

"NO MORE
RAPE CULTURE

RUPTURING THE NORMS:

The social and political response
to the rape of Anene Booysen

Joy Watson & Vivienne Lalu

This publication is one of two comparative studies on sexual violence undertaken by the South Africa and the India offices of the Heinrich Böll Foundation

Authors

Joy Watson and Vivienne Lalu

Layout

Claudia Lopes

Acknowledgements

Special thanks to Paula Assubuji, Claudia Lopes, Keren Ben-Zeev, Layla-Al-Zubaidi and Helen Douglas for helpful comments on the draft version of this paper.



**HEINRICH
BÖLL
STIFTUNG**

Heinrich Boell Stiftung Southern Africa
8th Floor Vunani Chambers
33 Church Street
Cape Town (CBD) 8000
South Africa
Tel: +27 (0) 21 461 6266
Fax: +27 (0) 21 462 7187
www.za.boell.org

01 BACKGROUND

In 2013, the South Africa and the India offices of the Heinrich Böll Foundation embarked on a learning exchange project on sexual violence. The project produced two comparative studies which critically examined public responses to the gruesome murders and rapes of Anene Booyesen in South Africa and Jyoti Singh Pandey in India. Considering that levels of violence against women are high in both countries, but either widely ignored or regrettably taken as normalcy in mainstream politics, what were the dynamics and specific factors and circumstances that propelled them into national and international prominence and can unpacking this influence the development of enhanced strategies to tackling endemic violence against women?

On 16 December 2012, Jyoti Singh Pandey¹, a 23-year-old physiotherapy student boarded a bus in New Delhi, India after watching *The Life of Pi* with a male friend. They were accosted by six men who raped and attacked Jyoti with an iron rod, leaving her partially disembowelled and resulting in her death. On 2 February 2013, 17-year-old Anene Booyesen, a cleaner at a construction company in Bredasdorp, South Africa² went out with a group of friends to a local pub. They had some drinks, danced a bit and Anene later left the pub in the company of some of the male friends she had been socialising with. She was found the next morning by a security guard at a construction site,

fighting for her life. She had been gang-raped and mutilated and had incurred extensive genital injuries. The doctor who initially treated her described her injuries as the worst she had ever seen. Like Jyoti, Anene had been disembowelled. Six hours later, after naming one of her attackers, she died in hospital. Both cases received a great deal of publicity and public outcry. Both young women were raped and brutally attacked and both fought bravely for their lives. Both women lived in countries with high levels of violence against women and stark gender inequalities. However, Anene lived in a small rural town and knew her attacker(s), while Jyoti lived in an urban city and her attackers

were not known to her. In India, huge mass protests broke out in the wake of Jyoti's rape. The magnitude of this outcry elicited against an act of sexual violence is possibly unprecedented the world over. Public protests were staged at India Gate and the national parliament. Thousands of demonstrators clashed with police, overturned cars, were shot with tear gas shells and water cannons, and arrested. Similar protests spread throughout the country. According to estimates, thousands of people marched in Calcutta and 600 women marched in Bangalore. Many protesters went on hunger strikes. This was augmented online by social media protests and a petition against the incident signed by tens of thousands. While the state initially attempted to suppress the protests, it eventually acquiesced to the public's call for a reaction to what had transpired. The Indian prime minister and the president of the ruling Indian National Congress Party not only issued statements but were also present at the New Delhi airport to receive Jyoti's body when it arrived from the Mount Elizabeth hospital in Singapore.³ A convoy of more than twenty police vehicles carrying riot police led the ambulance that transported her body to the funeral. With this response to Jyoti's death, India demonstrated to the world its

capacity to take a social stand, and its vehement outrage against rape. The One Billion Rising campaign described the social mobilisation in India as a huge breakthrough of consciousness with regards to sexual violence.⁴ The story was featured on the front page of most newspapers and it became a central topic of public discourse.

In stark contrast, in South Africa, a country with a strong and proud history of mass protest the public responses to Anene's rape and death were sporadic and uncoordinated. While the case did not yield significant social mobilisation, it did receive significant political and media attention. Anene's case has since become the exemplar of violence against women in South Africa and is often cited in discourse on sexual violence.

This paper analyses media, political and social responses to Anene's rape and death. Drawing on newspaper coverage, the reactions of politicians and interviews conducted with members of the Bredasdorp community,⁵ it explores whether these resulted in any tangible social transformation. The paper further discusses these responses in terms of South African normative views on sexual violence.



Credit: Gallo Images

02 NARRATIVES OF SEXUAL VIOLENCE

Rape has become so endemic in South African society that only the more violent and brutal acts appear to stimulate public attention. Yet it is the everyday acts of violence, such as those acted out within many intimate relationships that create the social conditions that allow the more brutal manifestations.

Each act of sexual violence carries two layers of narrative. The first is the narrative of the person who experienced the violence. Anene, for example, was a young woman who had grown up in Bredasdorp. Her mother died when she was little and she was consequently moved between relatives and foster homes. She lived in a community characterised by poverty and she dropped out of school to find work. Recreational activities in Bredasdorp are limited and many young people socialise in the local pubs such as the one that Anene visited before her attack. It is important to individualise each story in this way. The traumatised subject of sexual violence is always

a person with a range of knowledge, experiences, emotions and desires.⁶ It is important to see each victim of sexual violence in this way. To universalise sexual violence and only talk about the collective narrative removes the specific details of the individual histories. This, in effect, dehumanises the person on whom the violence is inflicted as they become yet another statistic.

