

HEINRICH BÖLL STIFTUNG

CHALLENGING PATRIARCHY

**Conversations on
violence against
women**

Edited by Claudia Lopes &
Sultana Mapker



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**"[V]IOLENCE AGAINST WOMEN" MEANS
ANY ACT OF GENDER-BASED VIOLENCE
THAT RESULTS IN, OR IS LIKELY TO
RESULT IN, PHYSICAL, SEXUAL OR
PSYCHOLOGICAL HARM OR SUFFERING
TO WOMEN, INCLUDING THREATS OF
SUCH ACTS, COERCION OR ARBITRARY
DEPRIVATION OF LIBERTY, WHETHER
OCCURRING IN PUBLIC OR PRIVATE LIFE.**

United Nations, General Assembly Resolution 48/104 Declaration on the
Elimination of Violence against Women, 1993

INTRODUCTION

Since the onset of democracy in 1994, the South African government has committed itself to addressing gender inequality. This commitment is confidently rooted within the country's Constitution and within a well-developed legal framework geared towards the improvement of the status of women and towards the protection of their rights. Various pieces of legislation to respond to women's experiences of violence and abuse, such as the Domestic Violence Act (1998), the Criminal Law (Sexual Offences and Related Matters) Amendment Act (2007), and the Protection from Harassment Act (2011), have been shaped and strengthened over the years. In addition to these laws the country has also extended its commitment to addressing gender-based violence¹ through the ratification of international treaties such as the Convention on the Elimination of all forms of Discrimination against Women, best known as CEDAW, and the Beijing Platform of Action.

Through the implementation of these laws and international treaties, significant advances towards women's empowerment have been realized. The Local Government: Municipal Structures

Act (1998) and political party manifestos endorse quota systems that address gender inequity and ensure women's representation and leadership within political structures. Additionally, efforts have led to the development of specialized courts, police services as well as psycho-social support services for abused women. While the legislative landscape and structure appears impressive and cognizant of promoting gender equality and addressing gender-based violence, acts of violence against women in particular continues to grip and consume the lives of thousands of women in the country.

In recognition of this conflicting trend, the Heinrich Böll Foundation's (HBF) *Challenging Patriarchy* project sought to enhance civil society's understanding of factors that may contribute to the continued levels of violence against women and to think through possible alternative strategies towards its prevention. The project also aimed to nurture a collective feminist voice on this issue by encouraging relationship building and partnerships across various sectors. Throughout 2015, HBF hosted

a series of dialogues to engage experts and activists, political and trade union actors, and representatives from the media, government and the private sector in conversation on a range of topics and their interrelation to violence against women. This publication captures those conversations.

WHAT IS THE PURPOSE OF THE PUBLICATION?

The purpose of this publication is that it be used as a resource to guide and/or support advocacy initiatives towards the response to and prevention of violence against women. It is hoped that this publication will ultimately raise questions and stimulate further thinking on this.

HOW IS THIS PUBLICATION STRUCTURED?

The publication consists of five articles.² Contributions to the articles came largely from HBF staff members as well as researchers, activists and dialogue participants that HBF engaged during the course of the Challenging Patriarchy project. The articles contain theoretical and contextual information on particular topics inclusive of case studies, as well as an exploration of local and international strategies currently being employed in response to that issue. Each article concludes with further thoughts for

action. The dialogue topics and related articles are briefly introduced below:

1. Women's empowerment and the portrayal of women in women's magazines

Since the launch of the Ladies Mercury, the first British women's magazine, in 1693, women's glossies have become a significant cultural artefact in today's society. They carry important messages about the way in which society operates at a particular point in time, the values it aspires to and the social norms at play in a given context. The cognitive view of the world depicted in them and their subliminal messages about what it means to be a woman are also embraced by many women who then inadvertently pass these notions of womanhood on to other women around them. Women's magazines are therefore powerful conduits of messages of popular culture, gendered social norms and what it means to be a woman. *"Claiming back the f word: feminism & women's glossies"* explores some of the history of women's magazines and how it has traversed a path marked by moments of both contributing to and undermining women's rights. At the HBF dialogue with editors of women's magazines, discussions concluded that there was a need for relationship building between women's magazines and feminist researchers, activists and

women's organisations to collectively reinforce messages that seek to build and empower women and tackle gender and social inequity.

2. Media reporting on violence against women

In HBF's 2013-2015 comparative study on rape, feminist researchers Joy Watson and Vivienne Mentor-Lalu, and former journalist Heidi Swart, critiqued the South African news media for some of the ways in which it reports on violence against women and who (or which cases) it deems more newsworthy. The nature of the media is such that it is easily able to influence public perception and it is therefore in a very powerful position to either reinforce negative conceptions and ideologies or challenge them. In-depth reporting on violence against women and the social and cultural contexts within which it is allowed to thrive, in addition to more regular reporting, has the significant potential to highlight problems, stir debate, educate and empower, and overall create broader social and political change. *"Are we missing half the story? Media reporting on violence against women"* describes the extent and nature of how women's issues (in particular those relating to gender-based violence) are generally covered by the media illustrated by examples extracted from newspapers. It also documents the

factors/challenges that result in either a lack of reporting or limited reporting on stories of violence against women raised by editors and journalists who attended the HBF dialogue on this topic. The article concludes with recommendations on how to improve this.

3. Gender-based violence in the workplace

When discussing gender-based violence in the workplace, what often immediately comes to mind is sexual harassment. Sexual harassment has devastating consequences for women's health and social life but it is not the only form of violation that negatively affects women and their employment – often women's experiences of intimate partner violence in the home can directly impact on their employment be it through absenteeism, lost wages, or actual threats of violence at the workplace. The need for workplace strategies on all forms of gender-based violence was discussed at a dialogue attended by representatives from non-profit organisations and the gender officers of several trade unions and political parties. *"Gender-based Violence in the Workplace: promoting a safe and supportive environment"* includes some of the discussions had at the dialogue in terms of the consequences and effects of gender-based violence in the workplace. It further explores current strategies,

both locally and abroad, which have been developed to respond to the prevalence of violence against women in the workplace and concludes with suggestions for ensuring that workplaces are safe and supportive environments for women.

4. Women's safety in public spaces

Violence against women often takes place in the home and by persons known to the victim/survivor, but in other instances, experiences of sexual violence, assault and harassment take place in public spaces. Other than statistical evidence, anecdotal evidence shared on social media platforms often details women's experiences of being sexually harassed in trains, in buses, or while walking in the street. Women constantly express having to navigate and adjust their lifestyle, behavior and routines in fear of, and in order to avoid, being sexually assaulted. This tendency is so common that feminist theorists refer to this as women living to a "rape schedule". Women's sense of feeling unsafe is further reinforced by continuous news reports which narrate incidences of women and young girls having been sexually violated at taxi ranks or being found raped and murdered in open fields. The *"Women's safety in public spaces: an ongoing struggle for effective strategies"* article explores the topic through the use of statistical information and case studies. The article is strengthened by

the input of non-profit organisations, activists, government representatives, Cape Town city officials and members of the private security sector who attended the HBF dialogue on this topic. Local and international strategies to improve women's safety in public spaces as well as recommendations conclude this article.

5. Women's vulnerabilities and access to housing

In 2012 and 2013, the Heinrich Böll Foundation and the Tshwaranang Legal Advocacy Centre conducted two studies which looked at the provision of shelter services to abused women. The studies, "Housing women who have experienced abuse: policy, funding and practice" profiled 8 shelters as well as the needs of 216 women and 308 children in the Western Cape and Gauteng who accessed the shelters with their mothers. The studies found that most women accessing shelters had low levels of education, were mostly unemployed, had little or no access to other forms of income and most had significant health and legal needs. The provision of housing for abused women at the shelters was temporary and depended on how particular shelters operated – ranging between one to five months. The studies also found that women struggled to access housing post their shelter stay. *"Housing & gender: the sharp edge of the housing*

crisis for victims of violence against women” is an article written by a gender activist who explores South Africa’s legislative framework for the provision of citizens rights to housing; looks at the extent to which these laws and policies cater for victims of gender-based violence and concludes with recommendations for further work in this regard. While no dialogue was hosted on this topic, women’s access to housing is an area that requires significant attention and thus it has been included in this publication.

