

Keeping it in their pants: Politicians, men and sexual assault in South Africa

Centre for Civil Society, University of KwaZulu Natal, 17 March 2005

Sanbonani. Thank you to Professor Patrick Bond and his colleagues for inviting me; my great appreciation to Helen Poonen, Helen McBride, Princess Nhlangulela and Mandisa Majavu for your assistance.

My thanks to the Harold Wolpe Memorial Trust for making this and other reflections possible to interrogate and hopefully enrich our political democracy.

At the launch of the Harold Wolpe Memorial Trust in 1997, political scientist Dan O Meara reflected that “the new South Africa cries out for the kind of rigorous critical analysis to which Harold subjected the old, apartheid South Africa.”

I believe that we are less critical now because we believe we have achieved freedom.

We are loathe to heed the warnings echoing around us.

We don't want our dream shattered. But it would be unrealistic to imagine that after a past of such oppression and exploitation that we would emerge perfect and create an ideal system overnight. I've just come from a workshop of political scientists and economists and in paper after paper concerns were expressed about growing centralization and people fearing to speak out.

We have a great debt to those who died for the freedoms we now take for granted, it is our duty to protect liberty.

Mamphelle Ramphela in her final speech as vice chancellor at the University of Cape Town in 1999, warned that today white academics fear speaking out lest they be considered racist and black academics are silent for fear of being seen as sell-outs to the cause of liberation.

Archbishop Desmond Tutu in his Nelson Mandela lecture in November last year observed: "It seems sycophancy is coming into its own. I would have wished to see far more open debate for instance on the HIV/AIDS views of the President in the ANC. Truth cannot suffer from being challenged ... that is why we are a democracy and not a dictatorship... We should not ... demand an uncritical, sycophantic, obsequious conformity." We all know the terrible lashing Archbishop Tutu received from the president and the African National Congress for daring to suggest that democratic leaders are there to respond to the will of their people, and not to call citizens into the headmaster's office on a Friday and flay them for daring to disagree.

In October 2004, President Thabo Mbeki lambasted those who write about sexual assault. He criticised UNAIDS deputy executive director, Kathleen Cravero, for saying: "Most of the women and girls... in Asia (and) in Africa, don't have the option to abstain (from sex) when they want to. Women who are victims of violence are in no position to

negotiate anything, never mind faithfulness and condom use." Mbeki wrote: "Clearly, the views (are)... that African (and Asian) men... are violent sexual predators."

This was followed by an angry exchange in parliament where he falsely accused me of writing that black men are: "rampant sexual beasts, unable to control our urges, unable to keep our legs crossed, unable to keep it in our pants." In his Friday letter he admitted that the real author was "African American Associate Professor at the University of Massachusetts-Dartmouth, Dr Edward Rhymes."

Mbeki's approach is not dissimilar to the late Steve Tshwete and Penuell Maduna telling a CBS 60 Minutes TV crew a few years ago: "They say that there is a rape every 26 seconds in SA, but we've been standing here for more than 26 seconds and I haven't seen anyone raped, have you...?"

When the most powerful men in the nation show such a lack of concern for women and when, as in the instance of Mbeki, they spring to the defence of abusive men and rapists, then how are we ever going to get violent crime, especially that directed against women, and HIV under control?

According to UNAIDS in 2003, two thirds more young women are HIV infected here than their male peers. UNAIDS, WHO, Amnesty International and Unicef point to the high rates of sexual assault in this country and the difficulty women have in negotiating safe sex.

In his talk at McCord hospital yesterday pioneering HIV clinician, Paul Farmer spoke of how “gender inequality” bedevils the capacity of “young girls to be faithful or abstain. We have to be respectful,” he said, “of how poverty robs young people of choices.”

Not just poverty; violence robs women of choices.

I will speak later of how poverty fuels violence and although politicians speak from public platforms about two economies, they remain firmly rooted in the first economy as they whisk past the poor in siren blaring cavalcades.