The second layer of narrative is located within a community's experience of sexual violence and is indicative of that community's social performance. Anthropological studies have observed that rape is likely to be lower in societies characterised by gender equality, peacefulness and high levels of women's economic power.⁷ This means that violence against women should be located within a broader context of gender equity within a society. The high levels of violence against women in South Africa tell us something about the gendered social order at play, about hegemonic constructions of masculinity and

femininity, and the underlying patriarchal norms that create the conditions within which such violence can thrive. Within such a context, rape is highly ritualised. Although it varies between countries and changes over time, there is nothing timeless or random about it. For perpetrators of sexual violence, it is never enough to merely inflict suffering: the victim and the victim's response to the violence give meaning to the rapist's experience of inflicting injury. The specific set of historical, social and contextual circumstances in operation at a given point in time impact upon and give meaning to the ritual of rape. Perpetrators of sexual violence learn and teach themselves how to act as perpetrators within specific historic communities.⁸

The question we therefore need to ask is, "What is it about South Africa's specific set of social circumstances that resulted in more than a million contact crimes⁹ against women in the last few years?" While Anene's rape and murder must be seen in terms of its own specificity, it must also be located within a context of unremitting brutality, violence and sexualised violence towards women in South Africa – a context in which someone needs to be disembowelled before the public sits up and takes note. Even then, South Africa's social and

political response to sexual violence is fickle and no guarantee that future acts of sexual violence will receive similar attention. It is also interesting to note that the rape of Anene captured less public attention than did the act of her disembowelment. This is indicative of the perceived hierarchy of the horror of violence.

THE QUESTION WE THEREFORE NEED TO ASK IS, "WHAT IS IT ABOUT SOUTH AFRICA'S SPECIFIC SET OF SOCIAL CIRCUMSTANCES THAT RESULTED IN MORE THAN A MILLION CONTACT CRIMES AGAINST WOMEN IN THE LAST FEW YEARS?"

03 SEXUAL VIOLENCE IN SOUTH AFRICA

In the 2011/2012 reporting period, 31 299 sexual offences against women and 25 862 sexual offences against children were reported to the police in South Africa.¹⁰ There were 87 191 reported incidents of assault and 57 345 of assault with the intent to cause grievous bodily harm against women.¹¹

A study conducted by the Medical Research Council¹² found that rape had been perpetrated by 27.6% of the sample of men interviewed in the Eastern Cape and KwaZulu-Natal provinces, while 37% of the men interviewed in Gauteng admitted to rape. Many had raped more than once. The men who admitted to rape were significantly more likely to have engaged in a range of risky sexual activity. They were likely to have had more than 20 sexual partners, transactional sex, heavy alcohol consumption and unprotected sex. The study found that South Africa's high prevalence of rape is linked to deeply embedded ideas about manhood. In a Medical Research

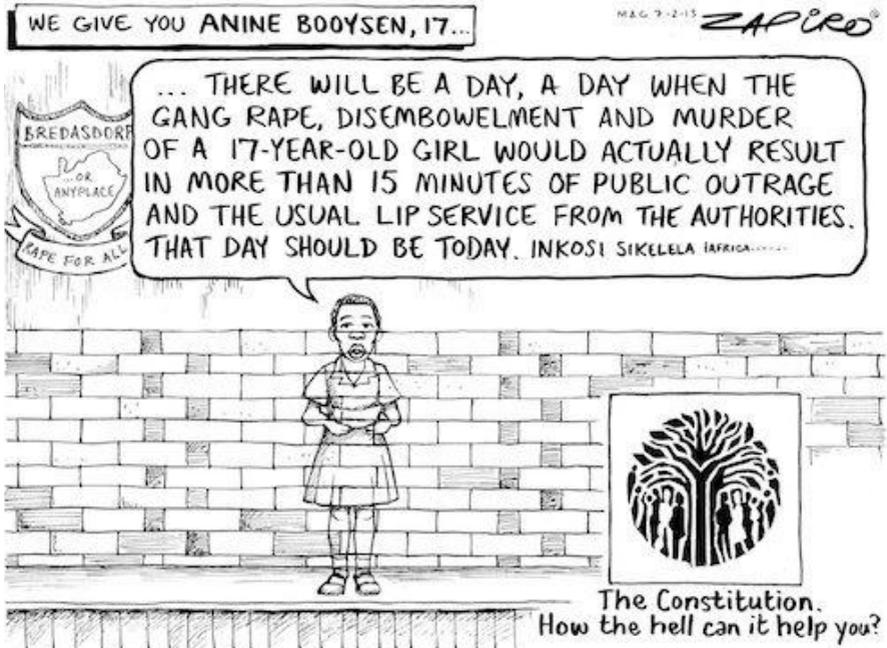
Council and Genderlinks study of domestic violence, over half of the women interviewed in Gauteng (51.3%) admitted to experiencing some form of violence, while 75.5% of the men admitted to perpetrating an act of violence against a woman.¹³

This omnipresent gender violence has resulted in sensory fatigue. In today's society, it is mostly taken for granted that rape will happen. It has become enmeshed within the rhythm of our lives.¹⁴ In the face of some of the worst rape statistics worldwide – including more than twice the number of rapes reported in India – a recent BBC feature described South Africa as being unable to muster up more than a collective shrug.¹⁵

Before Anene's death, there were many similarly horrific incidents of sexual violence, none of which captured the public eye in the same way. Just a few weeks earlier, 16-year-old Charmaine Mare from Mpumalanga, on holiday

in the Western Cape, was raped and murdered in Kraaifontein on the outskirts of Cape Town. Her attacker cut off her arms and legs with a bolt-cutter after raping her, and set her body alight. A month following Anene's death, Thandeka Madonsela, a 14-year-old girl, was found dead in a field near her home in Johannesburg. She had been gang-raped and disembowelled in the early hours of a Saturday morning. Yet Charmaine's and Thandeka's stories, along with many others, remain unknown to most South Africans.

