

**UKUVALA IMISANTSA KWIINKONZO EZILWA NOBUNDLOBONGELA
NXAMNYE NAMABHINQA NABANTWANA**
INGXELO YOPHANDO

Isishwankathelo esisekelwe kwi-*Closing the gaps in services that respond to violence against women and children* ebhalwe ngu Titi, N., Jamieson, L., & Vutu, S. (2022). EKapa: Children's Institute, Yunivesi yaseKapa.

© 2022 iChildren's Institute, iYunivesi yaseKapa, 46 kwindela iSawkins, eRondebosch, eKapa, 7700, eMzantsi Afrika
iMfono-mfono: 021 650 1473

Okuqulathiweyo

UKUVALA IMISANTSA KWIINKONZO EZILWA NOBUNDLOBONGELA NXAMNYE NAMABHINQA NABANTWANA

.....	1
INGXELO YOPHANDO.....	1
1 Intshayalelo	4
2 Indlela oluqhutywe ngayo uphando.....	7
3 Ukufikelela kwiinkonzo.....	9
4 Yintoni abayidingayo abantwana kwiinkonzo?	14
5 Iinkonzo ezidibeneyo.....	19
6 Ulwimi nenkcubeko	22
7 Iindlela zasekuhlaleni nezenkcubeko zokujamelana nobundlobongela	27
8 Ubulungisa boluntu, umthetho, intsabelo yoluntu kunye nobuntu.....	31
9 Imisantsa evelayo	33
10 Ingxubusho	34
11 Izinto ezinokwenziwa ukuze kusalwe umsantsa	36
12. Umqokumbelo.....	37
Iimbekiselo	38

1 Intshayalelo

Ubungqina bokuba kukho unxulumano phakathi kobundlobongela nxaanye namabhinqa ngamaqabane awo (IPV) nobundlobongela nxaanye nabantwana (VAC) buyanda, kuba zombini ezi ziganeke zibangelwa zizathu ezifanayo kwaye zenzeka kwimizi eminye (Mathews et al, 2021) Amabhinqa adinga iinkonzo ezizakuwaxhasa ekuchacheni nasekufumaneni uncedo ukuze akwazi ukuphinda azimele geqe. Amabhinqa amaninzi abhenela kwiindawo zekhusi nabantwana bawo (Watson & Lopez, 2017) abaye bachatshazelwa bubundlobongela. Kodwa luncinci ulwazi olukhoyo lokuba amabhinqa nabantwana balindele ukuncedwa njani zezi nkonzo okanye baziva njani ngazo, ingakumbi kwiindawo ezisemaphandleni. Olu phando lwenzelwe ukujonga ukusilela okukhoyo kwezi nkonzo ekuncedeni amabhinqa aye agamaxhoba obundlobongela kunye nabantwana bawo ngokusebenzisa inkcubeko yama-Afrika. Iinjongo zolu phando kukuba:

- a) Kwenziwe uphando olubanzi ukuze kuqondwe ukuba amabhinqa aye achaphazeleka kubundlobongela obusuka kumaqabane awo kunye nabantwana, adinga ntoni kwiinkonzo ezikwiingingqi ezimbini zaseMpuma Koloni. Sifuna nokuqonda nzulu ukuba ezi nkonzo ziyiphumeza njani indima yazo ukuzeancedakale lamabhinqa kunye nabantwana.
- b) Ukuchonga nokucacisa umsantsa kwezi nkonzo; kwaye
- c) Ukuchonga izinto eziphambili ezizokuphandwa ngokubhekele phaya

Injongo yolu phando kukuzama ukuqonda ukuba iinkonzo ziphunyezwa ngayiphi indlela kwezi ngingqi zimbini eMpuma Koloni (iBuffalo City neGcuwa) size sizame ukuncokola ngokuba kufuneka ntoni ukuze iinkonzo ziphunyezwe ngendlela efanelekileyo ngokwenkcubeko kumabhinqa nabantwana abakhe bachatshazelwa bubundlobongela.

Ubundlobongela eMzantsi Afrika buneengcambu ezendeleyo

UMzantsi Afrika uzele bubundlobongela kwaye iingingqi zabantu abantsundu ziphuma nezona ngxelo zininzi zobundlobongela kumabhinqa nabantwana (South African Police Services (SAPS) 2021/2022). Obu bundlobongela buquka ukubulala, ukuzama ukubulala, ulwaphulo mthetho ngokwesondo (buquka ukudlwengula, ukuzama ukudlwengula, nokuxhatshazwa ngokwesondo) ukuxhatshazwa ngenjongo yolwenzakalisa kabuhlungu (assault GBH), ukuxhatshazwa, ubundlobongela bosapho njengodidi olukhethekileyo (SAPS, 2021). Ukuhlalutywa kwembali kubonisa ukuba ubundlobongela obususela kulawulo lobuKoloniyalino calucalulo (i-Apartheid) ziye zabangela iingxaki zentlalo eziquka ukugcwala kwabantu endaweni zokuhlala, iimeko zokuphila eziphantsi, kunye nonikezo lweenkonzo ngendlela enganelisiyo. Nangona ucalucalulo lwaphela, iingingqi zabantu abamnyama, eziquka iilokishi neelali, azizifumani iinkonzo ezentlalo nezooqoqosho ngendlela eyanelisayo (Maylam, 1995; Strauss, 2019). Kolu phando, xa kuthethwa “ngabantu abantsundu” kuquka zonke intlobo zabantu eziye zacalulwa yi-Apartheid kwaye zigqalwa zingeyonxalanye yabantu abamhlophe. Xa kuncokolwa nabathathi-nxaxheba kolu phando kuye kwafunyaniswa ukuba azikatshintshi iimeko ezilalini nasemaphandleni. *Ke kodwa, kukho imfuneko yeklinikhi. Ikude, behamba ngenyawo kwaye abanye abantu badlwengulwa yonke imihla, hayi [nje] ebusuku. Kukho imfuneko yeendlela. Kaloku ezilalini eMpuma Koloni akukho ndlela. Ukuba unako, bukela iindaba emva koko ujonge laa ndawo yayibizwa ngokuba yiTranskei mandulo [kwilali] ezininzi azikho iindlela (Umnikezi Weenkoonzo).*

Inkqubo yezomthetho yobulungisa eMzantsi Afrika

UMzantsi Afrika usebenzisa inkqubo yomthetho yobulungisa oquka iintlobo ezininzi: Umthetho oxhaphakileyo osekelwe kumthetho wamaRoma namaDatshi, kunye nomthetho wemveli ekuthiwa ngumthetho wesintu waseAfrika (Rautenbach, 2012). Okwangoku iinkundla zemveli azigunyaziswa ngokusemthethweni ukuba zisebenzise igunya lazo (Democratic Governance and Rights Unit, 2020). Sekunjalo, zinalo ilungelo lokubeka umthetho kwiimeko ezimayela nomthetho wesintu, eziquka umtshato nokubethwa. Kodwa azinalo igunya lokulawula kwiimeko eziphathelele ukubulala, ukudlwengulwa, okanye ukuxhatshazwa apho injongo iyeyokwenzakalisa kakhulu.

Umthetho uthi zonke iintlobo zobundlobongela ezinxamnye namabhinqa nabantwana lulwaphulo mthetho. Kodwa zonke iinkqubo zenkundla ziqhutywa ngesiNgesi kusetyenziswa itoliki. Kuphinda kubekho umsantsa emthethweni malunga nokungabikho komthetho omalunga nenkxaso neenkonzozokucebisa ngokwasengqondweni. Nangona ubume bomthetho bubuqonda ubungozi obubakho xa abantwana bachanabeka ekuboneni ubundlobongela ekhayeni, ubume mthetho abunikeli ngqalelo kwingxaki ajamelene nawo amaxhoba okanye ukunikela ingqalelo kwiinkonzo ezixulumeneyo.

Umthetho okhusela abantwana (Children's Act) kunye nemigaqo-nkqubo exhasayo zidwelisa iindlela ezininzi zokukhusela abantwana. Kodwa ubundlobongela nxamnye namabhinqa obubangelwa ngamaqabane awo angamadoda abukhankanywanga kwesi sahluko. Utshintsho lwakutsha nje elwenziwe kumthetho okhusela amabhinqa nabantwana kubundlobongela basekhaya (Domestic Violence Act) unyanzelisa iingcali ezithile ukuba zichaze iziganeko eziquka abantwana kwiinkonzo zentlalontle okanye kumapolisa. Izikhokhelo zelizwe zikwaphinda ziyalele ukuba iindawo zekhusi zibonelele abantwana namabhinqa ngeemfuno ezisiseko (njengendawo yokuhlala, ukutya nempahla) Kwakhona ezi ndawo zekhusi zimele zibabonelele ngenkxaso, iingcebiso nokunceda ekuphuhliseni izakhono. Le migaqo nkqubo inenjongo yokuba iinkonzo ziphelele, zisebenzisane kwaye ziphunyezwe liqela elinezakhono zobungcali obahlukahlukeneyo kwaye eluziqonda kakuhle iimeko zama-Afrika, apho isekelwe khona le migaqo. Kwakhona iNational Strategic Plan on Gender-Based Violence and Femicide (NSP on GBVF) ithi inceda amabhinqa nabantwana kodwa uphando olucokisekileyo lubonisa ukuba abantwana abayifumani ingqalelo efanelekileyo.

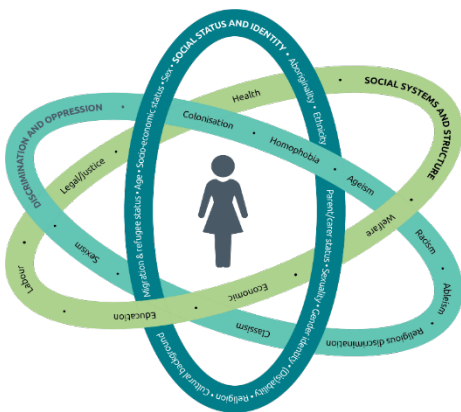
Amalungelo Abantu

Ilizwe linembopheleleko ekunqandeni ubundlobongela nxamnye nabantwana, kwaye limele likhawuleze ekunqandeni umonakalo ongezulelekileyo xa umntwana eye wachatshazelwa bubundlobongela. Icandelo lesi-9 loMgaqo-Siseko liyawalela ucalucalulo nxamnye nabani ngenxa yohlanga, umbala, uhlanga aphuma kulo okanye indawo azalelwe kuyo. UMzantsi Afrika uyinxalenye yemithetho yamazwe nezivumelwano ezinyanzelisa ilizwe lihloniphe kwaye likhusele wonke umntu ohlala ezweni kungakhathaliseki imvelaphi yakhe, inkcubeko yakhe neelwimi zakhe. Kuqikelelwa ukuba isiNgesi sithethwa ngabantu abalishumi ekhulwini (10%) njengolwimi lwesibini okanye olwesithathu. Intetho yezandla istyenziswa yi-0.5% yabantu (Statistics South Africa, 2016) IsiXhosa lulwimi lwenkobe lwabantu abangaphezu kweekota ezintathu (75%) eMpuma Koloni.

Ingqiqo Sakhiwo: Decolonial African Feminism

Xa bekuhlolisiswa olu phando, kuye kwaqinisekiswa ukuba ingcombolo ayihalutywa ngembono zamazwe aseNtshona, kuba ukujonga iimeko zesini eAfrika ngeengcinga eziphenjelelwe bubukoloniyalali buye baveza imbali engachanekanga ngempilo ntle yeentsapho zabantu abantsundu (Asher, 2017; Fanon, 1968; Fanon, 2004). Akunokwenzeka kuthethwe ngeentsapho zabantu abantsundu kungakhange kuthethwe ngamadoda antsundu. (Makama et al., 2019). Ithiyori ekuthiwa yi-Decolonial African Feminism ibonisa ukuba “ubusolusapho abuyongxaki ebangelwe ngamadoda kuphela”, kwaye ibethelela into yokuba “amadoda nawo ayayidinga inkxaso evela kumabhinqa ukusombulula iingxaki zentlalo ezichaphazela amadoda (Jansen & Titi, 2018) njengoko iqonda ukuntsonkotha kobuni nokuhlala kwabantu (Collins, 1986; Nsamenang & Lamb, 1995; Mignolo, 2018; Mkhize, 2018). Ithiyori yokuphelisa ubukoloniyalali kwindla esifunda ngesimo sabafazi inokunxulunyaniswa kakhulu, ukuhlangana kweendlela (e.g., Crenshaw, 1989, 1991). Uhlalutyo (Umfanekiso 1) lwegunya nobume bamacandelo obuyila ukuba abantu bangoobani njengobume bezentlalo noqoqosho, uhlanga, izakhono, iminyaka, isini, ulwimi, inkcubeko, nonqulo.

Umzobo 1: Ukudibana-indlela kwezikhundla ezininzi – indlela izikhudla zentlalo yoluntu ezidibana ngayo nobundlobongela obujoliswe kwabasetyhini nabantwana ¹¹¹



Oluphando lusebenzise indlela egxininisa kuma-Afrika apho kuqondwa ukuba inkcubeko ichaphazela ubudlelwane losapho. Ngokomzekelo eMzantsi Afrika inkqubo yosapho iye isophuka. Ubuhlwempu obubangelwa kukungabi namsebenzi kwenza kube nzima kubantu abafuna ukutshata ngenxa yokungakwazi ukukhupha ilobolo nentlawulo, zibe ezo zinto zifuneka ngokwenkcubeko. Isiseko esibalulekileyo somxholo, inkcubeko kunye nembali xa kuqondwa inkqubo yosapho eyaphukileyo kwiintsapho zabaNtsundu ngoko ke iyafuneka. Ingxelo ethi “State of Fatherhood” (Imeko yobuTata) ingqina iingxaki zoqoqosho ezichaphazela onke amadoda njengesizathu esingundoqo sokungabikho kootata nokuba baleliphi ibala.

Indlela awaboniswa ngayo amabhinqa nabantwana kule ngxelo iyohluka kwindlela eqhelekileyo emalunga namabhinqa akuMzantsi womhlaba jikelele ingakumbi amabhinqa antsundu ase-Afrika apho adla ngokuboniswa njenga-bantu abohlukileyo (Manning, 2021). Ukubaveza njenga-bantu

abohlukileyo kuthetha ukuba amabhinqa angama-Afrika adinga uncedo lokuphinda acinge ngokuba axabiseke kangakanni na. Ukuthandabuza inkcubeko nezithethe zamabhinqa ase-Afrika kuchasene nendlela yenqubo eyiyo yokuziphatha kuphando njengoko ingazihloniphi iindawo zabo kwaye ibahlukanisa neemvakalelo zabo zokuzingca (Mavhandu-Mudzus, 2022).

2 Indlela oluqhutywe ngayo uphando

Uyilo lophando

Uphando belusekelwe kwimilinganiselo neenkqubo ezibangela utshintsho kwaye luye lwaxabisa uluntu lwasekuhlaleni, ulwazi kunye neenkqubo zabo ibe belungaxhalabelanga amalungelo abo oluntu kuphela (Tuck & Yang, 2012). Siye sasebenzisana neMasimanyane Women’s Rights International, yona esebenza namabhinqa aye angamaxhoba obundlobongela obubangelwa ngamadoda saza safumana nenkxaso yoluntu.

IMasimanyane inee-ofisi ezili-14 eMpuma Koloni., ibe uninzi lwazo zise-Buffalo City. Ngokukhethekileyo bayafumaneka kwiinkundla ezinkulu zikamantyi ezikule ngingqi, kwizikhululo zamapolisa, kwiklinikhi, kwiThuthuzela Care Centres (TCC) kwaye banendawo yekhusi eyenzelwe amabhinqa asengxakini e-Buffalo City. I-Women’s International Network (WIN) yasekwa yiMasimanyane ibe idibanisa iintlangano eziseMpuma Koloni ezisebenza kwiinxalenye ezininzi ezilwa nxaanye nobundlobongela ngakumabhinqa kunye nentsholongwane kagawulayo kunye nogawulayo (HIV/AIDS) kwaye iqulethe ii-NGO ezohlukeneyo zase-Buffalo City kunye nemimandla ekufu tshane neendawo ezisemaphandleni.

Ukucwangcisa uphando nesampuli yabathathi-nxaxheba

Abathathi-nxaxheba bebevela kumaziko amabini apho iMasimanyane ineenkonzo zendawo yekhusi e-Buffalo City kunye ne-TCC eseGcuwa. Indawo yekhusi ibonelela ngeenkonzo kubantu basedolophini nasezilalini ngoxa i-TCC ibonelela ngeenkonzo kubantu basezilalini. Abasebenzi baseMasimanyane bakhethe amabhinqa afanelekileyo kunye nabantwana bawo besebenzisa iirejista zabo zokubhalisa.

