

ORDERS OF PROTECTION: Feminist Lessons in Anti-Privatization and Authoritarianism from South Africa

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There is an important argument in western political thought that maintaining some boundaries between the public and the private spheres is essential to preserving human freedom. Have feminist theorists told us where this line needs to be drawn, or is the phrase “the personal is political” an invitation to another version of authoritarian politics?

—[Seyla Benhabib](#), “Feminist Theory and Hannah Arendt”

The politics of *protection* inherent in state-centered feminist reforms . . . [are] without apparent concern for the intensification of regulation—the pervasively disciplining and dominating effects—attendant upon them.

—[Wendy Brown](#), “Finding the Man in the State”

My feminism does not drive me into the arms of the state but even further from it.

—Susan Saxe in [Mariame Kaba](#), “Free Us All”

A huge portrait of Felicia August hung in the living room of her family home in Lavender Hill.¹ The oil painting dominated one wall, Felicia’s smiling face perpetually surveying the activity that drummed, day and night, through her house:

volunteers carried huge sacks of food for preparation in the soup kitchen that was tucked in an outside corner of the property; girls arrived for after-school discussion groups in the garage; mothers came to tend the vegetable garden or attend parent workshops in the remodeled shipping container squeezed between the side of the house and the perimeter wall; wives sat on the living room couches waiting for consultations; and the late-night social workers brought women, girls, and baby boys to overnight in one of the bunk beds in the informal wooden “wendy-house” structure that served as safe house in the backyard. In every corner of the property, Felicia’s private home had been refashioned as a place of feminist action. Even her husband, Lucas, and their two children had been pulled into the organization Felicia runs to halt the high levels of domestic violence in Lavender Hill, a fifty-year-old neighborhood on the Flats of Cape Town.² The portrait hanging on the wall was a gift to Felicia, one of the prizes she was awarded for being a finalist in a national “Woman of the Year” award for her work in founding and running her organization. It hung in her living room as a reminder that, every so often, the generous, daily grassroots organizing done by people like Felicia in poor neighborhoods all over South Africa can accrue recognition and thanks beyond the life of the neighborhood. Mostly, though, the herculean work Felicia does for women in Lavender Hill, fueled by her love of people and the service of God, and sometimes reliant on only her own family’s meager income, is compensated by the knowledge that the work is needed, and that it is righteous. Standing in her living room wearing her trademark “Pissed-Off Woman” T-shirt, her eyes on every detail of the anti-violence work being done through her home, Felicia commanded formidable respect.

When I first met Felicia in early 2011, she was worrying about the spike in the rape of Lavender Hill girls between the ages of ten and fourteen. “We’ve had one every week reported to us for the past three months,” she told me. “We help them take the case to the police.” The Steenberg police station, which services Lavender Hill, was reluctant to give her access to the neighborhood’s crime statistics, but she had a friend in the station that smuggled them out to her. While they are staggeringly high, particularly in recording levels of drug use and gang-related violence, Felicia insisted that they do not capture the extent of violence against women, and much of her work involved directing women and girls to the police to report instances of domestic violence, sexual assault, and rape, forcing police to open dockets for domestic-violence cases and complete the paperwork that will ensure women’s experiences of violence are recorded in police and court records. She saw this as her most important work, and estimated that 60 percent of her

time is spent channeling women and their abusers into police and court processes. She was constantly fighting with police to pay more attention to domestic violence and sexual abuse, taking to the streets in protest when police took too long to respond to domestic violence callouts, insisting that women demand police involvement in their intimate relationships, requiring women who come forward with stories of abuse to make use of court-issued protection orders. For Felicia, the everyday practice of feminist politics involves the constant labor of drawing the state more thoroughly into the lives of women. As we shall see, the vector for this process is predominantly the protection order, or as it is commonly known in Lavender Hill, the interdict.

Felicia's home offers a familiar scene of feminist work against patriarchal violence. Yet to look to this scene in contemporary times also means to look at something else, something more general to our contemporary condition. If feminism's work has always been to publicize harm beyond the privacy of the home and the intimate relationship, then we can re-read Felicia's work alongside a range of other contemporary mobilizations as a politics of anti-privatization. It shares a conundrum with much political work under conditions of contemporary capitalism: how does one make public, make contestable, that which has been privatized? The relegation of life into increasingly private functions and spaces has eroded public facilities and their capacity for collective action. This has not only created the conditions for sustained isolation and inequality but also strains our capacity to reposition what are shared social phenomena out of private experience and into collective conversation. The feminist adage "the personal is political" is an important formulation of the kind of political arrangement we are *all* cast into in a generalizing condition of privatization.

In reflecting on the dilemmas of feminist organizing in South Africa, I have come to the argument that there is no more useful resource for understanding what to do about contemporary privatization than feminism, and that we would do well to think of feminism's work as a general resource for contemporary politics. But the second part of my argument is that we can look to much contemporary feminism for a lesson in how to get anti-privatization wrong, in particular in how it has reached for authoritarian functions of state power to regulate relationships, inadvertently making anti-privatization an avenue for reactionary politics. The protection order is exemplary of the relationship between privatization and authoritarianism: order and protection entwined in a troubling complicity. However, despite the painful convergence of anti-privatization and authoritarianism in feminist politics, there is also enough of a contested field in feminist debates

around this convergence to grant feminism a privileged place not only for diagnostics and warnings but also for political pathways out of our dire conditions.

“THE PERSONAL IS POLITICAL”

Much of the history of feminist praxis has pivoted on troubling the distinction between private and public spheres, between the personal and the political, as a way to undermine the patriarchal violence constructed and condoned through domestic privacy, and to bring a public process into the scene of “the intimate,” thereby collectivizing it. Looking at how the feminist insistence that the personal is political bears up under generalized conditions of privatization proves useful not only for understanding the contemporary dilemmas of feminist work but also to recognize its lessons for a general reconfiguration of the political relationship between public and private processes when the public sphere disappears under the weight of an expanding private sphere.