IN TODAY'S SOCIETY, IT IS MOSTLY TAKEN FOR GRANTED THAT RAPE WILL HAPPEN... IN THE FACE OF SOME OF THE WORST RAPE STATISTICS WORLDWIDE A RECENT BBC FEATURE DESCRIBED SOUTH AFRICA AS BEING UNABLE TO MUSTER UP MORE THAN A COLLECTIVE SHRUG.



© 2012 Zapiro (All Rights Reserved)
 Printed/Used with permission from www.zapiro.com

04 LOCATING SEXUAL VIOLENCE IN SOUTH AFRICA'S SOCIAL CONTEXT

In the immediacy of the post-1994 transition to democratic governance, the South African state, spurred on by the advocacy of feminists, seemed to espouse a commitment to addressing gender inequity in South African society. Yet the 2011 Gender Statistics¹⁶ paint a bleak picture.

Approximately 14.8% of black women have no formal schooling, in comparison with 10.8% of black men. Men too outrank women in employment, with only 30.8% of black women versus 42.8% of black men, 43.2% of coloured women versus 54.7% of coloured men, 40.2% of Indian¹⁷ women versus 64.1% of Indian men, and 56.1% of white women versus 72.6% of white men, being employed. Most of these women are employed in the informal sector, in low-skilled, low-paying jobs. Statistics South Africa reports that women are far more likely to be unemployed than men across all geographical areas. In 2011, the unemployment rate

for women was 5.4% points higher than that of men,¹⁸ and 2.9% higher than the national unemployment average of 24.9%.¹⁹

Levels of gender inequity are therefore still very high in South Africa. But with the national gender machinery not performing as it should,²⁰ and a resurgence of traditionalism and efforts to normalise patriarchal values and institutions (e.g. the introduction of the Traditional Courts Bill²¹), spaces for feminist advocacy have changed. It becomes important to understand the nuances of this shift in the political landscape and what it means for women's rights.

PHOTOGRAPH:

Activists protesting outside parliament. Photographer: Brendon Bosworth



Mama Darcia
New Woman's Movement

HELLO MY NAME IS

STAYING POWER

05 SEXUAL VIOLENCE AND POLITICAL RHETORIC

The language of “gender progressiveness” has been employed perennially by the South African state, but a cursory look reveals the extent to which women’s lived realities refute this pledge.

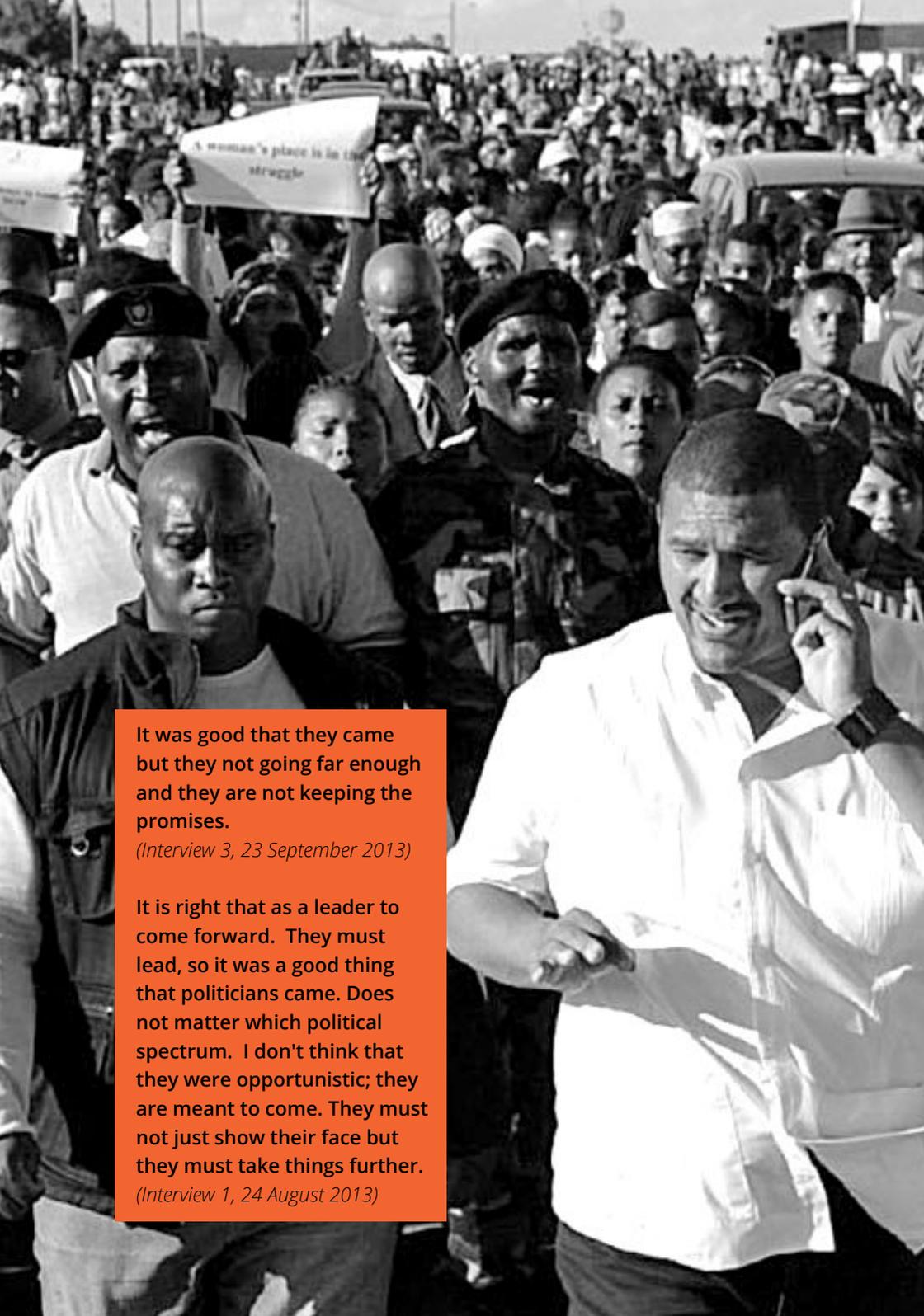
The manipulation of language for ideological purposes is not a new phenomenon. When used effectively, it creates an emotional response in the listener, a rush in the limbic system that calls on our deepest feelings as human beings.²² When the media began to make Anene their centrepiece, different voices emerged to express grief and condemnation. Prominent politicians from across the spectrum invoked a language of outrage that suggested the political will to address the social conditions that enable sexual violence. The president issued a strong statement condemning the attack, as did various government ministers, opposition parties, the trade union federation COSATU, the ANC Women’s League and civil society groups.

