings. Then I just take it without any taste you know. And I went to the pastor and I told the pastor that I cannot go on like this. He asked me very nicely not to divorce her, not to leave her. I must pray about this. You know that he was just doing his part to save this marriage now. And there was sometimes that I wanted to tell her this marriage is taking me nowhere because really man this woman she will do anything and everything for me. Nobody must come near me or want to hurt me. Her cooking as well, my clothing, everything, man. She admires me especially with my sport and everything. She supports me in every way. But me I am the one that went through all those kind of and uh ... and it's the first time ... Okay she's got two kids. They already grown up. The baby is eighteen now, the eldest is going to be twenty. And she was last with a man six years ago. We have been married six months now.

I: Mr H I feel I know that I told you my role here is as a researcher but I feel that I bear a certain obligation that I should at least recommend something. I see that you are in a difficult situation and what do you feel are some of the options open to you? I do not know what sort of counselling you have been to before besides seeing the correctional services officer.

P: Yes she is the only one.

I: And you said that you have spoken to your pastor as well but what about approaching an organisation like FAMSA which focuses on relationships. You can always start by going to see someone there individually.

P: I was thinking why go to them why not work it out yourself. Um I was thinking of I can give her a kid, I can forget my past. I can work on this relationship, on us, the family, my sport and um you know because I am sure that they are going to say the same thing, concentrate on you and your wife and take her out.

I: Yes by all means but just that you know that if you feel you need to talk and don't know where to go consider FAMSA or even a psychologist. You can contact me at anytime and I can give you contact numbers.

P: Yes but I trust the correctional services officer more. She was there from the start. The correctional services officer said it's not that she wants to break up my marriage she's very honest. She says that I must get out of this marriage neh. I know why she's saying that. She can hear when I speak to her that I am doing this. I hurt myself because I'm not happy in this marriage. I want to please my wife neh. I did it because of the kids especially the eldest. I thought okay now I've got a wife, a house. They all like her so why can't we go forward from this point onwards. But now the kid is doing this to me. And um I don't know I told the correctional services officer and she said you are hurting yourself more psychologically.

I: I just want to thank you. I know that this is a difficult situation and this is a very sensitive to talk about what happened. And just to say that I really appreciate your participation and that upon completion of my research a copy will be available at Community Correctional Services.

P: Lovely.

BIBLIOGRAPHY

Allan G & Skinner C (ed). 1991. Handbook for research students in the social sciences. London: The Falmer Press.

Bean C. 1992. Women murdered by the men they loved. New York: Harrington Park Press.

Burchell J & Milton J. 1997. Principles of criminal law. Kenwyn: Juta.

Campbell J C. 1992. "If I can't have you, no one can": power and control in homicide of female partners, in Femicide: the politics of woman killing, edited by J Radford and D Russel. Buckingham: Open University Press.

Campbell J C (ed). 1995. Assessing dangerousness: violence by sexual offenders, batterers, and child abusers. Thousand Oaks: SAGE Publications.

Chimbos P D. 1978. Marital violence: a study of interspouse homicide. San Francisco: R & E Research Associates.

Coffey A & Atkinson P. 1996. Making sense of qualitative data: complementary research strategies. Thousand Oaks: SAGE Publications.

Daly M & Wilson M. 1988. Homicide. New York: Aldine De Gruyter.

Graser R R. 1992. A study of selected cases of family murder in South Africa. Pretoria: Human Sciences Research Council.

Grinnell R M (Jr) & Williams M. 1990. Research in social work: a primer. Itasca, Illinois: F.E. Peacock.

Hampton RL, Gullotta TP, Adams GR, Potter EH & Weissberg RP (eds). 1993. Family violence: prevention and treatment. Newbury Park: SAGE Publications.

Hendriks J, Black D & Kaplan T. 1993. When father kills mother: guiding children through trauma and grief. London: Routledge.

Huysamen G K. 1994. Methodology for the social and behavioural sciences. Johannesburg: International Thompson Publishing.

Joubert C. 1999. Applied law for police officials. Florida: Technikon SA.

Katz J. 1988. Seductions of crime: moral and sensual attractions in doing evil. New York: Basic Books.

Lee R. 1993. Doing research on sensitive topics. London: SAGE Publications.