ITheyibhuli 1: Ushwankathelo lwesampuli

Abathathi-nxaxheba	Inani
Amabhinqa	10
Abantwana abaneminyaka esi-9 ukuya kweli-14 (amantombazana ama-6 namakhwenkwe ama-5)	11
Ababoneleli ngenkcazelo abangundoqo (ababoneleli beenkonzo neenkokeli zoluntu)	9
ISIMBUKU	30

Uphando luquke amabhinqa aye afumana inkxaso kuMasimanyane ngenxa yokwenzakala ngokwase ngqondweni nasemphefumelweni okubangelwe kukuba lixhoba lobundlobongela kangangeenyanga ezintandathu kodwa ngoku angasajongwa njengawonzakeleyo ngenxa yokuxilongelwa umonzakalo ngokwasengqondweni nasemphefumelweni. Bekufuneka amabhinqa akulungele ukuthatha inxaxheba kunye nomntwana wabo omnye (oneminyaka esi-9 ukuya kweli-14 ubudala) aze athethe isiXhosa, isiNgesi okanye isiBhulu. Emva kokufumana imvume yomzali, abantwana bebemenyelwa ukuba bathathe inxaxheba. Kusetyenziswe i-UCLA PTSD efinyeziweyo (Cohen et al., 2010) ukuze kuxilongwe abantwana umonzakalo obakho emva kokufumana ukwenzakala (PTSD). Ubukhulu becala, abantwana bebeneempawu zokukuphazamiseka koxinzelelo lwasemva koxinzelelo (PTSD) ezikumlinganiselo -ophakathi ibe ngenxa yoko bebekufaneleka ukuthatha inxaxheba kuphando.

Ubukhulu becala, amabhinqa akwiziko elisezilalini ebenakekela abazukulwana babo endaweni yabantwana babo ababazeleyo. Sikuvumele ukuqukwa kwawo njengoko amabhinqa aselula anabantwana abancinane adla ngokuhlala kude kuneendawo zasezilalini. Eminye imiceli-mngeni yokufumana abantu ibimalunga nabathathi-nxaxheba abalahlekelwa okanye abatshintsha iinombolo zomnxeba kunye nokungathenjwa kophando liqabane lomthathi-nxaxheba, kona kuye kwalawulwa ngabasebenzi bendawo yekhusi ukuze kuncitshiswe iingxaki ekhaya. I-TCC yaseGcuwa inikezela ngeenkondo kwiilali eziyingqongileyo kodwa umgama omde kunye nendlela embi, uthintele ukuba abantu abanokuba ngabathathi-nxaxheba bafikelele kolphando. Ezi ngxaki kunye nemiphumela ye-COVID-19 zikuchaphazele kakubi ukufumaneka kwabathathi-nxaxheba bophando.

Ukuqokelela ingcombolo nohlaluty

Uphando luqinisekise lwaza lwabeka phambili isiXhosa. Ababoneleli beenkonzo kunye nabantwana bakhethe ukusebenzisa isiNgesi ubukhulu becala baza basebenzisa isiXhosa esixutywe nesiNgesi. Uhlaluty olusekelwe kwimixholo luye kwasetyenziswa ukuze kufunyanwe imixholo kwaye ingcombolo iye yahlalutywa ngesiXhosa ngabantu abathathu abalwimi lwabo lweenkobe isisiXhosa. Iziphumo ziye zaqinisekiswa nabathathi -nxaxheba bophando kusetyenziswa intlanganiso ebandakanya uluntu eye yaquka abathathi-nxaxheba bophando kunye ne-Women's Ikhwelo Network (IWN).

Ukuthathela ingqalelo ukuziphatha

Imvume yenqobo yemigaqo yokuziphatha (ethics) iye yafunyanwa kumasebe karhulumente afanelekayo nakwiintlangano zabanomdla. Iprothokholi ifumene imvume yenqobo yokuziphatha kwi-Ethics Committee ekwi-Faculty of Health Sciences kwi-University of Cape Town Ref: HREC 44/2022.

3 Ukufikelela kwiinkonzo

Ukungaphathwa kakuhle kwabantu abaNtsundu

Iinkonzo ezininzi zobundlobongela obusekelwe kwisini (GBV) zisaqhubeka zingafikeleleki kwaba bantu. Umgama phakathi kweelali kunye nesikhululo samapolisa ngumqobo obonakalayo ukuze kubonelelwe ngeenkono kwaye i-SAPS ayinazo izixhobo zokufikelela kwiimfuno zoluntu lwasekuhlaleni:

...ezilalini, basasemva, uyaqonda – izikhululo zamapolisa kunye neekliniki uyabona, [...] uya kufumanisa ukuba, masithi iilali ezilishumi (10) zancedwa sisikhululo samapolisa esinye okanye iilali ezili-15 zinikwe inkonzo yesikhululo samapolisa esinye. Kwaye ke eso sikhululo samapolisa, sineeveni ezimbini okanye enye (Umnikezi nkonzo)

Ngamanye amaxesha baya kujongana nokuhlaselwa ngokwesondo emva koko *amapolisa athi, iveni, iye kuloo lali ukuyo sabela ento ethile, uyaqonda? Ngoko ke, kukho imfuneko yekliniki (Umnikezi nkonzo)*

Nangona ukufikelela kwiinkonzo kuyingxaki ezilokishini, amabhinqa ahlala kwindawo ezisezilalini anemiceli-mngeni engakumbi ekuzifikeleleni ngenxa yokuba ahlala kude kwiinkonzo, iindlela zimbi kwaye ngokuthe rhoqo axhomekeke kwiibhasi ezinocwangciso olusisigxina:

Uyazi kuba kukho ibhasi ehamba ngamaxesha athile. Ukuba uphosiwe yibhasi, kuya kuba nzima ukuba usuka ezilalini okany elokishini usiya edolophini, ibayi yingxaki. I-transport yingxaki ku ngoko ndisitsho uzofumanisa ukuba itaxi, unobangela zingakwazi ukufikelela ezilalini zezizikhalazo banazo malunga nendlela. (Ingxoko yooYamabhinqa).

Indawo yekhusi iqinisekisa ukuba iyafikeleleka ngokuwathatha amabhinqa afuna uncedo olungxamisekileyo okanye ngokudibana nawo kwindawo ephakathi naphakathi. Ukongezelela, nangona ii-NGO namasebe karhulumente eqhuba amaphulo okufundisa uluntu jikelele kunye nokwazisa ngokubanzi, abathathi-nxaxheba bathe amabhinqa ahlala nabantu abawaxhaphazayo ngenxa yokungazi ukuba aza kulufumana phi uncedo:

Abanye abantu abazazi iinkonzo ezifumanekayo kubo. Abanalwazi malunga nekhusi. Abazi ukuba ezi nkonzo zivulelekile kubani (bazinikela kubani) (Ingxoko yooYamabhinqa)

Imigudu engakumbi iyafuneka ukuze kwandiswe ulwazi, ingakumbi kwindawo ezisemaphandleni ezikude:

Amabhinqa elali abanawo amathuba afanayo nalawo avela ezidolophini. Lonto indenze ndaya kwezi ndawo ukuze ndibone ngenene ukuba kwenzeka ntoni ezilalini kwaye bayayidinga inkxaso, badinga abantu abezayo kubo (Umboneleli weenkono)

Ukulungelelanisa nokufumaneka kweenkonzo

Uphando oluqhutywe ngaphambili lufumanise ukungabikho kwentsebenziswano phakathi kweenkonzo ezahlukahlukeneyo kunye namasebe karhulumente (Jamieson et al., 2017; Vetten, 2019). Kodwa abanye abathathi-nxaxheba baphawule ukuba iinkonzo ziyasebenzisana, ubuncinane

xa ziqala ukusabela. Nangona izixhobo ezilinganiselweyo zenza ii-NGO zisebenze amaxesha alinganiselweyo, kusoloko kukwazeka ukuqhagamshelana nabasebenzi:

Masithi umzekelo, kwenzeka isihlo nge weekend, abacebesi aziphangeli ngempela vekhi ngabase TCC qha abaphangelayo kodwa sifumana abantu abathunyelwayo nangee mpela vekhi kuba umntu kulondawo ithile ukhe weva ngoMasimanyane mhlawbi kulongingqi aze afowune, senze uvavanyo ngocingo njalo (Umboneleli weenkonz)

Kubonakala ukuba amabhinqa aqale aye kwiinkonz ze-NGO okanye ezikarhulumente, afumana unakekelo olufanayo. Kuwo omabini amaziko, iMasimanyane idlale indima ebalulekileyo ekulungelelaniseni iinkonz. Amabhinqa nabantwana aye afikelele kwiinkonz ezohlukahlukeneyo ezifana nokuxhaswa ngokucetyiswa ngokwezeemvakalelo, ukucetyiswa ngokwenzakala, inkxaso yezomthetho, imfundo yoluntu jikelele kunye nendawo yekhusi efunyenwe kuMasimanyane kunye ne-NGO esebenzisana naye:

Kuba uyawazi umsebenzi wogonyamelo lwasekhaya okanye umsebenzi wokunceda ibhinqa nomntwana unzima. Uzakufika eMasimanyane, uMasimanyane uzonika icounseling, abanike indawo yokuhlala xa bedinga iinkonz zethu, sizombonelela lomntu kodwa kukho indima ka sophuhliso loluntu, kukho indima seSAPS, kukho indima yesebe lobulungisa (Umboneleli weenkonz)

Amabhinqa nabantwana abaninzi bachonge amapolisa njengenkonzo yokuqala abafikelela kuyo xa bengamaxhoba obundlobongela:

Baya kwisikhululo samapolisa, kukudibana kwabo okokuqala. Ndingathi ukuba imeko kaxakeka, ngoko [kuxhomekeke] ukuba iqatha kangakanani na [imeko], baya kusiwa [kwiziko] lonyango njengesibhedlele okanye iikliniki. Emva koko ukusuka apho okanye ngaphandle kokuya kugqirha (ugqirha) baye kugqirha, okanye beza kuthi. Emva koko bathunyelwa kwindawo yokukhusela. (Umboneleli weenkonz).

Into eyasinceda kubiza amapolisa, amapolisa asisa kwi social workers (Umntwana Othatha Inxaxheba)

Ukufikelela kwinkxaso yeemvakalelo (ebudeni bokuhlala nasemva kokumka kwindawo yekhusi)

Inkxaso yeemvakalelo ifumaneka ngokucetyiswa komntu e-TCC ngoonontlalo-ntle beSebe Lophuhliso Loluntu (DSD) okanye ngabantu bokuqala ukusabela abaphuma kwi-NGO. Igosa lokunxibelelanisa le-NGO lilandelela abantu ukuze liqinisekise ukuba bayabuya ukuze bafumane unyango baze bavavanyelwe intsholongwane kagawulayo kunye nokubadibanisa neenkonz eziqhubekayo zokuxhaswa. Sekunjalo, emva kokuba abantu bephumile kwindawo yekhusi, kubakho umcelimngeni ekufikeleleni kwiinkonz zokucetyiswa ngenxa yeengxaki zezimali:

Ngoku ke ngokwengcebiso eqhubeka xa esengaphandle, ibanceda kakhulu ngoba ayipheli [...] Ngokweshelter senza ingcebiso kumntu ngamnye kunye negcebiso yamaqela sibhekisa kuvavanyo lwesimo sengqondo ukuze ukuba umxhaswa sele emkile apha ekhusini simthumele kwindawo engaphandle. Yona ayiyo yethu ngomnye umbutho ongeyena owethu esisebenzisana nawo, igama yiMasithethe, ngoko ke sithumela abaxhasi kubo xa umxhaswa

sele imkile apha ukuba ndiqaphele ukuba usayidinga ingcebiso noko efuna ubuyela ekhaya. (Umboneleli weenkonz)

Oku kubangela ingxaki: noxa amabhinqa ekwindawo yekhusi, ayaxhaswa ngeemfuno nezinto eziluxanduva lwawo. Ukuqhubeka nobomi emva kokumka kungabongamela.

Ukungasebenzi kakuhle kwe-SAPS

Kuye kwavunyelwana ukuba i-SAPS, “*ingenza ngcono*” (Umntwana Othatha Inxaxheba), ngokuthe ngqo malunga nokulibazisa kwayo ukusabela kulwaphulo mthetho oluxeliweyo:

Into ekhawuleza ifike ndingathi kukubiza amapolisa, nangona ingekho ninzi lonto, ngoba bathathata iesa labo. Into ebalulekileyo kuba afike, xa kwenzeka lonto wonke umntu ufowunela amapolisa, ngoba bayayazi ukuba amapolisa akhona azonika uncedo kwaye bazofunyanwa abantu (Umntwana Othatha Inxaxheba).

Ukuphinda kuxhatshazwe ixhoba ngabakwa-SAPS

Kumelwe kuphawulwe ukuba zonke iinkonzo ezisabela kubundlobongela ziye zagxekwa kodwa abakwa-SAPS bakhalazelwe kakhulu malunga nokuphinda koxhatshazwa kwamabhinqa:

Lo ngumceli mngeni esijone nawo malunga namapolisa. Uhm, ngamanye amaxesha abaxhaswa bayo funa uncedo, kodwa abayi kuncedwa baxelelwe ukuba mabayolungisa izinto nabayeni babo kodwa umntu ugxothiwe okanye iyacaca ukuba ubethiwe ngeloxesha kuthiwe makayovisisana malunga nalongxaki. Ngelo xesha bebenomthatha umxhaswa baye komnye wabacebisi okanye amagosa acebisayo emva koko umcebisi uchaze akhombe indlela yesisombululo. Ngamanye amaxesha sifumana umngeni womthengi ofuna ukuyolanda izinto zakhe (Umboneleli weenkonz).

Ababoneleli beenkonzo bebewaxhalatyiswa kukunganyanzeliswa kwemithetho nemigaqo-nkqubo nto leyo ekhokelela amagosa ase-SAPS ukuba aphinde axhaphaze amabhinqa, ingakumbi ngamagosa angamadoda noxa imele ukuba ngamagosa abhinqileyo amele ajongane nemisebenzi ethile emalunga namatyala okudlwengulwa:

Ukuba umntu udlwengulwe, kufuneka ancediswe ngabasebenzi ababhinqileyo, kwaye akufuneki achithe ixesha elide kwisikhululo samapolisa kuba loo mntu akakhululekanga. Ngoko ke, lo mntu kufuneka asiwe kwi-TCC ngoko nangoko ukuba ayenzeki loo nto, kwaye loo mntu kufuneka kudliwano-ndlebe naye kwigumbi lakhe labucala ... ngamapolisa asetyhini ukuba yenzekile kwaye ayizange yenzeke, uyazi. Abantu, basoloko besiza bexela ukuxhatshazwa kwesibini (Umboneleli weenkonz).

Ababoneleli beenkonzo babalise ukuba abasebenzi beSebe Lezobulungisa (DoJ) nabo baphinda bawaxhaphaze amabhinqa:

Nalapha kwisebe lezobulungisa bazofika bazobika lonto yhoo! [besithi]lo nobhala, wayethetha kakubi nam yonke loo nto. Ngoko ke, xa ndenza i-advocacy yam njengesiqhelo, ndiye apho nalomntu ndimncedayo, mhlawumbi kumphathi wenkundla ukuze ndibhale incwadi yesikhalazo (Ababoneli Beenkoso)

Imiyalelo yokukhuselwa ayibunqandi ubundlobongela

Ngokutsho kwe-SAPS (2014), “umyalelo wokhuseleko unenjongo yokuthintela ukuphinda kubekho ubundlobongela ekhaya okanye ukuxhatshazwa ngokwesondo ngokuchaza isenzo amele angasenzi umrhanelwa. Ukuba uyawuthobela umyalelo wokhuseleko, umntu ofake isikhalazo uza kukhuseleka. Ukuba ummangalelwa wophula nawuphi umyalelo okumyalelo wokhuseleko kusenokwenzeka abanjwe. Xa kukhutshwe umyalelo wokhuseleko, unganyanzeliswa naphi na kweli lizwe.” Sekunjalo, abathathi-nxaxheba bophando bachazile ukuba imiyalelo yokhuseleko ayincedi ekuthinteleni ubundlobongela obungakumbi kwaye ibingunobangela ongundoqo wenkhalabo ngokukhuselwa kwamabhinqa nabantwana nxamnye ne-GBV. Abathathi-nxaxheba bachaze iingxaki ngokusebenza kakuhle kwemiyalelo yokukhuselwa:

Ndiswelekelwe ngumzala wam owayeye kufuna umyalelo wokhuseleko (iprotection order) ngenxa yeqabane lakhe (aweyohlukene nalo) kunyaka ophelileyo. Wayeye kucela umyalelo wokukhuselo ka 6 kwafika elaqabane awayeyithathele umyalelo wokhuseleko yamhlaba yena nomfana wakhe ngoku, bafela apho bobabini, lomcimbi wawusele ubandakanya amapolisa. Amapolisa akanamsebenzi ngoku! (Ingxoxo yooYamabhinqa)

Ukongeza kule nto ithethwa ngu “D” lento yalo umyalelo wokukhuselo, mna ndingu “B” ndinamanxeba ali 20 aph’emzimbeni kukho i-protection order (Ingxoxo yooYamabhinqa)

Ukungaqondi indlela osebenza ngayo umyalelo wokukhuseleko

Iincoko kunye namalungu oluntu ziqaqambise ukuba abantu abayiqondi inkqubo yokufaka isicelo somyalelo wokhuseleko okanye ukuba yintoni umsebenzi womyalelo wokhuseleko:

Abanye babo bayawazi amalungelo abo, kodwa abafuni ukuwusebenzisa [umyalelo wokhuseleko] ngendlela efanelekileyo. Abanye baye bavele bayokuvula ityala okanye bafake isicelo sokhuseleko baze bangayi landeleleli inkqubo yovula ityala ngokugqibeleleyo, kungoko abanye besithi babethwa yindoda enomyalelo wokhuseleko. Umyalelo wokhuseleko unamanyathelo ekufuneka alandelwe de agqitywe. Kungelo xesha apho uya kwazi ukuba ufikelele kumyalelo wokugqibela. Kuxa ummangali esiya kuxela emapoliseni ukuba umntu uphinda kwa elo tyala kwaye amapolisa kufuneka amlumkise umntu lowo umyalelo wokhuseleko akhutshelwa wona ukuba ayeke. Kodwa amapolisa awayenzi lonto (Umboneleli weenkonzelo).