Some of the utterances, such as the suggestion that Anene should not have been out so late at night, problematically interrogated the victim and not the act of rape itself or those who committed it. Other statements were made in inappropriate spaces, such as the party politicking at Anene’s funeral.

In conversation with members of the community, we were somewhat taken aback by their less cynical view of the role of political leaders. In their view, the role of leaders is to lead and to respond in empathetic language to the trauma experienced by the community in the wake of an act of sexual violence. But this approval comes with the firm proviso that the words must be backed up with the requisite action to bring about social transformation.

PHOTOGRAPH:

Western Cape ANC leader Marius Fransman, leads a protest march in Bredasdorp. Credit: Cape Times



It was good that they came but they not going far enough and they are not keeping the promises.

(Interview 3, 23 September 2013)

It is right that as a leader to come forward. They must lead, so it was a good thing that politicians came. Does not matter which political spectrum. I don't think that they were opportunistic; they are meant to come. They must not just show their face but they must take things further.

(Interview 1, 24 August 2013)

06 BEYOND RHETORIC – AN ANALYSIS OF SOCIAL AND POLITICAL RESPONSES

Governments response

In the aftermath of Anene's death, the government invested R10 million in Bredasdorp.²³ Most of this has gone to the construction industry as part of a job-creation initiative for young people. While youth unemployment is rife, the initiative did not directly address the issue of violence against women. It certainly was a newsworthy gesture and it successfully captured public attention and seemed to elicit community favour.

Within the community, the investment is seen to have made some difference in job creation, although far from enough. The government's intervention strategy illustrates a clear lack of understanding of the context for sexual violence in the community. It also fails to strategically use this case to inform appropriate and sustainable local interventions to prevent sexual violence and

support victims. It is glaringly obvious that, other than this gesture, nothing much has happened. Apart from isolated church initiatives, there have been few opportunities for women to come together and talk about the issues that they face. The Overberg Development Association made an attempt to bring women together, but this did not get off the ground. Feminist NGOs that were once active in the area no longer have a presence due to dwindling donor funds. From the perspective of one interviewee, activism has dwindled in the post-1994 period and the community of Bredasdorp has become a whole lot more complacent.

PHOTOGRAPH:

Political leaders of the opposition DA party, join a protest against rape outside Parliament, Cape Town.

Credit: Gallo Images



There are significantly less resources for women to turn to (in Bredasdorp). After 1994 people became more accepting of the system, but the system failed people. There is a huge gap.

(Interview 2, 24 August 2013)

Bredasdorp is not alone in this predicament. Even in urban areas, support services for victims of gender-based violence are severely underfunded. In 2012, for example, Rape Crisis²⁴ had to retrench all but one of its staff members. In the same financial year, the Western Cape provincial government spent approximately 1% of its R1.3 billion social development budget on victim empowerment, of which only a portion went into direct services for victims of gender-based violence. Substantially fewer funds were allocated to victim empowerment organisations than to organisations working in other welfare sectors.²⁵

The absence of government interventions in Bredasdorp to focus on sexual and domestic violence in the community and its inextricable link to women's equality is a serious omission. With no initiatives beyond job creation, the idea of rape is subliminally naturalised, normalised and trivialised. The community remains steeped in deeply patriarchal values, normative gender roles, and limiting constructions of masculinity and femininity that largely go unchallenged – all the more so because Bredasdorp is a

(Violence against women) is how men control the community, to keep women on their place. It breaks women down. It's not a pretty picture. We must still go a long way to educate the community.

(Interview 2, 24 August 2013)

small rural town with entrenched conservative values.