The history of feminism makes clear, although it is often not articulated as such, that simply declaring the private public—the personal political—does not suffice to make it so. *Work* must be done against the processes of privatization, *effort* made to turn the privatized into something visible, something that can be struggled over. In other words, the personal is not automatically or essentially political, as feminism sometimes asserts. Its attribution to the personal is precisely what places it beyond or before the political, what depoliticizes it. Thus the personal must be *made* political through the act of drawing it out of the condition of privacy. It is this active work that creates publicity, that makes public liveliness. Politics must be made at the site of that which has been made private for it to be recognized as political and made available for contestation.³ Just as the family had to be made private, so too the private has to be made public, each involving historical processes of politics.

Less clear is *how* anti-privatization work should be conducted. The difficulty of conducting politics—constituting a public—in private life can be so extreme that “making public” can generate modes of injunction dangerous for any project of freedom. In what follows, as I move through a set of ethnographic observations about violence in a neighborhood in Cape Town, I hope to show that the condition of privatization, especially when it is multiply layered and inclusive of many elements of life, wrecks the capacity to collectivize democratically and creates the desire for authoritarian intervention. [Wendy Brown \(2019\)](#) shows us that “in the ruins of neoliberalism” the reproduction of uncertainty and inequality attaches an authoritarian tendency to political action (see also [Bruff 2014](#)). [Susan Ellison](#)

(2021, 48) shows how in Bolivia, these conditions of uncertainty and inequality generate a capacity for patriarchal violence, “the closed fist that promises solidarity—a defined future, relieved of disorder.” What I hope to contribute here is to show how feminism too can constitute an authoritarian response, and explains a great deal about how such a response works as an action against privatization. In a South African context in which the state has been fairly recently “won” through a liberation struggle, feminists have desired the state as an ally, banking on its democratic aspirations, and pouring much feminist energy into capacitating it as a resource in the interruption of patriarchal violence. What has largely transpired through this process, however, has been a worrying curtailing of the political demands of feminism into a reactionary protectionism that does no service to the potential of feminism to reorder inequality. These moves are themselves symptomatic, and provide a diagnosis of the difficulties of constituting viable political space under conditions of concatenated privatization.

In *Lavender Hill*, Felicia August’s commitment to distributing state power into women’s everyday lives has been driven by a set of legal strategies that feminists at all levels have used to try to arrest the very high rates of violence against women in South Africa. In particular, the Domestic Violence Act (DVA) of 1998 became a watershed moment for feminist activists and academics who had argued heatedly for the increase of state intervention in domestic affairs. Feminists involved in the creation of the DVA had worked hard to ensure that the presence of the state could be called into play on a greatly expanded and complexified notion of domestic violence. The act recognizes not only physical and sexual violence but also psychological and economic threats as conditions for state intervention. The DVA obliges the police and courts to come to bear on such acts as, to quote from the DVA, “repeated insults, ridicule or name calling,” “the repeated exhibition of obsessive possessiveness or jealousy,” “repeatedly watching, or loitering . . . where the complainant . . . happens to be,” and “repeatedly sending, delivering or causing the delivery of letters, telegrams, packages, facsimiles, electronic mail or other objects to the complainant.”²⁴ This is a feminist politics that seeks to write into law a social description of the complex terrain of intimate relationships, and correspondingly to insert the law right into the thick of that lived terrain. It is a form of feminist politics in which state legal processes acquire the capacity for tentacular everyday activity.

Such a development was perhaps to be expected in a post-apartheid national context generally persuaded by the power of constitutional reform, the value of law, and the valorization of state-based leadership. The influx of non-governmental

organizations in the 1990s strengthened legal and policy activism and dampened alternative political practices at the end of formal apartheid, mirroring a global shift in post–Cold War concessions to capitalist reform and liberal legal regimes across the postcolonial world. The law, and by implication the courts and police that function as its servants, is understood to be able to insert legal principles into the intimacies of social relationships as an everyday democratizing force, granting legal and security processes the political responsibility for democratization. Thus, under the sign of democratization and under the condition of neoliberalization, law and its attendant policing have come to be called on as the arbiters of well-being, the mark of inclusion into citizenship. The intensity of the reliance on “state-centered feminist politics” (Brown 1995), or what has more recently been called “governance feminism” (Halley et al. 2019) or, in its punitive form, “carceral feminism” (Baxi 2016; Davis et al. 2022), as a remedy for gender and sexual violence across vastly different social spaces shows a faith in the mainstreaming of feminist work into legislative and security elements of state practice (Benson 2018). The institutionalization of democratic politics into the legal processes under conditions of neoliberal capitalist transformation has tended to desiccate the democratic potential of those politics. Instead of these institutionalization processes expanding and generalizing access and benefits, they have tended to squander the impetus of historical organizing and to demobilize the very substance of the political work they have sought to expand.⁵

One of the women that Felicia had been working with (I will call her Jessie), had originally resisted Felicia’s insistence that she go to the police to stop her husband from beating her. Felicia had worried for months about Jessie and her children, pestering her to seek help from the state. I invited Jessie to have a cup of coffee with me at a nearby mall so that she could talk to me without worrying that anyone familiar would overhear our conversation. For although many people living in the township hear domestic violence—given that the wall of a home is often as thick as a sheet of corrugated iron or a piece of cardboard—its audibility does not make it a public matter, because it remains shameful and unspoken.⁶ Jessie told me: “I hate it when he touches me in front of the children. But he’s told me so many times, ‘Your vagina is mine. God gave it to you to keep for me.’” Sitting across from me, Jessie was thirty years old, but an abusive husband and years of squatting with three children in the shacklands behind the township in which she was raised made her look older. “What do you say to your husband when he tells you these things?” I asked. She replied, “I say, ‘*Ag, maak jy wat jy wil*’ [Oh, do whatever you want]. I just go lie on the bed and open my legs.” Their relationship had

started when she was sixteen years old, and he thirty-six and married. When she was eighteen and pregnant, he married her. Soon after marriage the abuse began, and it had been ongoing for a decade. Jessie's resignation infuriated Felicia. Felicia wanted her to use the court and police as a way to stop the violence. Specifically, Felicia wanted Jessie to take out a protection order, a mechanism referred to locally as an "interdict," that allows for specific court-ordered restrictions on the kind of contact allowed between two people. Jessie didn't think it would help and wasn't sure if it would make things worse. After months of cajoling, Felicia told Jessie that if she didn't go to the police to report the abuse, Felicia was going to have her children taken away by the state.

