Louise du Toit

Shifting Meanings of Postconflict Sexual Violence in South Africa

The phenomenon of exceptionally high levels of sexual violence in contemporary South Africa is a complex issue and is still poorly understood. South Africa has the highest levels of rape for any country not at war (Wood and Jewkes 2005), and in pure numbers it far exceeds some war contexts.[1] Annually, up to sixty-five thousand rapes are filed by the South African Police Service, and these numbers seem to have increased steadily since the 1990s (Holtmann and Domingo-Swarts 2008, 108–10).[2] In 1999 the South African Law Reform Commission estimated that the police figures of around fifty-five thousand should translate into approximately 1.6 million actual rapes a year, in light of the low report rate (South African Law Commission 1999). About 40 percent of reported instances concern victims younger than eighteen years of age, and 15 percent of all reported cases involve victims under age twelve (Jewkes, Abraham, and Mathews 2009).[3] About 84 percent of child rapes and 52 percent of adult rapes involve perpetrators known to the victims (Seedat et al. 2009). We do not have a proper record of male rape victim numbers.[4] If we have a

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[1] For instance, during the Bosnian war year of 1992, in the context of an explicit employment of systemic rape for genocidal purposes, about twenty thousand Muslim women and girls were raped by Serbian soldiers (Simons 2001), as opposed to South Africa's peacetime annual figure of close to sixty-five thousand.

[2] Although this article focuses on the postapartheid period, it should not be read as implying that the high rape levels only emerged after democratization. At most we can surmise that democratic conditions did nothing to address the steady increase of already exceptional figures.

[3] Naeemah Abrahams and her coauthors (2012) report that rape homicide was suspected in 11 percent of intimate partner femicides and 28 percent of nonintimate femicides in 2009; in the case of murder, rape is normally not charged. The term "rape victim" can therefore not simply be replaced with "rape survivor."

[4] This is mainly because the legal definition of rape only changed in 2007 with the promulgation of the South African Sexual Offences Amendment Act to include male rape victims and female perpetrators. See http://www.info.gov.za/view/DownloadFileAction?id=77866. Another emerging problem is that of so-called corrective rapes aimed against homosexuals of both sexes.

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profile similar to the United States in this respect, male victims should make up about 7 percent of all rape victims, and male perpetrators would be more than 99 percent of all perpetrators (Greenfeld 1997; Stemple 2009, 606–7). Moreover, male rape victims are typically feminized in and through rape by men who identify as heterosexual (Stemple 2009, 611). Rape thus remains a highly gendered crime.

In this article, I present four interpretive frames that can be or have been applied in this situation in an attempt to make sense of the statistics. The typology I employ distinguishes four interpretive frames: first, past perpetrator trauma; second, current social exclusion; third, patriarchal politics; and finally, ontological violence. The four frames differ significantly from one another. The first two, for instance, are much more prevalent than the third and are often encountered in academia, the media, and popular discourse. The third I regard as a minority academic position, while the fourth is a barely emerging frame for understanding rape in South Africa. The four frames do not offer watertight categories, and several present with overlapping themes. The first aim of this article is to sketch the four interpretive frames as a rough heuristic tool. The second aim is to critique each of the frames in terms of its adequacy as an explanation or interpretation of the phenomenon and also in terms of its likely effect in and on society as a whole. Thus, I look at the assumptions and implications tied up with each frame. In particular, I investigate to what extent they may feed social tolerance of rape. The backdrop to this critical investigation remains the urgent need to eradicate rape, in line with Catharine MacKinnon's plea that "what [women] need is change: for men to stop hurting them and using them because they are women, and for everyone else to stop letting them do it because they are men" (MacKinnon 2005, 124).

Past perpetrator trauma

The past-perpetrator-trauma interpretation of rape emerged in response to the consistently high and even escalating rape figures in South Africa after the political transition from apartheid to democracy. This frame represents an important improvement over the commonplace trivialization of rape that preceeded it. The original position typically denies that rape takes place on a large scale, denies that many men are involved, denies that it poses a threat to democracy, denies its devastating effects on victims, naturalizes rapist behavior in men, and blames the victims rather than the perpetrators. The past-perpetrator-trauma frame is an improvement on such responses because it locates the problem of rape with the perpetrators, it denaturalizes the phenomenon by looking for exceptional circumstances that lead to these high levels, and it offers a systemic explanation

that acknowledges the social dimension of rape and does not relegate it to the private sphere.[5] The need for a more systemic understanding of rape was underscored by the notable SA Medical Research Council study (Jewkes et al. 2009), which revealed that about one-third of South African men have committed rape at least once, with half of those men saying they have raped more than once.[6]

The past-perpetrator-trauma frame offers a causal explanation for the sexual violence in the country, couching it in predominantly psychological language. According to this understanding, it is not normal or natural for men to engage in sexual violence whenever they calculate that they can get away with it, and thus it searches for causes that have brought about this unnatural behavior in such a large percentage of South African men. This kind of discourse usually picks up on terms such as "masculinities in crisis," "colonial emasculation," "precarious masculine identities," and "damaged psyches" (see also Moffett 2006, 136) in an attempt to explain rape. The argument has it that either colonial oppression or the liberation struggle or both have damaged previously colonized men to the extent that they have been symbolically castrated. It is the lingering effect of this deep psychological scarring that is still playing itself out in the high levels of sexual violence that we see (Hamber 2007, 385). The assumption here seems to be that men assert and perform their masculinity almost compulsively through sexual violence in an attempt (whether misguided or not) to heal their sense of themselves as damaged or incomplete men. Otherwise it is employed less self-consciously as merely an irrational manifestation or symptom of a psychological disease infecting a large proportion of the nation's men, a kind of acting out of posttraumatic stress disorder. American theorist Greg Thomas adds depth to this kind of interpretation when he draws on Frantz Fanon to explain that the revolt of the colonized is likely to take an erotic form: "the ecstacy of revolt," the "accumulated libido" drives the liberation (Thomas 2007, 100), not because the colonized are in fact hypersexual but because of the white sexual neurosis that infused the colonial project from the start. Black persons within the colonial project sym-

[5] The Truth and Reconciliation Commission of South Africa, which was largely responsible for facilitating reconciliation in the country, set the tone for the privatization of rape when it failed to include sexual violence and rape as "gross human rights violations" about which people were invited to testify to the Commission (see Promotion of National Unity and Reconciliation Act no. 34 of 1995; http://www.justice.gov.za/legislation/acts/1995-034.pdf). This also reinforced the notion that national reconciliation did not need a political reconciliation between the sexes but only between the races (see Du Toit 2009, 15).