Ukongezelela, abacebisi abangaphantsi kwe-NGO abakwizikhululo zamapolisa nasezinkundleni batshilo ukuba amabhinqa asebenzisa imiyalelo yokhuseleko ukuqinisekisa ukhuseleko lwawo – kodwa amaqabane awo awujonga lo myalelo njengenyanthelo elisisohlwayo nto leyo eyenza imeko ibe mbi nangakumbi. Amabhinqa aphinda abe semngciphekweni owongezelelekileyo njengoko ingawo anika umrhanelwa umyalelo wokhuseleko kwaye amapolisa awabikho ukuze amkhuphe

endlini ngokusemthetheweni umrhanelwa. Kuye kwathiwa ukungakhutshwa kwabantu kubangelwa kukuba amagosa asebupoliseni awawacaciseli amaxhoba ngenkqubo engumyalelo wenkundla yokukhupha umntu ukuze ayazi ukuba makalindele ntoni na:

Thina singu Masmanyanye siya emapoliseni sifuna ukwazi ukuba kutheni ummangalelwa engabanjwa ngoku lo mntu kuba enyathela ilungelo likamama, wophula umthetho. Ngoba loo myalelo wokugqibela uvela kwisebe lobulungisa, oko kuthetha ukuba ngoku wophula ngoko waphula umgaqo weSebe lezoBulungisa (Umboneleli weenkonz).

Amagosa avakalise ukuba imyalelo yokhuseleko isetyenziswa njengezixhobo zokulumkisa ibe ayinyanzeliswa, yiloo nto abathathi-nxaxheba evakalise ukuba ayiloncedo. Kwintlanganiso ebibandakanya uluntu jikelele (kwiNyanga yeSilimela 2022), ukurhoxiswa kwemyalelo yenkundla kunye nezinye iingxaki ezifana nokugrogriswa kammangali ngamalungu osapho, ukunyotywa kunye norhwaphilizo, zichazwe njengemiba eyenza imiyalelo yokhuseleko ingasebenzi kakuhle. Iintlanganiso nabahlali (kwiNyanga yeSilimela 2022) kuwo omabini amaziko zibala iingxaki zokungasebenzi kakuhle kwamapolisa ngenxa yokungabikho kwamapolisa oneleyo (ngokomzekelo, isibakala sokuba abacaciseli kakuhle abahlali ukuba usebenza njani umyalelo wokhuseleko).

Kufuneka uqeqesho lokuvelana namaxhoba ngokwesini sawo

Kucingwa ngezikhazazo ngendlela asabela ngayo amapolisa kumatyala amayela ne-GBV kunye nendlela achaphazeleka ngayo amabhinqa awonzakeleyo, kuye kwagqitywa ukuba:

Ngoba badla ngokuthi bona into abatranelwe bona ngeyoba babambe abantu, bavule icases umntu ozovula icase yalonto, hayi izinto ezinjenge amatyala embambano, ubundlobongela basekhaya ukwenziwa kwamatyala oqhawulo-mtshato, isondlo, ungazibiza zonke (Umboneleli weenkonz).

Okubangela umdla kukuba abantwana bachonge oonontlalo-ntle njengenkonzo ekufuneka iphuculwe. Bagxininise ekubalulekeni kokunikela ingqalelo esexesheni nekhawulezileyo ekuncedweni kwamaxhoba nasekuwancedeni akwazi ukumelana nentlungu yawo. Omnye wabantwana uye wathi:

Ndicinga abantwana nomama badinga uncedo olwa Mapolisa because Amapolisa ngawona azonceda because oNontlalontle abahoyi kakhulu bona, mhlawumbi ndithi ureyitshiwe, aMapolisa azoya ngoku amkhangele lomntu onontlalontle bazobe besithi "ndicela uzuphinde ubuye ngomso" kanti into yenzeke ngoku uzoyichaza ngoku awuphindanga wayombetha okanye wamhlasela kanti ebenze kakuhle ngoyo chaza yena angayozilwela (Umntwana Othatha Inxaxheba).

Kwintlanganiso nabahlali (ngosilimela 2022) kuchongwe i-SAPS njengabona bantu abadinga uqeqesho, ngoxa abantwana bethe ngootishala noonontlalo-ntle ekufuneka baqeqeshwe. Ukuze kuqinisekiswa ukufikelelwa kangangoko, ababoneleli beenkonzo bacebise ukuba uqeqesho lubonelelwe kuwo onke amasebe.

Abantu abakhubazekileyo

Abathathi-nxaxheba baveze iinkxalabo malunga nokufikeleleka kweenkonzo kubantu abakhubazekileyo, ingakumbi ezo zase-DoJ:

Kukwakho umsantsa kwindawo yokunceda abantu abakhubazekileyo obaziyo... Uninzi lweelifti azisebenzi, azilungiswa, ukuba uhamba nneentonga uzotsala nzima, ukuba unesihlalo esinamavili uzova ubunzima. Xa kufikwa kubantu abangakwaziyo ukuva, zibakhona iitoliki kodwa zona ziba bambalwa kuba isimo sabo sokusebenza kukulinda debabizwe (standby), akukho zitoliki ezisoloko zikho buqu emsebenzeni. Uya kufumanisa ku ukuba akukho toliki ngexesha eli umntu adinga ukuncediswa ngalo (Umboneleli weenkonzo)

Intetho yezandla sele iza kwenziwa intetho esemthethweni eMzantsi Afrika. Ngoko ke, amasebe karhulumente amele aquke iitoliki ezineziqinisekiso kwiinkonzo ezibonelela ngazo. Unxibelelwano, ukuzr umntu aviwe nokuze akwazi ukuchaza amava akhe kubalulekilee ukuze kuphunyezwe ubulungisa.

4 Yintoni abayidingayo abantwana kwiinkonzo?

Ubundlobongela beqabane-(IPV) ngamava afunyanwa ngamabhinqa nabantwana

Abantwana bathe xa bebona ubundlobongela busenziwa koomama babo kunye nabanakekeli babo abangamabhinqa bayigcina ngaphakathi loo ntlungu ibe iphazamisana neezifundo zabo, ibangele iintlungu nexhala:

Ukuba kuno tata nomama endlini abamelanga bayalwa ingakumbi ngasemanqindini. Ngoba utata unamandlamaninzi for ku for umama. So kengoku umama angabethwa and lamntwana uva yonke lanto akazokwenza nto mos uzolila qha kwaye yonke lanto uzoyithatha imenze umsindo. Uzoyifaka kuye entlizyweni. Ke ngoku xa ekhula acinge uba ilungile lento yenzekayo ngoko nam mandiyenze kulo wam unkosikazi (Umntwana Othatha Inxaxheba).

Abantwana nolwalamano lwentsapho bachatshazelwa kakubi bubundlobongela obenzeka entsatsheni

Ngamanye amaxesha, abantwana bayangenelela xa kusibakho ubundlobongela ekhaya. Abantwana bathe bayachatshazelwa bubo kwaye bumosha ulwalamano lwabo kunye nootata babo:

Abantwana bayachaphazeleka kuba bona bayohlala becinga lanto, mhlawumbi ba ngoku bebesilwa utata wabo baye bakhala, mhlawumbi xabebona utata bathi “yhoo hayi ayingo tata lo so ke seyihleli apha engqondweni lento. Mhlawumbi umntu uthunywe ngutata wakhe sebexolele lene athi utata “mtanam into ethile”, ubone umntana utshintshe apha ebusweni. Abanye bayayikhupha ngomlomo uba “wena wabetha umama” so ke abanye ayipheli into apha kubo basoloko beyicinga (Umntwana Othatha Inxaxheba).

Amabhinqa athe abantwana babo baye balamle imilo ephakathi kwawo namaqabane awo. Ngamanye amaxesha oku kukhokelela ekubeni amadoda onzakalise abantwana ibe oku kuchanaba abantwana kumonzakalo. Ngokusuka kwii-ngxoxo zamaqela:

Mna bendinqandelwa ngumntwana wam one-12 iminyaka. Ebema apha phakathi kwethu lo une-12 iminyaka anqande ndibethwa, anqande, abe ebukele, senditsho imfundisa ntoni. Uzuqonde ebenomnsindo athi xa ethetha nam umbon'uba ngeny'imini uthetha rhabaxa umbon'uba heyyy!!!...haybo!! umntana umoshakele, uyamoshakala unyanisile u "B" xa esitsho umoshakala umntana bubudlobongela obenziwwa ngutata endlini (Ingxoxo yooYamabhinqa).

Abantwana baye bathi xa oomama babo beba ngamaxhoba obundlobongela, kufana nokungathi oko kwenzeka kubo, kwaye yiloo nto behamba noomama babo xa beyokufuna uncedo emapoliseni:

Bayo xel' ukuba baya bhulishwa (Umntwana Othatha Inxaxheba).

Kumaqela encoko, amabhinqa aveze izinto ezibalulekileyo ekufuneka ziqwalaselwe malunga nokuba abantwana kufuneka bafumane inkxaso ngenxa yokuba ngamangqina okuzibonela ubundlobongela, baye bavuma ukuba bakhuphela umsindo wabo ebantwaneni kwaye abantwana abanandawo yokubanceda bajamelane nentlungu yabo:

Mos xa kubuhlungu kuwe mzali kubekisaphi emntaneni? Xa kubuhlungu emntaneni wakho, kubekisaphi emzalini? Ngoba kaloku into ebuhlungu echaphazela umntanakho ikwenzakalisa kakhulu wena especially abazali abangoomama (Ingxoxo yooYamabhinqa).

Makuze abantwana [kwiinkonzo zonyango] khe bafumane nabo kwela xinzelelo belwenzeke kunina",moss xana wenzeke into uba neetshiki, uyacaphuka, uyamnyhukuthya nokumnyhukutyha umntana uyaqonda (Ingxoxo yooYamabhinqa).

Apho kengoku uncedo abangabinalo ke ngoku, [ngolwabantwana] bethu (Ingxoxo yooYamabhinqa).

Ukungabonelelwa kwabantwana ngeenkonzo zokucetyiswa kubashiya benentlungu nomsindo ongakhange uncedwe. Abasebenzi base-TCC, baye bathi abanaso isakhono sokunceda abantwana abajamelana nentlungu yobundlobongela kwaye kufuneka baqeqeshwe kulo mbandela (intlanganiso Ybanomdla, 2021). Azonelanga iindawo ezibonelela ngeenkonzo ukuze zinikezele ngokuphunyezwa okusiseko kwe-Children's Act (Jamieson et al., 2014). Uninzi lweengcali ezikwinkqubo yobulungisa nxamnye nolwaphulo-mthetho azinalo uqeqesho olukhethekileyo (Centre for Child Law, 2022a) kwaye nangona uninzi lwabantu ababonwa e-TCC ingabantwana, ayibalungelanga abantwana kwaye zibonelela ngeenkonzo zokulawula intlungu kuphela (Louwrens et al., 2016). Nangona kukho ukuzibophelela kwe-NSP kumanqanaba aphezulu, oko akuhambelani nezixhobo ezaneleyo zokuphucula iinkonzo (Budlender, 2020).

Iinkonzo zokucebisa ngokweemvakalelo kwiindawo zekhusi zenzelwe amabhinqa kuphela

Iindawo zekhusi zenzelwe amabhinqa aye angamaxhoba e-GBV. Ngenxa yoko, iinkqubo zawo zilungiselelwe iimfuno zamabhinqa. Sekunjalo, oonontlalo-ntle abakwiindawo zekhusi banezakhono zokuhlola baze bathumele abantwana abangamaxhoba kuMasithethe, i-NGO egxininisa

ebantwaneni. Ukugcina iinkonzo zohlukene kunika amabhinqa ithuba lokunikela ingqalelo ekuchacheni kwawo:

Ngoba kaloku kuxozwa wena kulungiswa wena but wena unala anxiety, la nto ethi nowuba sowusendlini moss, iyakufikela la nto, ubone sowungasafuni kuthetha umntana yena uyafuna ukuthi, "Mama, mama" ube wena unezaatshiki uyaqonda? So umntana akayifumani la nantsika (Ingxoxo yooYamabhinqa)

Xa kusiyiwa kwiindawo zekhusi, ukuthumela abantwana ukuba badibane nomcebisi owahlukileyo kunomntu obanakekelayo kwindawo eyohlukileyo kungongezelela kwixhala labantwana. Oku kwahlukaniswa kungabethelela ukuba ukuchacha kwamabhinqa kumele kube phambili kunokuba kunjalo ebantwaneni.

Amakhwenkwe afikisayo awalungiselelwanga kwindawo zekhusi

Iindawo zekhusi zinceda amabhinqa abuyele kubomi besiqhelo kwaye abathathi-nxaxheba aye achaza iindawo zekhusi njengeendawo ezinenkathalo ibe abantwana baye bazithatha njengekhaya naxa oomama babo sele bemkile. Amakhwenkwe angaphezu kweminyaka eli-12 awavumelekanga kwiindawo zekhusi ngenxa yokuba xa efikisa aba sesichengeni sokuxhatshazwa ngamabhinqa aze abe ngumngcipheko kwimpilo-ntle yengqondo neyomzimba kumabhinqa nakubantwana abasebancinane abakwiindawo zekhusi. Amabhinqa aziva enetyala ngenxa yokuba abantwana abangamakhwenkwe engenakuthathwa kwiindawo zekhusi. Imigudu yenziwe ukuze abantwana abaphakathi kweminyaka eli-12 neli-14 bahlaliswe nezizalwana okanye kwenye indawo abanokunyamekelwa kuyo:

Kodwa kumakhwenkwe, sithatha ukuya kutsho kwiminyaka elishumi elinesibini. Emva koko sijonge enye indawo yokuhlala sinokumsa kuyo umntwana nje ngeCMR (Christlikke Maatskaaplike Raad) okanye sikhangele isalamane esinokumgcina umntwana ngoxa unina elapha kwindawo yokuhlala (Umboneleli weenkono).

Kodwa kwinkwenkwe eneminyaka eli-12 ubudala, ithathwa isiwe kwindawo apho anokuthi akhuseleke khona njengodade kumama (Ingxoxo yooYamabhinqa).

Ngokubhekiselele ebantwaneni, kukho iinkonzo zokukhusela abantwana ezinqongopheleyo eMonti (Buffalo City). . . Andazi ukuba sineziko lokukhathalela abantwana nolutsha na apha eMonti. Ukuba sinayo andizange ndive ngayo (Umboneleli weenkono).

Ukunqaba kwamaziko abantwana nanyamekela ulutsha (CYCC) abonelela ngonakekelo kubantwana abadinga unakekelo nokhuseleko ibiyenye yezinto ezizinkxalabo eziye zaveliswa kwintlanganiso nabahlali ye-Women's Ikhwelo Network, kubalaseliswa izinto ezininzi ezingumqobo wokugunyaziswa ngokusemthethweni kwamakhaya anokuhlalisa abantwana abaxhatshazwayo. Ngoxa abantwana bengakwazanga ukunikela izimvo ngokunqaba kwamaziko, bayaqonda ukuba yintoni umsebenzi wawo nto leyo ebonisa ukuba bayayiqonda imfuneko ye-CYCC:

I-Siyakhana yindawo egcina abantwana abahlukumezekileyo, abantwana aba nganabazali okanye abalahlwa ngabazali babo. So yindawo ehlala abantwana abanjalo (Umntwana Othatha Inxaxheba).

Ukuze kulungiswe ukunqongophala kwe-CYCC kwiindawo ezisemaphandleni, kufuneka abafaki sicelo abangathethi isiNgesi njengolwimi lweenkobe bancedwe xa begcwalisa izicelo zase-DSD. Ezi fomu kufuneka zifumaneke ngeelwimi zase-Afrika njengoko abafaki sicelo bengalingani ngokukwazi ukufikelela kwinkxaso.

Imiphumo engathandekiyo yokungaquki abantwana abangamakhwenkwe abasafikisayo

Asingawo onke amakhwenkwe anokuhlaliswa nezalamane okanye kwi-CYCC, nto leyo ebangela imiphumo engathandekiyo kusapho xa lulonke. Okokuqala, ibangela ixhala kumabhinqa kwaye omnye umama uye wabuza wathi:

Akhonto anoyhenza na uMasimanyane ngosinceda, mhlaumbi la age isencinci moss isafuna umama, ache ayikhangelele mhlaumbi indawo abanothi bagcinwe kuyo bona xa thina nezi girls zethu sikwazi ungena apha zikule age yazo? (Ingxoxo yooYamabhinqa).

Amabhinqa ebexhalabele abantwana babo, bechaza iimvakalelo zokungaqukwa ukuya kutsho ekubeni abantwana abangamakhwenkwe bayasiyeka isikolo baze babe ngamasela:

Mabancede nje kweli cala labantwana ndi seka u "C" la nto ebeyithetha uba maba...ngaske babafunele indawo abantwana xa omnye esengxakini bekwazile ungena kuba lo ungakwazanga akhamnke kule ndawo akuyo because umntana uzawuzi feel-a ingathi yena akahoywanga kuhoywe aba because kumnandi apha kwaMasimanyane aba bantwana bayabalisa, jonga lo wam ngoku singenayo uthi, "Yhooo...hayi mama kutshintshiwe ngoku sine puli yokuqubha" kumnandi kuye kuba u feel-a ukuba kukowabo apha kanti lowa sasimshiyile wayemane ebaliselwa ngabanye uba, "Yhoo thina, sineebhedi zethu phaya, sinee room zethu". Akumnandanga kengoku kulo wasuka wayeka neso sikolo (Ingxoxo yooYamabhinqa).