Jessie's ambivalence in part derived from having to broker competing insecurities. The financial and emotional cost of having her husband taken away entirely might prove too great for her to bear. But also, across South Africa, the history of racist authoritarian police and military violence during apartheid have created a deep mistrust of police in black neighborhoods. Police were clearly understood as representatives of the white state, their *raison d'être* to sustain the status quo of racial capitalism at all costs. Over the past twenty-eight years, post-apartheid governments have worked to domesticate and normalize the security infrastructure of the state by trying to reconstitute policing as a democratic public service in and to black neighborhoods. The constitutionalism and peace-keeping efforts of the 1990s that sought to assuage and prevent civil war and gratuitous violence at the end of apartheid, in particular to curb the rogue and vigilante elements of security, had the effect of ideologically and institutionally naturalizing policing as a necessary component of democratic life, as a public good that should be relied on for safety and well-being. There remains distrust in black neighborhoods about policing given this history. However, some black neighbourhoods have also increased their calls for more police stations and for the handing over of the management of violence and security to the police.

In this process of normalizing policing in the post-apartheid era, none have appeared more enthusiastic than feminists, who have stood at the forefront of the recovery of the idea of the police, criminal courts, and prisons having democratic potential to offer care and protection. We might explain this in part by the fact that apartheid-era community alternatives to policing often failed to protect women, making the repressive apparatus of the state appear like a resource for driving an agenda against patriarchy (Hassim 2003). But a far more significant driver of the attachment to authority, I would argue, is a relentless condition of privatized violence, a stubborn, claustrophobic condition that invites an escalation

in the chain of command. If there is little or no capacity to bring some air into the immediate surroundings, then you want someone powerful to come and smash in the door.

THE DISAPPEARING PUBLICS OF LAVENDER HILL

The apartheid state began building Lavender Hill in the early 1970s because of overflow from the first phases of apartheid resettlement housing projects for black Cape Townians, as well as to accommodate ex-farmworkers evicted from suburbanizing farmland. The neighborhood was designated a “Coloured Group Area,” but it has always been on the edge of a long-standing informal settlement with a mix of Afrikaans- and Xhosa-speaking residents, with increasing presence of immigrants from across the African continent. As in other very poor, semi-formalized neighborhoods on the Cape Flats, apartheid racial categories are less resolute than in other neighborhoods. The accrual of family members over thirty-five years has created an overflow from the formal housing in Lavender Hill, further disrupting the apartheid racial scheme. Large tracts of land behind the apartheid-era housing have been squatted by families who under apartheid would have been classified as Coloured but who understand themselves now to be living “like blacks.” Lavender Hill, then, comprises many large apartment buildings classically associated with “Coloured housing” under apartheid, many streets of small council row houses, a huge number of wendy-houses and backyard shacks in the small yards of ground-floor flats and row houses, and massive proliferating shacklands behind the formal apartheid housing.

Lavender Hill regularly makes the news for its extreme levels of violence. It has become an index for township violence in Cape Town, particularly gang violence and its complicities in the drug economy. The neighborhood is thick with methamphetamine, known locally as *tik*, sold in ten-rand (USD \$0.70) packages on every third street corner to children as young as ten, as well as to their older siblings and parents. Whereas under apartheid strict state security regulation kept illegal drugs to a minimum, the rapid re-inclusion of South Africa into global economic citizenship at the time of its political transition dramatically increased the volume and sophistication of illegal drugs in circulation (Steinberg 2004; Standing 2006). The drug economy has augmented the power and wealth of gangs substantially and given much impetus to turf warfare on the Cape Flats.

Lavender Hill residents often mention the increase in gang violence since the end of apartheid. In 1998, three weeks before her marriage to Lucas, Felicia was shot and nearly killed during a period of heavy fighting between two rival gangs

called the Junkie Funkies and the Corner Boys. In 2011, her mother was sitting at home watching television when a stray bullet flew through the window and embedded itself in her living room wall.

Drugs and gangs are not separate from the everyday life of the neighborhood. Instead, they require that life, inserting themselves daily into the experiences and decisions of all residents. This condition has extended itself through the end of formal apartheid, when mass-migration to cities from rural areas as well as from other African countries compounded tensions and inequalities in urban spaces already riven by enormous race-class hierarchies. The housing program of the post-apartheid state has proved inadequate in contending with the numbers of people swelling the urban peripheries. Factories that used to employ many residents of Lavender Hill have closed because of the import of cheap commodities from elsewhere, and work security and welfare provision have diminished. Processes of deregulation, liberalization, and financialization that have accompanied the transformations of global capitalism in most parts of the world have here, too, extending unemployment, underemployment, debt, inflation, and a general lack of safety (Roberts and Thorburn 2004; Bezuidenhout et al. 2007; MirafTAB 2004; James 2014; Barchiesi 2011; Posel, Casale, and Vermaak 2013). The end of apartheid has ushered in an explosion in the casualization of work: between 2000 and 2017 alone, the country saw a 371 percent increase in non-permanent employment (Leibbrandt et al. 2010; McKinley 2021). Most households get by on one small and sporadic salary and the meager social grants barely keeping millions of black South Africans from starvation.