This curious contempt by SA's leaders toward women and children – and I am not saying male leaders because there is a disgraceful silence from women in power - displayed itself on July 24, 2003, when SA's cabinet, struck out section 21 of the draft Sexual Offences legislation, which would have provided¹ for counseling for rape survivors, treatment to prevent pregnancy and sexually transmitted diseases including HIV. Cabinet kept in section 22, however, which provides for the medical care of rapists including the very expensive costs of rehabilitation of narcotics or alcohol addictions.²

¹ “21. (1) Where a person has sustained physical, psychological or other injuries as the result of an alleged sexual offence, such person shall, immediately after the alleged offence, receive the appropriate medical care, treatment and counselling as may be required for such injuries.

“(2) If a person has been exposed to the risk of being infected by a sexually transmissible infection as the result of a sexual offence, such person shall, immediately after the reporting of the alleged offence to the South African Police Services or to a health care facility -

“(a) be advised by a medical practitioner or a qualified health care professional of the possibility of being tested for such infection; and

“(b) have access to all possible means of prevention, treatment and medical care in respect of possible exposure to a sexually transmissible infection.

“(c) The State shall bear the cost of the care, treatment, testing, prevention and counselling as referred to in this section.”

² “22. (1) A court may, upon conviction of a person of having committed a sexual offence and if satisfied that the convicted person is dependent on or has the propensity to misuse alcohol or any drug and may benefit from treatment, grant an order in terms of section 296 of the Criminal Procedure Act, 1977 (Act No. 51 of 1977): Provided that such an order may be made in addition to any sentence, including a sentence of imprisonment which is not suspended.”

Cabinet's act profoundly discriminated against women and is unconstitutional.

The constitution enshrines the right not to be refused emergency medical treatment as reaffirmed by the Constitutional Court in terms of section 27 (3), in the Soobramoney case where the court said medical treatment was obligatory in the case "of a sudden catastrophe such as an accident or assault."³

This was reaffirmed by the Constitutional Court judgement with regard to the Minister of Health and Others vs Treatment Action Campaign and others (2002), which ruled in favour of treatment for HIV+ pregnant women to protect their babies from HIV infection. The court found that the treatment was affordable and could save the life of a child.

Rape contravenes two more constitutional rights - those to safety and privacy.

Professor Ames Dhai of the Nelson Mandela School of Medicine points out that there are twice as many rape survivors at risk of seroconversion to HIV as babies born in SA, and yet there is little support for PEP for rape survivors. "Is it because of residual stigma against those raped," she muses

In Gauteng PEP has over less than two years and with limited rollout been given to 20 000 rape survivors, according to the MEC for Health. The national Department of Health gives either a three day or

seven day starter pack of PEP and tells the rape survivor to come back for follow up meds. This ignores the gross poverty in our country and the fact that most rape survivors cannot afford the bus or taxi fare to return for the medication – a woman or child who does not take the full 28 day treatment is not adequately protected against HIV – why is the full 28 day supply not given immediately? This is policy ignoring poverty.

Let's reflect on SA's rape statistics.

- * Rape Crisis in Cape Town estimates that a rape happens every 26 seconds.
- * Around 52 000 rapes are reported to police each year of which 40% are children.
- * In 1999, Unisa estimated that the real rate of rape was 1m a year, while the SA Law Commission (1999) estimated there are 1,69m rapes a year.
- * The National Prosecuting Authority says half of the cases before courts are rape, except for Durban and Mdantsane where it is 60% of cases.
- * The NPA estimates 7% of rape cases result in convictions while SA Law Commission research⁴ in 2003 indicated that rape convictions rates were 5%.
- * The Medical Research Council and others last year released research that showed a woman is killed every six hours by her intimate partner.

³ Assessing the constitutional protection of human rights in SA during the first decade of democracy by Karthy Govender (awaiting publication)

Home is the most dangerous place in the world for a woman or child.

What are we to say of a political leadership that is so contemptuous of the harm so many women and children experience?

Why are most of the 4 000 women's organizations in SA so silent about women and HIV?

Why is there such energy in AIDS battles by NGOs to prevent HIV in babies and to access triple therapy for those infected – and I applaud their efforts – but I question the silence with regard to preventative HIV treatment for rape survivors. Is it because of the double stigma rape survivors experience as Ames Dhai asks, or is it because even AIDS activism follows a male agenda and even assistance to pregnant women is because those women are carrying the offspring of men?