ENDNOTES

1. *As violence against women is an act of gender-based violence, the terms will be used interchangeably throughout the publication.*
2. *Of the five chapters, the first four comprise of topics which were covered in the dialogues held by the Heinrich Böll Foundation. While no dialogue was hosted on the topic of chapter five, the subject of women’s access to housing is a key issue identified by the organisation as an area that requires advocacy. This piece was commissioned for publication.*



CLAIMING BACK THE F WORD: FEMINISM AND WOMEN'S GLOSSIES

by Joy Watson & Claudia Lopes

INTRODUCTION

Since the launch of the Ladies Mercury, the first British women's magazine, in 1693, women's glossies have become a significant cultural artefact in today's society. They carry important messages about the way in which society operates at a particular point in time, the values it aspires to and the social norms at play in a given context.

Notwithstanding the challenges posed by digital communication and increasing access to the internet, the magazine industry in South Africa has a significant readership as evidenced by the consumer magazine circulation statistics for January to March 2015 (refer to table on the next page). The

figures illustrated in the table are, however, not a clear indication of the influence that magazines have in shaping social norms and thinking. In South Africa, a significant proportion of the population does not have the means to purchase them. However, the impact of women's magazines is widespread in that they are passed on from person to person, can be found in doctor's surgeries, at hairdressers, at public libraries etc. The cognitive view of the world depicted in them and their subliminal messages about what it means to be a woman are also embraced by many women who then inadvertently pass these notions of womanhood on to other women around them. Women's magazines are therefore powerful conduits of messages of popular culture, gendered social norms and what it means to be a woman.

THE PURPOSE OF THIS ARTICLE IS TO:

- Consider examples of how women's magazines have undermined women's rights;
- Consider examples of how they have promoted women's rights; and
- Sketch a framework for more collaborative engagement between women's magazines and feminist activists in South Africa.

The history of women's magazines has traversed a path marked by moments of both contributing to and undermining women's rights. It is no easy job to summarise the key ways in which women were represented in magazines at different points in time. This is because this representation has consisted of mixed, and at times, contradictory messages. In 1909, Good Housekeeping inadvertently contributed towards women taking charge of their own sexual gratification.¹ This was, by no means, the intention. At the time, it was thought that a series of pelvic massages performed by doctors, helped address hysteria in women. The precursor to the modern

RANKING	MAGAZINE	CIRCULATION	RANKING	MAGAZINE	CIRCULATION
1.	Move!	121 494	13.	Good Housekeeping	56 521
2.	Kuier	105 306	14.	Finesse	55 329
3.	Drum	100 387	15.	Fair Lady	49 697
4.	Rooi Rose	91 768	16.	Your Family	43 605
5.	Bona	91 558	17.	Leef	37 913
6.	Tuis/Home	89 497	18.	Marie Claire	33 885
7.	Woman and Home	86 127	19.	Essentials	34 310
8.	Sarie	83 369	20.	Elle	31 867
9.	Women's Health	68 265	21.	Destiny Magazine	28 570
10.	Vroue Keur	65 167	22.	Fitness Magazine	21 120
11.	Cosmopolitan	61 556	23.	Longevity	19 374
12.	Ideas	61 377			

Ratings of magazines in the 'women's General Sector in South Africa, January - March 2015 (The Audi Bureau of Circulations South Africa)

vibrator was invented when doctors wanted to develop a labour-saving device that would spare them the hand fatigue of manually administering pelvic massages. The treatment was not in any way linked to women's sexual pleasure. In reviewing different devices, *Good Housekeeping*, was contributing to women taking charge of their sexual pleasure, an example of where magazines contribute positively to issues of sexuality, albeit unknowingly. The content of magazines at this time was mostly still conservative in nature and women's sexuality was not to become an area of focus until the 1960s.

Very generally speaking, the period of the 1930s – 1950s can be described as a time where the central focus on women in magazines was that of a housewife and mother.² This followed on from the Second World War when jobs were scarce and women's roles centered on the home and taking care of children. In 1965, Helen Gurley Brown was appointed editor of *Cosmopolitan* magazine in the USA following the publication of her book, *Sex and the Single Girl*.³ She was editor for 32 years and her contribution was to significantly change the focus of how women were represented. *Sex and the Single Girl* challenged the prevailing social norms of what it meant to be a woman. As a consequence of Gurley Brown's

influence, women's magazines started to market the idea of women being single, of enjoying sex outside of marriage and of building their careers. However, this was done in contentious ways and located within the framework of women's primary role being to please men. One such renowned, problematic statement by Gurley Brown was: "If you're not a sex object, you're in trouble."⁴ Even in her promotion of being single, Gurley Brown managed to locate this within the context of doing so while transforming one's self to become a man-pleasing trap. Yet Gurley Brown's message was revolutionary for its time, in some ways it positioned men as complementary to a woman's life rather than central to it. While advancing problematic notions of womanhood, she also created the space in the magazine industry for women to construe notions of womanhood which defied prescribed gender roles as wife, mother and housekeeper. In 1970 a group of feminist protesters led by Kate Millett occupied Gurley Brown's offices, demanding that *Cosmopolitan* publish articles with a more feminist perspective. To her credit, Gurley Brown published an extract from Millett's manifesto, "Sexual Politics." Notwithstanding this, most magazines at the time continued to carry stories and portray women in ways that served to undermine a women's rights agenda.

THE POWER OF WOMEN'S MAGAZINES IN NEGATIVELY IMPACTING ON WOMEN

The purpose of this article is to pull out a few examples of how women's glossy magazines throughout the world have sought to promote women's rights and the ways in which they have undermined them. However, this analysis is not clear-cut. This is because there are times when the magazines clearly seek to promote a women's-rights agenda (the interview with 3 survivors kidnapped in Nigeria in the August 2015 South African edition of *Cosmopolitan* is one such example) and there are times when they clearly feed destructive notions of womanhood – such as the “Assess My Breasts” campaign run by *Nuts* magazine in the United Kingdom in 2004 where girls were encouraged to send in pictures of their breasts that were then rated by men.⁵

Far more complicated, is that magazines denote multiple and conflicting ideologies, as concluded in research into women's magazines and the social construction of womanhood.⁶ This generally, is the murky, layered terrain of what the glossies do – they can both contribute to positive notions of womanhood and undermine a woman's sense of self.⁷ In order to address the negative impact of magazines on women, it is important to recognise this dual, double

edged nature of what the glossies do in terms of constructions of femininity and womanhood. Winship (1987) talks about her simultaneous attraction and repulsion in both finding pleasure in the escapist aspect of magazines and recognising their mass popularity and her rejection of the notions of womanhood put forward by them.

One significant way in which this duality plays itself out is in relation to women's sexuality. For both women and young girls, magazines are useful conduits of information about sex, a subject which is not often easily discussed in the open. Magazines can therefore play a positive role in imparting information about sex. However, of concern are the problematic connotations associated with women's sexuality. Notions of sex and what it means to be ‘sexy’ is mostly viewed through the lens of heterosexual men. Most magazines play to this, building images of women as the objects of men's sexual desire. So while the focus is on sexual liberation, the message is that sex takes meticulous preparation and calculated planning for women. The focus is largely on men's stimulation with tags such as “10 ways to please your man”. The role of women in the sexual game is centered on man pleasing and teasing. They are expected to plan, conform and perform.⁸ The pleasure of men is pivotal and the male gaze has primacy. Men's