But the severity of township life also has much to do with how these conditions have disabled the kinds of political activism that could organize to curtail and alleviate these social processes. During apartheid, township-based activists worked hard to direct anger and resentment into the anti-apartheid struggle, so as to transform neighborhood violence and insecurity into political action, especially to draw young people into forms of social life and political mobilization that enabled a different set of possibilities and imaginations about how to live and how to relate to one's context. During apartheid, despite a repressive regime, anti-apartheid and anti-capitalist trade unions, civic associations, street committees, and autonomous political formations constituted themselves as places for the elaboration of public life against the status quo. Now, in the post-apartheid period, that transformation of harm into political action has become less and less plausible, destabilized by a radical demise in coordinated, politically informed organizational forms. If they have been replaced, it is by evangelical churches and neighborhood-watch ini-

tatives, most sustaining a highly reactionary politics. Social movements and protest action have flared all across the country, but they cannot seem to find the capacities to sustain themselves or build toward a coordinated effort that would constitute a serious political threat to ongoing inequalities. Thus economic, labor, and social dynamics have intensified privatization and the demobilization of public forms and processes that resourced previous generations.

INTERDICT

Sometime after Felicia threatened to take Jessie's children away from her, Jessie's own willingness to accept her husband's violence was challenged by a particularly brutal attack. He was at the tail end of a period of heavy drinking and one night, while drunk, picked up an axe lying outside the house and hit her with it inside the small corrugated-iron shack they shared with their three children. She did not have enough money loaded onto her cell phone to call the police, so she sent a "Please Call Me" to Felicia.⁷ Felicia, who always had an emergency phone at hand to receive just such calls, called the police. And the police, on receiving Felicia's phone call, went to Jessie's shack, perhaps out of duty, perhaps because of Felicia's reputation for making police uncomfortable if they did not respond immediately to domestic violence calls in her area. Following the attack, Jessie went to Wynberg Magistrate court and applied for a protection order for her husband not to touch her in front of the children, not to swear at her or hit her, and not to force her into sex.

I spent a lot of time at Felicia's home, from which she ran her organization, and she would always encourage the constant stream of women coming to her door for advice to go to the police for an order. One day I was outside in her front yard looking at the vegetable garden she was facilitating as a self-employment project for the women in her programs, when a woman came to the gate and called to Felicia that her neighbor had been swearing at her. Felicia called back, "You know what you need to do! Go to the police and get a peace order!" One of the first things that struck me during my fieldwork in Lavender Hill was the number of times people spoke of "interdicts" when discussing their households. An interdict is the local term for a protection order, but it is also used to describe so-called peace orders, the former being an order against someone in the same household, the latter against a neighbor. It was such a striking repetition that I began to count the number of households in which a protection order had been put in place. I estimate that households in Lavender Hill have an interdict rate of slightly over 50 percent.⁸ This means that the majority of households had one or more acts of court

regulating violence internal to the household. Police at Steenberg Police Station have become inundated with the demand for state intervention into households. In the houses without interdicts in place, people still knew what they were and how they worked. In one household I visited, where, unusually given the levels of unemployment in the area, the only person home was a fourteen-year-old girl, I asked if anyone in the house had taken out an interdict. In her household there wasn't, but when I asked her if she knew what an interdict was, she exclaimed, "Oh, yes! It's when you go to the police and get an order for someone not to come near you! My friends talk about it at school."

Interdicts have become a method of social relationship in Lavender Hill. They are mostly taken out by women against men, but men also take them out against their wives and girlfriends, often in retaliation. Parents take them out against their children, grandparents against their grandchildren, neighbors against each other. Their proliferation signals the difficulty of sustaining good relationships under increasingly stressed social conditions. If neighborhoods like Lavender Hill are further along in the intensification of protection orders because of how settled the policing function has become in the area, this tendency could replicate itself as the call for more police stations in black neighborhoods persists.

Two primary strategies exist for engaging the law in situations of domestic violence. The first involves going to the police to take out an assault charge, the second going directly to the court to take out a protection order. Both can be used in tandem, but the protection order is the added layer of legal structure that the DVA promotes as a means of consolidating an ongoing relationship between the police and the home. The protection order is what legally transforms ordinary "assault" or "attempt to do grievous bodily harm" into "domestic violence." If a woman lays an assault charge with the police, the police are obliged to take the matter to court in bringing her assailant to book on that particular charge. If she seeks a protection order from the court, no direct criminal charge ensues. Rather, a set of rules for future behavior in the household is put in place, which, if ever violated, can be used to legally oblige the police to come to the house to intervene in the relationship. Whereas the assault charge is taken as an individual offense, the protection order stands permanently and can be mobilized whenever the rules set out in the order have been broken and the person it protects feels in danger. The protection order has a benefit over the assault charge: it can be acquired and put in place comparatively quickly, giving the applicant the sense that, in the words of a young lawyer working pro bono in Lavender Hill, "justice is served sooner."

The process goes as follows: The applicant goes to the court and fills out the forms for an interim protection order at the court's domestic violence offices, writing down whatever rules they want to put in force to prevent further abuse. The form is then delivered to the local police station, and the police serve the papers on the appropriate household member. These papers include a court date, requiring both household members in the order to appear before a magistrate. If the abuser does not show up for the court date, the order is made final automatically. If the applicant does not appear, the order is dropped. If they both appear, they sit together in a small, closed court and work out with the magistrate whether the terms of the order are appropriate. The abuser is made aware of the potential for arrest and a criminal case should he or she violate the terms of the order. The interdict, then, constitutes a form of law-making that obliges the state policing of domestic relations, literally directing the police into the home, making the home generally available for police presence and intervention.

A state prosecutor working in Wynberg Magistrate criminal courts with a particular specialization in the contravention of protection orders discussed with me the peculiarity of *in camera* protection order proceedings. There are a few standard orders from which the applicant can choose, such as "not to enter the shared residence," "not to enter the complainant's place of employment," or "the respondent is refused any contact with the . . . child(ren)." But the applicant can also propose what is written into the order, depending on the specificities of the abusive relationship and the arrangements of their home. Usually, the orders involve the abuser not coming within a certain radius of the applicant, desisting from further physical abuse, or from shouting and swearing at the applicant. Yet the state prosecutor described as "ridiculous" some of the orders being granted in the *in camera* proceedings. She gave an example of a magistrate agreeing to write into the order a mother's demand that her son must wake up before sunrise and look for work. Writing this into the protection order, even if it is understood as a preventative measure to compel the son to do something other than sit at home, take drugs, and harm his mother, means that the police are legally obliged to come to the house if the young man does not wake up before sunrise.