Abantwana babone imiphumo engathandekiyo kwimpilo-ntle nokukhula kwabantwana abazalwa kunye nabo:

Nabantwana abashiywa ngabazali babe into zabantu kengoku ukuze bafumane mali. Imali bayayi dinga (Umntwana Othatha Inxaxheba)

Kwenye imeko emandundu kakhulu, umntwana oyinkwenkwe washiyeka nomxhaphazi kamama wakhe ibe zange akhathalelwe kangangokuba waqalisa ukusebenzisa iziyobisi waza wahlala esitratweni:

Umqathango wobudala yiminyaka eyi-14... owam umntana ndamshiya nalo tata usisgebenga kuba kusithwa una 15 years, wabe ama15 yeminyaka ezawuyigqiba ngoSeptember [eyoMsintsi], ndithetha nawe ngoku utshaya iziyobisi kuba kuthwa oko kwamnka utatakhe akasaboni bomi, usesithubeni ngoku ndithetha nawe (Ingxoxo yooYamabhinqa)

Ilizwi labantwana alimanyelwa enkundleni

I-Children's Act itsho ngokuphandle ukuba abantwana banelungelo lokuthatha inxaxheba kwimiba ebachaphazelayo kuquka iinkqubo zezomthetho. Okwenzekayo kukuba abantwana abanikwa thuba lokuba bamanyelwe nkqu nakumatyala apho kwenziwa izigqibo ezimalunga neentsapho zabo. Bekucacile ukuba inkqubo yezobulungisa inikela ingqalelo kumabhinqa ize ingabakhathaleli abantwana. Ebalisa amava angokuya enkundleni, omnye umthathi-nxaxheba wachaza indlela awayengazange aqukwe ngayo kwisigqibo esasisenziwa ngotatawakhe kwaye zange amanyelwe:

Umntwana Othatha Inxaxheba: *Ndafika ndahla mna [enkundleni yamatyala]. Sabizwa no mama sachopha, bathetha kengoku bathetha bathetha, emva koba bagqibu thatha sa sahamba. Ndabe kengoku kuthwa kengoku utatu gxothiwe pha endlini kube bhulisha Umphandi: Uthethile wena pha enkundleni?*

Umntwana Othatha Inxaxheba: Ha ah, kange ndithethe mna bekuthetha umama qha notatam

Ukuqeqesha ootishala ukuze babakholelwe abantwana xa bexela ubundlobongela nokuxhatshazwa

Abantwana baye bathi isikolo yindawo ebalulekileyo yokufuna uncedo kuyo. Omnye wabantwana abangathathi-nxaxheba uye wabalisa wathi, *“bakhona abanye abakhe babethwe (emkahaya). Bafike babonwe zititshala xabe bhala uba ababhali kakuhle and uba ngumntana osoloka e bhala kakuhle zonke izinto, namhlanje kutheni ingabhali kakuhle”* (Umntwana Othatha Inxaxheba). Ngoxa bekusithiwa ootishala bayangenelela ngokuthetha ngobuchule nabazali malunga nempilo yengqondo yabantwana, kukho inkxalabo yokuba izikolo zibavala umlomo abantwana ngokungabakholelwa xa bexela ngobundlobongela nokuxhatshazwa (Titi, 2021).

Abantwana baye bathi bayayazi ukuba ootishala ababakholelwa kwanokuba ootishala kufuneka kutshintshe indlela yabo yokucinga. Kodwa oku kunokuhambelana nokunceda abantwana abaphuma kumakhaya anobundlobongela kunye nabo baxhatshazwa ngabanye abantwana ngokuntlontwa:

Ungaqinisekisa ootishala kwaye ungenzela abantwana abahlukunyezwayo iseshoni kunye naba bangahlukunyezwayo (Umntwana Othatha Inxaxheba).

Omnye umntwana ucacise indlela abantwana ababulinganisa ngayo ubundlobongela obenzeka ekhaya xa bekunye nabanye abantwana kwaye amakhwenkwe ngawona anokubonisa indlela yokuziphatha enobundlobongela kwaye bacebisa umphandi esithi kuye:

ningaba cacisela abantwana bapha nica niqale ngalona ngalo uyi bully nimcaciseluba ukubhulisha akulungana ngoba ukuba umntwana ukhula kanje bangayenza kubantwana babo, kunkosikazi wakhe ezing ilungile lonto kodwa ayilunganga (Umntwana Othatha Inxaxheba).

Umphandi: Ucinga ukuba singamenzela ntoni lamntwana?

Umntwana Othatha Inxaxheba: *singanto singaqala singaqale sithethe notishala ukwaz lamntana xa esiya pha kubo bakwazum, understanda uba ok uyabethwa lomnana, not bacinge pha udlala ngabo uzamu moshi xeshinte njalo.*

5 linkonzo ezidibeneyo

linkonzo ezidibeneyo zenkxaso ngokweemvakalelo kubazali nakubantwana

Ukubonelelwa kweenkonzo ezidibeneyo kuthetha ukuba kunikelwa ingqalelo kwiimfuno zamabhinqa kunye nezabantwana babo nokuba ngowuphi umzali ongundoqo, kuze emva koko kwenziwe isicwangciso esiqinisekisa ukuchacha kubo bobabini. Nangona lo mgaqo usamkelwa ngokubanzi, kukho iimbono ezahlukeneyo ngendlela ezinokufikelelwa ngayo iimfuno zamabhinqa kunye nezabantwana.

Amabhinqa afuna abantwana babo babe kunye nabo xa bekhangelwa indawo yekhusi. Ukungaqukwa kwabantwana ngenxa yeminyaka yabo okanye isini sabo, ngokumayela namakhwenkwe kungumqobo kwamanye amabhinqa afuna ukufikelela kwiinkonzo zendawo elikhusi:

Ndicinga ukuzidibanisa kunga lunga. Ukumnanga xa iclient sizoyamkela thina apha e shelter but ufumanise uba umntanakhe yinkwenkwe kwaye ineminyaka e-15. Mos thina [eshelter] iminyaka esiyamkelayo kubantwana aba ngamakhwenkwe kuxa ene12, ukuba una14 or 15 or 13 asikwazi umamnkela umntwana kodwa umama singamthatha. Ngoku khawucinge kengoku ukuba umntwana uziva njani okanye uziva njani. Mhlawumbi ufumanise uba kengoku [chaza ukuthi] hayi umama akazokwazi uhlala apha, nangona ezifuna eziinkonzo kodwa akazokwazi ngoba ucinga umntanakhe lo amshiya ngemva. Ukuba idibene ngoko umntana uyakwazi ufumana indawo yohlala. (Umboneleli weenkonzo).

Kwiintlanganiso nabahlali (ngolsilimela 2022) kuye kwathethwa nabantwana ecaleni ukuze kuqinisekiswa iziphumo zophando. Baye bathi bafuna amathuba adibeneyo kunye noomama babo kunye nendawo apho banokuthetha nabo ukuze babaxelele indlela abaziva ngayo. Amanye amabhinqa aye avuma:

Ndicingba mna kumel'uba luyadityaniswa ngoba kaloku xana, uzawuthi moss ukuze ancedakale lo mntana ndibe nam ndincedakele. So xa lizakohlulwa, kufanele ukuba siyabizwa sobabini apha kuze kuhlalwe phantsi kuviwe ke ngoku ubangaba mhlaumbi indlela le ngoku sesithathana ngayo. Lento ithi; xana sekukhona le ngxaki, ...ukuba ngumntana osengxakini, andizubizwa abalungisa ingqondo yomntana zijonge emntaneni then after ixesha elithile ndicingba mna kufanel'into yobana ndiyabizwa ke ngoku kwenzel'into yobangabana ndilungiswe nam ingqondo, ndicingba injalo ke mna ke (Ingxoxo yooYamabhinqa).

Kodwa amabhinqa amaninzi afuna ixesha nendawo yokuchacha ngaphambi kokuba ajongane nentlungu yabantwana babo baze babaxhase ukuze bachache:

Ngoba kaloku kuxozwa wena kulungiswa wena (Ingxoxo yooYamabhinqa).

Omnye umthathi-nxhaxheba ulumkise nxamnye nokufaneleka kokudibanisa umama, umntwana notata kunyango lwengqondo esithi:

Kumele lohlulwe uncedo phakathi komntana nomama kuba zikhona izinto ezingaphezu komntana ezizawuthi xa deep down zibuzwa kuwe okanye uzithetha uzibone uba umntana azimlingenanga (Ingxoxo yooYamabhinqa).

Sekunjalo, amabhinqa aye avuma ukuba abantwana bazi ngakumbi kunokuba abazali becinga:

Umzekelo nam bendisothuka apha ezintsukwini xa evumile ke mhlaumbi uba sikhe siphinde sikhe sithi, ukuyithetha into katat'akhe athi, "Benicingba fanba ngeliny'ixesha ndilele" una 12 years moss mdala... Benicingba fanuba ngelinye ixesha ndilele, ndimve utata esithi kuwe" akayixeli uba yintoni na athi, ethetha lo nto ndiqonde heyyy (Ingxoxo yooYamabhinqa).

Kuye kwacaca ukuba ngoxa amabhinqa ebemadolw'anzima ukuba kuncedo lwezemvakalelo oludibeneyo, ebecinga ukuba luyimfuneko ukuze kukwazi ukubakho uxolelwano:

Ngoko ke, ukuba kuya kwahlulwa, kufuneka sibizwe kunye apha kwaye sibonisane ukuze xa kukho ukungavisani phakathi kwethu kulungiswe, kwaye umntu angasinceda ukuba sivane ukuze siqonde. unokufumana inkxaso yempilo yengqondo efunekayo (Ingxoxo yooYamabhinqa).

Inkxaso efanele inqanaba lokukhula komntwana

Ababoneleli beenkonzo abaninzi bavumile ukuba kukho igalelo elivela kwizizukulwana ngezizukulwana kubundlobongela obubakho ekhaya. Sekunjalo, kunikelwe ingxelo yokuba iinkonzo azigxininisi emntwaneni. Amabhinqa athe ezi nkonzo zifanele zilifanelekele inqanaba lokukhula nokuqola komntwana:

Xa umxhaswa emntsha sinikezela ngengcebiso, ngoko ke kubantwana, nangona umntwana engakhange axhatshazwe ngokuthe ngqo ngokwasemzimbeni ngumenzi wobubi, ngokungathanga ngqo, umntwana usachaphazeleka, kwaye bafumana ukwenzakala ngoko. Elomntwana ndizakwenza iseshoni yonyango ngodlala nomntwana ndijonge ukuba uchaphazeleke kangakanani emva koko ndibathumele kuMasithethe othatha abantwana abasuka kwiminyaka esi-7 (Ingxoxo yooYamabhinqa).

Ngoxa iinkonzo zekhusi ziye zithumele abantwana kwiintlangano ezisebenza ngabantwana, amabhinqa avela kwiziko le-TCC aye atsho ukuba ii-TCC azinikeli ngayo nayiphi na inkxaso kubantwana abonzakeleyo abanoomama okanye abanakekeli abaye bangamaxhoba obundlobongela. Baye bathi oku kuyafana nakoomama abaye baba nabantwana abaye bangamaxhoba obundlobongela:

Masenze umzekelo, kwehlelwe into umama, akathathwa la mntana aziswe apha, naxa kwehlelwe umntwana, akathathwa la mama aziswe apha azolungiswa ingqondo njengento eyenzeke emntwaneni wakhe ayikho into enjalo uyaqonda? Zizinto endicingba mna bekumel'uba mhlaumbi mekul'uba ziyenzeka ukwenzel'uba mhlaumbi, ukwenze'into yoba laa nto ibhlungu, moss xa kubuhlungu kuwe mzali kubekisaphi emntaneni? Xa kubuhlungu emntaneni wakho, kubekisaphi emzalini? Ngoba kaloku into ebuhlungu echaphazela

umntanakho ikwenzakalisa kakhulu wena ngakumbi abazali abangoomama (Ingxoxo yooYamabhinqa).

Inkxaso eqhubekayo yoomama emva kokumka kwindawo yekhusi

Ukuze abantwana bancedwe, iinkonzo zimele zixhase oomama njengoko bekwindlela eya ekuchacheni ukuze bakwazi ukunyamezela. Kuhlalwa malunga neenyanga ezintathu kwindawo yekhusi kwaye ngelo xesha, amabhinqa afumana inkxaso kuloo ndawo ukuze akwazi ukunyamekela abantwana babo ngoxa bebuyela kubomi besiqhelo. Amabhinqa aye athi adinga inkxaso yokunyamekela abantwana babo emva kokuphuma kwindawo yekhusi:

Ngoba kaloku kuxozwa wena kulungiswa wena kodwa wena unela xhala, la nto ethi nowuba sowusendlini moss, iyakufikela la nto, ubone sowungasafuni kuthetha umntana yena uyafuna ukuthi, "Mama, mama" ube wena unezaatshiki uyaqonda? So umntana akayifumani la nantsika (Ingxoxo yooYamabhinqa).

Amathuba aququzelwayo ukuze ootata baxolelaniswe nabantwana

Abanye abantwana baye bathi babancamile ootata babo kwaye abanye bebefuna ootata babo babe yinxalenye yobomi babo nakuba bebangele oomama babo "intlungu". Bathe abayeni abangalunganga baye babe ngootata abalungileyo ngamanye amaxesha. Abantwana bavumile ukuba into abaye bachaneka kuyo ngenxa yobundlobongela ngakoomama babo ibonzakalisile:

Angabuzwa lomibizo, aphinde ancedwe kancinci [ngugqirha]. Uncedwa kuba emane ebona izinto ezenziwa ngu tata wakhe ku mama wakhe (Umntwana Othatha Inxaxheba).

Kwisahluko sesixhenxe (7), sibona ukubaluleka kwengxoxo phakathi kweentsapho zama-Afrika xa kusonjululwa ingxaki kuze kuqinisekise ukubakho kobulungisa. Ngokuhambelana noku, amabhinqa ayixhasile inkqubo yoxolelaniso phakathi kwabantwana nootata bawo:

Ndicinga ukuba emva kokucebisa umama nomntwana, banokuhlenganisa usapho kuquka nomntwana. Andazi noba ayizomenza na umntwana ukuba ahlehle, mhlawumbi umntwana anganikwa iplatform apho angabelana nabazali bakhe ngezenzo ezigwenxa, aze uyise avume ukuba wonile abonise. ukuzisola. Ngoko ke mhlawumbi kuloo ndibano yentsapho umntwana unokuphinda amthembe uyise [aze] axolelane noyise. Akwaba utata angacela uxolo nanjengoko lotata wayedla ngokubetha umama ekhona umntwana lonto inokwenza umntwana abe nomsindo nenzondo ngakuyise (Ingxoxo yooYamabhinqa).

Amabhinqa nabantwana babalaselise imfuneko yendawo yokuthetha bekunye ukuze bakwazi ukumanyana baze balungise izinto ezenza bangavani. Umphumo onokubangelwa kukungabikho kukatata kubomi bomntwana nawo umele uqwalaselwe. Ukuxolelana notata kubalulekile ekukhuleni komntwana ibe kumelwe kuzanywe nokuba abazali bayabuyelana okanye akunjalo. Into eza kugqiba imele ibe yeyona nto ilungele umntwana. Le nto iveza imibuzo malunga nokuba ingayinto esemdeni webhinqa kusini na, kwaye ukuba kunjalo, ingenziwa njani ukuze ubudlelwane bomntwana notata bugcinwe.

6 Ulwimi nenkcubeko

Iinkonzo zolwimi lweenkobe zibalulekile ukuze kuqinisekiswa ukufikeleleka

Ababoneleli beenkonzo baye banikela ingxelo yokuba banikela iinkonzo kumaqela abantu abanezoqoqosho nentlalo ephantsi, bebachaza njengabantu abathetha isiXhosa kakhulu kwaye bembalwa abathetha isiNgesi:

Ubukhulu becala, abantu abeza kuthi ngabo basuka kwiindawo ezihlelekileyo nabathetha isiXhosa. Nabo beza nokuba bathetha isiNgesi, kodwa ababaninzi. Kodwa ngoku kukho le nto yokuba nabantu abavela kumazwe angabamelwane, sikwafumana nabantu abavela kumazwe angabamelwane abaneelwimi esingazaziyo kwaphela. Kodwa ngoku, ngamanye amaxesha loo mntu uza netoliki etolika ngesiNgesi kwaye umxhasi uya kube ethetha ngolwimi lwakhe (Umboneleli weenkonzo).

Xa kungekho mboneleli weenkonzo othetha ulwimi olufanayo nolwabo, amaxhoba afumana iinkonzo ezilinganiselweyo kwaye asemgqibekweni wokuba izinto ezenzeke kuwo zingxengwe ngenxa yenkqubo yokuguqulela ulwimi. Oku kunomngcipheko wentlungu eyongezelelekileyo kumaxhoba njengoko kufuneka abalise izinto eziwehleleyo amatyeli amaninzi bebalisela abantu abohlukahlukeneyo. Ngenxa yoko, ulwimi kunye nemiqobo yonxibelelwano, luchaphazela kokubini abantu abangamaxhoba kunye nababoneleli beenkonzo kwaye luthintela ukukhutshwa nokufumaneka kwenkcazelo ngendlela esebenza kakuhle.