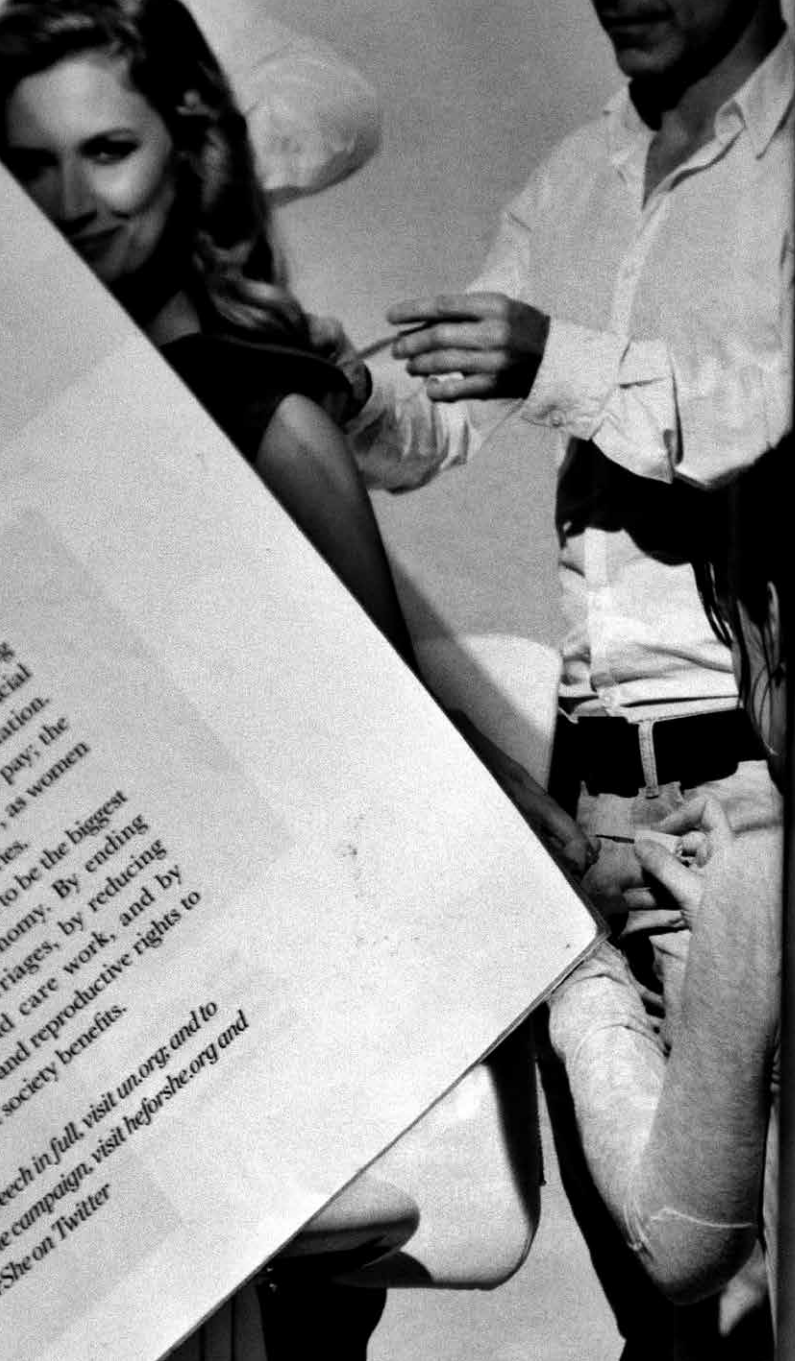
sexuality, on the other hand, is depicted as being spontaneous, easy and unstoppable.

Women's sexuality is also placed firmly within the parameters of heteronormativity. The issues and consciousness of lesbian, gay, bisexual, transgendered and intersex persons is something mostly not engaged with, unless the angle in it is about some 'girl fun' that is aimed at titillating and gratifying men's sexual pleasure. While these articles tread lightly on the domain of lesbian sex, it is mostly not for the pleasure of the women involved, but conforms to the voyeuristic gaze and sexual pleasure of the man who is watching. The underlying notions of sexuality in magazines can have potentially dangerous repercussions. The American Psychological Association Task Force on the Sexualisation of Girls found that constant exposure to the constructions of sexuality in magazines negatively affected notions of womanhood to the extent that the associated imagery could result in readers being more accepting of rape myths, sexual harassment, sex role stereotypes, interpersonal violence and adversarial sexual beliefs about relationships.⁹

While the way in which magazines feed unhealthy notions of sexuality is largely subliminal, there are times when problematic notions of gender relations,

sexuality and violence are overt. The 2007 spring/summer collection for Dolce and Gabbana, for example, featured in several different magazines, depicted a swimwear model restrained to the floor by a man while three other men looked on. By the time the advertisement was pulled from circulation for its graphic simulation of gang rape, it had run in several publications including the men's USA magazine *Esquire*.¹⁰ Exposure to imagery and messaging of this nature can undermine women's worth, role and place in society; it normalises gender inequality and the unequal power relations between men and women; and more easily excuses or condones the abuse of women. While this example¹¹ is an overt example of how imagery in magazines can promote messages about violence against women, the messaging is usually much more subliminal than this. Violence against women is one of the world's most endemic violations of human rights: it destroys women, families and the very fabric of society and thus it is problematic when magazines, which have a reach to hundreds of thousands of people, inadvertently contribute to its proliferation.

Another key way in which glossies can be destructive to notions of womanhood is in relation to body images. Gough-Yates (2003) describes the constructed images of women in magazines as unreal,



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...riages, by reducing
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...each in full, visit un.org; and to
...e campaign, visit heforshe.org and
...She on Twitter

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YOU... BUT MORE

Beautiful

er starts here – beauty expert Jo Glanville-Blackburn reveals your
o tricks and treats to look even more beautiful when you need to

EXPERT ROUTE ABULOUS...

axed way to sexier, smoother skin and
ments we love that never disappoint

Facial

needs – radiance,
o clean – the **Guinot**
Ionisation Facial is
d-up version of the
ed Cathiodermie facial
60s, which now uses
r than one to stimulate
toxins, resulting in

twice the efficacy. Hand on heart, my
skin continued to look great over a
week later. Expect to pay between
R480 and R550 for one hour; call
011 305 1600 for your nearest salon.

The bespoke tan

The biggest fear with a self-tan before
a special event is that it doesn't appear
even, and so the outfit you'd planned

on wearing reveals telltale m
a redhead, I have the palest
is, and it has never taken s
well... until now. I may be a
life to the **St. Tropez Spray**
R270 for 15 to 25 minutes, t
st-tropezsa.co.za

Blissful body

Never underestimate the a
skin on your body, as well
For super-soft gleaming sh
and legs, **Clarins Super Hy**
Treatment, including the **G**
Smoother Exfoliating Tre
leave skin visibly brighter,
silky, and drenched in mo
R550 for two hours; call 0
for your nearest salon.

Bespoke face & body pamper

Fancy a 2½ hour tailor-m

ING DAY SKIN BRIGHTENING KIT

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R290, which leaves you with a

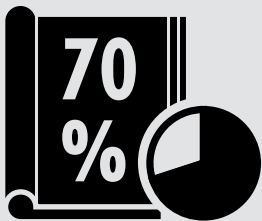
untruthful and distorted. Several studies such as Kilbourne (1999) and Freidric et al (2007) attest to links between women's magazines, negative body images and depression. A study done by Bradley University in the United States show that an estimated 70 percent of women feel worse about their bodies after reading magazines.¹²

Some magazines have responded to this by trying to introduce bigger-sized models, but mostly the norm of thin, young, 'beautiful' in predetermined, orthodox ways, has prevailed. When Seventeen magazine was first published in 1944 in the USA, the average model weighed 58.9kg. These days the average model is estimated to weigh about 52.1kg.¹³ In 1997, the editor of "Woman" in Australia, Cyndi Tebbel, caused an uproar when she decided to use a size 16 model on the cover of the magazine. The issue was followed by one that promoted a "No Diet Day." Both strategies elicited a positive response from readers and circulation figures remained stable. Yet Tebbel took tremendous strain from advertisers who felt that "no-one would want to buy lipstick from a big, fat, grumpy woman."¹⁴ She was eventually forced to resign. The focus on seductive models clad in skimpy outfits have been flaunted by magazines so much so that they have become a cultural norm, with many young girls and women aspiring to these

notions of womanhood and "sexiness". The American Psychological Association Task Force on the Sexualisation of Girls¹⁵ found that girls exposed to sexualised images from a young age are more prone to mental health issues such as depression, eating disorders and low self-esteem. This aggressive culture of sexualisation has real, practical consequences on women's lives. When the images that are internalised are potentially negative, it becomes important to challenge popular culture, particularly because it is inextricably linked to issues of social justice.