Lees S 1992. Naggers, whores, and libbers: provoking men to kill, in Femicide: the politics of woman killing, edited by J Radford and D Russel. Buckingham: Open University Press.

Lundsgaarde H P. 1977. Murder in space city: a cultural analysis of Houston homicide patterns. New York: Oxford University Press.

Marshall C & Rossman G. 1995 (2nd edition). Designing qualitative research. Thousand Oaks: SAGE Publications.

Miles M B & Huberman A M. 1994. Qualitative data analysis: an expanded sourcebook. Thousand Oaks: SAGE Publications.

Milton J R L (ed). 1996 (4th edition). South African criminal law and procedure: common-law crimes. Volume 2. Kenwyn: Juta.

Polk K. 1994. When men kill: scenarios of masculine violence. Cambridge: Cambridge University Press.

Radford J & Russel D (eds). 1992. Femicide: the politics of woman killing. Buckingham: Open University Press.

Reid W & Smith AD. 1989 (2nd edition). Research in social work. New York: Columbia University Press.

Rubin A & Babbie E. 1997 (3rd edition). Research methods for social work. Pacific Grove: Brooks/Cole Publishing Company.

Snyman C R. 1995 (3rd edition). Criminal law. Durban: Butterworths.

Stordeur R A & Stille R. 1989. Ending mens violence against their partners: one road to peace. Newbury Park: SAGE Publications.

Stout K D & McPhail B. 1998. Confronting sexism and violence against women. New York: Longman.

Strang H. 1991. Homicides in Australia 1989-1990. Canberra, Australia: Institute of Criminology.

Taylor S J & Bogdan R. 1984. Introduction to qualitative research methods: the search for meanings. New York: John Wiley & Sons.

Terblanche S S. 1999. The guide to sentencing in South Africa. Durban: Butterworths.

Vetten L. 1995. "Man shoots wife": a pilot study detailing intimate femicide in Gauteng, South Africa. Johannesburg: POWA.

JOURNALS

Butchart A, Lerer LB & Terre Blanche M. 1994. Imaginary constructions and forensic reconstructions of fatal violence against women: implications for community violence prevention. Forensic Science International, 64: 21-34.

Jecker N S. 1993. Privacy beliefs and the violent family: extending the ethical argument for physician intervention. JAMA, 269(6): 776-780.

Marzuk P, Tardiff K & Hirsch C. 1992. The epidemiology of murder-suicide. JAMA, 267: 3179-3183.

Polk K & Ranson D. 1991. The role of gender in intimate homicide. Australian and New Zealand Journal of Criminology, 24:15-24.

Rude D. 1999. Reasonable men and provocative women: an analysis of gendered domestic homicide in Zambia. Journal of Southern African Studies, 25(1): 7-27.

Stout K D. 1991. Intimate femicide: a national demographic overview. Journal of Interpersonal Violence, 6(4):476-485.

Stout K D. 1992. Intimate femicide: an ecological analysis. Journal of Sociology and Social Welfare, 19(3): 29-50.

Stout K D. 1993. Intimate femicide: a study of men who have killed their mates. Journal of Offender Rehabilitation, 19(3/4):81-94.

Wilson M, Daly M & Wright C. 1993. Uxoricide in Canada: demographic risk patterns. Canadian Journal of Criminology, July: 263-291.

THESES

Gerald. 1999. Crimes of passion. Unpublished work, UNISA. (incomplete title – as full title not available).

Van Zyl C. 1999. An exploration of the factors which promote and impede correctional supervision effectiveness with regard to the juvenile or youth offenders. Unpublished MA thesis, Rhodes University, East London.

ACTS

Family Violence Act, 133 of 1993.

Correctional Services Act, 111 of 1998. Pretoria: Government Printer.

Criminal Procedure Act, 51 of 1977. Pretoria: Government Printer.

REPORTS

Masimanyane Women's Support Centre. 1999. Violence against women. An exploratory study of the impact of the Criminal Justice System on victims/survivors of domestic violence and rape. East London.

WILDAF. 1995. Femicide Report. Harare.

INTERNET

Robertson M & Donaldson M. 1998. Family murder: the child victims. Internet - <http://www.wits.ac.za/wits/csvr/artfamur.htm>.

MAGAZINES

YOU Magazine, 23 December 1999.