

Document Title: **Towards Gender Equality in South African Policing**

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Document No.: **207992**

Date Received: **December 2004**

This paper appears in *Policing in Central and Eastern Europe: Dilemmas of Contemporary Criminal Justice*, edited by Gorazd Mesko, Milan Pagon, and Bojan Dobovsek, and published by the Faculty of Criminal Justice, University of Maribor, Slovenia.

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TOWARDS GENDER EQUALITY IN THE SOUTH AFRICAN POLICE

Policewomen differ from policemen and it is not the aim to claim the superiority of either gender. However, women are assuming positions of power, authority and responsibility in policing, demonstrating their capabilities and prompting respect from members of the communities that they serve. This research was conducted to document the contributions that policewomen have made to the Police Department in South Africa and to establish whether equality currently exists in the South African police or not.

INTRODUCTION

South Africa's first democratic elections ten years ago resulted in a change of government that brought many dramatic reforms. The new Government introduced a Bill of Rights in 1996, which defines the rights of the individual in society. It brought into perspective gender discrimination, which is a crime against human rights. In a special way, this perspective opened the door for women to become more involved as professionals in South African policing. Women have been and to a certain extent, still are part of a minority group in the South African Police, but the past decade has seen a steady infusion of females into this once male dominated occupation. They had previously been excluded from exercising any form of meaningful influence in policing, but they are now taking their place in law enforcement, in spite of the objections of some of their male colleagues still prevailing. In the following discussion, 'transformation' refers to the political changes that occurred from 1994, when South Africa had its first Democratic elections.

HISTORICAL BACKGROUND TO STUDY

A study of the history of women in policing shows a consistent pattern of domination of women by men. The USA adopted the most comprehensive range of legislation to promote and later require equal opportunities for both sexes, which included the 'Title VII of the Civil Rights Act of 1964', as amended by the Equal Employment Opportunity Act of 1974, which prohibits discrimination on the basis of race, creed, colour, sex, and national origin with regard to compensation, terms and conditions or privileges of employment (Steel 1987:56).

In January 1972 the South African Police appointed their first two women, who were accountable to the Commissioner of the South African Police. These ladies had to execute their duties as described in the Police Act. Later, during 1972, an additional one hundred policewomen were recruited. At that stage, there were more than fifty thousand policemen in the SAP. These policewomen were on a different post structure than the policemen, which meant that policewomen had to compete with each other for promotion and not with policemen. Promotion posts were allotted according to the numerical strength of policewomen, which in itself limited promotion possibilities. In 1989 the separate post structure was cancelled and only one postal structure remained for all police members. All limitations were lifted and the post structures opened up for women so policewomen were then able to apply for any position in the SAP.

Feminists formed the Women's National Coalition in 1992 in South Africa. This coalition consisted of 54 South African women's groups to ensure that women by law received equal rights in the new South Africa and were also awarded the same opportunities (Mufweba 2003: 15). In the new Constitution of South Africa, Act 108 of 1996 was promulgated and included the 'Bill of Rights'. Chapter 2, section 9 (3) of this Act states that: 'The State may not unfairly discriminate directly or indirectly against anyone on one or more grounds, including race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language or birth'. Discrimination was addressed when the equality clause of the Bill of Rights was put into the Constitution.

The passing of the various Acts of Equality and anti-discriminatory laws in different parts of the world and in South Africa since 1993, as discussed previously, was beneficial to women and to a certain extent helped to improve the slow process of integration of women into previously male dominated professions. Nel and Bezuidenhout (1995: 127), state that with affirmative action and the equality clause in the Constitution, together with the activities of the Commission on Gender Equality, could contribute positively towards improving the status of all the women of South Africa.