[6] The method described in the study shows that this figure is representative of the male population in South Africa except for age: the population interviewed was somewhat younger than the national average.

bolize for whites "the sexual instinct (in its raw state)," which means white colonial sexuality is thoroughly conditioned by "the psycho-pathology of Negrophobia" (Thomas 2007, 88).

Critique of the past-perpetrator-trauma interpretive frame

In positive terms, as I have noted above, this frame improves vastly on stories about rape that deny that rape is a pervasive social or systemic problem and that it entails extensive damage to the victim.

Yet insofar as this interpretive frame aims to give a causal explanation for the widespread phenomenon of sexual violence, it encounters a problem with the available facts. The first of these is that rape figures are not declining, twenty years after political liberation, but may actually be rising.[7] Second, the average age of rape offenders has remained fairly constant, between twenty and forty years of age (Jewkes et al. 2009). If the main causes of current sexual violence were so clearly locatable in a bounded past that produced damaged masculinities, then one would expect that nearly twenty years of a new dispensation would at least start to positively affect the trends. One must assume a gradual demilitarization of South African men under peaceful conditions, and the damages specifically done to black men's self-esteem should also start to lift since and due to the successful political transition. Quite simply, the hypermasculine or emasculated men produced by the liberation struggle and colonial oppression, who were psychologically predisposed to rape, should by now be rapidly aging. This interpretive frame may have carried more weight a decade or more ago; it now stands in need of either replacement or supplementation, because on its own it no longer convinces.

This frame also strongly tends to "other" rapists and to distance the problem from mainstream society, denying wider social or political complicity with the rapist's behavior or perspective. It does so first through a racial aspect: the frame implies that rapists are likely to be black (in the broad sense) men from the historically oppressed groups. This frame thus allows for the white perpetrator to quietly evade scrutiny while it selects black male sexuality for problematization in ways that are reminiscent of the colonial project itself.[8]

[7] The expectation that rape levels must come down as the society gradually normalizes after the oppression of apartheid and the disruptions of the liberation struggle is confirmed by the steady decrease in the rates of most of the other serious crimes, including femicide (Moffett 2006, 131–32).

[8] If one were to focus on the militarization of our society during the struggle rather than on colonialism as such, white men also "qualify" as potential rapists, since a whole generation

The tendency to "other" rape in terms of race (or another category such as culture or class) often leads to its being hijacked for other political agendas that have nothing to do with sexual violence. A further aspect of the othering tendency of this frame is that it disproportionately blames the veterans of the liberation struggle—a group already marginalized in the new dispensation (Hamber 2007, 383). In her study of war, Joanna Bourke (1999) moreover claims that war veterans are typically not excessively violent upon their return to civilian life. Whatever category of men we single out for blame within this frame, the problem remains that such historical explanations are eroded by the statistics over the past twenty years.

A further problem with this frame is that the colonial injury story does not adequately account for psychosexual damage on the side of colonized *women*. In other words, this frame has trouble explaining the highly gendered nature of the violence that it identifies as a symptom of prior oppression since the oppression was not limited to one gender. Saartjie Baartman's name could serve as shorthand to remind us that the colonized woman was also deeply injured in her whole being, including her sense of sexual self (see Thomas 2007, 89), and there is ample evidence that women fought alongside men in the South African as in other African liberation struggles.[9] The strange asymmetry between an emasculated man whose injury translates into war levels of sexual violence twenty years after liberation and a sexually injured or castrated woman whose similar injury leaves no visible trace remains a central puzzle that this frame seems incapable of solving. What makes the gendered asymmetry even more puzzling, not to say disturbing, is the fact that most sexual violence has a strongly intracommunal profile (Orkin 2000, 12). This means that the perpetrators of rape in South Africa usually aim their violence at the women and girls closest to them—the very women who would have undergone the same co-

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of them were systematically militarized through conscription by the apartheid regime. If the focus is on this aspect of the past rather than on colonial oppression, then the hypermasculinity of military culture is portrayed as the cause of damaged psyches rather than what is in a sense its opposite: emasculation. Yet both tend to use psychological vocabularies that point to a form of gendered psychological damage.

[9] A poignant reminder of the fact that South African women also fought for liberation and that the oppression often took a sexual form is an artwork by Judith Mason that hangs in the Constitutional Court in Johannesburg, titled *The Man Who Sang and the Woman Who Kept Silent 2*. Mason created the work in commemoration of Phila Ndwandwe, who was shot by security police after being held captive for weeks. She remained silent throughout her interrogation and paid with her life. The work consists of a blue dress made from plastic bags. Held naked, Nwandwe made panties for herself out of a discarded blue plastic bag. She was subsequently buried in these. For a discussion, see Sachs (2009, vi–viii).

lonial oppression, the same disruptions caused by the struggle, and the same self-alienation due to colonial and even postcolonial rule.

A further objection to this frame is that, even as it others the rapist, it nevertheless manages to foreground or create sympathy for the rapist's perspective. The reader of this frame is invited to adopt the assumed perspective of the perpetrator. Moreover, his likely motivations or drives are anchored in the historic trauma and gradual recovery of his nation. In stark contrast, the rape victim remains a purely private, anonymous, ahistorical, and shadowy figure, mere collateral damage. Although the meaning of rape cannot be adequately understood without taking the perspective and understanding of the perpetrator into account, this perspective should not be allowed to dominate the interpretation to the point of erasing the experience of the victim altogether. By way of illustration, one can point to the fact that in Rachel Jewkes et al.'s 2009 study, a total of almost 20 percent of the men interviewed admitted to having been involved in gang rape, either as participants or as spectators, and of those who had been so involved, almost half expressed the conviction that gang rape is a kind of "game" (Jewkes et al. 2009, 26). While it is clearly important to take note of this perspective of many male perpetrators, it cannot be left standing as the definitive meaning of the event. It is inconceivable that any victim of gang rape would appreciate the game aspect of the violent attack, and therefore it is crucial that we account for the perspectives of both perpetrators and victims—perspectives that are likely to be each other's inverse. Thus, although we need to understand all factors that play a role in either causing or facilitating sexual violence, there is a real danger that we will reduce the meaning of rape to a presumed cause, located within the conscious or subconscious mind and motives of the perpetrator, and will thereby erase the experience of the victim from our understanding of the phenomenon itself.