The biggest research study in the world into the impact of HIV on rape took place in Johannesburg from 2000 to 2002⁵. It showed that 40% of those raped will become HIV+ if they do not receive timely post exposure prophylaxis. The cost of such medication is 60c for an HIV test, usually a finger-prick test which requires no lab work, and around R100 for 28 days of PEP.

⁴ Advocate Ron Paschke for SA Law Commission, 2003

⁵ Dr Adrienne Wulfsohn. Sunninghill hospital, Rivonia, Johannesburg 2000 to 2002.

NGO director, Rhoda Kadalie wrote last year: “Maybe we black women should start telling the president most black men treat black women badly, as borne out by the startling evidence of domestic violence, default on maintenance, sexual offences and the criminal courts of the land. Maybe we should tell the president ... men do not accept "NO" for an answer, and many think women are their property.”

Addressing herself to Mbeki she asked: “Why do you not trumpet the promotion of safe sex, antiretroviral medicines and sympathy for those infected with HIV? ...Why do you not condemn men for infecting multiples of women at the same time?”

UKZN anthropologist, Professor Suzanne Leclerc Madlala notes⁶ “South Africa meets many of the criteria for what some researchers have categorised as "rape-prone societies"... (in such) societies ... where women's domestic, sexual, and reproductive services have long been traded ... through elaborate bridewealth exchanges between men, the social ideology of ownership of a woman's person resonates... the rape of a woman (is) commonly viewed... as a violation against male property. Punishment for the violator (is) usually ... a fine to cover 'damages', paid to the owner of that property. The damage ... was not so much a perception of violation of a girl's body, psyche or personal dignity, but rather violation of a man's property, one with a well calculated and socially determined exchange value...”

⁶ Rape, AIDS and the Beast in the System by Suzanne Leclerc-Madlala, Professor of Anthropology, University of KwaZulu-Natal, Sunday Tribune, 28 November 2004

And so we have situations where many rape cases don't get to court because families will accept as little as R50 compensation from the rapist. Supt Nico Snyman of Meadowlands police station in Soweto, says 90% of rape in that community is to girls younger than 12. He says they arrest perhaps 70% of rapists, but less than a fifth get to court because families accept compensation and the child or woman raped is pressured not to testify.

Now here is the question that if we can answer it will end the HIV and sexual violence pandemic:

I was in the Northern Cape in January and a young AIDS counselor told of how in 2004 her 28-year-old brother made four women pregnant. She said: "As soon as a girlfriend falls pregnant he leaves her. How can I encourage him to practice safe sex?"

Her dilemma was put to a hall full of AIDS educators and young people. They looked blank. Someone finally advised: "She should tell her parents and get them to talk to him."

But another asked: "What if her father says this is what men do, that he is just sowing his wild oats?"

My additional question is how do we help him to respect himself and women?

Maybe President Mbeki is correct when he raises the issue of South African men – of all races - not being able to keep it in their pants.

Perhaps it would help if he urged all men to show sexual restraint and to display respect toward their own bodies and those of women.

Such leadership is imperative. A report released at the end of January 2005 by South Africa's Medical Research Council noted that AIDS saw South Africa's death rate rise 43 percent in the five years to 2001. It said official statistics understate AIDS deaths by as much as two-thirds. Last year we buried 400 000 people because of AIDS.

There is a false sense that freedom can be attained on a day, that democracy rests at the ballot. But freedom is a work in eternal progress, it is always under threat by those who wish to manage through fear or delusion; and so democracy, the child of freedom, never grows up ... it has always to be nurtured, to be loved, to be protected, to be encouraged to think and behave in new ways.

O Meara noted: "mere theorising for the sake of theorising (is) futile and self indulgent... a luxury available only to those with tenured posts and enough to eat. In the words of the famous thesis on Feuerbach, the point was — and remains — to change the world."

Imaginative, constructive change is imperative in a globalised world where the lunatics appear to have taken over the asylum. Some of the lunacy coming out of the United States is almost hallucinatory.