It would, however, be incorrect to suggest that Anene's death did not result in any attention to gender-based violence. The days following her death saw a flurry of activity in the National Council Against Gender Based Violence,²⁶ which had been relatively dormant. It remains to be seen whether the Council will make a meaningful contribution towards preventing gender-based violence and developing a more integrated approach within government.

The second and more significant policy development linked to Anene's death is the reintroduction of Sexual Offences Courts, first introduced in 1993 as an innovative measure to improve the prosecution and adjudication of sexual offences. In the pilot court, located in Wynberg in the Western Cape, conviction rates improved

to over 80% and victims reported enhanced levels of sensitivity in their engagement with the criminal justice system.²⁷ By the end of 2005, 74 Sexual Offences Courts were operating across the country. This resulted in more cases being finalised, improved handling of victims, improved cycle times and improved conviction rates. Despite these significant advances, however, then-Minister of Justice Brigitte Mabandla noted with concern that the proliferation of the Sexual Offences Courts meant that they were better resourced than regular courts, which was seen as an impediment to the realisation of the goals of the Victims Service Charter.²⁸ A moratorium was then imposed on their further expansion. After the moratorium, conviction rates dropped by about 20% and the cycle time for finalising cases increased by about eight months.²⁹

Following Anene's death, a decision was taken to expedite the roll-out of Sexual Offences Courts. Although this is indeed good news, two immediate concerns require monitoring: the development of a legislative framework for the courts and sufficient budgetary resources – which, at a glance, already seem inadequate.

THE ABSENCE OF GOVERNMENT INTERVENTIONS IN BREDASDORP TO FOCUS ON SEXUAL AND DOMESTIC VIOLENCE IN THE COMMUNITY AND ITS INEXTRICABLE LINK TO WOMEN'S EQUALITY IS A SERIOUS OMISSION. WITH NO INITIATIVES BEYOND JOB CREATION, THE IDEA OF RAPE IS SUBLIMINALLY NATURALISED, NORMALISED AND TRIVIALISED.

The department of justice and constitutional development has estimated that the initial cost will be an estimated R3.8 million per court,³⁰ but only an estimated R22 million has been budgeted to launch 22 new courts.³¹ It is not clear what the consequences of this under-budgeting will be.

Rape is a notoriously difficult crime to prosecute. One reason for this is the patriarchal nature of state institutions and their inability to take a tough stance against rape. Of the total number of sexual offences reported to the police in 2011/2012, only 6.97% resulted in a conviction. The moral of this story is very clear: in all likelihood, a sexual offender will get away with it. Another challenge pertains to police sloppiness when processing evidence. A case in point comes from a commission of inquiry into allegations of police inefficiency in one of Cape Town's largest townships. A medical doctor who co-ordinates a local Thuthuzela Care Centre³², testified that the police had admitted to losing a number of sexual assault kits they had collected in 2011. The kits were later found dumped in a field.³³ The loss of this crucial evidence held far-reaching consequences.

Similarly, community members from Bredasdorp echoed their frustrations with sloppy police work in Anene's case.

There were a major slip-up in forensics. And if they only have one person now, they (the police) must have slipped up. That means the people are still out there. This is not the first time this happened in Bredasdorp where they could not find people who committed crimes.

(Interview 4 & 5, 23 August 2013)

RAPE IS A NOTORIOUSLY DIFFICULT CRIME TO PROSECUTE. ONE REASON FOR THIS IS THE PATRIARCHAL NATURE OF STATE INSTITUTIONS AND THEIR INABILITY TO TAKE A TOUGH STANCE AGAINST RAPE.

Public response

When Anene's death was catapulted into the public domain nationally, it generated only a sad murmuring of social mobilisation. In Bredasdorp, support groups gathered at the court when the case was heard, an opposition party and trade union representatives led a protest march, and non-profit organisations scheduled workshops and self-defence classes for community members.

In other parts of the country, isolated short-term initiatives sprang up sporadically, including online petitions, a campaign to wear black on Fridays to demonstrate support for ending gender-based violence, protest marches, and silent vigils, one of which was led by the singer Annie Lennox. Many of these initiatives had a hollow ring to them.

Nedine Moonsamy wrote an article in the Mail and Guardian that Anene Booyesen's death became symbolic and was used to express moral outrage.³⁴ Yet she critiques the effectiveness of these awareness-raising campaigns in the light of South Africa's tacit acceptance of misogyny. Raising awareness is not enough to bring

about systemic change. It is often not enough to change individual behaviour either. What remains significant about the response to Anene's death is that, unlike the case of Jyoti, there was no awe-inspiring moment of a nation coming together to demand action against rampant sexual violence.

WHAT REMAINS SIGNIFICANT ABOUT THE RESPONSE TO ANENE'S DEATH IS THAT, UNLIKE THE CASE OF JYOTI, THERE WAS NO AWE-INSPIRING MOMENT OF A NATION COMING TOGETHER TO DEMAND ACTION AGAINST RAMPANT SEXUAL VIOLENCE.

As horrific as Anene's death was, it did not galvanise a community outcry that would cut across the deep racial and class divides in Bredasdorp. Community members mentioned the underlying racial tensions that emerged after Anene's murder.

There was also racial tensions rising because after Anene there was this coloured guy that stabbed a black guy from Zwelitsha.

(Interview 3, 23 September 2013)

Racial issues is reality in our country. Initially not a race thing, but a brutal thing.

But part of it was when the name "Zwai" came out. And people in the community did not want to believe that this known person could do it and so came out the story that there was another guy called Zwai and he is a black guy so maybe he did it. People were looking for another culprit and it was convenient to blame someone you don't know - not close to you.