The sixth and final point of critique to raise in response to this rather dominant framing of sexual violence is that, tightly interwoven with or as a result of its simultaneous othering of rape and adoption of the rapist's perspective, it works to excuse the perpetrator of rape, to evoke pity for him. The logic of this frame lets the perpetrator arrive on the scene of rape a deeply wounded creature. The predominance of psychological and medical vocabulary such as "trauma," "emasculation," and "epidemic of sexual violence" reinforces the idea that rape should above all be understood in terms of the presumed psychological pain and injury of the perpetrator. This approach clearly risks losing from view the fact that in the situation of rape he is inflicting fresh and unjustifiable trauma on an innocent

other. Framing the violence of rape in terms of a symptom furthermore tends to depersonalize the perpetrator, to view his sexual violence as a quasi-natural force (unleashed by insufficiently careful women and girls), and all of this works together to underplay the human and moral agency, and ultimately the accountability, of the rapist. Now aspects of the naive, trivializing response I identified as preceding the past-perpetrator-trauma frame return to haunt this frame. Once again, we see, but this time under the banner of perpetrator trauma, a return of the tendency to blame the victim and excuse the perpetrator and to naturalize male sexual violence under the aspect of psychological illness. Why is it so intuitive that men who are injured psychologically will engage in sexual violence toward women and girls? There is a central question here that is seldom raised: why and how does the supposed masculine injury translate into sexual violence against the other sex? Strongly intertwined with this question is the issue of how the option to rape presents itself to rapists: is it always to be construed as a blind, emotionally overwrought, and violent lashing out such as in rage or fear of death, or does it more typically present as a temptation, somehow promising a clear reward or payoff? If the emphasis is on the former, then one can safely claim that no amount of more efficient policing is going to lower the levels of rape because the behavior of rapists is a symptom of unstable psyches; it is largely outside of human control and will best be addressed through mass programs of therapy and incarceration. If it is merely an unintelligible acting out of a symptom understood least of all by the perpetrator himself, then accountability is diminished. If, on the other hand, the emphasis is on rape as a temptation, and the calculation of possible costs and benefits plays a role in rapists' behavior, then it becomes important to better grasp that calculation and that gain. The predominant tendency to psychologize rapists' behavior, I submit, occludes these important questions and avenues of investigation. It thereby feeds into a culture of sympathy for perpetrators, which does nothing to counter the trends.

Current socioeconomic exclusion

The second interpretive frame adopts some aspects of the first one, repeating some of its mistakes, but at the same time it offers the advantage that it better accounts for the ongoing high and possibly increasing levels of sexual violence.[10] It does so by locating the causes of injured masculin-

[10] I should emphasize that different interpretations of rape may be applicable in different contexts of rape, and multiple factors may even be at play in any single event. Also, it is

ities not in historical factors such as colonial oppression or militarization but rather in the posttransitional dynamics of socioeconomic exclusion. This frame thus seeks above all a class, or even underclass, explanation for current sexual violence. Focusing squarely on current probable causes of sexual violence, some theorists blame the incompleteness of the transition: for example, Robert Morrell's notion that "poverty and rising expectations have proved a tragic mixture of fostering violent masculinities" in South Africa (quoted in Hamber 2007, 383). Antony Altbeker (2007, 100) expresses a similar sentiment when he claims that the violence experienced in the country, including sexual violence, is an indication of "the injustices and cruelties of the past, and a gauge of the extent to which the process of social and economic transformation is still unfinished." Also Adam Cooper and Don Foster (2008, 10) report on a study of relatively poor boys on the Cape Flats who "utilize and invest in [a] hyper-masculine discourse, in order to alleviate inadequacies, anxieties and the disempowerment they feel in their lives."

However, explanations or interpretations that see sexual violence purely as an effect of poverty share with the first frame the difficulty of explaining the asymmetry between the sexes in this regard: why do frustrated and disempowered poor men, but not frustrated and disempowered poor women, revert to sexual violence? Moreover, why do they typically target women and girls from their own impoverished communities? In short, why do unfulfilled expectations, the incompleteness of the social and economic transformations, and a sense of disempowerment due to poverty or economic exclusion translate into sexual violence aimed at the other sex? Clearly this frame remains incomplete and incapable of doing the explanatory work required unless it is supplemented with a more properly power-political analysis of the relations between the sexes within these impoverished communities after political transition. Several theorists intuit the need for such an addendum to the poverty frame of interpretation, and they therefore link masculinity issues to the frustrations of poverty in order to better account for the gendered form of the violence. Brandon Hamber, for instance, agrees with Jewkes that violent poor men assert a fragile or threatened masculinity through sexual violence, where the fragility of their masculinity is not so much a function of former political oppression or of women's rights as of poverty: their masculinity is threatened when they fail to attain the "social expectations of manhood . . .

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conceivable that a frame like past perpetrator trauma plays a facilitating rather than a simplistically causal role insofar as it may serve as a rationalization or justification for use by perpetrators or their defense lawyers.

because of . . . poverty" (Hamber 2007, 383). In the context of East Harlem in New York, Philippe Bourgois makes a similar observation regarding second- and third-generation Puerto Rican immigrants who are socially and economically marginalized within the larger community. But what his description adds is that fragile masculinities must be read as a function of the specifically gendered dynamics within these communities: "Unable to replicate the rural-based models of masculinity and family structure of their grandfathers' generation, a growing cohort of marginalized men in the deindustrialized urban economy takes refuge in the drug economy and celebrates a misogynist, predatory street culture that normalizes gang rape, sexual conquest, and paternal abandonment. Marginalized men lash out against the women and children they can no longer support economically nor control patriarchally" (Bourgois 1996b, 412).

Other theorists such as South African Charl du Plessis (2007) link poor men's sexual violence to the increasing marginalization of men in the global South from both the formal and informal economies. Du Plessis argues that this phenomenon "diminishes men's strategic indispensability in the community and household, and results in resistance to women's increased independence. Men's perceived sense of loss of control acts as trigger for an increase in domestic and social violence towards women, with debilitating impact on the status of women in society, and with that, the beneficial impact that equality of women could have on future generations" (2007, 10).