American journalist, Bill Moyers on accepting an award at Harvard University late last year reflected⁷ on the difficulties journalists have to “pierce the ideology that governs official policy today.” He was speaking about the USA, but it could have been South Africa. He commented: “One of the biggest changes in politics in my lifetime is that the delusional is no longer marginal. It has come in from the fringe, to sit in the seat of power.”

Democracy across the world is in danger. We are seeing the most serious assault on the rights of women in the history of humankind. Rape is the fastest growing crime in the world today and the one least likely to result in an effective prosecution.

The trafficking of women and children is now more profitable than drugs with a million women and children trafficked a year, mostly into sexual slavery according to the International Organisation on Migrancy. Belarus “exports” some 10 000 women and children a year, and Germany imports some 50 000 sex slaves a year, according to the IOM. SA imports around 800 trafficked Thai women and around 1 000 Mozambican women each year. We have no laws to stop such trade. In Belarus 18 months ago I met 14-year-old Julia who had been trafficked to Russia the year before. She was sold – virgins fetch premium rates – to a group of 40 Moldovian builders in Moscow, on the first night 15 of them raped her, by the time she escaped 8 months later – she had HIV, hepatitis C, a range of other

⁷ Bill Moyers: On Receiving Harvard Medical School's Global Environment Citizen Award, Published on Monday, December 6, 2004 by CommonDreams.org

infections and was a second grade alcoholic. In Durban you have seen recent reports of trafficked children.

These acts demonstrate a belief that the woman is not an individual, neither the sanctity of her spirit nor her body is respected: she is a possession, an other, less than human.

Women are not only being attacked physically but in the roll back of our rights.

In the USA, abortion rights are under threat. The US Department of Justice in its first ever sexual assault protocol failed to include emergency contraception.⁸ The risk of pregnancy after rape is less than 5 percent - but the vulnerable group is large. Of 333 000 rapes reported in the USA in 1998, 25 000 resulted in pregnancies - of which 22 000 could have been prevented.⁹ The Republican government won't give money to AIDS researchers who wish to research male to male sex, or give assistance to sexworkers, loveLife is experiencing funding problems because the US government won't give money to organizations that discuss masturbation.

The State of Alabama this week announced that it would no longer fund antiretroviral medication for those with AIDS. Why should

⁸ No pregnancy drug in U.S. Department of Justice has issued its first-ever medical guidelines for treating sexual assault victims, 2 January 2005 (Knight Ridder)

⁹ Princeton University population researcher James Trussell, February 2005.

African governments give ARVs if American states refuse to extend this health right?

The USA's disrespect for human rights is good news for those who seek to deny human rights everywhere. China, as an example, recently told the US State Department to go to hell when it complained about human rights abuses in China – the Chinese government asked 'what about Guantanamo Bay, what about Abu Ghraib?'"

Pumla Gobodo-Madikizela who wrote about death squad killer Eugene de Kock in her book, *A Human Being Died that Night*, indirectly spoke of such dangerous schoolyard politics. She wrote: "This is a trick most perpetrators use, especially those sponsored by a powerful government, to try to make their actions understandable by saying, "What my people have done, yours have done too..." Typically, the perpetrator starts off with rationalization, to convince himself of the legitimacy of his acts, then he begins to communicate his rationalisation to others. At this point it is no longer a rationalisation but a "truth" that releases the perpetrator from any sense of guilt he may still feel about his evil deeds. If the enemy is doing the same thing he is engaged in, he can't be that bad."¹⁰

As we return to early Victorian attitudes that sex and sexuality are wicked and shameful, women can anticipate that attacks against them will increase, for after all woman is Eve, the seductress, the

¹⁰ *A Human Being Died that Night: A story of forgiveness* by Pumla Gobodo-Madikizela, David Philip publishers, 2003

temptress, the mechanism (for her human integrity is not respected) by which men are led astray or vanquished.

HIV and AIDS bring another dimension to sexuality and denial. The cure lies less in whether we will find a pill or a vaccine than in remedying human behaviour. The National Institutes for Health in the USA have said that even if we find a vaccine, if human behaviour is not reformed we could render such an antidote redundant.