Even where positive stories on body image are covered, this is at times located in the context of contradictory messaging. The South African edition of Cosmopolitan, for example, ran a story on "Ten Struggles of Being Not Fat but Not Skinny Either"¹⁶ The article describes the everyday body weight issues that women contend with such as buying clothes that fit, eating out, going to the beach and meeting potential partners. It is a tongue-in-cheek exploration of weight issues with a light, humorous approach to a subject that usually elicits anxiety and depression. The article ends with the concluding statement: "I'm average and I look fine. Get over it." Yet, directly across on the opposite page, one is confronted with "With Herbex, I lost 35kg!" in big, bold text. This is the contradictory messaging

RESEARCH ON THE NEGATIVE IMPACT OF WOMEN'S MAGAZINES



**of women feel worse about
their bodies after reading
magazines.**

The Body Project, Bradley University, USA

**Girls exposed to sexualised
images from a young age are
prone to:**



DEPRESSION



EATING DISORDERS



LOW SELF-ESTEEM

American Psychological Association Task Force on the
Sexualisation of Girls, 2010

that detracts from the gains made with positive stories about women's bodies.

POSITIVE CONTRIBUTIONS TO WOMEN'S RIGHTS

In as much as the media is able to influence negative perceptions of notions of womanhood and femininity, it is also in a very powerful position to challenge harmful ideologies and create positive social change. Spanish glossy magazine MIA, for example, runs an annual "Red Card against Abuse" campaign and regularly supports projects that address women's rights. In addition, it is also the only Spanish magazine to feature its own readers on its covers. In 2013, Mia received global recognition by UN Women for its commitment to women's equality and empowerment.¹⁷

Considering the extremely high rates of violence against women in South Africa, it is encouraging that some of our own local magazines take up the fight against gender-based violence - whether it is through the telling of stories of women's lived realities of violence, running educational articles on the subject or through awareness raising campaigns. In 2003, advertising agency, Lowe Bull Calvert Pace, and FHM ran an anti-rape campaign on behalf of a local NGO, People Opposing Women Abuse (POWA).¹⁸ The campaign featured a double-spread page

advertisement which required the reader to force apart the two pages that had been glued together revealing a woman lying on her back with her legs spread apart and a by-line which read: "If you have to use force, it's rape". The campaign was simple, to the point, incredibly effective and powerful. Another example of a local magazine that has a history of taking up violence against women is Marie Claire. In 2015, for example, Marie Claire featured two initiatives, the "Naked Issue" (run annually over the last few years) and the "In Her Shoes" campaign to raise awareness of the abuse of women and children. Both campaigns have aimed to support initiatives that address sexual and domestic violence and both have made a point on calling on men to take a stand against abuse. While the campaigns are commendable for seeking to take up the issue of violence against women, both have met some level of contention. The "In Her Shoes" campaign, for example, which featured a number of local male celebrities in high heels, has stirred significant rancour from feminists who have criticised the magazine for its shallow interpretation of what it means to "walk in a woman's shoes" in relation to gender-based violence and for some of its misguided choices of protagonists.¹⁹ No doubt, Marie Claire had embarked on this campaign with good intentions but this illustrates the need for greater collaboration between women's magazines

and feminists in order to take up issues that affect women in the most sensitive, effective manner possible.

Another positive example of how magazines have adopted a women's rights agenda is in its depiction of the changing roles of women. Long gone are the days of depicting women solely as carers and homemakers.

Many modern magazines tend to provide stories that attest to the different roles played by women, as mothers, as partners, as career women, as people who care for the community. The triple role of women is therefore acknowledged and women are depicted in far more holistic ways. At times, there are even attempts to cover stories that encourage women to accomplish in career fields traditionally associated with men, such as science; computers, business etc. The focus of many magazines has been to represent women as powerful, independent, career-driven, gym-going, diet-watching, fashionista supermoms with an ever-growing checklist that defines the modern woman. Interviews with celebrities often reinforce this notion of womanhood, of being able to traverse the world, commanding different career platforms and being social cause ambassadors, while still being able to raise families and look desirable.

THE TRIPLE ROLE OF WOMEN

Moser and Levy (1986) developed an analytical framework that describes the triple role that women play in terms of the division of labour in most societies. Women's work includes a reproductive role which entails childbearing and rearing responsibilities which is required in order to ensure the maintenance and reproduction of the labour force.

It also entails a productive role, i.e. work done in the labour force to secure an income. Lastly, women play a community managing role, which is essentially work done in the interests of the community such as caring for the aged and building community institutions (such as churches, youth centres etc.)

While the expansion of the traditional roles associated with women is a positive development, these depictions are not without their problems. For example, the underlying class assumptions²⁰ in the manner in which these representations are made are usually very clear. It is targeted at middle class women and the lives that they aspire to live and rarely do magazines cover stories or seek to represent in their imagery, women who are domestic workers, women who work in factories or sex workers. While this is understood in the context of appealing to a particular readership, the argument is that there may well be potential readers that fall outside of the conventional scope of target audience who could well be

attracted to a certain magazine if it took up issues that they could relate to.

Another problem is that while the focus on the multiple roles of women can be positive, it can also serve to reinforce the notion that women must juggle multiple roles and identities. This can inadvertently place unrealistic and unfair expectations and pressures on women to do more and work harder.

The implications are that if you fail to meet these demands, then you must be failing at being a real woman.

Notwithstanding the limitations of the roles of women depicted in magazines,

the coverage of stories such as women in traditionally masculine industries and women who fight social justice causes is important, since this discourse is an important step in continuing to break down the mould of prescriptive gender roles.

Women's magazines have also played an important role in focusing on women in leadership positions, thereby encouraging women to aspire to such positions. In 2013, for example, South Africa's Elle ran a story entitled "Does having more female newspaper editors mean more gender balanced news?"²¹ The article sought to explore the challenges faced by women editors and journalists working in largely patriarchal, male dominated industries. It used the strategy of interviewing women editors and journalists so that they could share their experiences of covering women's issues and challenging gender stereotypes. Similarly, Marie Claire in South Africa ran a story entitled "The Women Who Put Rapists Behind Bars."²² The story covered interviews with a police officer, a scientist and a prosecutor and focused on their experiences of what it means to be woman working in the criminal justice system. It also highlighted the challenges that these women face and the way in which their work impacts upon their personal lives.

One other way in which magazines have a potentially powerful contribution to make in challenging gender inequity is by promoting feminism. Feminism is about more than gendered roles, reproductive rights and eradicating violence against women and girls. It is about fundamentally transforming a gendered social order and subverting the social, cultural, economic and political norms that disadvantage women.

Women's magazines are important contributors to shaping cultural norms and can play a significant role in positively transforming these. In May 2012, Cosmopolitan magazine in the United Kingdom launched the "Bring Back the F Word" campaign. This entailed a series of initiatives to advocate for gender equality and to argue that there has never been a more important time to be feminist. Part of the campaign aimed to address the issue of unequal pay between men and women and called for an annual audit to assess the differences in income between men and women. Similarly, Elle magazine in the United Kingdom also launched an initiative to rebrand feminism. The project aimed to make feminism accessible to women who do not consider themselves to be feminist. Importantly, Elle worked with feminists to conceptualise, plan and initiate the project.

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THAT DISADVANTAGE WOMEN."**

While the impact of these campaigns is unclear, it is an important step in consciousness raising at two levels. Firstly, it gets the magazines who adopt the campaign to think more about how they represent women, and secondly, the campaign can play a huge role in transforming the way in which readers think about what it means to be a woman and how patriarchy is challenged in society.

IN CONVERSATION WITH EDITORS OF WOMEN'S MAGAZINES

At the HBS dialogue with editors of women's magazines, a conversation was had on the ways in which magazines help to empower women on the one hand, but on the other can detract from those gains by depicting harmful messages and images. Also raised was the issue of advertisements and the extent to which magazines have control over the ways in which women are represented in them. The conversation centered on whether there was a need to take up feminist issues within the South African women's magazine sector, and if so, what that would entail.

The response from the editors was affirmative. They said that they were trying to take up feminist and social consciousness issues in their magazines,

but they were also cognizant that their magazines had other roles to fulfill. Magazines help readers escape from the daily stresses of life. The challenge then was how to find the right balance between the two: how to take up feminist and women's rights issues but to do so in a way (in a language and format) that would continue to appeal to their readers and offer them the reprieve that they seek and expect from their favourite magazine. As with most publications, advertising is the commercial life-blood of magazines and although editors were aware of how some adverts could be problematic they had little control over this area. They agreed that the problematic manner in which women are represented in the advertising industry is an area that requires transformation.