Jessie was terrified to stand before the magistrate and tell him about the details of her abuse, particularly the details of sex with her husband. But she also could not wait to get into the courtroom, rehearsing every day what she wanted to say. "I must say everything in court. I know the magistrate is there, the police are there. I must remember everything that I want to say. He won't be able to do anything to me." What terrified her most was what would happen when they

went home after the court hearing, what things would be like at home after she had used the court as a space for airing their marital secrets. But the thought of being able to oblige the police to come to the house in case of violence kept her focused on the court process. Felicia August was pleased. Jessie's seeking of an order of court against her husband satisfied the feminist strategy that has crafted the DVA into a legal spear intended to enter the space of the home to make it a public space, to politicize it, to insist that the logic of citizenship and rights must take shape even in the domestic space rendered "pre-political" through patriarchal history (Federici 2004, 2012; Pateman 1989; Brown 1988).

The strategy seems plausible, familiar, and in conditions in which sustained patriarchal violence continues with abandon, even desirable. And yet—and here is the real question of this essay—the supposition undergirding this feminist move is that the public and private realms have retained the same shape and dynamic they had when the feminist strategy emerged over the course of the twentieth century. Yet the attempt to protect women by making the private *public* is occurring at the very moment at which historical spaces for public engagement have been subjected to intense privatization and demobilization. When one exposes private life to public intervention, the kind of politicization that occurs has everything to do with the nature of that public space and its shifting political terms. Publics, as we have been reminded, are not singular, nor are they static (Gilroy 1987; Berlant 1997; Warner 2002; Fraser 2007; Barber 2007). So, too, what the private means and does is subject to history. What, then, becomes of this political move toward anti-privatization under conditions in which what we called public is being dramatically eroded and reconfigured by contemporary relationships between state and capital, in formerly colonized contexts as much as in the global north? What happens when police are one of the only means of fashioning a politics of anti-privatization?

WANING PUBLICS AND THE DESIRE FOR AUTHORITY

Zygmunt Bauman's (1999) treatise, *In Search of Politics*, explains politics under conditions of neoliberal capitalism as the dismantling of agora, the degrading of public spaces and capacities for collective life. Even as we acknowledge its perversions and maldistributions over the history of colonialism, patriarchy, and capitalism, "the public" has seen a general decline in possibility and efficacy.⁹ In the wake of this dismantling, Bauman describes a subsequent escalation of loneliness. This has produced what he calls, quoting Isaiah Berlin, "negative freedom" (Bauman 1999, 72), the state of being able to air in public the most intimate dynamics of private life without having any grounds for constituting the conversation toward

collective bargaining or corrective action. He draws particular attention to daytime television as an example of this phenomenon, and given the amount of time people in Lavender Hill spend watching daytime television, it is not an insubstantial example.

On that evening [in October 1983], Viviane and Michel, an ordinary and on the whole unremarkable couple easily lost in the city crowd, appeared in front of French TV cameras (and so on millions of TV screens) so that Viviane could say of Michel: “My husband suffers from premature ejaculation,” and complain that when with him, she “never experienced pleasure.” . . . words unspeakable in public had been made speakable, experiences meant to be confided only to one’s nearest and dearest had been made fit for public confession. . . . By a curious reversal, the private sphere which stood out for its *right to secrecy*, has been redefined in one fell swoop as the sphere with the *right to publicity*. (Bauman 1999, 63–64)

For Bauman (1999, 65), what our contemporary popular culture signals, is how “the ‘public’ has been emptied of its own separate contents; it has been left with no agenda of its own—it is now but an agglomeration of private troubles, worries and problems. It is patched together of the individual cravings for assistance in making sense of private, as yet inarticulate, emotions and states of mind.” Julia Hornberger’s research on policing in Johannesburg bears uncanny resemblance to Bauman’s reading. She argues that instead of police bringing political freedoms into the home, the contemporary home has rendered policing itself a private encounter (Hornberger 2008, 242). She shows how through the democratization processes of policing post-apartheid cities, the police are drawn into the personal relations of neighborly networks and relations. She theorizes this as “the informal privatization of policing” in which the police lose their footing as a potential public resource, becoming so embroiled in the private lives of neighbors that they transform into what she calls “your police—my police” (Hornberger 2011, 129).

The policing of the home makes for a complicated, messy, and dangerous project. Mostly, the authority of the police becomes periodically dispersed into a private relationship dynamic in a way that irritates any resolution. Often protection orders are used haphazardly and in ways that prolong or rearrange abusive relationships, rather than heal or end them. Often, the police enact their authority inside of the household in ways that augment violence, rather than abate it. This intensification of the everyday relationship between state authority and per-

sonal household affairs stands in for or replaces long-standing collective family and community efforts at intervening into violent relationships. As policing becomes a means for the anti-privatization of violence, other skills and capacities once held by elders, community leaders, and civic processes are replaced or underdeveloped. Instead of bringing democracy to intimate relationships, as feminists had hoped, here intimacy has become overexposed, and “the break-in,” argues Bauman (1999, 64), “occurred while wearing the mask of emancipation.”