Ukuchaza kakuhle ulwalamano losapho ngokwenkcubeko

Ukuqonda ulwimi lwexhoba kunganceda ekuqondweni ukuba usapho lwenziwa ngoobani kunye nolwalamano lwalo. Umzekelo, inguqulelo yegama negama ukusuka kwisiXhosa ukuya kwisiNgesi xa kufundwa igama elithi *uSisi* ingenza kubekho impazamo yokuxelela umntu ophulaphuleyo ukuba abantwana bazalwa nabani na entsatsheni. Oku kungenxa yokuba igama elithi “usisi omdala” liyasetyenziswa ukuchaza umntu ongudadewomntu ngesiNgesi. Kodwa, ukuqonda inkcubeko yesiXhosa kukuxelela ukuba *uSisi* ingangumama womntwana kwiimeko apho umntwana ekhuliswe ngumakhulu notatomkhulu wakhe:

Kwimeko yam, utata wesibini (stepfather) wam walinda umama ukuba aye ecaweni. Ndagqiba ekubeni ndingayi esikolweni ngaloo mini ukuze ndibe sekhaya xa usisi [unina] ebuyile enkonzweni (Ingxoxo yooYamabhinqa).

Ulwimi lwesiNgesi luveza izinto ngesiNgesi okanye ngenkcubeko yaseNtshona ibe inguqulelo yesiXhosa engathatheli ngqalelo umongo ingakhokelela kwinkcazelo yesiNgesi engachananga neguqulelwe ngokungachanekanga. Siyayazi le nto ngenxa yokuba umthathi-nxaxheba wasinika umongo xa echaza ukuba wenziwa ntoni kumamawakhe omzalayo ngutata ongenguye utatawakhe. Olu lwalamano lwacaciswa xa echaza ukuba ungubani lo tata ungamzaliyo ekuqaleni kwebali lakhe. Ukusebenzisa kwakhe igama elithi *uSisi* ukuchaza umama omzalayo kubonisa ulwalamano abanalo. Le nto iqhelekile kwinkcubeko yama-Afrika. Lo mzekelo ubonisa indlela ekubaluleke ngayo ukuqonda

izinto ezincinci kwintetho nakulwimi kunye nokuntsokotha kolwalamano lwabantu abangama-Afrika, nto leyo echaphazela ukuxelwa kobundlobongela nasekunikeleni ubungqina enkundleni apho isiNgesi sisetenziselwa ukuchaza ulwalamano njengolo luphakathi kwabantu abazalwa ngokungqalileyo.

Ulwimi njengencubeko

Isihlonipho sabafazi: Ulwimi lokuhlonipha olusetyenziswa ngabafazi

Abantu abangamaNguni basebenzisa intetho ekuthiwa *sisihlonipho sabafazi*, le yintetho yokuhlonipha kwamabhinqa ngokwenkcubeko. Abathathi-nxaxheba baye bachaza ukuba inkundla, eyindawo yokufumana ubulungisa, ngokusebenzisa kwayo isiNgesi ibonisa ukungayigqali inkcubeko yabantu baseMzantsi Afrika. Ngokomzekelo, amabhinqa athethe ngobunzima anabo amangqina xa kufuneka achaze ngokuxhatshazwa njengoko kungavumelekanga kwisithethe ukubiza amagama athile nokuwasebenzisa (Intlanganiso nabahlali ngolsilimela 2022). Oku kungenxa yokuba, *isihlonipho sabafazi* sithetha ukuba kumele kuphetshwe kuze kusetyenziswe amanye amagama xa kusenzeka ukuba amagama athile anoonobumba abakhoyo kumagama abantu abangootata basemzini waloo mfazi kwakunye nawabantu ababhinqileyo abamele bahlonitshwe njengamadoda, ngokomzekelo umamazala.

Ababoneleli beenkonzo bachaze ngobunzima bokulungiselela ukuya enkundleni xa kufuneka ixhoba linikele ubungqina nxamnye nommangalelwa enkundleni yomthetho (Intlanganiso nabahlali ngolsilimela 2022). Abathathi-nxaxheba bathethe ngeeyure ezingama-72 abazinikwayo ukuze balungiselele amaxhoba ukuba avele enkundleni, besithi eli xesha alonelanga. Xa kuthethwa ngamagama afana nomthondo, amabele nelungu lobufazi, amabhinqa amele asebenzise izihlonipho, ngokomzekelo *induku ende kaTata*, ithetha umthondo. Amadoda akufuneki alandele le mithetho icinezelayo. Indoda inokusebenzisa igama elithi *isende*, ngoxa ukuba ibhinqa linokubiza elo gama kunokuthiwa likrwada (Thetela, 2002). Oku kwenza iinkqubo zenkundla zintsokotho ngenxa yokuba izinto ezithethwa ngamabhinqa kucingwa azichanekanga okanye azenzi ngqiqo xa ziguqulelwa kwisiNgesi. Sekunjalo, ukunika ubungqina ngolwimi lwesiXhosa, ngokuhambelana nenkqubo *yesintu*, kungabangela ukuba amabhinqa akwazi ukuthetha ngokukhululekileyo aze amanyelwe.

Kwiimeko ezinezithethe ezohlukahlukeneyo, ingakumbi kwiindawo ezinjengasenkundleni apho isiNgesi sisebenzisa imilinganiselo yaseNtshona, indlela yokuziphatha kunye nokungaqondwa kwendlela yokunxibelelana kunganikezela ngomyalezo ekungacingwanga wona kuze kube neziphumo ezingathandekiyo kumangqina. Ngoxa ezi zithethe zichasene xa zijongwa ngeliso labantu abathethela amabhinqa eNtshona, xa zijongwa ngeliso lomntu ongumAfrika, ziqinisekisa ukuba akhona amabhinqa angama-Afrika kwaye ziluncedo ekuqondeni amabhinqa angasuku kwinkcubeko yaseNtshona.

Ulwimi kunxibelelwano: ulwimi lubalulekile kwiinkonzo zokunceda ngokweemvakalelo

Abantu abathetha ulwimi olunye bayakwazi ukuqonda into ethethwa ngomnye umntu. Xa sijonga ingcaciso *yesihlonipho*, siyabona ukuba indlela abantu abathetha ngayo nendlela abenza ngayo izinto ichatshazelwa zizithethe zabo. Ungenelelo lwezengqondo nongenelelo olwenziwa ngabantu luqalisa ngokuqonda ukuba izithethe zibalulekile kwindlela abaziphatha ngayo abantu (Jiang & Pretorius, 2010). Kudliwano-ndlebe, ababoneleli beenkonzo babonise ukubaluleka kakhulu kumgangatho wonxibelelwano kunye namaxhoba baza babalaselisa ukubaluleka kwezakhono zokuqhuba udliwano-ndlebe kunye nokuba novelwano ukuze kwakhiwe ukuvana nexhoba lobundlobongela. Ngenxa yokuba unxibelelwano iyinkqubo ebandakanya abanye abantu kwaye amabali esenziwa kunye nabanye, ukuvana xa kunxityelelwana ngokuthetha kuluncedo kwinkqubo:

Uhm, baseza kuchukumiseka ngoko kwenzekileyo, mhlawumbi basenokuba bayalila njengoko bechaza into eyenzekileyo okanye enyezeka kudala. Abanye baqala ukusuka ekuqaleni, okuyiminyaka kunye neminyaka emva, ngoko ke izakhono zokumamela, ukuqonda ngovelwano kumxhasi kunye nokukwazi ukuzibeka ezihlangwini zakhe kwaye ndiqonde ukwenzakala ngoko ndikwazi ukwakha naye, njengomxhasi wam. Yiloo ndlela esakha ngayo ubudlelwane. Siza kuthetha. kwiseshini yokuqala okanye yesibini, sizama ukusebenza kwiinjongo aza kugxila kuzo okanye kwizinto aza kuzenza ngelixa elapha [kwindawo yokuhlala] kwaye uya kuziphumeza ngelixa ekwesi sithuba iinyanga ezintathu. Ke, kubalulekile ukuba ndikwazi ukuseka ukuthembana kwiseshoni yokuqala ukuze umxhaswa wam akhululeke (Umboneleli weenkonzo).

Indima yolwimi kunye nokuchaza kakuhle ukuxhatshazwa

Ukukwazi ukunxibelelana ngolwimi oluthethwa ngumntu olixhoba kunika ababoneleli beenkonzo ulwazi kwindlela yokuthetha nokunxibelelana okunokuthi kungaqondwa okanye kungacaci kakuhle ngelinye ixesha Xa ebalisa ukuba kwenzeka njani ukuba yena nomama wakhe bahlale kwindawo yekhusi, omnye umntwana wathi ubundlobongela kukuxhatshazwa kwaye umboneleli wenkonzo wasebenzisa amagama afanayo ukuchaza oku kuxhaphaza:

Bebes'gcina phaya ukuze singa bhulishwa ku tat'ethu (Umntwana Othatha nxaxheba).

Xa ubhulisha abanye abantwana esikolweni, badla ngokubona atata'bo ebhulisha umamakhe (Umntwana Othatha Inxaxheba).

Abathathi-nxaxheba bayamkele indima yabaguquleli kodwa babalaselisa iingxaki ngaphezu kwezinto eziluncedo bechaza izinto ezingenzi ngqiqo nokungachaneki kwenguqulelo njengezinto eziyimiphumo yokufumana iinkonzo ngolwimi olungelilo ulwimi lwabo lweenkobe:

Lomntu uthetha ulwimi lwakho uzokuqonda kakuhle kunalomntu ungathethi ulwimi lwakho. kuba mandithi mhlambi mna ndyakuxelela ukuba pha eskiloweni sam banje ndiyabethwa kwenzeka kanje intwe njalo, ndiyagezelwa. Lomntu (uthetha ulwimi lwam) uza kuyiva lento uyithethayo kwaye uzayiqonda kakuhle kunalomntu kunalomntu uzo guqulelelwa ngoba into xa ithethwa ngumntu eyisakomnye iphinde komnye ayi zovakala kakuhle (Umntwana Othatha Inxaxheba).

Ingxaki yolwimi nenkcubeko ekubeni iinkonzo zingabonelelwa kakuhle nasekuziphumezeni iye yabalaseliswa njengengxaki kwi-SAPS ngenxa yokuba inkonzo ibonelelwa ngabantu abathetha isiNgesi njengolwimi lwesibini. Le nto ibangela ingxaki yonxibelelwano kunye namabhinqa nabantwana abafikelela kwiinkonzo njengoko ukungasetyenziswa kakuhle kolwimi ngamagosa kuye kukhokelele kumsantsa owongezelelekileyo ekubonelelweni kweenkonzo ngenxa yokungachani kwenkcazelo (Intlanganiso nabahlali, ngolsilimela 2022). Ukongezelela, kuye kwathiwa xa izinto ezenzekileyo ziguqulelwa kwisiNgesi, iingxelo ziye zingabi namandla kwaye izinto ezenzekileyo ziye zingachazwa ngendlela ezenzeke ngayo:

Ngoba mhlambi noba ngumlungu [engokubhekisele kumboneleli benkonzo] umlungu uthetha isilungu sodwa. Ithi ke ngoku lonto uzobakhona umntu oququla ulwini. Uzakumguqulela ngesiZulu ngesi-Sotho nangesiNgesi, ngesiBhulu, ngawo onke amalwimi. Ungafika kanti wena awusiqondi isiNgesi. Ithi kengoku lonto xa uzozitshintsha uthethe isiNgesi uwukuyi qondisisa lento ithethwa ngulomntu okwanye wena awuzo qondisiswa. Kwaye abanye abantu (ahleke) bade babe ngathi banochatha bancinge ubba uyathuka, bayathukwa (Umntwana Othatha Inxaxheba).

Ezinye iindlela zokuziphatha, ngenxa yesithethe zingajongwa njengokungalawuleki, ukuphazamisa, ukubaxa njengoko eye watsho umthathi-nxaxheba kwingcaciso engasentla. Oku kucacisa gca ukuba inkundla isebenzisa isithethe saseNtshona kwaye kuqinisekisa ukuba umthetho uye wabeka abantu abaNtsundu kwiindawo ebezinabantu abamhlophe ngexesha localucalulo ukuze kukwazi ukulungiselelwa ezinye iilwimi nezithethe kodwa bezingenzelwanga zona (Cakata & Segalo, 2017). Okuphawulekayo kukuba uMzantsi Afrika lilizwe elineelwimi ezininzi kwaye isiNgesi nesiBhulu zingundoqo ngenxa yenkqubo yezemfundo esebenzisa isiNgesi (bekukade kusetyenziswa isiBhulu), kwaye iilwimi zomthonyama zijongelwa phantsi (Cakata & Segalo, 2017). Xa kubonelelwa ngeenkonzo, ulwimi ludlala indima ebalulekileyo kwaye alumele lujongelwe phantsi njengoko lunciphisa ukuntsokotha kwentetho.

Ulwimi njengomqobo wokufikelela iinkonzo

Ukuthatha ingxelo kweSebe Lamapolisa

Abathathi-nxaxheba banikele ingxelo yokuba amagosa amapolisa abhala ingxelo yokuxhatshazwa kwawo ngesiXhosa njengoko ummangali ethetha ngesiXhosa aze amagosa amapolisa aguqulele ezi ngxelo kwisiNgesi xa ebhala ingxelo kodwa iingxelo ezibhalwe ngesiNgesi zidla ngokungafani nezo zesiXhosa. Abathathi-nxaxheba baye bathi isiNgesi sichubeke kakhulu ibe asichazi kakuhle size singabi nazi izinto ezenzeke kuqala nto leyo engxenga into eyenzekileyo. Ngokubhekele phaya, abathathi-nxaxheba baphinde bachaza ukuba iyabacaphukisa into yokuba izicelo zenkundla zabo zingamkelwa xa zibhalwe ngesiXhosa ngenxa yokuba ubungqina babo bugqalwa njengobungaqondakaliyo. Ngokomgaqo-siseko, abantu baseMzantsi Afrika, banelungelo lokuthetha nelokuba kuthethwe nabo ngolwimi abalufunda kakuhle ingakumbi kumatyala asenkundleni. Sekunjalo, umyalelo weJaji Eyintloko wenza ukuba isiNgesi ibe siso sodwa esisetyenziswayo kwiinkundla zomthethe kweli lizwe. Ngenxa yoko, endaweni yokusebenzisa isiXhosa - olona lwimi luthethwa ngokubanzi eMpuma Koloni - iinkqubo zenkundla ziqhutywa ngesiNgesi zize iinkundla zibonelele ngetoliki.

Ulwimi kwiinkqubo zasenkundleni

Ababoneleli beenkonzo bathethe ngenkxalabo enzulu malunga nokuba kwiinkundla zomthetho izithethe zabantu abangama-Afrika azithethi Abathathi-nxaxheba bakuthandabuzile ukuhambisana komgaqo-siseko weenkqubo zenkundla:

Apha enkundleni, njengoko ndisitsho ukuba ndihlala enkundleni, zonke iifomu ezilapha zingesiNgesi. Abona bantu basemngciphekweni abeza kucela inkonzo apha enkundleni ngabantu abangafundanga kunye nabantu abadala, uyazi, ngoko... (Ababoneleli Beenkonzo).

Ukuthathwa kwesiNgesi njengolwimi olugqwesileyo kunolwimi lomthonyama kususela ngexesha lobukonoliyali apho isiNgesi nesiBhulu bekunyanzeliswa zisetyenziswe ngabantu bomthonyama njengolwimi lokuqhuba izinto zasemthethweni nezoshishino. Kwincwadi kaCakata noSegalo (2017, iphe. 327) kubhaliwe kusithiwa “iilwimi zenza amava abaluleke” kwaye ukungaphunyezwa kwemigaqo-nkqubo yolwimi kukophula umthetho. Ngoxa abantwana abathathe inxaxheba kuphando bethetha iilwimi ezininzi baze bathetha isiNgesi ngokukhululekileyo, ngokuthe gabalala bebenoluvo lokuba zonke iinkonzo kuquka nezo zasenkundleni, zimele zifumaneka ngolwimi lweenkobo ngenxa yokuba, *Isixhosa silula kuye [umntu] xa esiva ubuhlungu (Umntwana Othatha Inxaxheba).*

Kwiintlanganiso ezibanjwe noluntu, abathathi-nxaxheba bachaze ngendlela igama lesiXhosa elithi “*umenzi bubu*” lilinganiswa nelesiNgesi elithi “*perpetrator*” (umenzi wobubi) ngoxa “*ubundlavini*” (ubulwanyana) ilelona gama lichaza ngokuchanekileyo oko kuthethwa ngabathathi-nxaxheba xa besithi “*perpetrator*”. Oku kubonisa ukuba xa kunikelwa ubungqina ngesiNgesi, ingxelo engezinto ezenzekileyo ziyashwankathelwa, ukongezelela ekulinganiselekeni kwesigama sesiNgesi esinokusetyenziswa ukuchaza into eyenzekileyo.