The story thus gets increasingly complicated when a gender power analysis is added to the poverty frame—a picture belied by a simplistic understanding of sexual violence as somehow inevitably flowing from poverty.

Critique of the current-exclusion interpretive frame

Both the buildup of frustrations experienced and expressed by those groups that are still largely excluded from the South African economic system and the global financial crises, which increasingly marginalize the already-impoverished groups in vastly unequal societies such as our own, help us to read the steady increase in sexual violence over the past twenty years.

As a poverty story only, this frame cannot adequately explain the gendered and intracommunal nature of sexual violence, but coupled with insights into masculine dominance issues, the frame can help us to make sense of aspects of the phenomenon. Steven Pinker, in *The Better Angels of Our Nature* (2011, 623–26), argues convincingly that violence is for evolutionary reasons predominantly a male pastime. Biologically speaking, there is an asymmetry between the sexes with respect to violence, because

men are preoccupied with gaining sexual access to females and with warding off other men viewed as competition and women are much more preoccupied with their offspring and with averting risks that could leave their children orphaned (623). A main form of violence that men engage in is intrasexual male competition, or "dominance displays" (Pinker 2011, 621). It seems that it may be this kind of violence—namely, a display or performance of one's capacity and willingness to engage in violence, in an attempt to ward off the high cost of actually risking one's life in serious combat with another man—that drives the sexual violence that we see (515). Rape can then act as a theater in which one's capacity for violence is displayed for the benefit of oneself as much as for other men, even if they are not physically present at the act (Bourgois 1996a, 255). Cooper and Foster (2008, 10) also see sexual violence committed against women and girls in the Cape Flats communities that they have researched as an aspect of the hypermasculine pose adopted by the poor boys.

A golden thread weaving through these studies is poor men's preoccupation with status and control. But why, then, is a natural phenomenon such as male dominance displays perverted into sexual violence in situations of poverty? On the one hand it is suggested that patterns of poverty and exclusion limit boys' and men's options to obtain status in their communities, for example, through conspicuous consumption. Sexual violence then becomes an important marker of standing within the group of men (Bourgois 1996a, 255). On the other hand it is suggested that it is precisely to the extent that poor women are empowered, whether through globalization, development schemes, or women's sexual rights, that men become increasingly sexually violent toward the other sex. Whatever the cause, I would suggest that when the more psychologically inclined explanations fall away (rape seen as symptom, whether rooted in political or economic oppression), they make way for a more clearly power-political interpretation of the nature and function of sexual violence. In other words, the poverty story must be coupled with a story about gender politics within poor communities; otherwise the frame leaves too many central aspects of rape unexplained. Gradually, then, within this frame rape starts to appear more as a calculated strategy of domination or oppression than a blind symptom caused by psychological injury.

This second frame, however, shares with the first the tendency to other the phenomenon of rape and to disproportionately blame the already-marginalized part of the population for its prevalence in our society. Once again there would be an implicit racializing of the phenomenon, seeing that it is predominantly the nonwhite parts of the population that are economically worse off. For the black upper classes it can serve to other

rape in terms of economic status. However, this is problematic in terms of what the frame does to society's understanding of itself.

Although it may help to account for many of the rapes occurring, the fact of the matter is that, in spite of some broad correlations between poverty and rape reporting, the connection is by no means a tight causal one. Misogyny and rape are not confined to the most marginalized, the poor, the illiterate, and the unemployed in South Africa. The convenient othering of rape in terms of class is thus not straightforwardly reflected in the available facts. In Jewkes et al.'s study, this much is made clear: "Education was associated [with being a rapist], with men who had raped being significantly better educated, although they were not more likely to have a tertiary qualification. . . . Men who had raped were significantly more likely to have earnings of over R500 per month, although they were not more likely to be in the top income bracket [employed in the study], over R10 000. Men who raped were more likely to have occasional work and less likely to have never worked at all" (2009, 1).

Thus, neither the school dropouts nor the jobless are the most likely perpetrators. Helen Moffett comes to a similar conclusion based on another study. A 1999 study entailing a survey of over two thousand male Cape Town City Council workers showed that 48 percent of them "had physically abused a domestic partner at least once" (Moffett 2006, 130 n. 2). It had been expected that this figure would be much lower than the estimated national average because the study population was in permanent and secure employment, and thus in terms of the earlier quotation from Du Plessis, members of the population were indeed "strategically indispensable" within their families and communities.

From these facts we see that the simplistic correlation between sexual violence and social exclusion that serves the othering of rape through race and class is in fact significantly more tenuous than the frequent repetition of this narrative would suggest. As in the case of the first frame, the attempt of this frame to provide a neat causal explanation for rape fails insofar as it is contradicted by empirical indicators.[11]

There are also numerous examples of blatantly misogynist behavior and attitudes among the political elite of the country.[12] The constant attempts to simultaneously other and excuse the phenomenon of rape, and

[11] In fact, these research findings could be interpreted to suggest that it is an aspirational class rather than the poorest of the poor that is producing most perpetrators. Thanks to Tom Martin from Rhodes University for pointing this out to me.

[12] Examples include current President Jacob Zuma's rape trial in 2006, during which he defended his behavior with reference to ostensibly patriarchal Zulu custom; former Commissioner of Police and Head of Interpol Jackie Selebi, who claimed in 2000 that "most South

in particular the rape perpetrator in terms of class, race, or cultural background, is meant to hide (from ourselves first) the extent to which the larger South African society is implicated in and complicit with the behavior of the rapist in our midst. This complicity has contaminated the police service, as well as the criminal justice, educational, and legal systems. For instance, Yonina Hoffman-Wanderer (2008, 227) writes that "judges far too frequently find 'substantial and compelling circumstances' that, in their opinions, justify departure from the prescribed minimum sentence [for rape]. . . . Such circumstances often rely upon outdated and inappropriate myths regarding the crime of rape. Such myths remain deeply entrenched in society and are reinforced by statements made by highly regarded leaders in South Africa." As an example she refers to current President Jacob Zuma's rape trial in which he stated in his testimony that "the [accuser's] decision to wear a knee-length skirt and later a kanga, a traditional African wrap, were indications of her desire to have sex with him" (Associated Press 2006).