The desire for authority increases under conditions of privatization, as recourse to collective public action disappears. The desire for an ever stronger authority to enter into the scene of the personal relationship to create order makes for a deep sentiment in many households in Lavender Hill. When Felicia and her volunteers march against the police with placards and cries in the streets, it is because police do not come fast enough, do not pay as much attention as they should to the homes and relations in their jurisdiction. When police were not doing a good-enough job to stop a period of gang violence in the neighborhood, Felicia wrote letters to the newspapers and went on social media calling for the army to enter the neighborhood. An air of satisfaction spread among residents of Lavender Hill when regular patrols of men in helmets and camouflage carrying large weapons emerged on neighborhood streets and roads leading into the township. Almost everyone seemed in favor of the state’s armed presence, holding a certain smugness that Lavender Hill had managed to secure such authoritarian intervention. *Dis reg!* (It’s right!), people would say. To compel the police to arrive, to compel the army to come, to have recourse to the staging of ever-greater authority between gangs, neighbors, and lovers generated solace and a peculiar kind of social mediation in these privatizing times.¹⁰ The authority of the state or other versions of strong omnipotence appear as a possible way to break free of the inheritances of privatization. They stand as sign of the public, even as public life is fast vanishing. State-centered feminism in these times often becomes police-centered feminism, and then army-centered feminism, and is less a matter of making women public than of channeling a growing authoritarian predicament into the household and the intimate relationship.¹¹

In May 2020, amid an effort to raise awareness about gender-based violence and femicide in South Africa, Felicia August wrote an open letter to the president of South Africa, folding her outrage at the violence against women and children into a demand that he—personally, the personal letter addressed to the person of the president himself is telling here—prevent access to bail and parole for people accused of rape.¹² In March 2020, she made a public call for the death penalty.

I AM ADDING MY VOICE TO THE CALL FOR THE DEATH PENALTY.

I am adding my VOICE to the call for the Change in the Constitution.

Women and Children are being Slaughtered Daily. No. Mr President, I do not accept you Saying the Perpetrator have Rights,

Our CHILDREN THE FRUITS OF OUR LOVE AND WOMB TOO HAD A RIGHT TO LIFE.

I cannot not look at another Mother Weeping these Mutherfxkers come from Prison Gets lost in the System and RAPED OUR BABIES,

these Monsters do not deserve to breath the same air as Us.

#ISupportTheCollectiveCallForTheDeathPenalty

#ALifeForALife¹³

Felicia's position is a familiar one: in the face of infuriatingly pervasive and embedded patriarchal violence, the route for feminism to articulate its seriousness is to demonstrate a willingness to demand increasingly punitive and authoritarian action, creating alliances with the state, the presidency, the police, the executioner. It is a call that has been made often by feminist and LGBTI+ activists over the past years in South Africa, and it asks the question, with [Françoise Vergès \(2021, 4\)](#), "How has the issue of women's rights become... one of neoliberalism's last recourses?"¹⁴ Felicia's calls for the withdrawal of bail and parole and for the death penalty for rapists were made as she and her organization were ramping up their operations to provide a massive relief effort in food and care to thousands of households in Lavender Hill during the COVID-19 lockdown regulations. Her feminist politics are not singular, but the intensification of the relationship between care and carcerality, protection and reactionary violence, constitutes a dilemma that feminism elaborates starkly, illuminating a general relationship between privatization and an appetite for, and domestication of, authority.

THE PRIVATIZATION AND ANTI-PRIVATIZATION OF VIOLENCE

It is commonplace in feminist writing to recognize that violence against women takes shape most often among intimates, and most often in the private space of the home ([Bollen et al. 1999](#)). What is not commonplace is to recognize that violence increasingly and more generally follows intimacy, and is not the preserve of gender-based violence. The condition of privacy to which women have been subjected by patriarchy has been widening its field. One of the presiding fictions about violence, certainly in South Africa, is that it could, and likely will, happen anywhere, to anyone. The emblematic figure of crime is that of the stranger,

the random encounter, the probability of every South African at some point being at the wrong place at the wrong time. And yet in reality, the vast majority of crime, particularly violent crime, does not happen by chance but follows rather regular patterns: it almost always follows the logic not of social *distance* but rather of social *proximity*. The intimate, or at least the known, is the primary location of violence. Violence has much more to do with the complicated relations of *belonging* than with estrangement. This acknowledgment places the general experience of violence within the scene of the familiar, the personal, a nested kind of violence difficult to stop because of its combination with dependence, intimacy, shared history and space.

An analysis of crime trends in South Africa, based on a sample of seven thousand police dockets, indicates that for murder, more than 80 percent of perpetrators were known to their victims, and more than 60 percent were intimately known as friends or relatives. A rape victim has a 75 percent chance of knowing her/his rapist, for assault the figure goes up to 90 percent (Burger 2007, 2011). It appears that the only statistically significant departure from this general principle of interpersonal violence occurs in the violence that attends house robbery and car hijacking, crimes of property where a violent encounter between strangers is often staged. But this kind of encounter certainly represents a fraction of interpersonal violence dominated by relations of familiarity. The South African Police Service, in trying to make sense of the prevalence of this modality of violence and to describe the difficulty of addressing it through police work, call it “social in nature.” What I think they mean is that so much of the violence of South African life sits in the thick of other intimacies. Every year, the Institute for Security Studies publishes a fact sheet on national crime statistics that repeatedly makes the point that “crimes associated with interpersonal violence such as murder, attempted murder, assault and rape, largely happen between people that know each other . . . and with specific reference to murder, police docket analysis has shown that approximately 65 percent of these incidents were motivated by ‘social situations’ involving arguments, jealousy and other domestic issues” (Institute for Security Studies 2012).

South Africa has high rates of murder and other violent crimes—shown for example by the most reliable of crime statistics, the murder rate, which in South Africa in 2017 was 36 (per 100,000), compared to the global average of 6.1 (Crime Registrar 2018; United Nations Office on Drugs and Crime 2019).¹⁵ In South Africa, rates of violence emerge as radically unequal across race and class, always highest in underresourced black neighborhoods (Gillespie 2014). Given that 60 to 80 percent of violence takes place between people who know each other, these

data show compellingly that the white supremacist structural brutality of the colonial and apartheid projects has been inherited into the present primarily through the vector of black neighborliness, friendship, and intimacy—the “social situation” of black life. It is a devastating situation that continues to protect white life from the consequences of its history.