The dialogue concluded with an agreement that relationship building between women's magazines and feminist researchers, activists and women's organisations would be advantageous. Through the building of this relationship, it would be possible to cross-pollinate work on both sides and reinforce messages that seek to build and empower women, tackle gender and social inequity and make women generally feel good about themselves. As a first step to forging this relationship, the group agreed to strategize on the development of an

online campaign - making use of the websites of women's magazines to engage with readers on feminist issues.

THOUGHTS FOR ACTION – ENSURING A FEMINIST AGENDA

Below are some key considerations that arose out of the dialogues and further

thought on this topic. Each area of consideration encapsulates how each group can develop more effective ways of responding to the above issues.

WHAT ARE SOME OF THE KEY QUESTIONS FOR WOMEN'S MAGAZINES TO CONSIDER IN TAKING ON A FEMINIST AGENDA?

- Does the magazine content/ images compromise or undermine gender equality?
- Are prescriptive gendered roles challenged? How are women portrayed on the cover?
- Is the reader provided with information that educates, empowers and equips them?
- Does the content/ images make the reader feel good about herself?
- Does the content/ images promote problematic notions of sexuality?
- Are there features to raise awareness of gender-based violence?
- Does the content/ images promote heteronormative frameworks?
- Are there contradictory messages within the magazine?

WHAT SHOULD WOMEN'S MAGAZINES, CIVIL SOCIETY, FEMINIST RESEARCHERS/ACTIVISTS AND WOMEN'S ORGANISATIONS EXPLORE?

- **Relationship building:** There is a need for greater collaboration between women's magazines and feminist activists and women's organisations. A potential entry point in this regard is to look at creating spaces or opportunities for regular networking and discussion on critical issues women face.
- **Sharing of information for stories:** One of the challenges in covering feminist issues in magazines is the limited budget often available to conduct research or investigative journalism. Feminist researchers work on pulling together this kind of research on an ongoing basis. There is need to explore ways of sharing information that can be used for the development of cutting-edge stories that address pertinent issues and that are printed in their magazines. Through online spaces, such as the websites and social media platforms of magazines, feminists could also assist magazines to raise and engage with their readers on pertinent social justice and feminist issues. Specific facebook pages could also be created to upload links to current research which makes it easier for magazines to pick up issues and will also serve as a reliable resource for journalists to profile and write stories.
- **Planning joint campaigns:** There is a need to look for the joint areas of interest in terms of campaigns targeted on promoting women's rights and working collaboratively to run these and raise awareness of them. There is a further need to explore ways of garnering government support together with the private sector to present a united front on the issue. Campaigns on gender-based violence are particularly important here and need to be run on a regular not ad-hoc basis.

- **South African initiative to claim back feminism:** Currently the South African state is not doing well in terms of promoting women's rights on the whole. While significant progress had been made in the period after 1994 and South Africa was hailed as a best practice model, women's rights seem to have fallen off the agenda and taken a political backseat. There is a need for

new, innovative strategies and the building of new alliances to address this issue. A joint feminist/women's magazine campaign to claim back feminism and women's rights would be strategic and important at this point in South Africa's political landscape. The lessons learnt from such campaigns abroad could be used to inform this.

ENDNOTES

1. *Baxter and Cosslett, 2014.*
2. *Friedan, 1963.*
3. *Gurley Brown, 1962.*
4. *Ibid.*
5. *The editor at the time, Terri White, denied that this was sexist and had negative effects for women and girls. She later went to concede that, in retrospect, the campaign was a damaging one from a gender-rights perspective.*
6. *Norvall, 2011.*
7. *Several studies explore this. See, for example, Baxter and Cosslett (2014), Crouch (2013), Gough Yates (2003), Kilbourne (1999) and Freidric et al (2007).*
8. *Baxter and Cosslett, 2014.*
9. *Kalof (1999); Milburn, Mather and Conrad (2000) and Ward (2002) in the American Psychological Association Task Force Report on the Sexualisation of Girls, 2010.*

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ARE WE MISSING HALF THE STORY? MEDIA REPORTING ON VAW

by Claudia Lopes & Tahila Pimentel

INTRODUCTION

Despite South Africa's efforts to eradicate gender inequality and violence against women, women's safety, security and overall well-being remain threatened. Women continue to be marginalized and vulnerable to some of the most gruesome acts of violence in the country such as the brutal rape and mutilation of Anene Booysen in 2013, amongst thousands of others. Women's perceived inferiority to men is a product of longstanding social constructs which operate along patriarchal, often misogynistic ideology, values and attitudes which have not been sufficiently challenged. As a result, South Africa's efforts in attaining gender equality and eradicating violence against women continues to be compromised.

The vulnerability of women to abuse is further exacerbated by the way in which

the media reports on women's disposition particularly in the face of violence against women incidents. Feminist researchers Joy Watson, Vivienne Mentor-Lalu and former journalist Heidi Swart have critiqued the South African news media for its portrayal of violence against women. Frustration has been leveled at how the media reports on this issue; in its selectivity on when it reports on it; as well as who, and which cases, it deems more newsworthy. The lack of in-depth and regular reporting has also been cited by violence against women activists as problematic. Reporting on as well as highlighting the issue of violence against women appears to be limited to traditional campaigns such as the 16 Days of Activism on No Violence against Women and Children, Women's Month or when a particular heinous crime is perpetrated against a woman or a child. This kind of ad hoc reporting does not

do justice to addressing an issue that significantly affects and violates the rights of thousands of women in our country.

At the HBF dialogue with editors of newspapers and print and radio journalists, a conversation was had on how the media has the ability to influence public perception, being in a powerful position to either reinforce negative ideologies and stereotypes or to challenge them.

MUCH LIKE THE PURPOSE OF THE DIALOGUE, THE PURPOSE OF THIS ARTICLE IS TO:

- Explore how media reporting can reinforce negative ideologies or stereotypes about gender and women;
- Identify the most common problematic trends on how the media reports on violence against women and point to some of the challenges it faces in this regard;
- Propose ways in which the media can more effectively report on violence against women; and
- Sketch a framework by which journalists, editors and civil society can more effectively use the media as platforms for women's rights advocacy.

WOMEN'S REPRESENTATION IN THE MEDIA

Back in the early 90's a regular feature of the Sunday Times was its popular back page – a space which the former assistant editor of this acclaimed newspaper, Ryland Fisher, describes as being “dedicated to stories about sex and sleaze often accompanied by a picture of a near-naked ‘back page girl’”.¹ “The back page”, he continues, “was a throwback to an early age when sexism was acceptable in society and thus also in newspapers. It was okay to have pictures of near-naked women but you could not dare carry pictures of near-naked men”.²

While Fisher refers to this taking place at a time in which society deemed sexism acceptable, the truth is that not much has changed over the years. Sexism is alive and well in every facet of our society today. Equally, there is no media platform out there that does not to some extent portray women as sexual objects and/or of being the weaker sex. In some ways this portrayal is subtle, such as in some of the narrative adopted in sitcoms or in social media. In other ways it's far more blatant such as the sparsely clad women (still) adorning pages of tabloid newspapers, on late-night television or in magazine advertising, examples of the latter were provided in article 1.

INFO BOX 1: THE DISPARAGING WAYS IN WHICH WOMEN AND MEN ARE TYPICALLY PORTRAYED/ REPRESENTED IN THE MEDIA

When it comes to the media's portrayal of women and men, women are largely sexually objectified – emphasis is often placed on their physical bodies, general appearance and attractiveness, and sexuality - or on their perceived secondary role in society. On the other hand, men are more often portrayed as powerful, rugged leaders of society. This opposing depiction of the sexes is an extension of how men and women are largely perceived in reality.

Below is further assessment on how women are portrayed in the media:

- Women's beauty is narrowly defined and limited to a slender physique. Models are often predominantly white.
- Women are presented in ways that seek or intend to attract and/or seduce male audiences.
- Emphasis is placed on women's responsibility to meet social expectations of how they should look and act.
- Women are also presented as dependent beings that need to be looked after or saved by men. This is often depicted in the way images are photographed (e.g. a woman resting in the arms of a muscle-clad man) or through films (e.g. a damsel in distress that needs to be saved or helped out of a situation).
- Women are largely portrayed as caregivers and homemakers rather than breadwinners.