Patriarchal politics

A third interpretive frame can be labeled feminist in that it focuses squarely on gender politics and on the realization of women's rights within the new democracy. As indicated briefly in the introduction, great strides have been made internationally to acknowledge the power-political function and effect of rape, especially in situations of armed conflict. In her summary of the International Criminal Tribunal for the former Yugoslavia's ruling, Zambian judge Florence Mumba said that in that war, rape had been employed as "an instrument of terror," "a tactic of intimidation," and "a weapon of war" (Simons 2001). This raises the question of how pronouncements and insights made on an international level can be made fruitful in our local context. The first obviously complicating factor is again the intracommunal nature of the sexual violence, which on the face of it seems to undermine any attempt to make sense of it as an instrument used for political purposes. It would seem that one can plausibly attribute a political dimension to sexual violence in South Africa only if one assumes an ongoing power struggle between the sexes. Some commentators have indeed called the sexual violence in South Africa "an unacknowledged gender civil war" (Moffett 2006, 129) and have tried to

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African women who report rape are lying" (Smith 2001, 302); and former prominent politician and ANC Youth League President, Julius Malema, who was convicted of hate speech against women by the Equality Court in 2010.

conceive of the relation between South African men and women in such enemy terms. The "war" between women and men is then usually traced back to the advent of the democratic dispensation in South Africa, as if what preceded it—both colonial rule and precolonial social arrangements—were unproblematically and seamlessly patriarchal, and by implication peaceful in gender terms.

Feminist understandings of the instrumental role of sexual violence are invariably strengthened by the prevalence of patriarchal sentiments, such as those expressed in the study conducted by Hamber et al. (2006), which assessed "the impact of political transition on the security of women in South Africa, Northern Ireland and Lebanon" (Hamber 2007, 384 n. 81). Hamber discusses men's experience after a period of conflict when "men feel threatened by the survival of women and try to reassert their manhood in the spaces where they can, most typically in intimate relationships (2007, 385). He points to the pervasive delusion on the part of South African men that women are favored by the political transition and that men are losing out by comparison, especially in terms of education and employment (Hamber 2007, 384). The following comments from the study provide evidence that men experience women as a threat to their masculinity (all from Hamber 2007, 384–85):

> You can't use financial resources against them [women] because now they are pretty much earning more than us. They [men] are looking for another weakness within a woman. And that weakness right now is sexual weakness. That we can always rape you, we can physically show you our strength. (male participant)
>
> [The] more women are empowered, the more aggressive men get because they are losing their space in society. In particular those so-called empowered women. They'll always be [the] subject of abuse all over the . . . everywhere you go (female participant)
>
> Men feel threatened. I see a lot of women who have gained a lot of confidence in who they are. I know women who provide for themselves now and that threat is actually what maybe [is] evoking a lot of violence. It is that strength . . . I suppose you could say I feel weaker. (male participant)

What we see here is that men feel weakened in their status not because they are poor or marginalized or formerly politically oppressed but because they feel deprived of power relative to the women within their own commu-

nities. In this frame, the political undertones of the previous frame now take center stage. Men are understood as experiencing a loss or crisis in masculinity due to the new democratic dispensation that threatens to dismantle patriarchy or unearned male privilege. Financial independence and sexual autonomy, or at least political claims on the part of women, seem to translate into a general affront to men, even to the point of emasculating them. Importantly, this interpretation therefore does not see sexual violence as a symptom of too little democracy, as the previous two frames do, but rather of too much democracy. When the escalation of sexual violence in the wake of liberation is framed as a backlash against the democratic empowerment of women, and as an attempt to violently push back the formal advances made by women, the temptation may even arise to suggest curbing women's rights so that the injured male psyche that causes all of this destruction can first be soothed.

In an influential article, Moffett describes the current sexual violence as operating in the service of a kind of political oppression that is in form and intent intimately related to the oppressive system of apartheid. To show this, she analyzes a television interview with a taxi driver who recounted driving around during the weekend with some of his friends, looking for women to "gang-bang." The women they picked out for rape were the ones "who asked for it, the cheeky ones, the ones that walk around like they own the place, and look you in the eye," he explained (Moffett 2006, 138). This understanding resonates with the miniskirt incidents in Johannesburg taxi ranks (Williams 2008), where women who were regarded as too scantily dressed were physically attacked by mobs of men. Here, sexual violence appears as calculated and strategic rather than as the result of psychological trauma or illness. Moffett sees many similarities between these incidents and informal apartheid strategies of racial oppression and control over a potentially dangerous and disruptive underclass. She writes, "This is the same script that was used during five decades of apartheid rule to justify everyday white-on-black violence as a socially approved and necessary means of 'showing the "darkies" their place'" (Moffett 2006, 138).[13] This is not so much a script of flat-out racial or gender rejection as one that is violently punitive toward those members of a subclass who reveal (through their body language, visible signs of self-respect, and freedom of movement) that they do not recognize or accept their subordinate status in society.

[13] As opposed to "five decades of apartheid," I would rather say "three centuries of colonial oppression."

In this sense, then, rape becomes "a socially endorsed punitive project for maintaining patriarchal order" and is used "to inscribe subordinate status onto an intimately known 'Other'—women" (Moffett 2006, 129). This kind of interpretation resonates well with the instrumental social understanding of sexual violence expressed by MacKinnon: "Availability for aggressive intimate intrusion and use at will for pleasure by another defines who one is socially taken to be and constitutes an index of social worth. To be a means to the end of the sexual pleasure of one more powerful is, empirically, a degraded status and the female position" (MacKinnon 2005, 129).

I now turn to a critical evaluation of this interpretive frame.

Critique of the patriarchal-politics interpretive frame

This third frame improves upon the first two in a number of obvious ways, first in that it can account well for the increasing rape statistics because it frames the wave of sexual violence that women and girls experience as a backlash against the unfolding processes of democratization, particularly when democratic values are deployed in supposedly private and sexual relations, that is, when they extend to women. Understood in this way, sexual violence takes on a clearly political function in postapartheid, transitional South Africa, in that it is meant to prevent or reverse the promise or the threat of gender equality, which means that it also adequately explains both its intracommunal and its gendered nature, as well as the fact that it is not strongly correlated with poverty.