In Africa we hear regrettable views such as those from the 2004 Nobel peace prize winner that AIDS is a creation of US scientists to hold down the population of black Africans. Some try to deny it exists as President Mbeki did. Others just ignore it, as Swaziland's King Mswati 3 does, buying expensive cars and a jet, while life expectancy is 27 years old in his nation due to AIDS. The king who is due to marry his 13th wife, a pregnant 17-year-old, chooses his new brides from reed dances where virgins are encouraged to display their fulsomeness before him. He and some South African leaders encourage virginity testing claiming it is traditional – despite the scepticism of many who claim it encourages virgin rape in those who believe they can cleanse themselves by having sex with a virgin.

Virginity testing contravenes international statutes against sexual violence. The World Report on Violence and Health (2002), as an example includes in its definition of sexual violence¹¹ "acts of

¹¹ World Health Organization website. Department of Injuries and Violence Prevention. Including the 2002 World Report on Violence and Health: (http://www.who.int/violence_injury_prevention/violence/interpersonal/ip3/en/).

violence against women's sexuality such as female genital mutilation and social virginity inspections".

The United Nations Population Fund (UNFPA; 2004) definition includes¹² "harmful traditional practices which cannot be overlooked nor justified on the grounds of tradition, culture or social conformity".

In June 2000 I wrote in the Washington Post words that four years later still annoy the President, I wrote: "the key to a reduction in this pandemic is a change in ... attitudes towards women.

"In Africa, even if we develop a vaccine or distribute billions of condoms and the continent is already awash in latex, unless we begin working on male attitudes towards women - and that requires looking at the role of culture, tradition and religion - we will get nowhere..."

I wrote: "AIDS is Thabo Mbeki's Achilles heel - the man who would lead Africa from the misery of economic poverty will, if his policies continue, preside over graves... But tell that to chief undertaker Mbeki."

Since then Mbeki has lambasted newspaper editors who use my articles, his director general Frank Chikane has tried to persuade people as diverse as the vice chancellor of this university and Cape Town's Anglican Archbishop to deny I had interviewed them and to deny the accuracy of what I wrote. Both refused. At one stage the

¹² United Nations Population Fund: (<http://www.unfpa.org/emergencies/manual/4.htm#The>).

president and Smuts Ngonyama said I was leading the media conspiracy against Mbeki.

We may not have leadership against sexual assault at the top, but we have it in the streets. There are attempts to change in men's groups across South Africa. Toward the end of a conference on masculinity in Cape Town in January a man admitted how as a young man he and his friends would drink, then rape women, but now he is trying to remedy his behaviour.

Recently a young man who had raped a woman¹³ asked me for help. He wrote in an email last week: "I cannot sleep well at night; I have visions of her when she was screaming... I read your book and it touched my heart. I vowed from there never to rape again. I am struggling at the moment but I am positive that I will get help from (those I referred him to)." There are many organizations that help women raped but pathetically little supports men who have harmed women and want to stop. We need to extend our love and support to those men who choose to respect women and to reject harmful behaviour.

In SA, 75% of rape is gang rape according to Groote Schuur rape clinic. In Johannesburg a major study found that 60% of rape was gang rape.

Gang rapists are not motivated by the person they violate, they get off on watching each other. I debriefed a traumatized filmmaker last

week who had returned from the DRC; he interviewed a 19 year old woman who 18 months before was pregnant and had been raped by 49 soldiers, one after the other. Can you imagine being number 49, swimming in the ejaculation of 48 men before you? The personal degradation of these soldiers is unimaginable. After they raped her they shot her in the stomach, killing her baby and destroying her chances of ever being pregnant again.

What does gang rape say about masculinity in the societies in which it prevails?

Cambodia like SA, is such a society and from there researcher Luke Bearup suggests a contributing factor was: “the impact of second generation trauma that Cambodians suffered under the Democratic Kampuchea (Khmer Rouge) regime, and the ongoing challenges of persisting poverty and weak governance... nearly everyone has been impacted by the collective experience of trauma. Many parents, traumatized by the brutality of the DK regime arguably have less emotional capacity to engage with their children. This potentially results in large numbers of young people who are unable to empathize with others.”