In a corrugated iron and wood shack two small roads over from Jessie’s house, I sat in the front room on an old couch. Across from me, a young man, nineteen years old, slouched on the other couch looking nervous and speaking quickly and softly. He was the neighbor’s son, and one of the few men I interviewed during my research in Lavender Hill. He didn’t seek out membership in a gang, but because some of his childhood friends had been members of one and he was seen walking with them, people assumed he was their gang brother. Once this assumption had been made, once he had been recognized as a gangster in all probability by those around him, he thought he might as well become one. The problem is that because his parents moved from their family’s house in one part of Lavender Hill to the informal settlement just behind it, he was living in the territory of a rival gang, filled with young men he knew from school and from around the area. His parents wanted to send him far from Lavender Hill, but he did not want to be away from them. “Waar moet ek gaan? [Where would I go?],” he asked me. At the time of our meeting he was out on bail after time spent in the awaiting-trial section of the nearby Pollsmoor prison. While inside he had taken the gang number of the 27s, part of the notorious system of South African prison gangs. He pulled his shirt up to show me the tattoo, confirming that he had entered a life that would almost certainly guarantee his early death. We sat there in silence for a while. “Where would I go?” is a deceptively simple question. What it describes, though, is the terrifying condition in which the very fact of belonging to a place, to a neighborhood, to a household, exposes one to violence, to potential death.

Although the feminist concern for protecting women and children in situations of domestic violence remains important, domestic violence has come to stand as a sign of something more general. It is an exemplary modality of an increasingly general expression of violence that finds its location in available intimacies. The vast majority of murder is of young black men in their own neighborhoods by other young black men whom they know—the primary sites of violence are the local and the hyper-local. Domestic violence against women and street violence against men have often been written about as separate kinds of violence with different objects and differing intentions. Yet if we read violence as increasingly correlated to relations of familiarity and proximity, not only by histories of racial ter-

ritorialization but also by privatizing processes of capitalism, and we acknowledge the difficulty of building spaces from which to contest and publicize that violence, then it becomes possible to see that these types of violence differ less than many have described. They share a condition of social proximity that articulates itself differently because of the spatialization of sex and gender.

If we ignore how violence is situated in relationships of familiarity, we ignore the central condition of violence, and the real consequences of how colonial and apartheid violence has metastasized under conditions of neoliberal capitalist processes. Violence, one might say, is always experienced as intimate because of its location in the soft, vulnerable realm of bodies. What I am addressing here is how violence can become intimate, privatized, as a social process, and how that same social process can also capture the attempts to mitigate violence. There is a massive proliferation of forms of violence at the level of personal relations, a nesting of brutality at the level of the familiar, even of the beloved. The contradiction of touch that moves from care to violence, that has the potential to vacillate dramatically in its force and meaning, or to combine in its registers, to convey violence and intimacy at once: this is the experience of life for many people living in Lavender Hill, as it is for many South Africans with lives forged in neighborhoods crafted by apartheid's resettlement agenda. How to escape that condition is fraught.

Oliver Hermanus's (2009) filmic portrait of life on the Cape Flats, *Shirley Adams*, concerns intimate, domestic relationships in the wake of the shooting of a young black man. The film follows the victim's mother, Shirley Adams, as she goes about the everyday, private work of caring for her son's disabled body before he dies. The film uses extreme close-ups of the mother and son, the cramped interior of the small house, and a soundtrack that attends to the small grunts, sighs, and shuffles that make up small, personal routines. It situates violence as claustrophobic in its insertion into the embodied and affective life of home. The film produces an account of violence that leaves the audience feeling overwhelmed by the intimacies of violence and its aftermath. This technique preempts the denouement of the film, in which Shirley arrives at the courtroom for the trial of her son's shooters, only to discover that one of the young men responsible had been her son's best friend. She rushes out of the courtroom in shock, unable to negotiate the coupling of violence and familiarity. The film ends with Shirley sitting at a small kitchen table with the young man's mother, also her own friend, hardly speaking, sitting in the thick of relationships complicated by violence.

The film's brilliance lies in its ability to recognize the dilemma of violent friendship, and the difficult and contradictory consequences it holds for life as much as for recovery.

CONCLUSION: BEYOND REACTIONARY POLITICS

It should perhaps not be a surprise that a form like the protection order—a political technique intended for women in households—begins to take on more prolific use, both for women and for neighbors and family members trying to resolve the devolution of systemic cruelty onto the small, available differences that constitute the daily disputes across the kitchen or the neighbor's wall. Alongside generations of feminists, we must ask how we can exit this strategy of absorption. Unfortunately, however, much contemporary feminist organizing has not provided a fruitful response to this dilemma. The turn to higher and more forceful forms of authority is a reactionary one, and it does not allow for us to build the kind of viable and creative politics we need to continue a project of emancipation.

After Jessie went to court secretly to lodge the paperwork for a protection order against her husband, she also decided to file for divorce. But she could not afford the R250 (USD \$17) that it cost to file, so she came home with the intention of going back to court once she had raised the money. Unbeknown to her, her husband had decided, after a run of bad luck, to take his brother's advice and go to church. He began attending an evangelical church where he gave his life to Jesus, stopped drinking and smoking, and promised her that he was not going to abuse her again. A week later, the protection order papers were served on him, and he begged Jessie for a chance to prove himself. She relented and managed to convince the court to allow her to withdraw her application. For the past six years, Jessie reports that her husband has not laid a hand on her. It is difficult to know exactly what it was that turned his life around—the lack of intoxicants, the experience of being over fifty, the community of the church, the renewed relationship with his brother, the fact that Jessie was willing to go to court. He claims it was the sheer force of the greatest authority of all—metaphysical, transcendental—that rearranged his most personal interior life. Jessie says she cannot ask him about it because he has told her that what is past is past; he will not engage in any conversation about the twelve years of violence that characterized their relationship. She says that she has been blessed by God, that she now also goes to evangelical church and has been saved. She thanks God for that, and for the best husband ever, saying that it wasn't the protection order that worked, it was Jesus.