The problem with bombarding society with messaging of this nature is that it reinforces stereotypes and normalizes negative perceptions of women and their inferiority to men. This ultimately feeds into a social mind-frame in which violence against women is trivialized or more easily excused or condoned. In the same way that the media is able to negatively influence public perception, it too carries the power to challenge those misconceptions, educate and bring about positive social change. Let's take a look at how this plays out in the news media when reporting on violence against women.

STATUS OF REPORTING ON VAW IN THE NEWS MEDIA: THE TRENDS

Reporting on violence against women in the media seems to not have changed much over the years. An analysis on how the media reports on this topic today largely mirrors the findings of research undertaken more than two decades ago by Vogelmann and Eagle (1991). At that time emphasis was placed on covering violent or gruesome and sensational stories which were guaranteed to shock an audience (and hence increase sales) rather than framing stories in ways that serve to educate and raise awareness. Stories also largely perpetuated myths and stereotypes.

In their analysis, the researchers conclude that "media coverage in response to women abuse is problematic given the contradictions inherent in expressing outrage while also presenting women as commodities and encouraging sexual objectification." Current analysis (e.g. Isaaks, 2014, Watson and Mentor-Lalu, 2014, Swart, 2015) reveals similar tendencies.

Below are the four most common trends in the way the news media in particular reports on violence against women.

Newsworthiness

The media is selective in what it chooses to print. Media monitoring of three newspapers in 2013/2014 by Isaaks (2014) revealed that reporting on violence against women was virtually non-existent unless the case was of a gruesome nature such as that of Anene Booysen. Swart (2015) echoes Isaaks sentiments in her analysis of the types of cases that the media reports on. She says:

.....
"A normal rape case [does not have] much interest to the tabloid audience, for the same reasons that many stories, such as those about HIV and Aids, road traffic accidents, and most violent crimes, have lost their appeal: it happens every day

in South Africa. It has become a fact of life. It is not new, so it is not news. Unless it is bloody and gory and, preferably, accompanied by a photograph of the damage”.

.....

Anene’s case certainly had all these elements and managed to capture the media’s attention for some time. But while the heightened media coverage surrounding her case was good in that it shed the spotlight on the high rates of violence against women in South Africa, the way in which her story was told was problematic. So too was the way in which it was quickly replaced by that of the murder of Reeva Steenkamp by her sporting legend boyfriend Oscar Pistorius. In a paper written for HBF in 2013, researchers Watson and Mentor-Lalu provide an interesting perspective on this:

.....

“The media’s obsession with Reeva’s story is partially explained by [Oscar’s] 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”.

.....

Victim Blaming

At the forefront of many of these newsworthy stories is the issue of victim blaming. Whether a story is related to domestic violence, femicide or violence in general, the reporting trend has been largely fixated on the role that the victim played (i.e. what a woman had ‘done’ to deserve the violence) as opposed to focusing on the perpetrator who committed that violence. The language and quotes used also has a tendency to subtly place blame on the victim by focusing on how the violence could have been avoided (such as the example in info box 2).

INFO BOX 2:

EXAMPLE OF PROBLEMATIC USAGE OF LANGUAGE

'I told Anene not to be late'

Cape Times

February 8 2013

Jason Felix

Bredasdorp - She knew immediately it was her daughter who had been badly injured when she saw the black Grasshopper shoes with the laces tied in a certain way protruding from the sheet covering her.

Corlia Olivier, 40, the softly-spoken foster mother of Anene Booysen, had been summoned to a cold and bleak construction site in Bredasdorp early on Saturday morning.

She was called out at 5am by neighbours who had been alerted to the fact that the girl who had been gang-raped and brutally injured might be Olivier's foster child.

Anene, 17, was lying, critically injured, at the site where she was employed as a general worker, and where she had been found by security guards.

She was taken to hospital where she died on Saturday evening, after identifying her attackers.

Olivier took Anene – whose biological mother died when she was a baby – into her care when Anene was four.

On Friday night, Anene went to David's Sport Bar & Pub, about six blocks from

their home. Olivier warned her not to stay out late.

At about midnight, Olivier went to the bar and told her daughter to come home.

"She told me that she still wanted to stay. I left her and told her not to come back later than 1am."

What does this article highlight and what can we deduce from this kind of reporting?

- The headline as well as the way in which the article is structured frames the story around Anene and the potential role she played in what happened to her.
- At no point is there reference to the perpetrators of this crime, and their role within it, other than the fact that Anene knew her assailants.
- This article has the potential to impress on a reader that it was Anene's stubbornness and disobedience that resulted in her brutal murder.

Articles such as the one illustrated here perpetuate or further cement problematic notions that victims are to blame for what may happen to them. When a woman is raped, it is not uncommon for people to question what she was wearing or who she was out with and at what hour of the day. Automatically there is a supposition that if she was wearing a short skirt

and/or out at night, then she is to blame and possibly even deserved to be raped. If reporting on incidences of violence against women in the media remains focused on the behaviour of the victim, myths will continue to be reinforced. In addition, victims of violence will endorse these distorted representations of blame and interpret this experience to be their fault.

"WHEN A WOMAN IS RAPED, IT IS NOT UNCOMMON FOR PEOPLE TO QUESTION WHAT SHE WAS WEARING OR WHO SHE WAS OUT WITH AND AT WHAT HOUR OF THE DAY. AUTOMATICALLY THERE IS A SUPPOSITION THAT IF SHE WAS WEARING A SHORT SKIRT AND/OR OUT AT NIGHT, THEN SHE IS TO BLAME AND POSSIBLY EVEN DESERVED TO BE RAPED. IF REPORTING ON INCIDENCES OF VIOLENCE AGAINST WOMEN IN THE MEDIA REMAINS FOCUSED ON THE BEHAVIOUR OF THE VICTIM, MYTHS WILL CONTINUE TO BE REINFORCED. IN ADDITION, VICTIMS OF VIOLENCE WILL ENDORSE THESE DISTORTED REPRESENTATIONS OF BLAME AND INTERPRET THIS EXPERIENCE TO BE THEIR FAULT."

Cape Argus

WANT NEWS ON YOUR MOBILE DEVICES? GET 4 WEEKS FREE!

was murder'

time in jail as court says it wasn't 'culpable homicide'

Staff Writer

had the court should determine whether an accused could logically have known that the death of another person, but still continued with such a course of action.

Judge Leach said Masipa was wrong when she tied the dolus eventualis principle to the identity of the victim. If Pistorius had a reasonable cause to know that he could possibly kill any person behind the door in the toilet cubicle of the apartment where he and Steenkamp were sleeping, he eventually would have applied and Pistorius would be guilty of murder.

Judge Leach said physical evidence ignored by Masipa indicated that Pistorius should have had the understanding his actions could have killed a person in the toilet door. The toilet cubicle was small, the weapon and ammunition were deadly and four shots were fired. There was no place for anybody in the cubicle, Judge Leach said.

JUDGE WAS WRONG WHEN SHE TIED 'DOLUS EVENTUALIS' PRINCIPLE TO THE IDENTITY OF THE VICTIM, REEVA STEENKAMP

The judge agreed with Judge Masipa's view that Pistorius was a poor witness during the trial. He was adamant, however, that his finding did not reflect negatively on Judge Masipa and that it should not be seen as an adverse comment on the

Pretoria judge's abilities.

He said the trial had run in the plain of international media attention, which could only have contributed to the pressures on the presiding judge.

Pistorius maintained he believed an intruder was hiding in the locked bathroom of his Pretoria home when he fired four shots into the cubicle. The State insisted that Pistorius, a gun enthusiast, should have foreseen that his actions were likely to kill or injure the person behind the door.

He was released into house confinement this year after serving less than a year of his sentence.

Judge Leach started handing down judgment in the State's appeal of Pistorius's culpable homicide conviction at 9:45am.

While Pistorius and his family were not in court, Steenkamp's mother June attended proceedings with family friends.

June Steenkamp listened to proceed-ings, faced most of the time and her expression barely changed after the judge read out his finding.

PICTURE: REUTERS

CARL COLLIERSON

Under the theme 'Women Who Work', a panel discussion was held at the V&A Waterfront on the challenges faced by women in the workplace.

The discussion formed part of the on Women's Day, which was held on Wednesday November 25.

SAM presenter Nancy Richards, Tessa Harris, the owner of The Havin Group, Liza Rossouw, chief executive officer of The Social Academy, Janna Joseph, editor of the magazine, digital marketer Amanda Jacobs and Big Issue vendor, Cynthia Gogoya, who runs the magazine Street Gardens.