Furthermore, this frame has the advantage that it does not hold formerly oppressed men disproportionately responsible for sexual violence. In the absence of conclusive evidence, we should presume that sexual violence is unacceptably high in all racial groups, rather than presume that it is mainly or only a problem in black (in the broad sense) communities. If sexual aggression is not actually an expression of past psychological injury or socioeconomic exclusion but rather an assertion of patriarchal control when and where traditional patriarchy is being challenged, then the rapist most likely comes from the group whose patriarchy is most being threatened by the constitution, and that includes all social groups (across race and class divisions) in South Africa. It thus counters the common tendency to other rape in terms of race or class or ethnicity. If we face up to the fact that sexual violence is prevalent in our country as a whole and not adequately addressed by our social institutions, it becomes easier to notice the widespread social complicity with rape.

I have indicated that a more political rather than a more psychological understanding of rape heightens the accountability of the perpetrator. Of course there are always sociopsychological factors involved, and we need to take them into account, especially in addressing the problem, but we distort the picture of rape if we allow an a priori understanding of the perpetrator-as-victim to dominate our understanding of the phenomenon. On a strong feminist reading, the domination of psychological vocabulary in reference to the perpetrator is likely to function as an ideological maneuver to hide the crude patriarchal domination exerted through the act and threat of sexual violation. Raping a woman and being known to have done so can earn a man many gratifications, such as a higher status or standing within a group of men and easy access to women's resources, including female sexuality but also female labor and female-generated income (the "goodies" secured for men by patriarchies everywhere). In other words, we do not need the hypothesis of injured masculinity to account for rape, and it becomes explicitly pernicious when it is used to create social sympathy for the perpetrators at the cost of sympathy for the victims. In *The Roots of Power* (1994, 150–62), Maxine Sheets-Johnstone argues convincingly that, although the penile erection in a man is indeed largely involuntary and may occur for a wide variety of reasons, only one of which is sexual arousal, what the man does with his erect penis is a human action based on human decision making. In other words, sexual penetration by means of the erect penis is neither involuntary nor the result of some force of nature outside of the man's control. Sheets-Johnstone argues that we tend to confuse the involuntary nature of the phenomenon of the male erection with the voluntary nature of the act of sexual penetration, and that this apparently innocent confusion is ideologically motivated and maintained. It serves male sexual domination to construct male (violent and aggressive) sexuality as an overpowering force and rape as instinctual, quasinatural, and susceptible to causal explanations.

Where the first frame failed wholly, and the second only started to succeed, the third frame does by far the best job of accommodating the experience of rape victims, namely, that they are specifically targeted for sexual violence because they are women and not that they are merely some collateral damage in a larger nationalist, class, or race narrative. Of the three frames, therefore, this one so far fares best in incorporating the perspectives of both perpetrator and victim of sexual violence.

However, there are also shortcomings in this frame. First, by framing sexual violence as an instrument of political subjugation or oppression, it recognizes sexual violence as a form of violence, but it fails to adequately account for the *sexual* form the violence takes. There are many forms of violence that can serve the purpose of terrorizing a subordinate group or

class. The widespread occurrence of a specifically sexual form of violation requires explanation beyond the claim that it serves the function of political domination, oppression, or subjugation. My intuition is that the reduction of sexual violence to simply one form of violence among others is problematic. In order to properly account for the prevalence of sexual violence in our country, we need an interpretive frame that can do justice to the qualitative difference between sexual violence and other less invasive forms of violence. For this we need to enter much more fully into the experience of the rape victim than the interpretive frames discussed thus far allow. In a sense it is safer to stay in the mind and probable motives of the perpetrators of rape rather than to venture into the lived experience of the victim. As David Lurie expresses it in J. M. Coetzee's novel *Disgrace* with reference to the gang rape of Lurie's daughter Lucy: "Lucy's intuition is right after all: he does understand; he can, if he concentrates, if he loses himself, be there, be the men, inhabit them, fill them with the ghost of himself. The question is, does he have it in him to be the woman?" (Coetzee 1999, 160). Moreover, the experience of the rape victim may help us to better understand the event that is rape, and eventually also to grasp better what it is that the rapist is pursuing.

A second objection to level at this interpretive frame is that it postulates the relation between the sexes as a two-sided struggle between political enemies. It thus assumes a competition or contest between the sexes, with women taking on the aspect of a threat to men individually and as a group that men usually reserve for other men or masculine groups (Pinker 2011, 525–26). It thus presumes that women in South Africa who strive, for example, for sexual autonomy do so in a preestablished political field in which they are already included as the political opponents of men. This is to claim too much. As I will show, rape functions to instrumentalize women, and thus it strips them of their claim to both political and human status. This moreover tends to presume that the struggle for power between the sexes is a zero-sum game because it reinforces the patriarchal notion of masculinity as power over women's sexuality and labor. On this view, every victory for women's rights will therefore automatically translate into a material and symbolic loss for men, every formal advance for women into violent resistance by men, and so on, ad infinitum. I aim to show that the fourth interpretive frame can better address these last two problematic issues than the third.

Ontological violence

The fourth frame through which the current levels of rape in South Africa may be interpreted is one that distinguishes invasive forms of violence

such as rape and torture from other forms of violence. In a 2011 article, Leonhard Praeg and Michael Baillie interpret rape in South Africa, in particular gang rape, in a Girardian framework that sees it as a founding or (re)generative form of violence with the capacity to reinscribe patriarchal and differential gender identities where these are "threatened with a loss of meaning" (258). The crisis of masculinity that calls for this sacrificial violence is for them precisely "the transition to democratic modernity" (258). It would seem that they incorporate yet go beyond the patriarchal-politics frame above, with their insight that rape has both a sacrificial and a regenerative or restorative power, and thus they further our understanding of the gain for the rapist. In line with Pinker's idea that "men's attitudes towards women may be paternalistic or exploitative, but they are not combative, as they tend to be with other men" (2011, 525–26), as well as his emphasis on the excessive violence that may be generated by male contests of dominance (515), Praeg and Baillie explore the idea that sexual violence may not so much be an instance of instrumental violence (in the service of gender oppression) as an aspect of the performance of masculinity. Under certain conditions sexual domination over women and girls, expressed through sexual violence, becomes a central marker of a man's masculine status. The act of gang rape as the sexual dehumanization of a female figure simultaneously enhances the male bond as one rooted in misogyny and acts as a theater in which men may obtain intermale hierarchical positions. Rape is the theater and the woman's body the stage and props in and on which men have the chance to perform their masculinity both to themselves and their male audience.