Ingxaki eyongezelelekileyo yaxa kuthathwa ingxelo ngamapolisa sisibakala sokuba amapolisa anyanzelisa ukuba ibe ngawo abhalayo. Ingxaki yokuqala kukuba xa iingxelo kunyanzelekile ukuba zibhalwe ngesiNgesi, abanye abantu abakwazi kufunda baze baqinisekise ukuchana kwengxelo abayibhalelweyo. Okwesibini, kwiindawo ezisezilalini, ingxaki yokusebenzisa isiNgesi kukuba ipolisa kunye nexhoba asingabo abantu abathetha isiNgesi njengolwimi lweenkobe. Ngenxa yoko, inguqulelo yesimangalo kungenzeka ibe ligama negama lengxelo okanye ingachaneke kakuhle. Iifomu namaxwebhu nawo abhalwe ngesiNgesi, nto leyo ebangela ukungaqondakali, ukutolika ngokungachananga nenkcazelo engachananga. Zonke ezi zinto zishiya amabhinqa engakhuselwa ngumthetho ngenxa yokuba engaziqondi iinkqubo.

7indlela zasekuhlaleni nezenkcubeko zokujamelana nobundlobongela

Umthetho wama-Afrika uqala kwiintsapho



Umfanekiso 2: Inkqubo elandelwayo kumthetho wesintu (umthombo: Department of Justice and Constitutional Development. (2008) Policy Framework on the Traditional Justice System under the Constitution. Pretoria: GOSA, p.32)

Kwiintsapho zabantu abaNtsundu, usapho yindawo yokuqala yokusombulula ubundlobongela basekhaya, ngokubanjwa kwentlanganiso yekhaya. Ukuba akukho ntlanganiso, ixhoba alisayi kumanyelwa. Kwintetho yakhe engoMthetho wama-Afrika, uZethu Cakata (2017) uyicacisa le nkqubo ngokuthi, kulwimi lwesiNguni, ezi ntlanganiso zibizwa *inkundla* (court) *yekhaya*, kwaye wonke umntu unaso *isikhundla*. Ingcaphulo engezantsi ithathwe kwibali lebhinqa elichaza amava akhe xa utata wesibini walo (stepfather) wayezama ukulidlwengula ngoxa laliseyintombazana encinane. Ukubaluleka kosapho ekusombululeni amabango kucacile:

Xa efika emxelela, wakhala nje lo mzuzu umamam vha xa kubizwa abantu notatomkhulu walapha le nto ithethwa, waphika lo bhuti, wathi umntana oza emva kwam, "Hayi bendikuvile Tata ngokuya ubumbizela ekamereni bendingalalanga (Ingxoxo yooYamabhinqa).

Ngokwahlukileyo kolunye uphando apho abantwana kusithiwa bamele babekho kodwa bangathethi kwiintlanganiso zentsapho (Jamieson et al., 2022), apha siyabona ukuba wonke umntu okwintsapho kuquka abantwana, uyinxalenye yentlanganiso yosapho. Inkqubo elandelwayo xa kuqhutywa iintlanganiso yinkqubo ekuthiwa ngesiXhosa *ukuthetha*, apho *ukuthetha* (ukuthetha okanye ukuncokola) kukhokelela *kumthetho*. Oku kuthetha ukuba, akukho sigqibo sichaphazela intsapho esithathwa ngaphandle kokuba usapho luxoxe ngaso. Sekunjalo, amaxesha amaninzi, ayikholelwa into ethethwa ngamaxhoba okanye iintsapho ziyamkhusela umenzi-bubi, (Jamieson et al., 2017; Mathews et al., 2016; Titi, 2021) nto leyo ewavala umlomo amaxhoba:

Uyayazi into eyenzekayo emva koko, wathi umamam, "Rhaa! Wonyelisa umyeni wam, le nto inamakhwenkwe" yaphela nje kanjalo. Yabangumamam uthi ndonyelisa umyeni wakhe, zange ixoxwe zange ithini, ndaphela ndisohlukana nomamam ndamshiya nomyeni wakhe nabantwana bomyeni wakhe ndahamba ndayohlala kokwabo, zange ndifunde ngenxa yaloo nto. Yile nto ke ndithi, nabazali banayo ingxaki cause bayazogquma izinto zabayeni babo (Ingxoxo yooYamabhinqa).

Imeko engasentla ibonisa gca iingxaki ezibakho xa iintsapho kufuneka zilungise umba wokurhanela ukudlwengulwa komntwana. Ngenxa yokuba lo mzekelo iyinto eyenzeke kwixesha elidlulileyo kwibhinqa elaba lixhoba le-IPV eyenziwa liqabane lalo, siyabona ukuba, kulo laqala lisengumntwana ukuba lixhoba lobundlobongela. Kulo mzekelo ulandelayo, siyabona indlela amalungu osapho

athatha ngayo icala ukuze akhusele umenzi bubi ngokuvala umlomo ixhoba - ngokungayivumeli inkqubo ekuthiwa ukuthetha (ukwenza umthetho):

Mna bendikhe ndazama ukuthetha ku Sister-in-law omdala uyi Social Worker moss, so ndazama uthetha naye ndamxelela "Hey! Ubuti wakho wenza oku, noku, noku, noku" wathi "Okay, ndizawugoduka ke ngoDecember" Wathi "Sizawugoduka ngoDecember xa sigodukile ndizawuthetha nani" ndathi "Okay" ndicingba ke mna kuba ndimazi uba ungunontlalontle mos kwaye ungunontlalontle uzawuthetha kuvakale". [Wathi] "ndimbuzile ke ngayo yonke lento ubundixelele yona, akayazi", so mna ndavele ndamjonga njee ndaqondaba bendimxelela mna kuba ingusisi wakhe emdala and ungunontlalontle bendingalindelanga into yoba ngaba angathi ngoku ndingekhoyo abizele umntana wakokwabo ecaleni ebengenongaphiki moss ekugqibeleni, ebengenongathi "Hayi" ndabon'into yoba igazi liyajiya kunamanzi (Ingxoxo yooYamabhinqa)

Kulo mzeklo ungasentla, siyabona ukuba ixhoba lilandele iindlela ezifanelekileyo ukuze iintsapho ingenelele kodwa livalwa umlomo lelinye ibhinqa. Ukuba akukho ntlanganiso yosapho, akukho bantu bafanelekileyo bokuva isimangalo sakhe. Kukho umzekelo wamaxeshapho amabhinqa akhe akhusele oosolusapho kwaye athule njengoko amanye amabhinqa esiba ngamaxhoba okuxhatshazwa. Ukungenzi nto kwamabhinqa xa kucinezelwa amanye kumelwe kujongwe ngeliso lobusolusapho. Apho sijonga iingxaki zokuba negunya kunye nokugagamela kwamadoda kuhambelana nokuzithoba kwamabhinqa njengoko kulawulwa ziinkqubo zokuba negunya kunye neepolitiki. Ezo zigqitha ngaphaya komahluko "webala" nomahluko wenkcubeko.

Indima edlalwa ziinkokeli zomthonyama kunye neenkundla zomthonyama

Ngokutsho komthetho wesintu, xa iingxaki zingasonjululwanga ngempumelelo kwiintsapho, ezi ngxaki zimele zisiwe kwinkokheli yoluntu (*uSibonda/Kwa Bhodi*). Ukuba akakwazi ukuyilungisa impikiswano, inokusiwa kwinkundla yomthonyama, kodwa kubonakala ukuba amabhinqa akhetha ezinye iindlela xa efuna ukwenzelwa ubulungisa. Bekubonakala ukuba abantu basezilalini bayaqonda ukuba iinkokeli zomthonyama zimele zibe ngabantu bokuqala ukuxelelwa xa kukho ubundlobongela elalini. Sekunjalo, into eyenzekayo kukuba abanye baya ngqo kwi-SAPS ngoxa amabhinqa ebandakanye kokubini i-SAPS neenkokeli zomthonyama:

[Ingxelo iqala] emapoliseni nakumapolisa, nakwaBhodi Kaloku singabantu basezilalini. Baqala kwaSibonda (Ingxoxo yooYamabhinqa).

Oku kubonisa ukuba amabhinqa ayafuna ukuzihlonipha izithethe zawo kodwa afuna ubulungisa buphunyezwe, ngoko abanye bayazihlonipha iinkokeli ngokulandela imithetho yesintu ngoxa amanye esiya ngqo emapoliseni:

Kaloku uSibonda okanye uBhodi ngulo oyidlulisela kwinkosi, then xa ifika kwinkosi ke ngoku kubizwe amapolisa yaqonda? But mna kwelam icala mna zange ndibize Bhodi naNkosi mna, ndabonba intoba into efanelekileyo kukufounela amapolisa qha (Ingxoxo yooYamabhinqa).

Ngokuthe gabalala, bekubonakala ukuba amabhinqa awonelisekanga bubunkokeli beenkokeli zasekuhlaleni. Amabhinqa aphinde aphawula ukuba iinkosi azinamandla kunamapolisa ekubeni ekugqibeleni zisisa ityala emapoliseni. Into ebonakala ngathi kukukhwel'ecingweni kwamabhinqa

malunga nokuya emapoliseni okanye kwiinkokeli zomthonyama njengendawo yokuqala ukuxela isusela kwixesha lobukonoliyali, ifuthe ledolophu, ubukhaphali nto leyo enegalelo lamabhinqa aseMzantsi kwilizwe lonke ephila phakathi kwehlabathi (Lugones, 2010). Ukuthatha izithethe zabanye abantu kwihlabathi lale mihla kubangela iimbono ezininzi nokuphikisana phakathi kweembono zomthonyama ngehlabathi kunye nenkcubeko nentlalo yale mihla. Amabhinqa omthonyama aphila phakathi kwehlabathi kunye namava amabhinqa amele aqwalaselwe xa kunikezelwa ngeenkonzo (Manning, 2021).

Imfuneko yotshintsho ngokwesini kwibhunga lesintu

Ababoneleli beenkonzo bathethe ngokungoneliseki ngumthetho wesintu ekufuneka uthotyelwe kwinkundla yesintu. Imithetho engqongqo nendlela yokunxiba iyasebenza ibe ngenxa yaloo nto le mithetho ayihambelani nokulingana ngokwesini apho amadoda asoloko esebenzisa igunya analo phezu kwamabhinqa:

Ke ukuba uzokwenza umcimbi okanye unentlanganiso kwezo lali, kwaye uya kufumanisa ukuba uluntu luya kuthi awukwazi ukungena [kwiyadi yobukhosi ukuba ungumfazi unxibe ibhulukhwe. okanye awunayo i-doek so, uhlobo lwezo zinto, ngoko sisasokola eTranskei. (Umboneleli weenkonzo).

Kubonakala ngathi amabhinqa awamelwanga nangaluphi na uhlobo kwiinkokeli zomthonyama. Utshintsho ukuze kubekho amabhinqa lubalulekile kuzo zonke iindawo ukuze amaqela awohlukahlukeneyo angaziva emanyelwe yaye ubukho bawo buxatyiswa:

linkosi nazo ngamadoda, azikho iinkosi zamabhinqa. Ngaphandle kokuba kukho inkosi ebhinqileyo kuya kuba ngcono. Inkosi eyindoda ayiyi kuxoxa imicimbi ngokwembono yowesifazane. Into enokuthi isebenze kubo kukuba, umzekelo, umfazi uyaxhatshazwa, indoda inokubaxelela into ebekufanele bayenze kunye nendlela abayiphatha kakubi ngayo indoda (Umboneleli weenkonzo).

Nangona abathathi-nxaxheba bethe abanantembelo kwigunya leenkokeli zomthonyama kwaye bengonelisekanga yimithetho elandela ubusolusapho kwiinkundla zomthonyama (Intlanganiso nabahlali, ngolsilimela 2022) kuhlatywe ikhwelo lokuba ibhunga lomthonyama imele iqukwe njengecandelo le-GBV elimele liphucule xa kulungelelaniswa iinkonzo zokusabela. Abathathi-nxaxheba babonise intembelo yokuba ukuquka iinkokeli zomthonyama kwicandelo le-GBV kunokwenzeka njengoko itshintsha iminyaka yeenkokeli zomthonyama, bekholelwa ukuba baza kuziqonda ngakumbi iingxaki ajongene nazo amabhinqa ngenxa yemilinganiselo yesini eyingxaki.

Sekunjalo, abantu basekuhlaleni babonise ukuyithemba ngakumbi icawa kunokuba bekunjalo ngeenkokeli zomthonyama:

linkokheli zemveli into edlangoba incede kancinci kuba mhlawmbe masithi mhlawmbi lomntu ukule violence ngumntokhonzayo abemhlawmbi uzathetha nomfundisi wakhe, umfundisi kengoku abadibanise ababantu. Kodwa ayidli ngonceda ncam kodwa ezilalini inkosi azisenamandla” (pg. 18). (Umboneleli weenkonzo)

Unqulo neentlangano zonqulo

Abathathi-nxaxheba bebenezimvo ezibethabethanayo ngeentlangano zonqulo (iicawa) ngokubanzi, abanye besithi zidlala indima ebalulekileyo ekungeneleleni kwiingxaki ze-GBV, zibonelela ngokucetyiswa ngokwengqondo, ukutyelela emakhaya zize zibonelele amabhinqa ngendawo ekhuselekileyo yokuthetha ngezinto eziye zenzeka kuwo. Abanye bathi zibeka ubungcwele bomtshato phambili ngaphezu kwempilo-ntle nokhuseleko lwamabhinqa. Ii-NGO zinikela ngengxelo ethi zisebenzisana neentlangano zonqulo njengenxalenye yephulo lazo lokubonelela ngolwazi nokufikelela kuluntu malunga ne-GBV:

Sisebenza kunye neecawe; asibakhupheli ngaphandle. Sityelela iicawe sicela indawo yokuthetha ngokuxhatshazwa kwabasetyhini nabantwana (Umboneleli weenkonz)

Abathathi-nxaxheba babalise ngenkxaso entle abayifumene kwiintlangano zezonqulo:

Xa sisiza kumba waseCaweni ukuba unalo ngxaki uya kuMcebisi wakho uze ufikeumxelele yonke into eyenzekayo ke ngoko, bona njengabacebisi basenkonzweni baye bazame ke ngoku uthatha la ndawo yonontlalontle baku thuthuzele ngoba baye bona kwicala labo bazamel'into yoba ingangeni kakhulu apha engqondweni le not (Ingxoxo yooYamabhinqa).

Bakuxelele ukuba xa uziva ulingile ungaqhubeka. Ukuba ufuna uya kwsikhululo samapolisa baye bathi "Singahamba sikukhapha" (Ingxoxo yooYamabhinqa).

Kweyam iCawe badlala indima enkulu kakhulu. Ndingum ZCC mna. Uyabona e ZCC, abantwana ba...kuneSunday School, iSunday School inoo teacher babo moss yonk'into neeSocial Workers yonke la nto. Kubekhona nakwezi holiday zoomama phakathi enyakeni, unyaka nonyaka eCaweni kubizwa i...kuthwa yintoni na kanene le nto? La lantika apha...iseOxford...le nto, kwaba nontlalontle balapha eOxford ngase (Ingxoxo yooYamabhinqa).

Nangona kukho ungenelelo nenkxaso yezinye iicawa, amanye amabhinqa aye anikela ngengxelo yokuphoxeka ziziphumo, njengoko amadoda enganyanzelekanga ukuba abandakanyeke. Ngokomzekelo, enye indoda yavela yagqiba ukungabi yinxalenye yenkonzo eyayisilwa nxaanye nobundlobongela bayo:

Ziyazama, ziyazama sisi iinkokheli zakwa Lizwi, like mna kweyam iCawe bebesiya kwam endlini bayothetha bayazama ukuyinqanda iGender Based Violence, bazame ukulungisa umtshato wenu intonayo mna into eyandibethayo kukuphuma kwalo mntu ndilungiswa kunye naye, lo tata, wayiyeka iCawe kwashiyeka mna eCaweni (Umboneleli weenkonz).

Ngoxa bezikho iingxelo ezintle malunga nendlela iintlangano zezonqulo ezisabela ngayo kubundlobongela obenziwa kumabhinqa, iintlangano zezonqulo bezibonwa njengezo zingayisi liso ngokwaneleyo ubundlobongela beqabane-(IPV) kodwa endaweni yoko zinikela ingqalelo ekuxolelaniseni abantu abatshatileyo ibe loo nto ivala umlomo amaxhoba:

Ngamanye amaxesha aphele umntu kengoku umntu engayixeli into nokubana mhlambi uyithethile kwinkokheli yakhe, inkokheli yakhe izoyithetha apha

enkonzweni lento ubana hayi mayiphumi lento ngaphandle mayiphelele apha ngaphandle mayiphelele apha kuthi abadibanise acinge fan'ba kengoku ilungile lento kanti akhonto ilungileyo isaqhubeka ilelahlobo (Umboneleli weenkonzweni).

8 Ubulungisa boluntu, umthetho, intsabelo yoluntu kunye nobuntu

Ukuthathela umthetho ezandleni kwabantu baseMzantsi Afrika kunentsusa ekwimbali yobukoloni nocalucalulo

Ukujonga imbali yobundlobongela kubantu abaNtsundu baseMzantsi Afrika, enoba basezilokishini (edolophini) okanye emaphandleni (ezilalini), kwenza kuqondwe ukuphindaphindeka kokungcungcuthekisa, ukubethwa nokubulawa ngokulula kwabantu abaNtsundu. Ukuthathela umthetho ezandleni kwabantu abaNtsundu kwakondele kuMzantsi Afrika wexesha localucalulo kwaye kuye kwaqhubeka phantsi kolawulo lwentando yeninzi (Loqani, 2015; Ngidi, 2022; Super, 2022). Amabhinqa anikele ingxolo yokuqonda imiphumo yaxa abantu bethathela umthetho kubo, beyiphepha loo nto kwezinye iimeki:

Abantu bayoyika ukusibetha okanye basitshise isdlwengu ngoba kaloku nyhani ekugqibeleni kuye kutshiwo kuthwe abantu bathathele umthetho ezandleni, kude kufunwe uqonda ukuba ngubani mhlawumbi oqalileyo? Kanti ke moss into xa yenziwe ngabahlali sube yenziwe ngabahlali kodwa kufumaniseke ukuba izawuphuma nodlolwazana, kulityalwe ngalowa umntu ulimazileyo ngokokubana umntu enze la nto yoba kuthwe undlwengule fanele into yoba, abahlali xa bemfumene bambambe bambulale qha ke ngenxa yentoba ngabana, umthetho uzawufun' uqondaba "Ngubani obeqalile" (Ingxoxo yooYamabhinqa).