(Interview 4 & 5, 23 August 2013)

It is also worth noting that most of the social mobilisation initiatives

that took place came from feminist or women's organisations seeking to bring attention to the high levels of sexual violence in the country. Although stretched by the lack of funding, these organisations did the best they could to drive protest and awareness-raising initiatives.

The ODA (Overberg Development Association) called women together after Anene's murder - a broad group of women.

We tried to get it going and elect a steering committee and then nothing happened - it fell apart.

No one wanted to step forward to make it happen. Maybe it was about courage or it was about time. Women were all involved in their stuff: families, work and other organisations.

(Interview 4 & 5, 23 August 2013)

PHOTOGRAPHS:

(Top) Protestors outside Bredasdorp Magistrate's Court. Credit: Mail & Guardian

(Bottom) Silent protest led by Annie Lennox at St. George's Cathedral in Cape Town. Photographer: Zubair Sayed



Media response

The media, like the politicians, emerged as a dominant voice following Anene's murder. Mainstream mass media have long faced critique for having lost their key purpose – reporting in a fair, unbiased and balanced way on stories of public interest – and accusations of having become profit-driven multinational corporations. Far too often, it seems that stories are featured on the principle of “if it bleeds, it leads”, employing the tactics of shock and sensationalism to drive up ratings, attract advertisers and boost profits.

A 2011 study conducted by the Tshwaranang Legal Advocacy Centre found that court proceedings related to sexual violence attracted media attention if the rapes met the criteria of being brutal and shocking.³⁵ The study also found that while the brutality of these acts was reported on, this was often devoid of a contextual analysis of gender-based violence. The reporting on Anene's murder followed these trends. Those interviewed in Bredasdorp seemed to think that the media frenzy was directly related to the gruesome and brutal way in which Anene died.

I think it is how it happened and how she was assaulted. It was not strangers who did this to her.

(Interview 1, 24 September 2013)

I think it is how they murdered her: cutting her stomach open.

(Interview 2, 24 September 2013)

The way Anene died it was terrible. What did they use to kill Anene? You can't slaughter someone like a sheep. What was happening in their minds? You would not even slaughter an animal while it is still alive. They cut her while she was still alive.

(Interview 3, 23 September 2013)

The story centred largely around the gruesomeness of it. There are many other gruesome attacks on women, and in Bredasdorp. There were two baby dumpings in that same period and quite a number of murders. It just happened to be Anene and it just happened to be Bredasdorp.

(Interview 4 & 5, 23 September 2013)

**BLACK FRIDAY
FEBRUARY 15**

**REAL
MEN
DON'T
HIT
WOMEN.**

**ENOUGH
IS
ENOUGH**

*Graffiti on a wall in central Cape Town
promoting the Black Friday campaign.
Photographer: Ashleigh Furlong*

Most of the media debate regarding Anene's rape and murder focused on violence against women in isolation, failing to look at the broader social context for women in South Africa and for rural young women in particular. There was very little questioning of the structural roots of this violence. The "women as victims" discourse limited the emergence of a public discussion on how to keep women safe, how to eradicate gender-based violence and how to deal with the constructions of masculinity that makes such violence possible. At a symposium earlier this year held at Columbia University in New York, Helen Benedict observed that "[j]ust about any discussion of women's rights is still seen in the mainstream press as radical, opinionated and biased, not as legitimate news."³⁶

The fickle nature of news reporting was again demonstrated when Anene Booysen's murder was displaced in the media by the murder of Reeva Steenkamp by Oscar Pistorius, her boyfriend and global sports icon, on Valentine's Day, 2013. The media's obsession with Reeva's story is partially explained by his celebrity status. Yet it is clear from the manner

in which these two cases were reported that class and race dynamics say much about whose life is deemed of greater value. Beautiful and glamorous, Reeva led the life of an up-and-coming socialite, model and television personality. The media devoted a great deal of attention to her as a person in her own right, with detailed stories about the life she led, her friends and family, her thoughts and views on assorted subjects, what she did on the day before she died, what she ate, and so on.

For the media, it seems that Anene Booysen was interesting only insofar as her body was a site for brutality and for the courtroom dramas that ensued after her death. Her thoughts and views, what she did and said, were deemed inconsequential and certainly not newsworthy.

07 CONCLUDING COMMENTS

It is fair to say that South Africa is at a point of crisis in terms of violence against women. At a roundtable hosted by the Heinrich Böll Foundation, where a draft of this paper was presented,³⁷ a number of important lessons emerged from reflecting on the government, media and public responses to Anene's death.

Importantly, there is a need to recognise that addressing sexual violence is a political issue. Current responses do not sufficiently address the structural nature of women's oppression and the role that sexual violence plays within it. Evoking this gendered political framework, sexual violence is clearly both a symptom and also an instrument for women's oppression.

The starting point is therefore to build a political analysis into our understanding of sexual violence and to create feminist spaces to drive this work. This analysis must

then inform strategic advocacy in terms of challenging the state to prioritise sexual violence in its policy and budgetary agendas. If there is to be any hope of turning around the country's high levels of violence and preventing further cases like Anene's, there is a need to capacitate and strengthen feminist endeavours to subvert the patriarchal social norms within which gender-based violence can thrive. This will also entail the politics of sensitising our society to the horror of sexual violence and eliciting more ardent social mobilisation. While the physical suffering of victims may fade away, the psychological wounds caused by rape rarely heal completely. Anene's rape and murder and the ensuing political, civil and media responses have not brought any real change to Bredasdorp, according to the community members interviewed. It has not changed how people think about gender, nor has it changed how women experience violence.