Researchers from the Human Sciences Research Council (HSRC) and the Institute for Defence Policy (IDP) (1995:24), conducted a nation wide opinion survey with subjects from all members of the South African population of eighteen years and older. It was found that there are still deeply entrenched cultural factors, which exist within South Africa, for example the patriarchal system, which prevents gender equality. This research indicated that 70 percent of those questioned felt that women should not be allowed to do police patrols in dangerous areas and 83 percent of the subjects felt that males should always accompany females colleagues on police patrols. In the historically male dominated society of South Africa, the researchers found that stereotyping exists which means that women are unable to take up positions of their choice, especially where danger or risk is involved according to these researchers. The SA Police has started a conscious recruitment drive to provide a service that is more representative in terms of gender but the drive towards women's emancipation is far from being complete.

Women face a variety of disadvantages, which stem from their status as being women. They are under pressure to perform well, and are often excluded from informal networks, which are essential for success (Police Foundation 1990: XV). Men do not like to accept women's authority which results in opposition from their male colleagues. They face overt hostility from men as well as experiencing double standards of performance in the job environment. These double standards are that women have to work twice as hard as the men in order to be accepted.

QUALITATIVE RESEARCH

This was a qualitative study conducted with 26 women police officers in the South African police. Semi-structured in-depth questions were asked in order to capture the respondents' feelings, attitudes, outlooks and views in their job situation. Van der Burgh (1988: 120) states that the objective in qualitative interviewing is to provide a framework for a respondent to speak freely in his or her own terms, about a set of concerns, which the researcher brings to the interaction. The verbatim quotes used in the text below is indicative of the richness of meaning which is obtained through qualitative research methods.

The role of women in transformation

The respondents were asked whether they thought that women had a role to play in the changes that occurred in the SAPS since 1994. The responses were the following:

♣ Empathy

Yes, the role that women play is very big. If you go to a situation, where a woman has been raped or if a woman has been a victim of domestic violence, a lot of times the men get very angry, the policewomen however have a softer touch. The victim would rather speak to a female, than speak to a male about being raped. The women have brought a softer touch to the police in victim support. The woman is more inclined to show sympathy and empathy than a male does (1). Yes, women have a role to play. The police can't just be a man's world. Your complainants are old people, children and victims. They need women in the police. Women have more empathy than men (8). Policewomen are needed most often when the victims are women, children and older people in society, because women have a softer approach than most of their male colleagues and are more empathetic and compassionate in their dealings with victims. This softer touch, which this subject refers to, encompasses sympathy and empathy. Bezuidenhout and Theron (2000: 25) found that females are more capable in handling certain sensitive cases, for example sexual abuse cases or domestic violence.

♣ Aggression

In a certain way, yes, women do have a role to play. There is less brutality. Women work with people differently. Just the way you talk to the arrested person, he will trust you much more because of the way you talk to him. I saw men approach men to arrest them and the suspect becomes aggressive. He becomes resistant. Women talk it through. They come with me out of free will; I never have to use cuffs. The men think you must be aggressive, they think that if you go in with this attitude, you will achieve nothing, but actually I think we achieve more by our attitude - we have a better chance (2). We are not as militaristic anymore. Women will handle situations totally different from men. Men in general are more militaristic than women (3). Policemen are still seen as the aggressive type, according to some of the subjects, whereas women are more approachable and accessible to the victims. O'Connor (2002: 447) states that the increased representation of women in policing, is almost certain to transform the rigid military climate of police agencies and hopefully they would make policing kinder, gentler, and more sensitive to individual rights.

Some of the negative responses were the following:

♣ Discrimination in promotion

On paper there is supposed to be no discrimination and the transformation is for everybody, but they don't practice what they preach. There is no transformation. On paper they say that changes are occurring, men and women are equal, but in reality it is not really like that (5). There was a feeling that transformation has not kept pace with the increased number of women in the SAPS as the boardrooms and senior positions are still male dominated and often the inputs of policewomen are not taken seriously. The MEC for Safety and Security, Nomvula Mokonyane (Webb 2000: 1) stated that women make up only 20 percent of the SAPS. She also said that employment equity was not about replacing whites with blacks, but to assist the previously disadvantaged, which means both black and white, but it this will remain only on paper, if women don't translate them into real rights.