Ukungabikho kwenkxaso karhulumente kunye nenkxaso yeenkokeli zoluntu kwenza abahlali bathathe indima yeenkonzo zokusabela, ngokomzekelo ezo zeenkonzo zonyango longxamiseko nezamapolisa:

Abamelwane ngaba ngokwelam icala ke, abamelwane ngaba ndithi bakuthatha... baye bakuthathe... bakuthatha bakubalekisele emapoliseni okanye bakhabe beshiyeka be deal (a) nalo wenze obu bundlobongela (Ingxoxo yooYamabhinqa).

Izinto ezenziwa luluntu nezo lungazenziyo

Amabhinqa anikele ingxelo ethi ukungenzi nto kwamapolisa nokubanjwa kwabantu xa besilwa nxamnye nolwaphulo mthetho kuyatyhafisa. Abathathi-nxaxheba bavumile ukuba banenkxaso yabahlali kwaye banokuthembela ngabamelwane babo kakhulu, kodwa kukho imiqobo eqondakalayo ethintela ukuba abahlali bangawancedi amaxhoba:

Akusekho nto endiyibonayo abahlali abakwazi ukuyenza ngoba xa besenza lo nto abahlali bafun'uyenza kwesi sidlwengu si rape(ayo) apha elalini yakho, kuyiwe kuthwe sithathel'umthetho ezandleni zethu, funeka ke thina sithule, asikwazukwenzanto ngaba bantu, funeka siyoba xela, babanjwe baphinde bakhutshwe babuye (Ingxoxo yooYamabhinqa).

Abathathi-nxaxheba bazithathela ezandleni zawo umthetho nangona besoyika amagosa omthetho xa beshukuma nxamnye nezaphuli mthetho. Amabhinqa avakalise iimvakalelo zokungabinamandla

nokwenziwa ngathi abangobantu xa ethelekiswa namadoda kwaye aphawule indlela angakhuselwa ngayo ngumthetho nto leyo ebangela abahlali bangangeneleli xa amabhinqa ekhalela uncedo:

Abantu abasaphumi ngoku ngoba kaloku boyika ukhonjwa, boyika ubanjwa, urhulumente wethu ngowezigila mkhuba ngoba kaloku thina xa sinophakama sizawuthathwa siyovalelwa, phofu yena bazawumthatha bathi, "Senimbethile nali igazi" akhonto sizawuyenza, bawumsa esibhedlela kube kuphela. Thina asinabo ubomi thina bantu basethyini, ubomi obukhoyo bobezigila mkhuba zodwa, futhi ke urhulumente uyazithanda (Ingxoxo yooYamabhinqa).

Abathathi-nxaxheba anikele ingxelo ethi uluntu luthathela umthetho ezandleni zawo nxamnye nabazali kunye namadoda axhaphaza abantwana babo:

Uye akhutshwe ingakumbi ke kule yam ingingqi endihlala kuyo, uyakhutshwa kwalapha ekuhlaleni angabikho totally kududulwe yena, kushiyeke abantwana nonkosikazi apha endlini, yena ngokunokwakhe uyemnka aphele tu angabikho apho. Futhi ke, xa sekufike ixesha elinjalo ehlukeze umntana pha phakathi endlini, akakhutshwa nje ehamba lula, uyabethwa, uyabethwa lowo, yeyona nto endibonayo uba abayikhathalelanga abahlali noba kuthwa umthetho uzawufuna uyazi uba beniyenzela ntoni na ngoba kaloku ngoku utye aph'endlini (Ingxoxo yooYamabhinqa).

Igalelo lokuchanabeka kwabantwana kubundlobongela basekuhlaleni

Abantwana bachanabeka kwizenzo zabahlali ezinogonyamelo olumasikizi kwaye bayaqonda ukuba obu bundlobongela bubangelwa zizaphuli mthetho ezixhaphaza amabhinqa nabantwana. Kwenye imeko, abahlali babulala indoda eyayityholwa ngokudlwengula nokubulala umntwana:

Babulala lomntu uhlukeze umntu emveni koko uqgiba kwabo bambethe bambethe bambulale wabethwa wabethwa tshizwa nange paraffin kwa kwajonga uba ufe msinya bamshiya kulondawo tata and then kethinna ke sabe sihamba (Umntwana Othatha Inxaxheba).

Ukuchanabeka kubantu abathathela umthetho ezandleni zabo nokuba siyintoni isizathu sabo kunemiphumo engathandekiyo kwaye kubachaphazela ixesha elide engqondweni abantwana, apho bezibuza ukuba banako na ukunyamezela ukubona obu bundlobongela bade babe ngathi bayaphupha:

Ndikhumbula xandibona aba bantu xabesilwa uba ndandicinga njani ukuyibukela into enjeyana Ndiye ndathi xa ndifika endlini ndacinga lanto ibiyenzeke pha yangase ndiphindele kodwa kwabakho into ethi "hayi sukuya" Mhlawumbi angaphumela nakuwe umsindo wakhe, awumazi uba ungaka nani (Umntwana Othatha Inxaxheba). Ubulele umntana mos naye wabulalwa (Umntwana Othatha Inxaxheba).

Imiqobo kubulungisa basekuhlaleni 'nokudinwa kukubonisa ubuntu'

Ubulungisa buye bachazwa njengenqubo yokufumana isigwebo esinobulungisa kwityala nangona umthetho unento yokwenza namalungelo kunye nemigaqo-nkqubo (Intlanganiso nabahlali, Isilimela 2022). Abathathi-nxaxheba baye bathi imithetho nemigaqo-nkqubo iye yabunciphisa ubuntu. Oku bekubangelwa luluvo lokuba umthetho uyabohlwaya abahlali ngokuxela ubundlobongela

nangokuzama ukungenelela xa bebona ubundlobongela busenzeka kwindawo abahlala kuzo. Ngenxa yoko, abantu abaxeli okanye benze nto xa bebona ubundlobongela okanye besazi ngabo:

Ngexesha le-seshoni umntu uya kuchaza into yokuba bayakwazi ukbethwa kodwa ulunt kwezinye indawo bangaphakami, kuthwe hayi wethu yinto yabo leya babaya ingahti seyi siqhelo uyabo(?) "hayi banjeya bayeke ngoba ukhe wangena phakathi kwabo baphinde babuyelane, yenye ingxaki ke leyo yoba abantu kuza nqandwa then baphinde bona balunge into zabo (Ababoneleli Beenkonzo).

Abathathi-nxaxheba baxele nangokususwa kwendlela yokuxela ungaziwa kokubini emapoliseni nakoonontlalo-ntle njengesizathu sokba bangangeneleli xa abanye abahlali bekhalela uncedo (Intlanganiso nabahlali, Isilimela 2022). Oku kuye kwanyenzela abahlali ukuba benze izinto ngokuzimeleyo ukuze baphephe ukufumana umsila wengwe obabizela enkundleni.

Ukongezelela ekoyikeni izaphuli mthetho, abathathi-nxaxheba bekwaxhalabe ngenkqubo yezobulungisa eyenza ngathi ingakwicala labo ngoxa ibachanaba kubundlobongela xa beluxela. Abanye abantu baye baqalisa ukucela iimali yentlawulo zokuzibophelela ukuze banikezele ngoncedo:

Xa kengoku ba yafuna uncedwa ukhupha imali iR5 mhm gqiba khupha lamali yonke into eyenzeke emzini wakho okanye kuwe khangela lamntu kayekwa ukhangelwa funyanwe then bambethe emva koba bembethile phonele amapolisa Ngala day kaloku kubethwa ngayo lamntu kukhutshwa iR5 gqiba kwakho ukhupha khangela lamntu kengoku R5 gqiba kwakho ukhupha khangela lamntu kengoku bayajika kaloku abaselibemnceda bayajika (Umntwana Othatha Inxaxheba).

Iilali, iilokishi neendawo ezisematyotyombeni azikwazi kufikelela kubantu abangamagcisa eenkonzo zokhuseleko abafana noonogada, iindawo ezinqatyisiweyo, iindawo ezibiywe ngcingo olunqabisileyo kunye nabahlali abagadayo abanezixhobo ezaneleyo (Super, 2022). Abantu basekuhlaleni badla ngokusebenzisa izicwangciso ezicingisisiweyo ukuze basebenzise izixhobo zabo ezilingniselweyo kunye nezinto zoluntu abanazo ukuze benze kubonakala ubukho bamapolisa, ngokomzekelo ngokucela i-R5 yemali yokuzibophelela kuncedo lwabahlali ukuba kuvela imeko edinga uncedo lwabo. Kwiintlanganiso nabahlali (Isilimela 2022), ukungakwazi kwabantu basekuhlaleni ukusabela ngokukhululekileyo kugonyamelo baze bancede abamelwane, kuchazwe 'njengokudinwa kukubonisa ubuntu', njengoko amangqina kufuneka esoloko esiba nexesha lokuvela enkundleni.

9 Imisantsa evelayo

9.1 Ulwimi nenkcubeko – Umyalelo weJaji Eyintloko othi makusetyenziswe isiNgesi njengolwimi lwenkundla, unqatshintshwa ngokulula kwaye ukukhuthazwa kweelwimi zomthonyama kwiindawo apho iilwimi zengcinezelo beziphambili, akuyi kunceda nje kuphela kodwa kungalungisa imiqobo engabonakaliyo eyenza amabhinqa angama-Afrika azive engaphantsi kwaye engaqukwa kwiindawo ezinjalo.

9.2 Abantwana badinga indawo yekhusi nokhuseleko – Ukungaqukwa abafana abadala kwiinkonzo zekhusi kuza kuba negalelo elihlala ixesha elide ekukhuleni kubantwana abangamakhwenkwe emzimbeni nangokwentlalo kwaye xa engakwazi ukufikelela kwinkxaso yokucetyiswa kwezengqondo

ukuze bakwazi ukumelana nengxaki yabo, oku kuza kwenza ubundlobongela buqhubeka. Ukwahlula iintsapho ngolu hlobo, kungabanela ukuba amabhinqa nabantwana bafunyanwe lixhala.

9.3 Abantwana ababona kuphathwa ngobundlobongela abantu ababanakekelayo badinga ukucetyiswa ngokwasengqondweni – linkonzo zokucebisa kwezengqondo ebantwaneni bezingadityaniswa njengenxalenye yonakekelo lwase-TCC kwaye abantwana bebexhomekeke kubazali okanye kumntu omdala onokuthenjwa ukuze bafumane inkxaso engokweemvakalelo.

9.4 linkonzo zokuqhubeka nobomi kunye nezokucetyiswa kwezengqondo zibonelelwa kwicala lomntu omye – Amabhinqa akufunekanga nje abone indlela yokuba achache kodwa kufuneka axhase nokuchca kwabantwana babo. Amadoda nabantwana abangabafana abadala awadityaniswa kanako kwiinkonzo zokuthintela ezokusabela.

9.5 Ukusilela kwinqubo yezobulungisa kukhokelela kubahlali abathathela umthetho ezandleni zabo – i-SAPS idla ngokuba yindawo yokuqala eziya kuyo iingcali ezibonelela ngeenkonzo kodwa abantu baphelelwa yintembelo kwinqubo yobulungisa, nto leyo ebangela ukuba abantu basabele ngokungaxeli okanye ngokuthathela umthetho ezandleni zawo.

9.6 Ukusebenzisana kwamacandelo awohlukahlukeneyo – ii-NGO ezise-TCC okanye amasebe e-SAPS kodwa exhaswa ngezimali zii-NGO ngundoqo ekuqinisekiseni ukuba amabhinqa afumana zonke iinkonzo azifunayo.

9.7 Iintsapho, iicawa kunye neenkokheli zomthonyama zidlala indima ekuxhaseni okanye ekuvaleni umlomo amaxhoba okuxhatshazwa – Abophuli-mthetho bayakhuselwa xa amaxhoba engenalo igunya lokubiza iintlanganiso zosapho nakwiimeko apho iintsapho zingenakungenelela. Ngokufanayo, amaziko onqulo nawomthonyama abeka phambili kukugcinwa komtshato umanyene ngaphezu kokhuseleko lwamabhinqa nabantwana.

9.8 linkonzo eziquka amadoda zimbaleka kakhulu– iinqubo zokusabela ngaphambi nasemva kwe-GBV zinikela ingqalelo kumabhinqa nakubantwana kwaye kufuneka kwenziwe umsebenzi omkhulu ukuze kuqakwe amadoda azizaphuli mthetho kuphando olulandelayo.

9.9 Imithetho yobusolusapho ikhuthaza ize ithintele ukufikelela kwiinkonzo – Amabhinqa ayajikiswa xa eyokumangala kwizikhululo zamapolisa, awakhuthazwa ukuba axele ecaweni kwaye ezinye izithethe zesintu zimele ziqwalaselwe xa amabhinqa efuna uncedo kunye nobulungisa kwiindawo abahlala kuzo.

9.10 Amagosa aphezulu kurhulumente awenzi kufumaneke uqeqesho lwe-GBV kubasebenzi abasebenza ekuhlaleni – amasebe kaRhulumente ayalufumana uqeqesho ngeMithetho, kodwa loo mathuba afunyanwa ngabaphathi abaphezulu kuphela nto leyo ethetha ukuba abaqakwa ekufumaneni ulwazi abasebenzi abamele baphumeze uqeqesho olumayela namaxhoba.

10 Ingxubusho

linkqubo zokuphila kunye nenkcubeko zigxininisa ubusolusapho olubangela ukuba amabhinqa nabantwana bangakwazi ukuthetha ngezimvo zabo. U-bell hooks (2004) ihlolisisa indlela imeko yokuphila yobusolusapho ibeka phambili iimfuno zamadoda antsundu ngaphezu kweemfuno zamamabhinqa antsundu. Ukanti amadoda antsundu awaphathwa njengabantu ngamadoda namabhinqa amhlophe. Olu phando lunceda sibone unobangela weengxaki zoluntu eziphuma kubungxowankulu nobusolusapho. Ezi ngxaki zichaphazela imeko yentsapho. Ezi ngxaki zikwaphinda zichaphazele ukufikelela kwiinkonzo.

Kubalulekile ukuyilandela kakuhle inkcubeko yama-Afrika. Le nto izokunceda iqondakale indlela intsapho yama-Afrika eyilwe ngayo, ngoba ubundlobongela nxamnye namabhinqa ngamaqabane awo benzeka ekhayeni. Kwinkcubeko yama-Afrika, izithethe zezona ezihambela phambili ekugqibeni ukuba ngubani oyena mntu ekumele agqalwe njengomzali. Akujongwa kakhulu ukuba umntu uzalwa ngubani. Le mbono iphenjelelwe yindlela yokuhlala, inkqubo yezemali, kunye nendlela yokuziphatha, njengokuba inkcubeko iyiyo enceda abantu baziqonde ukuba bangoobani. (Keesing, 1974; Mkhize, 2018; Nobles, 1986; wa Thiong'o, 1986) Xa sithetha ngemeko yokuba ngubani oyena mntu ogqalwa njengomzali, isihlonipho ngumzekelo ovelayo xa abantu bethetha. Xa umbandela wesihlonipho ungaqondwa okanye ungasetyenziswa ngendlela efanelekileyo, le nto ikhokhelela ekugwetyeni nokujongelwa phantsi kwabafazi, ingakumbi kwinkqubo yobulungisa kulwaphulo-mthetho. Ngalo ndlela, inkcubeko nolwimi ziphembelela indlela iinkonzo eziphunyezwa ngayo. Ukuba inkcubeko nolwimi ziqukwa kwindlela eziphunyezwa ngayo iinkonzo, lo nto izokubangela ukuba iinkonzo zikwazi ukufikeleleka kwaye ziwenze umsebenzi wazo.

Akukwazeki ukufikelela kwiinkonzo kuba iinginqi ziyasokola ukuqhagamshelana nababoneleli beenkonzo, ukanti ababoneleli beenkonzo abakwazi ukuthetha iilwimi zesintu. Umthetho kunye nesigcwangciso solwimi kweli xesha ledemokhrasi zimele zigxininise ukuseytenziswa kweelwimi zesintu ngenjongo yokuphelisa uqhuliselo lokungaqukwa kwama-Afrika kwiinkonzo (Bamgbose, 2011; Mncwango, 2012). Ulwimi lwesintu, njengesixhosa eMpuma Koloni, ngokomzekelo, lumele lunikwe isigxina esifanayo nesiNgesi (Cakata & Segalo, 2017)

Ukungalingani sisiseko uMzantsi Afrika olawulwa yintando yesininzi owakhelwe phezu kwaso. Iingxaki zoluntu ezichaphazela ubundlobongela obubangelwa ngamaqabane, ubundlobongela basekhaya, nasekuhlaleni, kwakunye nobundlobongela nxamnye nabantwana buneengcambu kwezi meko zentlalo. Iilokishi zabantu abantsundu ziqhubeka ziyindawo zokuphalaza igazi, kwaye abahlali bathathela umthetho ezandleni zabo, ibe lo nto inokubonakala ikungazithandi ngenxa yeemeko abaphila phantsi kwazo. Ukuqwalasela imbali kubalulekile ukuze kuqondwe ukuba kutheni abantu abantsundu engawathemba amapolisa. Ukungaziswa kakuhle kweenkonzo zamapolisa kuyadibana nokuthathela kwabahlali umthetho ezandleni zawo, ibe ngumqondiso wembali yobundlobongela kweli lizwe, ibe ikwabubungqina bobundlobongela obukhoyo emva kokuphela kolawulo lwe-Apartheid eMzantsi Afrika.