If Anene's death teaches us anything at all, it is that notions of masculinity, the underlying gender social order, and the sexual entitlement of men are issues that require urgent political and social attention. While a comprehensive policy response is required to provide support services to victims of sexual violence, this alone will not stem the rampant tide of sexual violence. There are no quick-fix solutions and a concerted long-term policy response is required.

Beyond additional resources, strategic thought needs to be invested in the prevention of sexual violence. Otherwise, both private and public spaces will continue to be sites of potential danger for women and girls in South Africa.

There is nothing really that is transforming the community.
(Interview 2, 24 September 2013)

All they (politicians) did was the Construction Seta. But in terms of the psychosocial side - how people viewed the case, where women could openly debate and voice how they feel - that did not happen (in Bredasdorp). People (in Bredasdorp) did not face things head on.

After apartheid there was a TRC. The community here did not go through a phase to heal and bandage the raw wound. Many people were in shock but they did not know how to process it. The community was affected but people just go on with their lives.

(Interview 2, 24 September 2013)

IF ANENE'S DEATH TEACHES US ANYTHING AT ALL, IT IS THAT NOTIONS OF MASCULINITY, THE UNDERLYING GENDER SOCIAL ORDER, AND THE SEXUAL ENTITLEMENT OF MEN ARE ISSUES THAT REQUIRE URGENT POLITICAL AND SOCIAL ATTENTION.



*A photo of Anene Booyesen.
Credit: Daily Maverick*

08 ENDNOTES & PHOTOGRAPHY REFERENCES

1. The law on rape in India prohibits the public use of a victim/survivor's. Following her death, Jyoti's father requested that the media use her name to give other victims of rape courage. South African laws on sexual offences do not explicitly forbid publishing a victim's name however the Criminal Procedures Act as well as the South African Press Code note that a victim may not be named unless the victim or the victim's parents or guardians, in the case of minors, grant permission to do so.
2. Bredasdorp is a small community in the Overberg region of the Western Cape province of South Africa. The 2011 census reported a population of 15 524 people.
3. Jyoti Singh had been moved to Singapore for medical care, but died en route.
4. Retrieved from http://en.wikipedia.org/wiki/2012_Delhi_gang_rape#cite_note-158.
5. The authors conducted separate interviews with five community members from Bredasdorp to gain their insight into violence against women in the community as well as their opinion regarding the rape and murder of Anene Booysen.
6. Bourke, J, 2007, Rape – A History from 1860 to the Present, Virago, Great Britain.
7. Note that the Global and Regional Estimates of Violence Against Women: Prevalence and Health Effects of Intimate Partner Violence and Non-Partner Sexual Violence (United Nations World Health Organisation, 2013) reports that the region with the lowest prevalence of non-partner sexual violence is South East Asia, with a prevalence level of 4.9%. However, this needs to be interpreted with caution as the lower levels of sexual violence indicated could also partly be attributed to under-reporting.
8. Ibid.
9. South African Police Services (2012) Crime Statistics Overview 2011/2012. Retrieved from http://www.saps.gov.za/resource_centre/publications/statistics/crimestats/2013/downloads/crime_statistics_presentation.pdf
10. SAPS Crime Statistics, 2011/2012.
11. Ibid.
12. Jewkes R, Sikweyiya S, Morrell R, and Dunkle K., 2009, Understanding men's health and use of violence: Interface of rape and HIV in South Africa. Medical Research Council.
13. Machisa M, Jewkes R, Lowe Morna C, and Rama K, 2011, The War at Home. Gender Based Violence Indicators Project. Gauteng Research Report. Medical Research Council and Genderlinks, Johannesburg.
14. While South Africa has high levels of violence against women, it is important to note that an estimated 35% of women worldwide have experienced physical and/or sexual intimate partner violence or non-partner sexual violence. Some national violence studies

show that up to 70% of women have experienced physical and/or sexual violence in their lifetime from a partner. See Global and Regional Estimates of Violence Against Women: Prevalence and Health Effects of Intimate Partner Violence and Non-Partner Sexual Violence, United Nations World Health Organisation, 2013.