However, as Praeg and Baillie also point out, masculinity, like any other identity, is always unstable and slipping and in need of affirmation (2011, 260), and thus one may come to question the need to search for a specific injury, damage, or crisis in masculinity to account for the current rape crisis in South Africa. It is conceivable that the rapes do not spring from a specific crisis of masculinity (launched, e.g., through the democratic recognition of women's rights) but rather from a confluence of factors that channel male dominance displays into this violent manifestation. I thus submit that there is no crisis of masculinity in contemporary South Africa—neither colonialism, nor poverty, nor women's rights and the dismantling of patriarchy is to be blamed for rape. If male dominance displays are potentially as destructive as Pinker argues (2011, 515) and tend to manifest in sexual violence, particularly during times of relative social anarchy (515, 528), then we can fruitfully employ Ockham's razor and say that all that is needed to explain our rape levels is the large-scale social complacency and ultimately complicity displayed by South Africans gen-

erally, coupled with an ineffective police service. And the complicity of society, I would add, is constantly fed by the three other interpretive frames, which in different ways keep the crisis-of-masculinity discourse alive. Says Pinker, "violence is a problem not of too little self-esteem but of too much, particularly when it is unearned" (2011, 520).

Sexual violence in our country today entails the following temptation for men: it is relatively risk-free, since the report rate is low, the victims rather than the perpetrators are typically both blamed and shamed by their communities, social service staff often do not take rape seriously, police work is sloppy, and very few convictions are ultimately made. Would-be perpetrators calculate and minimize risks by targeting relatively young and powerless girls and women (another indication that rape targets are not viewed as political enemies). Yet it is illegal and therefore entails some small risk, which means that it is a good arena for displaying daring and masculinity, which are understood as the opposite of feminized and instrumentalized victimhood. Moreover, very important for our context is Pinker's insight that intrasex dominance issues are of paramount importance to younger men, and in our society younger men are marginalized because of the large-scale breakdown of marriage as an institution (and therefore stable family life, the chance for men to invest in the children they sire, male sexual access) and also because of polygamous practices that result in an unequal distribution of wives, with older men having more wives and younger men none. South Africa also has a "population pyramid with a thick base of young people" (Pinker 2011, 688), which is dangerous because violence is a problem of "too many young males who are likely to be deprived of status and mates" (688). Additionally, when the demographics look like this, it is a sign that women are not controlling their own fertility: "Giving women . . . control over their reproductive capacity . . . may be the single most effective way of reducing violence in the dangerous parts of the world today" (Pinker 2011, 688). The picture that now starts to emerge is one where it is not the advent of women's rights that is causing the crisis but rather the perpetuation of patriarchal cultures at the expense of rootless young men as well as at the expense of all women.

Although Pinker, together with Praeg and Baillie's article, helps us to understand how perpetrators experience sexual violence as a temptation, in line with the criticisms I have given above, we should go further and better account for the victim perspective in our attempt to make sense of rape. It is well established in research that victim-survivors of sexual violence experience a sense of loss that can only be described as total, as world-encompassing (Du Toit 2009, 79–100). By its nature, the act of

rape aims at the destruction of the sexual and personal integrity of the victim, and the rapist intuitively understands the extent to which a person's sexuality lies at the core of her being. Persisting themes that emerge from a close reading of rape victims' experience include a loss of voice, and loss of an intact world, an incredulity and loss of faith in oneself, a sense of self-desertion and self-betrayal, together with a severance of once reliable bonds with others—a disintegration of one's sustaining relationships (see, e.g., Brison 2002). One's natural sense of physical and sexual inviolability cannot be experientially severed from one's sense of spiritual inviolability. As Lindsay-Ann Kelland notes, rape destroys a person's "trust-beliefs"—those basic beliefs about oneself, others, and one's place in the world that are necessary if one is to function as a person in the world (2012, 120). This emptying out of oneself and the draining of all reality pertaining to one's world echoes and is often repeated by the secondary traumatization experienced during the rape trial. Recall that 40 percent of our rape victims are girls under eighteen, which implies that the damage done to self, relationships, and world is further intensified because of the tender age of the victims. If we think back to the number of men who think of gang rape as a game, it might seem that there is no overlap between the experiences of perpetrator and victim in rape.

However, I claim that the temptation presented specifically by rape as a sexual form of violence belies this complete separation of the worlds. In fact, I think that on some level the perpetrator of sexual violence understands as clearly as the victim does what the radical, ontological, and world-destructive nature of sexual violence entails, and that is why he is tempted by it. The ontological capacity of violence is such that it can not only destroy worlds but, as Elaine Scarry explains in her meticulous analysis of torture, this invasive type of violence can also "make up and make real" worlds (1985, 313). Extreme violence that targets a person sexually is an expression of a higher ambition than merely political domination: what I call ontological violence aims to redescribe or redraw the very limits of the real, of the truth, of the world itself. What I thus argue is that the thrill of raping another person lies precisely in the embodied, manifested power, indeed the sovereignty, that this act bestows on the perpetrator. The new world of the perpetrator is built on the ruins of the victim's world.

Critique of the ontological-violence interpretive frame

A thorough understanding of the ontological or generative capacity of sexual violence is the best explanation so far for both the motives of the perpetrators and the damage suffered by their victims. This approach also has

the advantage of being simple, since we no longer need a theory to explain damaged South African masculinities. Both the violent and sexual nature of rape is explained. A further advantage of this approach is that we can hold men accountable for rape, even as we address the patriarchal frame and social complicity that heighten the attractiveness of rape for them. Whereas talk of injured masculinities seems to imply that the realization of women's rights must be curbed, the current frame indicates the opposite. Sexual violence, but also violence more generally, will decrease if we can more thoroughly feminize our society (Pinker 2011, 827–32). Improving women's de facto status in society thus will not pitch women against men but will work to the benefit of the whole.

Department of Philosophy
Stellenbosch University

References

Abrahams, Naeemah, Shanaaz Mathews, Rachel Jewkes, Lorna J. Martin, and Carl Lombard. 2012. "Every Eight Hours: Intimate Femicide in South Africa 10 Years Later!" *South African Medical Research Council Research Brief*, August. http://www.mrc.ac.za/policybriefs/everyeighthours.pdf.