Isizathu sokuba sinikele ingqalelo kwiicawa kolu phando kukuba iindawo ebesiphanda kuzo iibizindawo apho inkoliso yabantu abahlala kuzo bezigqala bengamaKristu. Uphando lwemizi jikelele (General Household Survey) eyenziwe ngo-2015 ibonise ukuba i-86% yabantu eMzantsi Afrika bazigqala njengamaKristu (Stats SA, 2015) Kukho amaxesha abantu basekuhlaleni bevana necawa, kodwa kubekho amanye amaxesha apha bengavisisani nayo. Icawa yayihambela phambili ekucinizeni abantu ngexesha lobukoloni ne-Apartheid. Kodwa kwangaxeshanye icawa ikwayindawo apho abantu bangabhenela kuyo ukuphalaza intlungu yabo nokufumana ukhuthazo.

Abathathi-nxaxheba kolu phando bayaqonda ukuba ukungasabeli kwabantu basekuhlaleni kuphenjelelwa kukudinwa kukubonisa ubuntu. Ubungxowankulu kunyazela abantu bacinge ngemiphumo emibi bayifumeneyo ngoxa bezama ukungenelela kwiimeko apho bekukho ubundlobongela. Ngokomzekelo, abahlali bekufuneka bakhethe phakathi kokungaphangeli ukuze banikele ubungqina enkundleni, into enokubangela bagxothwe emisebenzini okanye bangawufumani umvuzo wabo wosuku. Kwiindawo apho kukho ubundlobongela obungapheliyo, ukuzama kwabo ukunqanda ubundlobongela buyindinisa, kubuhlungu, kwaye ibachaphezela kakubi ngobuqu. Le miphumo ibangela ukuba kubekho umqobo ekubonakaliseni kwabo inkxaso.

Abathathi-nxaxheba bacele ukuba ibhunga lemveli liqukwe kwicandelo leGBV ukuze kuphuculwe indlela ekusatyelwa ngayo. Amabhinqa awafuni ukubalekela kumagunya asemthethweni kuphela, kodwa ayayixabisa inkcubeko yawo. Injongo yalo mgaqo kukuzisa uxolo nemvisiswano kwiindawo zokuhlala. Ukuzisa ibhunga lemveli ekulweni iGBV iyanceda kuba iquka amadoda ekuncediseni ekubhangiseni iGBV.

11 Izinto ezinokwenziwa ukuze kuvalwe umsantsa

1. **Makusetyenziswe iilwimi zesintu kwinkqubo yobulungisa** – Iingxelo zamangqina neengxelo ezifungelweyo zifanelwe zibhalwe ngelwini lwenkobe lommandali ukuze akwazi ukuqinisekisa ukuchana kwale nto ibhaliweyo. Iinkqubo zenkundla zimele ziqhutywe ngeelwimi zesintu neengxelo ezibhaliweyo ziguqulelwe apho kuyimfuneko xa kuzokubhenwa.
2. **Iinkonzo ezenzelwe amabhinqa achatshazelwe yi-GBV zifanele zibonelele neemfuno zabantwana** – Iinkonzo zifanele zincedo bonke abantwana – kuquka amakhwenkwe – kwiinqubo zokungenelela ekuqandweni kwe-GBV.
3. **Amakhwenkwe afikisayo kwiindawo zokuhlala aqukwe** – Iindawo zekhusi zimele ziquke amabhinqa kunye nabo bonke abantwana babo, nangona sicinga ngengozi ekhoyo emizimbeni nasezingqondweni zamakhwenkwe afikisayo nabanye abahlali.
4. **Ukukhathalelwa kwempilo yabantwana idityaniswe ukuze kuxhaswe amabhinqa** – Iinkonzo zokhathalelo lwempilo yengqondo kufuneka ziqukwe kugcwangciso wokonga abantwana abaye bachatshazelwa bubundlobongela ekhayeni.
5. **Iinkonzo namaphulo okuphelisa iGBV kufuneka ziquke amadoda** – Amadoda kufuneka azibophelele ngokuziquka kula maphulo. EMzantsi Afrika, sidinga ukuba iindawo ekubhenelwa

kuzo neenkqubo zokunceda ziquke amadoda ukuze afumane inkxaso ngokwasengqondweni nengenelelo ukuze kupheliswe iGBV.

6. **linkonzo kufuneka zibonelele ngeenkqubo ezinenguquko ngokwesini nezisebenzela zonke izini** – Kukho imfuneko yokuba iinkonzo zokunceda kwintlungu ezikuwo onke amasebe karhulumente zincede abasebenzi bazo baziqwalasele iimfuno zamaxhoba nezabantu abasinde kubundlobongela.
7. **Kufuneka kuphuculwe inkqubo yobulungisa ukuze kubekho utshintsho** – Kufuneka kubekho amaphulo akhuthaza iinkonzo ezithintela i-GBV. Amabhinqa nabantwana kufuneka achazelwe ngezi nkonzo kunye namalungelo awo. Into yokuqala emele yenzeke, kukuba iingingqi zifanele zifundise amabhinqa nabantwana ngemiyalelo wokhuseleko kunye namalungelo awo.
8. **Indima yamagunya esintu nawonqulo ifanelwe iqinisiwe** – Amagunya esintu nawonqulo kufuneka aqukwe xa kubanjiswana ekuthinteleni nokusabela kubundlobongela okubangelwa bubusolusapho.
9. **Kufuneka kwenziwe uphando olubanzi ukuze kuqondwe izinto ezikhuthaza amabhinqa ukuba afune uncedo** – Ukusombulula izinto ezingaqondakaliyo kumaziko aqhelekileyo amele ukuba athintela i-GBV, izokubangela amabhinqa nabantwana bakwazi ukukhetha phakathi kweenkoko ezidityanisiweyo (kuquka ezesintu nezengcali) ukuze bachache.
10. **Kubalulekile ukuhlolisisa iingcamango zobulungisa nokubuyisela ngokusebenzisa indlela yokucinga ekhuthaza inkululeko yabafazi** – Ukwenza olu hlolisiso kuzokuphelisa into yokuba amadoda aphule umthetho emfihlekweni kodwa azukiswe esidlangalaleni.
11. **Kufuneka kubekho uqeqesho nge-GBV olusuka phezulu ukuya ezantsi emasebeni karhulumente** – lintlangano kufuneka ziqeqeshe abaqeshwa ahlala kwidesika zolwamkelo nabo bajongene nezikhalazo zabantu ababhenela kuzo.
12. **Amaphulo wokufundisa ukuba imiyalelo yokhuseleko isebenza njani kunye namaphulo okuqeqesha amapolisa ukuba enze ntoni xa kukho izicelo zokhuseleko** – Iingcali zidinga ukuqeqeshwa ekuhloliseni iingozi amabhinqa akuwo, kwaye aqeqeshwe nangendlela wokucacisela amabhinqa indlela yokusebenzisa imiyalelo yokhuseleko, ngemida, nangendlela yokuyifumana.

12. Umqokumbelo

Uphando lufumanise ukuba ulwimi kunye nenkcubeko zibalulekile ukuze siqonde indlela amabhinqa nabantwana balucela ngalo uncedo nokuchaza iziganeko zobundlobongela beqabane(IPV). Ulwimi nenkcubeko luphinde luncede ekuvuleni indlela esa kwiinkonzo nakubanikezi nkonzo, nokuze siziqonde ngcono izimo zengqondo zabanikezi nkonzo. Iinkonzo zimele zibonelelwe ngeendlela ezibonisa ukuyiqonda inkcubeko, ukuyihlonipha, kwaye zikhuthaze izithethe zenkcubeko, ziphinde zixabise neendawo zokuhlala, kodwa ziye zingahlala zizinto ezingaqondakaliyo okanye ezingqubanayo nenkcubeko okanye ubukoloni, kwaye ziphinde ziqonde nendlela ubusolusapho bubuchaphazela ngayo amabhinqa nabantwana. Amabhinqa nabantwana abaye bacelwa ziinkonzo ukuba banikeze iimbono zabo bazinekeze ngendlela efanayo ukuze zibonakale iindlela abacela ngazo uncedo neendlela abafikeleleka kuzo kwezi nkonzo. Iziphumo zisikelwe umda kwiindawo bekuphandwa kuzo.

limbekiselo

- Asher, K. (2017). Spivak and Rivera Cusicanqui on the dilemmas of representation in postcolonial and decolonial feminisms. *Feminist Studies*, 43(3), 512-524.
- Bamgbose, A. (2011). African languages today: The challenge of and prospects for empowerment under globalization. In: E. G. Bokamba, R. K. Shosted, & B. T. Ayalew (eds) *Selected Proceedings of the 40th Annual Conference on African Linguistics: African languages and linguistics today*. Somerville, MA: Cascadilla Proceedings Project.
- Budlender, D. J., L; Proudlock, P & Berry, L. (2020). *The 2020 Supplementary Budget: Observations from a child perspective*. Cape Town: University of Cape Town.
- Cakata, Z., & Segalo, P. (2017). Obstacles to post-apartheid language policy implementation: Insights from language policy experts. *Southern African Linguistics and Applied Language Studies*, 35(4), 321-329.
- Centre for Child Law. (2022a). *Adjudicating Sexual Offence Matters Involving Children as Victims*. Pretoria: University of Pretoria.
- Centre for Child Law. (2022b). *An assessment of the National Strategic Plan on Gender Based Violence & Femicide: A child rights perspective*. Pretoria: University of Pretoria.
- Cohen, J., Bukstein, O., Walter, H., Benson, R., Christman, A., & Farchione, T. (2010). Practice parameter for the assessment and treatment of posttraumatic stress disorder in children and adolescents. *Journal of the American Academy of Child and Adolescent Psychiatry*, 49, 414-430.
- Collins, P. H. (1986). Learning from the outsider within: The sociological significance of Black feminist thought. *Social problems*, 33(6), s14-s32.
- Crenshaw, K. (1991). Mapping the margins: Identity politics, intersectionality, and violence against women. *Stanford Law Review*, 43(6), 1241-1299.
- Democratic Governance and Rights Unit. (2020). *Assessing the Functioning of Urban Traditional Courts in South Africa*. Working Paper Series. Cape Town: DGRU, University of Cape Town.
- Fanon, F. (1968). *Black Skins, White Masks*. (C. L. Markmann, Trans.). New York: Grove Press.
- Fanon, F. (2004). *The Wretched of the Earth*. (R. Philcox, Trans.)(Original work published 1961) New York: Penguin Books.
- Hooks, B. (2004). *The Will to Change: Men, masculinity, and love*. Beyond Words/Atria Books.
- Jamieson, L., & Mathews, S. (2022). *Laws and Policies to Prevent and Respond to Violence Against Women and Children in South Africa*, [Policy Brief].
- Jamieson, L., Sambu, W., & Mathews, S. (2017). *Out of Harm's Way? Tracking child abuse cases through the child protection system at five selected sites in South Africa. Research report*. Children's Institute, University of Cape Town.
- Jamieson, L., Wakefield, L., & Briede, M. (2014). Towards effective child protection: Ensuring adequate financial and human resources. In: S. Mathews, L. Jamieson, L. Lake, & C. Smith. (eds) *South African Child Gauge 2014*. Cape Town: Children's Institute, University of Cape Town.

- Jansen, S., & Titi, N. (2018). Women are patriarchal – and this needs to end. *M&G*. 5 March 2018.
- Jiang, D., & Pretorius, L. (2010). Communication Behaviour in International Engineering Projects: An Empirical and Comparative Study between South Africa and China. PICMET 2010 Technology Management for Global Economic Growth. New York: IEEE.
- Keesing, R. M. (1974). Theories of culture. *Annual Review of Anthropology*, 3, 73-97.
- Loqani, A. (2015). *A Comparative Exploratory Analysis of Vigilante Occurrences in Two Communities in Port Elizabeth (Kwazakhele and New Brighton)* Alice: University of Fort Hare.
- Louwrens, C., Slaven, F., Jordaan, S., Sodo, P., van den Broek, L., Klapwijk, J., & Ncongwane, H. (2016). *Thuthuzela Care Centres Compliance Audit and Gap Analysis*. Pretoria: Foundation for Professional Development.
- Lugones, M. (2010). The coloniality of gender. In: W. Magnolo & A. Escobar (eds.), *Globalization and Decolonial Option* (pp. 369-390). New York: Routledge.
- Makama, R., Helman, R., Titi, N., & Day, S. (2019). The danger of a single feminist narrative: African-centred decolonial feminism for Black men. *Agenda*, 33(3), 61-69.
- Manning, J. (2021). Decolonial feminist theory: Embracing the gendered colonial difference in management and organisation studies. *Gender, Work & Organization*, 28(4), 1203-1219.
- Mathews, S., Berry, L., & Marco-Felton, J. (2017). *Outcomes Assessment of the Isibindi-ChildLine Residential Therapeutic Programme for Sexually-abused Children*. Cape Town: Children's Institute, University of Cape Town.
- Mathews, S., Makola, L., & Megganon, V. (2021). *Connecting the Dots: Informing our understanding and response to the intersections between violence against women and violence against children*. Cape Town: Children's Institute, University of Cape Town.
- Mavhandu-Mudzus, A. (2022) *Research Ethics in an African Rural Context*. University of South Africa Webinar. (22 September 2022).
- Maylam, P. (1995). Explaining the apartheid city: 20 years of South African urban historiography. *Journal of Southern African Studies*, 21(1), 19-38.
- Mignolo, W. D. (2018). Decoloniality and phenomenology: The geopolitics of knowing and epistemic/ontological colonial differences. *JSP: Journal of Speculative Philosophy*, 32(3), 360-387.
- Mkhize, N. (2018). Ubuntu-botho approach to ethics: An invitation to dialogue. In: N. Nortje, J. De Jongh, W.A. Hoffman (eds) *African Perspectives on Ethics for Healthcare Professionals*. Springer.
- Mncwango, E. M. (2012). The stuttering implementation of language policies in the South African education system. *Inkanyiso: Journal of Humanities and Social Sciences*, 4(1), 58-62.
- Ngidi, M. A. (2020). *Memories of Everyday Life and Forced Removals in South Africa: A case study of Cato Manor, Durban, c. 1930-1960*. PhD dissertation, University of KwaZulu-Natal.
- Nobles, W. W. (1986). *African Psychology: Toward its reclamation, reascension & revitalization*. Oakland, Calif: Institute for the Advanced Study of Black Family Life and Culture.

- Nsamenang, A. B., & Lamb, M. E. (1995). The force of beliefs: How the parental values of the Nso of northwest Cameroon shape children's progress toward adult models. *Journal of Applied Developmental Psychology, 16*(4), 613-627.
- Rautenbach, C. (2012). *South Africa: Recognition of Traditional Courts: Loose ties between two judicial systems*. Decision Making on Pluralist Normative Ground: On the governance of disparate traditional, religious and statutory laws in pluralist societies. International Conference. 11 - 15 May 2011, Berlin.
- South African Police Service. (2014). *Applying for a Protection Order*. Pretoria: SAPS. Retrieved 30 August 2022 from: https://www.saps.gov.za/services/protection_order.php
- Statistics South Africa. (2016). *General Household Survey 2015*. Pretoria: Stats SA.
- Strauss, M. (2019). A historical exposition of spatial injustice and segregated urban settlement in South Africa. *Fundamina, 25*(2), 135-168.
- Thetela, P. H. (2002). Sex discourses and gender constructions in Southern Sotho: a case study of police interviews of rape/sexual assault victims. *Southern African Linguistics and Applied Language Studies, 20*(3), 177-189.
- Titi, N. V. (2021). *How Children Make Meaning of Sexual Trauma: Towards decolonized African centered child-centric psychological interventions*. PhD thesis. Pretoria: University of South Africa.
- Tuck, E., & Yang, K. (2012). Decolonization is not a metaphor. *Decolonization: Indigeneity, Education & Society, 1*(1), 1-40.
- Vetten, L. (2019). 'Listening, care, support and respect': A field guide to the making of inequality in South Africa's Thuthuzela Care Centres. *Transformation: Critical Perspectives on Southern Africa, 101*(1), 61-83.
- wa Thiong'o, N. J. (1986). *Decolonising the mind: The politics of language in African literature*. J. Currey.
- Watson, J., & Lopes, C. (2017). *Shelter Services to Domestic Violence Victims – Policy approaches to strengthening state responses*. (Policy Brief No.1.) https://www.saferspaces.org.za/uploads/files/policy_brief_final_02_web.pdf
- South African Police Service. (2021). *Police recorded crime statistics: Republic of South Africa. Second quarter of 2021/2022 financial year (July to September 2021)*. Pretoria: SAPS.
- Super, G. (2022). Cars, compounds and containers: Judicial and extrajudicial infrastructures of punishment in the 'old' and 'new' South Africa. *Punishment & Society, 24*(5), 824-842.