SPEAKING AT

Mr Richards, who chaired the session, said 'Women who work' is in their nature to be mothers - especially in order to raise a successful employee.

Commenting on the role of women in her life, Ms Gogoya said 'Women who work' is a lot of support from the side one with support.

Ms Gogoya, a working mother, said 'Women who work' is a lot of support from the side one with support.



TM OUT: Heyneke Meyer

Meyer quits as Bok coach

John Goliath

COACH Heyneke Meyer has quit as Springboks coach.

A week before the African Rugby Union's election and president's council were to decide his fate, Meyer said this morning he wished to be contracted extension to the Boks. Meyer said his decision to be in South Africa.

Many former players calling for his removal in 2015, he was defeated to Arjan van der Merwe at the end of the season in England.

It was a shock to many who had expected Meyer to stay on as coach.

According to Meyer, he received a generous offer from an Arab man, identified as the private plantation on Mafikeng Island, while Meyer was in South Africa.

This type of report is groundless, the super world from the institutions that accompany their strategy, said Meyer.

Fraud-acc

FATIMA SCHROEDER

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Perpetrator Empathy

Perpetrator empathy alongside victim blaming remains central to many news stories. Perpetrators are often represented as passive agents who succumb to “powerful, innate forces [e.g. stress, substance abuse, jealous rage, etc] of which they have little or no control”³ while victims are partially to blame for aggravating or provoking situations. The problem with structuring stories in this manner is, once again, that readers begin to endorse and accept these messages.

The trend of perpetrator empathy was evident in the case of Oscar Pistorius. News articles across the world placed emphasis on describing Oscar as the sad, devastated grieving partner.⁴ As the court case proceeded, the more articles reflected on his fragile state of mind and suicidal ideations.⁵ At the same time, some media raised speculation that Oscar had been driven to murder Reeva in a jealous rage. The story goes that Reeva had had a “close friendship”⁶ with an ex-boyfriend and that on the night of her murder Oscar and Reeva had argued about a text message that she had received from her ex. The underlying insinuation was that Reeva may have been having an affair and thus to some extent was in part to blame for the violent crime that ensued. There was also reference to the fact that Reeva had been warned about Oscar’s “jealous” and

“possessive” nature but had chosen not to heed to the warning.⁷

Lack of contextual/cultural/social reference to VAW

While some news articles bring to light vital facts about gender violations in South Africa these are few and far between. Those that do make it to print, are either written by journalists during annual campaigns such as the 16 Days of Activism or by gender activists at strategic points in times (such as the example in info box 3) when it is more likely that a newspaper will publish their opinion piece. The majority of reporting on violence against women is at a superficial level merely relaying facts obtained through police or court reports. Although it is the role of a journalist to provide the facts, and to do so in an unbiased manner, it should not prevent the journalists from delving a bit more into the contextual nature of violence against women. This can be as simple as including in the article statistics on the rates of violence against women in a particular community or in the country as a whole, or including commentary from a gender activist. Opportunities should also be sought, where possible, to ask deeper, more probing questions as to why violence continues to thrive in societies. For example, in mid-2015 the relatively new Department of Women

asked a question on twitter which read: "What should be done with women who press charges and then later withdraw them?". The tweet was written in response to a domestic violence case in which the victim had withdrawn charges of assault against the perpetrator. The department was lambasted by activists and some media for its perceived insinuation that women are in part to blame and should be punished for withdrawing charges.⁸

Journalists should make use of these kinds of problematic statements to raise questions and stir debate on the political will of government to address violence against women when reporting on cases of a similar nature. As mentioned earlier, this is not to say that reporting in this manner never takes place, it does, but certainly not as regularly and not to the extent that it ought to.

INFO BOX 3:

A GOOD EXAMPLE OF CONTEXTUAL REFERENCE TO VIOLENCE AGAINST WOMEN

Far too many men get away with murder

The Star

September 11 2014

As Oscar Pistorius faces judgment, Sonke Gender Justice hopes the global attention will help other victims of violence.

Pretoria - As the Oscar Pistorius trial for the killing of Reeve Steenkamp draws to a close, it is important to note that, on average, three women are killed by an intimate partner, former or current, in South Africa every day. On Monday, on the same day that the Pistorius judgment begins, 1 000km away in the Eastern Cape, another man who admits to having killed his former intimate partner will find out if the court believes his defence that he didn't mean to do it, and whether he will go to jail.

Nkosinam Xabadiya admits to stabbing Sandiswa Mhlawuli, a 27-year-old mother-of-two. Eyewitnesses say they saw him do it, but he says he didn't mean to kill her, that he was stabbing at her hands. This is not a coincidence. In South Africa, more than 1 000 women are killed by an intimate partner each year. In fact, "intimate partner femicide", which is the most serious form of domestic violence, is the leading cause of the murder of women here.

When Sonke Gender Justice got involved in the Mhlawuli case earlier this year, Xabadiya was walking free, without having paid bail, even though he had been seen stabbing Mhlawuli.

Sonke's Patrick Godana, who has led our work to demand justice for Mhlawuli, says government service delivery around this case was inadequate.

Central to the Pistorius trial has been the question of his intent.

There are many contributing factors to the high rate of domestic and sexual violence, with an estimated more than 1 million rapes in South Africa each year. Key among these are patriarchal beliefs that men are superior to women, and notions of masculinity that reinforce violence and the use of weapons. "From the beginning, Sonke has been saying we must not lose the many in the one," says Peacock, "Every woman who is killed matters – whether she's the girlfriend of a world-famous Olympian or a woman whose name hardly anyone knows in a rural village. We can't forget, when Oscar's trial is over, that this is happening again and again and again, every day."

Global media attention in the Steenkamp case, and Sonke's involvement in the Mhlawuli murder, have helped these two cases move through the courts more quickly. Usually, though, men's violence against women is treated as a low priority.

A 2009 Medical Research Council study shows that the great majority of female homicides in South Africa go unpunished, with less than 38 percent of intimate partner femicides leading to conviction in less than two years.

Consequently, far too many men believe they can commit violence with impunity, and even get away with murder.

What does this article highlight and what can we deduce from this kind of reporting?

- The article compares and expands on two cases of violence against women by drawing in the prevalence of domestic violence and femicide in South Africa. In addition it raises awareness of research undertaken in this regard.
- It challenges the trend of “newsworthiness” i.e. the media’s selectivity on the types of violence against women cases it wants to report on.
- It challenges the lack of effective response to violence against women cases by government.
- Importantly, it focuses on the prevalence of patriarchy, the undermining of women and problematic conceptions of masculinity in South Africa. These factors play a significant role in the occurrence of gender-based violence in society.

IN CONVERSATION WITH NEWS EDITORS AND JOURNALISTS

At the surface of why the media reports on cases of violence against women in the way that it does (or doesn’t), rests an acknowledgement that journalists do not always have the capacity to effectively report on such cases. Newspaper editors and journalists who attended the media dialogue hosted by HBF revealed that there are three major factors contributing to this. The first two, are capacity and

financial constraints being faced by the media industry. The rise of electronic and social media has led to a decline in sales of print media as well as a decline in advertising revenue. With fewer resources at their disposal, newspaper houses have had to downsize. This has meant a departure of many seasoned journalists and the rise in the number of junior journalists, who do not have sufficient experience or skill to write on these issues more effectively. Rarely too are there budgets to up-skill them.

Senior journalists who have remained in employment have to make up for the shortfall, still meet print deadlines while also being expected to write for and engage on social media. Sensational stories will also continue to dominate headlines as these stories drive sales and thus secure future advertising.

A third factor raised was the extent to which society deems this issue important. A community-based journalist for an online news blog said that she would like to write more in-depth articles on violence against women but has found that community members are reluctant to report or comment on cases for fear of being victimized. Other dialogue participants believed that society is simply gender-fatigued and not interested in engaging on issues pertaining to violence against women.