The devil spawn of violence remains with us, unless deliberately eradicated.

¹³ Email to Charlene Smith from ‘TN’ 2 March 2005

Sgidi Sibeko, a co-ordinator with one of the groups of wonderful SA men - Men As Partners (MAP) said he was asked to reflect on the men who had been role models in his family. He said: "I was blown away because I could not come up with a man as a positive role model..."

In South Africa, and Cambodia, conflict and regimes that did not respect their people, saw a failure in self respect among individuals. Both societies are post-conflict societies, battered not just in the visible signs of beleaguered economies but more seriously in the way people see themselves and interact with others. Untreated post traumatic stress creates people more inclined to harm themselves and others.

The difficulties of survival and constant daily humiliations here saw families break down and parents become obsessed with survival, mindful parenting was a luxury. And so generations of children have grown up without guidance, without role models and without a sense of personal pride. I believe the massive rise in evangelical churches across the continent is a symbol of people seeking a family, a place to belong, people who care.

A lack of self respect creates people more prone to indulge in high risk behaviour (hence South Africa's high rate of HIV), poor self esteem enhanced by joblessness develops generations more likely to harm others, through crime or interpersonal violence, especially if coupled with poverty. In South Africa the HSRC says 57 percent of

South Africans are impoverished, and StatisticsSA reported in September 2004 that unemployment was at 40 percent with 60 000 of the unemployed being university graduates.

Leclerc-Madlala notes¹⁴ "A recent Unilever marketing study (in SA) ... found that while a lot of women were "finding their power," some men were feeling "disempowered and redundant..." For some of our increasingly unemployed and living-for-today youth, coercing girls into sex is little more than an exciting and challenging pastime."

Men too are raped – in SA however, male rape is not recognized in law despite the fact that Childline estimates that one in five boys under the age of 16 have been sexually violated. UNCTAD in its September, 2004 report refers to¹⁵ South Africa where "some police officers beat, raped, tortured, and otherwise abused suspects and detainees..." It reported that AIDS was the leading cause of natural death in SA prisons; in 2002, there were 1 087 deaths, 90 percent AIDS-related an increase of "500 percent since 1995... Reports indicated that some detainees awaiting trial contracted HIV and AIDS through rape."

How does we transform negative gender assumptions and behaviour?

¹⁴ Rape, AIDS and the Beast in the System by Suzanne Leclerc-Madlala, Professor of Anthropology, University of KwaZulu-Natal, Sunday Tribune, 28 November 2004

¹⁵ Unctad, 30 September 2004

David Harrison of loveLife¹⁶ notes that “billboards, pamphlets and TV programmes rarely cause behaviour change – but one on one intervention does, that is what makes our youth centres so important.”

Dean Peacock of Men Overcoming Violence reports the views of men trying to change negative sexual behaviour in Nicaragua,¹⁷ Edgar Amador, a participant commented: “men of all types need to change, not only because women have been mistreated by us, but because we have mistreated ourselves.”

Violence against women and children does not occur because men gain a sense of power when they harm a woman or a child;
Violence against women and children is increasing because those in power fail to act to prevent harm or punish those who harm.
Violence against women has no limits when presidents attack rape survivors and defend men who behave badly.

This is not personal, Mr President, it's political.

We can remain silent and allow the conditions for violence to spread unhampered, or we can act and speak out, again and again and again, until the violence ends. We cannot afford to keep still or be silent.

A country that protects its' women, protects all.

¹⁶ Meeting David Harrison, loveLife, 25 February 2005 with writer

¹⁷ Grupo de Hombres de Managua Contra Violencia, October 1998. Participants: Oswaldo Montoya, Carlos Avalos, Edgar Amador, Xavier Munoz, and Ruben Reyes. Interview conducted by Dean Peacock. Men Overcoming Violence, San Francisco.

The Talmud, which is Jewish religious philosophy says:
“Whoever destroys a single life, destroys the entire world;
Whoever saves a single life, saves the world.”

Our goal needs to be nothing less than to save the world.

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