15. Andrew Harding, Will South Africans ever be shocked by rape? Retrieved from <http://www.bbc.com/news/world-africa-20971240>, Accessed 3 September 2013.
16. Statistics South Africa (2011), Gender Statistics in South Africa. Retrieved from <http://www.statssa.gov.za/publications/Report-03-10-05/Report-03-10-052011.pdf>
17. Persons of Indian descent living in South Africa.
18. Statistics South Africa (2011), Gender Statistics in South Africa.
19. More women struggling – Stats SA, 4 July 2013. Retrieved from <http://www.news24.com/SouthAfrica/News/More-women-struggling-Stats-SA-20130704>
20. The national gender machinery was established following the abolition of apartheid. It comprises of state institutions charged with giving effect to promoting gender equity such as the Commission for Gender Equality. The structure has undergone various reconfigurations since inception and challenges with overlapping mandates and conflict between institutions, amongst other hindrances, has impeded the realisation of its full potential.
21. The Traditional Courts Bill was first introduced in 2008 by the Department of Justice and Constitutional Development. It was intended to give traditional leaders power to exercise judicial law within the regions they govern. The draft Bill was met with great opposition by a range of civil society organisations, academics, politicians and community members who declared it unconstitutional, undemocratic and reflective of the apartheid regime. One of the key criticisms of the Bill, predominantly from feminist activists and rural women, was that, although it appeared to be gender neutral, women are not afforded equal rights and are often subject to harmful cultural practices under most traditional customs. The Bill was withdrawn in 2011, reintroduced the following year and withdrawn again in early 2014. A week following news of the Bill's withdrawal, the Department of Justice and Constitutional Development issued a public statement refuting rumours that the Bill had been squashed. The Traditional Courts Bill will be reintroduced to the parliamentary schedule following South Africa's general elections in May 2014. Retrieved from <http://allafrica.com/stories/201402211306.html> and http://www.justice.gov.za/m_statements/2014/2014-02-27-trad-courts.html.
22. Hustvedt S, 2012, Living, Thinking, Looking, Sceptre, Great Britain.
23. R10 million project to benefit Bredasdorp community, 21 April 2013. Retrieved from <http://www.sanews.gov.za/south-africa/r10-million-project-benefit-bredasdorp-community>.
24. Rape Crisis is a non-profit organisation founded in the early 1970s in the Western Cape province of South Africa. It was the first of its kind and continues to be a leading organisation offering specialist services to victims of sexual offences. The organisation is actively involved at Thuthuzela Care Centres and the Sexual Offences Courts.
25. Bhana, K, Lopes, C and Massawe D, 2013, Shelters Housing Women Who Have Experienced Abuse: Policy, Funding and Practice: Profiling Three Shelters in the Western Cape. Heinrich Böll Stiftung, Cape Town.
26. The National Council Against Gender

Based Violence is located within the Department of Women, Children and People with Disabilities, and tasked with managing government's response to addressing gender-based violence. It includes line officials from across different government departments as well as civil society organisations working to combat gender-based violence.

27. Report on the Re-Establishment of the Sexual Offences Courts, Ministerial Advisory Task Team on the Adjudication of Sexual Offences Matters, Department of Justice and Constitutional Development, August 2013.
28. The Victims Charter, formally known as The Service Charter for Victims of Crime in South Africa, is a legal framework established in 2004 to protect the rights of victims of crimes. These relate to the right to be treated with fairness and respect, the right to offer and receive information, the right to protection, the right to assistance, the right to compensation and the right to restitution.
29. Report on the Re-establishment of Sexual Offences Courts, Ministerial advisory Task Team on the Adjudication of Sexual Offences Matters, August 2013.
30. Ibid.
31. Report by the Department of Justice and Constitutional Development to the Select Committee on Women, Children and Persons with Disabilities, 14 August 2013.
32. Thuthuzela Care Centres are specialist facilities for victims of sexual offences. The Centres are located in a number of public hospitals and work closely with the police, courts and other victim support services to facilitate the process of reporting and prosecuting cases of sexual offences and to prevent the secondary traumatisation of victims.
33. Kate Stegeman, Bribes and bungled rape, murder cases: Khayelitsha police under fire, 3 February 2014. Retrieved from <http://www.dailymaverick.co.za/article/2014-02-04-bribes-and-bungled-rape-murder-cases-khayelitsha-police-under-fire/#.U0z7on9bw7k>.
34. Nedine Moonsamy, No more gender-based activism, 22 February 2013, <http://mg.co.za/article/2013-02-22-00-no-more-gender-based-activism>.
35. Press release issued by Tshwaranang Legal Advocacy Centre, 6 December 2011.
36. Lauren Wolfe, The media and violence against women: A conversation with Maria Hinojosa, 14 February 2014. Retrieved from <http://www.womenundersiegeproject.org/blog/entry/the-media-and-violence-against-women-a-conversation-with-maria-hinojosa>
37. Roundtable on Sexualised Violence in the National Debate hosted by the Heinrich Böll Foundation, Cape Town, 14 November 2013.

Photography

Ashleigh Furlong, 2013, <http://ashleighfurlong.wordpress.com/2013/04/12/gone-in-60-seconds/>

Brendon Bosworth, 2013, <http://brendonbosworth.wordpress.com/2013/02/15/rape-protest/>

Cape Times, 2013, www.iol.co.za/cape-times/fransman-attacks-da-at-anene-s-memorial-1.1467727#.U6hHhkBbw7k

Daily Maverick, 2013, <http://www.dailymaverick.co.za/article/2013-02-27-violence-against-women-can-outrage-translate-into-action/>

Mail & Guardian, 2013, <http://mg.co.za/article/2013-02-27-anene-booyesen-trial-davids-denied-bail>

Zubair Sayed, 2013, <https://zubairsayed.jux.com/1148742#>



In December 2012 and February 2013 the world came to know of two young women 23-year-old Jyoti Singh Pandey from New Dehli, India and 17-year-old Anene Booysen from Bredasdorp, South Africa. Both young women were gang-raped, brutally attacked and died fighting for their lives. Both cases received a great deal of publicity and public outcry however considering that levels of violence against women are high in both countries, but either widely ignored or regrettably taken as normalcy in mainstream politics, what were the dynamics and specific factors and circumstances that propelled them into national and international prominence and can unpacking this influence the development of enhanced strategies to tackling endemic violence against women?

The India and the South Africa offices of the Heinrich Böll Foundation have embarked on a learning exchange project on sexual violence producing two comparative studies. *Rupturing the norms: the social and political response to the rape of Anene Booysen* is the South African study on sexual violence. This publication analyses media, political and social responses to the rape of Anene and explores whether these responses resulted in any tangible social transformation.