♣ Gender discrimination

We are not getting equal opportunities. Look at promotions. There will be 20 black men promoted and five black women. Whites: six men and four women (9). We are

given a platform at times, but the platform is not enough. Your inputs are taken as a mere formality but they are not implemented or taken into serious consideration (10). The respondents seem to be of the opinion that very little gender equality currently exists in the SAPS. Bennett (2001: 2) states that it does not seem as if employment equity has done much to the position of women in top levels in South Africa. It is clear however, that although the racial gap has gradually narrowed, the gender gap has barely budged. Conklin (1993: 553) states that the advantage of eliminating discrimination, would be to open opportunities for the minority groups, such as women and the previously disadvantaged and new bonds would be created in the conventional social order amongst groups.

❖ **Male domination in senior posts**

There is no transformation at all. Women are not called into boardrooms where men hold the meetings. It is still male-dominated (6). Policemen are very much aware of their public image and definite group solidarity exists within the police department. Women are perceived as a threat within this male dominated culture; therefore the position of female officers has been neglected (Heidensohn 1998: 217).

The respondents felt that transformation had not kept pace with the increased number of women in the SAPS as the senior positions are still male dominated and often the inputs of policewomen are not taken seriously. From the responses it was clear that women definitely have a role to play in the world of policing. There was a feeling amongst the subjects that women must be more representative not only on ground level, but also at the top level in the SAPS.

CHANGES, WHICH HAVE OCCURRED IN THE SAPS SINCE TRANSFORMATION

The subjects were asked whether they thought that any meaningful changes had occurred in the SAPS since transformation. The positive responses of the subjects were as follows:

❖ **Acceptance of women in certain senior positions**

In the senior structure, your top structure, there are much more women involved. You get a lot of the units for instance, where the Head of the Child Protection Unit, is a woman (1).

❖ **Service improvement**

Yes, there has been service improvement to the public, especially in circumstances where the children are the victims of crime as well (2). It seems as if people from the communities are becoming more involved with the police and the service to the public has improved, especially in the case of women and child victims. This seems to be a positive aspect, which could lead to reduction in crime. The literature supports this finding. The initiators of women in policing programs sense that women will bring change to the policing system and feel that this change would be the better for their presence (Sherman 1975: 437).

❖ **Racial changes**

There are a lot more black women in the police although we have had black women in the police since 1982. I think that they had a harder battle in order to be accepted than white women (19). There are more women coming in and there are more black people in senior positions and more black people are getting appointed. Not male to female changes, but racial changes definitely (21). Racial changes have been addressed. Bouman (1997: vt8) states that in order for the SAPS to establish good relationships

with the public and the black South Africans, it is necessary to provide the members of the police with greater insight and understanding of the attitudes and cultures of these groups. Information should also be available on how to make a positive impact on such relationships.

❖ **Community involvement**

The community has become more involved with the police. They are freer now. They can speak out. Their voices can also be heard, not like that before, it is more open. They have their rights nowadays (22). Lombard (1996: vt3) states that the prime objective of management in the South African Police Service is to transform the SAPS into a 'user-friendly' Service, which is acceptable to all citizens of South Africa. Bouman (1997: vt6) reaffirms that a process of demilitarisation has been designed to ensure that policing services, which are provided to the public, are performed in a transparent and accountable manner. Improving the image of the SAPS should not only be about the changing of ranks or symbols, but that the members of the public perceive the SAPS as representative.