Feminist politics, like other anti-privatization politics, need not get stuck in reactionary response, even as historical conditions push relentlessly toward it. A tension has long existed in feminist politics between political practice that seeks to escape the boundaries of the social order in which patriarchy moves and violates and a politics that seeks to use the infrastructure of that society to offer protection for women. These approaches are not necessarily discrete, and many instances of feminist organizing have combined them in various ways. The question is how to respond to the conditions of privatization in ways that allow for the transformative *potentia*—to use a concept coming from feminist struggles in Latin America—of feminist organizing to open up the horizons and possibilities of critique and movement, to enlarge its field and demand, rather than have it get stuck in a criminalizing statist project (Gago 2020). There are feminist projects afoot that are pushing to reconstitute public space and politics in radical and community-building ways, not least of which in the feminist mass assemblies of Latin America and the abolitionist feminism developing in many parts of the world. If *potentia* describes a project of seeing the possibility for feminist organizing to open into the affirmation of life, a connection to other struggles, and radical social transformation, then the punitive and the authoritarian describe a project of feminist concession to a politics of death and curtailment. In these dire times, the latter appears the more likely to produce immediate results. But we concede to it at great political risk.

ABSTRACT

The feminist adage “the personal is political” is not ahistorical. It is being operationalized in a time when the relationship between the private and the public is undergoing historic transformation. Making privatized violence public under current conditions often involves channeling the most authoritarian tendencies of the state into relationships made increasingly desperate by the conditions of contemporary capitalism. The ethnographic focus of the essay is the work of a feminist organization operating in the context of Lavender Hill in Cape Town, a neighborhood created by apartheid forced removals and made more precarious by post-apartheid abandonment. The essay focuses on an explosion in the use of protection orders to compel police to intervene in the intimate relationships of households and neighbors, and offers an extended explanation of how and why feminism provides an exemplary case of reactionary politics for our times. The essay ends with a plea to draw on a different trajectory of feminism as a way of reconstituting a transformative political agenda, one that must take the historical transformations of racial capitalism seriously. [feminism; anti-privatization; protection orders; violence; authoritarianism; neoliberalism; South Africa]

NOTES

Acknowledgments I am grateful for the time and conversation the participants in this research generously shared, without which this writing would have been impossible. I hope the conversations and solidarities proved productive for us all. The research was enabled by a Friedel Sellschop research award from the University of the Witwatersrand. I am thankful for feedback on earlier versions of this essay presented at the Crime and Its Fictions in Africa conference at Yale University, the Anthropology Seminars at the University of the Witwatersrand and the University of the Western Cape, as well as the Concilium on Southern Africa seminar at Duke University. Thanks are due to the anonymous reviewers for a wealth of resources and suggestions, and to Andrea Muehlebach for ongoing collegiality and friendship.

1. All research participants have been anonymized.
2. The Cape Flats comprise the working-class (and increasingly unemployed) neighborhoods to which black people were forcibly relocated throughout colonial and apartheid urban planning projects in Cape Town.
3. This argument around the fundamental relationship between politics and publics I owe to a proposition made by Adi Ophir at a lecture at the Johannesburg Workshop in Theory and Criticism at Wits University in July 2009, titled “What Is the Political?” (and which remains unpublished). Ophir used Arendt to show that some kind of public dispute is necessary for the political to obtain, even as he greatly expanded beyond Arendt’s terms the definition of where and what “the public” is.
4. <http://www.justice.gov.za/legislation/acts/1998-116.pdf>
5. Mine is not a general anti-statist feminist position. Rather, I wish to make a claim about what state institutionalization has meant in this phase of postcolonial capitalism and in the wake of the liberation movements. Shireen Hassim (2003) points to how this withering of feminist politics at the end of the anti-apartheid movement was also facilitated by the dynamics internal to the restructuring of the movement in the 1980s, rendering the women’s movement secondary to the race and class questions forefronted in the politics of the liberation struggle.
6. Township is used to designate urban areas in South Africa that were constructed for black people on the outskirts of cities as part of the geography of race during settler colonial and apartheid urban planning.
7. A “Please Call Me” is a cell phone text message that includes the words “Please Call Me” alongside advertising text, and can be sent for free to another cell phone.
8. For this statistic I conducted a survey of households in one street of row houses and one block of apartments in different sections of Lavender Hill.
9. I am mindful here of Veronica Gago’s (2017) important critique of the northern-centric casting of neoliberalism as the death of public life in ways that do not hold as clearly in the Global South. However, she also shows how, even if modes of popular contestation are able to be collectively pronounced in the Global South, their efficacy as counter-hegemonic politics is constantly undermined by the logics of a disseminated capitalist market. The effect, if not the mode, remains thus largely the same across territories.
10. The desire for authority is not a desire unique to Lavender Hill. See, for example, Hynton White’s (2012) writing on the presidency of Jacob Zuma, Karl von Holdt (2013) on violent democracy and authoritarianism, Brad Weiss (2009) on violent media in Tanzania, and Wendy Brown (2019) on a general reading of neoliberalism as evocative of authoritarian response.
11. The growing literature on carceral feminism points to feminism’s complicity in strengthening conservative authoritarian practices that deepen racial and class violence (Bernstein 2007; Bumiller 2008; Gotell 2015; Incite! 2016; Engel 2019; Davis et al. 2022)
12. <https://www.iol.co.za/capeargus/opinion/mr-president-where-is-the-apology-to-the-women-and-families-of-this-country-42568210>. Last accessed on September 16, 2021.
13. Public Facebook post, March 3, 2020. Last accessed August 9, 2021.
14. Nancy Fraser (2009) also asks this question in a different formulation in “Feminism, Capitalism, and the Cunning of History.”

15. Even when paying attention to the complexity of statistics as semiotic and political devices (Comaroff and Comaroff 2016), the murder rate remains a relatively reliable statistical index.

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