Altbeker, Antony. 2007. *A Country at War with Itself: South Africa's Crisis of Crime*. Johannesburg: Jonathan Ball.

Associated Press. 2006. "South Africa Acquits Former Deputy Prime Minister of Rape Charge." *USA Today*, May 8. http://usatoday30.usatoday.com/news/world/2006-05-08-zuma_x.htm.

Bourgois, Philippe. 1996a. "Confronting Anthropology, Education, and Inner-City Apartheid." *American Anthropologist* 98(2):249–58.

———. 1996b. "In Search of Masculinity: Violence, Respect and Sexuality among Puerto Rican Crack Dealers in East Harlem." *British Journal of Criminology* 36(3):412–27.

Bourke, Joanna. 1999. *An Intimate History of Killing: Face-to-Face Killing in Twentieth-Century Warfare*. London: Granta.

Brison, Susan J. 2002. *Aftermath: Violence and the Remaking of a Self*. Princeton, NJ: Princeton University Press.

Coetzee J. M. 1999. *Disgrace*. London: Vintage.

Cooper, Adam, and Don Foster. 2008. "Democracy's Children? Masculinities of Coloured Adolescents Awaiting Trial in Post-apartheid Cape Town, South Africa." *Thymos: Journal of Boyhood Studies* 2(1):3–25.

Du Plessis, Charl. 2007. "Globalization and the Threat to Women's Progress from Poor Men of the South." *African Journal of Business Ethics* 2(1):10–19.

Du Toit, Louise. 2009. *A Philosophical Investigation of Rape: The Making and Unmaking of the Feminine Self*. New York: Routledge.

Greenfeld, Lawrence A. 1997. "Sex Offenses and Offenders: An Analysis of Data on Rape and Sexual Assault." Report, Office of Justice Programs, US Department of Justice, Washington, DC.

Hamber, Brandon. 2007. "Masculinity and Transitional Justice: An Exploratory Essay." *International Journal of Transitional Justice* 1(3):375–90.

Hamber, Brandon, Paddy Hillyard, Amy Maguire, Monica McWilliams, Gillian Robinson, David Russell, and Margaret Ward. 2006. "Discourses in Transition: Re-imagining Women's Security." *International Relations* 20(4):487–502.

Hoffman-Wanderer, Yonina. 2008. "Sentencing and Management of Sexual Offenders." In *Should We Consent? Rape Law Reform in South Africa*, ed. Lillian Artz and Dee Smythe, 244–61. Cape Town: Juta.

Holtmann, Barbara, and Carmen Domingo-Swarts. 2008. "Current Trends and Responses to Crime in South Africa." In "Crime, Violence and Injury Prevention in South Africa," ed. Ashley Van Niekerk, Shahnaaz Suffla, and Mohamed Seedat, 105–29. Report, Medical Research Council–University of South Africa.

Jewkes, Rachel, Naeemah Abraham, and Shanaaz Mathews. 2009. "Preventing Rape and Violence in South Africa: Call for Leadership in a New Agenda for Action." Report, Gender and Health Research Unit, Medical Research Council. http://www.mrc.ac.za/gender/prev_rapedd041209.pdf.

Jewkes, Rachel, Yandisa Sikweyiya, Robert Morrell, and Kristin Dunkle. 2009. "Understanding Men's Health and Use of Violence: Interface of Rape and HIV in South Africa." Report, Gender and Health Research Unit, Medical Research Council. http://www.mrc.ac.za/gender/violence_hiv.pdf.

Kelland, Lindsay-Ann. 2012. "Understanding the Harm of Rape." PhD dissertation, Rhodes University.

MacKinnon, Catharine A. 2005. *Women's Lives, Men's Laws.* Cambridge, MA: Belknap Press of Harvard University Press.

Moffett, Helen. 2006. "'These Women, They Force Us to Rape Them': Rape as Narrative of Social Control in Post-apartheid South Africa." *Journal of Southern African Studies* 32(1):129–44.

Orkin, F. M. 2000. "Quantitative Research Findings on Rape in South Africa." Report, Statistics South Africa, Pretoria.

Pinker, Steven. 2011. *The Better Angels of Our Nature: The Decline of Violence in History and Its Causes.* London: Penguin.

Praeg, Leonhard, and Michael Baillie. 2011. "Sexual Violence: Mythology, Infant Rape and the Limits of the Political." *Politikon* 38(2):257–74.

Sachs, Albie. 2009. *The Strange Alchemy of Life and Law*. Oxford: Oxford University Press.

Scarry, Elaine. 1985. *The Body in Pain: The Making and Unmaking of the World*. New York: Oxford University Press.

Seedat, Mohamed, Ashley Van Niekerk, Rachel Jewkes, Shahnaaz Suffla, and Kopano Ratele. 2009. "Violence and Injuries in South Africa: Prioritising an Agenda for Prevention." *Lancet* 374(9694):1011–22.

Sheets-Johnstone, Maxine. 1994. *The Roots of Power: Animate Form and Gendered Bodies*. Chicago: Open Court.

Simons, Marlise. 2001. "Three Serbs Convicted in Wartime Rapes." *New York Times*, February 23. http://www.nytimes.com/2001/02/23/world/3-serbs-convicted-in-wartime-rapes.html?ref=marlisesimons&pagewanted=all.

Smith, Charlene. 2001. *Proud of Me: Speaking Out against Sexual Violence and HIV*. London: Penguin.

South African Law Commission. 1999. "Sexual Offences: The Substantive Law." Discussion Paper 85. http://www.justice.gov.za/salrc/dpapers/dp85.pdf.

Stemple, Lara. 2009. "Male Rape and Human Rights." *Hastings Law Journal* 60(3):605–47.

Thomas, Greg. 2007. *The Sexual Demon of Colonial Power: Pan-African Embodiment and Erotic Schemes of Empire*. Bloomington: Indiana University Press.

Williams, Denise. 2008. "Harassment Rife at Joburg Taxi Ranks." *Mail and Guardian*, March 6. http://www.mg.co.za/article/2008-03-06-harassment-rife-at-joburg-taxi-ranks.

Wood, Katherine, and Rachel Jewkes. 2005. "Violence, Rape and Sexual Coercion: Everyday Love in a South African Township." In *The Masculinities Reader*, ed. Stephen Whitehead and Frank Barrett, 133–40. Cambridge: Polity.