The negative issues emanating from the subjects concerning this question were the following:

❖ **No change in discipline**

No, I do not think that policing has changed. If we look at policing as a whole, the way we police. It is a laid down thing. We are a para-military organisation. It was said by the Commissioner of Police that we must have fire-arms and if we use fire-arms, there must be discipline. Discipline means that if your Commander says to you 'this is how we do it', then that is how you do, it. If they say, 'this is how we police', that is how we police (4). No changes, on paper only, but we don't see it (24). There seems to be a para-military still existing in the police, incorporating the procedures that the members of the police must adhere to. One of the subjects felt that policing had not changed, because policing is a para-military organisation where discipline should be adhered to and this is not something that a woman can change. However, discipline per se is unrelated to gender, equality, race or any other issue in any organisation. Bouman (1997: vt4), states that all members of the SAPS will be confronted with change as the direct outcome of the socio-political transformation within South Africa. This re-organisation should lead to a de-militarised and de-centralised police service, which in turn implies a shift from a machine bureaucracy towards a professional bureaucracy, with the emphasis on reliable, expert, high quality service.

The views of some of the subjects were that more women are representative in the top structure of the SAPS than before. A feeling also exists that women have more clarity in what they do and that most women deal with their work effectively. More females are also working outside the charge office in the field than before.

IMPROVEMENT IN THE CIRCUMSTANCES OF WOMEN SINCE 1994

The subjects were asked whether they thought that any improvement in their circumstances had occurred since transformation. The following were some of the positive responses from the subjects:

❖ **Success and respect**

Yes, there has been improvement. When your male colleagues see that you are successful in doing things, you start to get their respect. This is a very big improvement (1). It would seem as if their male colleagues respect women when they see that they are successful in their jobs.

❖ **Women accepted and their rights respected**

Women are allowed to go on patrol now. Women are accepted now (2). We are allowed to attend any courses now for example the Special Task Forces course. And if you feel that they are discriminating against you, then you can put in a grievance (3). There have been huge improvements in women's rights. We have a lot of support functions. There are a lot of opportunities and changes. And the uniforms have improved immensely. Now we can wear trousers. Maternity leave is longer. Before 1994 we did not get any maternity leave (19). It would seem as if women are being accepted by their male colleagues now and also experience more freedom. Not only have the uniforms improved, but also the maternity leave conditions. Previously women mostly had to man the charge offices and do the clerical work and were not allowed to go into the communities whereas now they accompany men to scenes of crime. It seems as if policewomen have more opportunities than before as they are free to attend any courses, have more support functions and are free to express themselves. Their uniforms have also improved. Bezuidenhout and Theron (2000: 27) found that the uniform contributed to making them look smart as well as offering them a certain degree of authority.

The negative responses to this question were the following:

❖ **Promotion discrimination**

The only improvement is that more women have been promoted, but they still stand at the back of the queue when promotion comes (9). Men don't really feel for women. There are companies that have places for the children to stay while you are working shifts. They really look after their women. They give them a compressed workweek. We have nothing like that. The men go home and everything is done. We go home, feed the children, feed the husband, and then you do whatever you have to do, because sometimes you also take work home (14). I don't think that there have been a lot of changes according to ranks. There are not enough female Commanders. There are a lot of young Captains and even young Superintendents who with a little bit of leading, will make good Commanders, but they will have to be given the opportunity (13).

IN SEARCH OF SOLUTIONS

The number of women in policing should be increased, but more into supportive type of jobs in policing, for example rape cases and victim cases. Men however, should also be trained to be involved in such cases, otherwise if women also do the more aggressive type jobs, like patrol and drug busting, jobs that men have previously coveted, men could feel that they may become redundant.

CONCLUSION

The SAPS still tend to be male-dominated. Women have not yet been integrated into the mainstream of policing. They are concentrated in much smaller numbers than the men and are substantially under-represented in the police. More women are entering the police service but according to statistics, which were released in May 1996, just over 80 percent of the police population were male. These figures still do not represent equality in the workplace and is an indication that the culture of policing seems to undermine the democratic values underpinning gender equality. Legal reforms make it easier for women to stand up against discrimination, but the reforms on equality have also helped them on their career paths. However, it will be a very slow process to generate positive change in law enforcement, because there still seems to be an ingrained, predominantly male-oriented tradition existing in the police environment in South Africa. It may take years of evolution to see any true improvement.

ABOUT THE AUTHOR

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