The issue of gender-fatigue has also been raised by media monitoring analysts. Banjac (2010) for example, believes that the media is equally plagued by gender fatigue and it may also at times steer clear of covering more violence against women cases because it lacks the ability to reflect on the complexity of this issue. She emphasizes though that the media has a significant role to play in addressing this issue:

“[On] some level the media is aware and recognizes the need to challenge gender stereotypes, discuss gender-based violence and question government progress on women’s issues, but what it lacked [through an analysis of media reporting] was a sense of commitment, regularity, urgency and persistency in demanding answers in order to see visible results. The media is not solely responsible for addressing these problems, but it unquestionably plays a crucial role in bringing what is going unseen and unspoken of, into the public domain for debate and discussion, to lead eventually to progressive solutions.”

THOUGHTS FOR ACTION - IMPROVEMENT OF VAW COVERAGE IN THE MEDIA

The media has the potential to play a central role in shaping or changing society’s perceptions of violence against women. The boxes presented on the next few pages offer key considerations that can be promoted and used by media agencies/donors, journalists, editors as well as civil society organisations to positively transform current norms and trends on reporting on violence against women. Some of these suggestions arose from the HBF dialogue with media representatives while others have been sourced from external resources.

WHAT CAN MEDIA AGENCIES/DONORS DO TO IMPROVE VAW REPORTING?

- **Training programmes/curriculums:** Develop programmes and curriculums geared toward training young journalists on how to profile and write on cases of VAW more effectively.
- **Glossary/linguistic handbooks:** Develop a glossary/linguistic handbook to guide journalists on ways to phrase and type of wording to use in reference to VAW.
- **Media guide for civil society:** Create a guide that focuses on how to effectively engage with the media for e.g. how to find the “hook” in a story that will appeal to media houses; how to present that information in a way that is easily understood; how and when to host press conferences etc.

WHAT CAN JOURNALISTS DO TO IMPROVE REPORTING/WRITING ON VAW?

Understand the context:

- Focus on understanding the factors that underlie the occurrence of VAW.
- Explore intimate relationships in more detail rather than placing attention on the behaviour of the victim.
- When interviewing friends and family members of the victim, journalists should contextualize the act of violence, not the motive to determine who is/isn't guilty.
- Recognise and acknowledge the deeper societal roots in which VAW exists.

- Become more aware of how power imbalances in relationships may encourage oppressive behaviour toward women partners.
- Analyse the story in more depth for e.g. beyond the substance abuse and/or violent temper of the perpetrator, explore multiple contributing factors.
- Include reference to factors that may contribute to the persistence of violence beyond the justice system e.g. focus on the role of other socio-structural factors (e.g. poverty, high levels of unemployment, and cultural norms) and how this contributes to violence, oppression and discrimination.
- Consult VAW experts who are familiar with the context. This will increase your understanding of the context which in turn will strengthen your article and provide readers with important information.
- Develop a database of civil society activists and organisations/ institutions as possible commentators and representatives of equality or accountability structures.

Consider the interests of VAW survivors:

- The interests of survivors must always take priority. Prioritize survivors' rights to dignity, privacy, confidentiality, safety, security and protection from harm or retribution. Always consider if or how a story could potentially violate any of these principles.
- Always be mindful of writing in a way that does not put survivors at further risk. For example, names, photographs, or other identifying information of survivors, their family members, or even at times those actors who are providing assistance (depending on the context) should not be used.
- Write in a way that educates people about VAW and why it happens.
- Explain the reasons why women appear to "put up with" VAW (i.e. why women stay in abusive relationships/ environments).
- Look at what common myths about VAW are present in the coverage. For example, domestic violence murders are often portrayed as isolated family tragedies, but do not challenge

common myths about VAW. In doing so, media representatives miss opportunities to broaden the public's understanding of VAW, its warning signs and possibilities for prevention and community intervention.

- Consider the safety of the person being interviewed and word questions or phrase questions so they are not judgmental.
- Don't focus on sensationalist information (e.g. blood in domestic violence/sexual assault cases).
- Don't assume certain cultures or classes are violent.
- Always provide information on local support services and organisations who address VAW.

Consider language when writing or reporting:

- Journalists must give thought to how they describe the victim/perpetrator to avoid victim blaming and perpetrator sympathy.
- Be mindful of the way sexual attacks are described and how the victims and alleged perpetrators are portrayed.
- Acknowledge the reasons why women may stay in relationships but also report or make references to women who have left abusive relationships.
- Focus on reporting on coping strategies while providing advice on how society can change to assist women who are experiencing abuse by intimate male partners.

WHAT CAN EDITORS TO DO IMPROVE VAW REPORTING?

- **Increase reporting:** Tabloid newspapers such as the Daily Voice contain more stories of domestic violence than upmarket newspapers like the Cape Times. This may reinforce the distorted idea that domestic violence is an insignificant, normative occurrence that only affects the working class of South Africa. More regular and in-depth reporting on all forms of violence particularly outside of the frame of annual campaigns such as the 16 Days of Activism or Women's Month is needed.
- **Challenge stereotypes/sexism:** Support the publication of stories that address gender stereotypes and sexism.
- **Be considerate of the victim/survivors experience:** Focus more on the experiences of the victim by discussing the victimization rather than on the gruesome details of the act. Reports should also focus on how emotional and verbal abuse often co-exists with physical abuse which explains the difficulty of finding the psychological and emotional strength to leave abusive relationships.
- **Report on all forms of VAW:** Be mindful of the habit of only reporting on extreme forms of physical abuse. It is important that other forms of violence, such as emotional and verbal abuse are covered and explicitly labelled as domestic violence to stress its importance, prevalence, and severity.
- **Advocate:** Encourage the telling of stories that advocate for greater gender responsive political governance to address VAW. Use cases to question government on issues impeding on women's rights. Observe government's commitment to addressing VAW and challenge it when it fails to deliver. Use opportunities such as government budget speeches and releasing of crime statistics to question government on its political will to address VAW. Do this often and consistently.

WHAT CAN CIVIL SOCIETY ORGANISATIONS DO TO IMPROVE REPORTING OF VAW CASES IN THE MEDIA?

- Develop a database of journalists who report on VAW cases.
- Build and foster relationships with these journalists. Constantly share stories with them. Ask for their advice/input on how to grab media attention.
- Consult an expert who has experience in the media industry who can assist in developing a media strategy for you including developing templates for press releases and fact sheets. Keep press releases short and factual – use infographics where possible.
- Find out from media houses what their dates and deadlines for publishing are including which days and times are most suitable for press conferences.
- Use online resources for more in-depth guidance such as <http://www.unac.org/wp-content/uploads/2013/07/UN-Media-Guide.pdf>

Sources:

Global Protection Cluster: VAW Prevention and Response (2013), Media Guidelines for Reporting on Gender-based violence in Humanitarian Contexts: <http://VAWaor.net/wp-content/uploads/sites/3/2013/07/VAW-Media-Guidelines-Final-Provisional-25July2013.pdf>.

Minnesota Advocates for Human Rights (2003). Strategies for Media Representatives on Covering Gender-based violence, available from <http://www.stopvaw.org>.

ENDNOTES

1. Fisher, 2013.
2. *While the newspaper was cognizant of the way in which it was portraying women and had wanted to change this, the feature continued to prove popular and so it remained. That is until 2013 when it was pulled by then new editor Phylcia Oppelt.*
3. O'Neill, 1998 in Isaaks, 2014.
4. <http://www.iol.co.za/dailynews/news/tearful-oscar-apologises-to-reevas-family-1.1672281>
5. <http://www.iol.co.za/pretoria-news/suicidal-thoughts-guilt-now-define-oscar-1.1715943>
6. <http://www.mirror.co.uk/news/world-news/reeva-steenkamp-close-friendship-pistorius-1714096>
7. <http://www.iol.co.za/news/crime-courts/hougaard-warned-reeva-1.1476166>
8. <http://www.sabc.co.za/news/a/cd4d680049360f918dd8df3fb1819230/Department-of-Women-sparks-outcry-on-Twitter-20150723>

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GENDER-BASED VIOLENCE IN THE WORKPLACE: PROMOTING A SAFE AND SUPPORTIVE ENVIRONMENT

By Claudia Lopes, Patricia Nyman & Ludo Mcferran

INTRODUCTION

When referring to women's rights violations in the workplace, what often immediately comes to mind is sexual harassment i.e. advances and attention of a sexual nature that is unwanted and unwarranted. Sexual harassment is a global human and labour rights violation. It is an extension and continuation of existing social norms and practices that reinforce social and economic gender inequality and exacerbates unequal power relations between the genders.¹ But it is not the only form of gender-based violence that negatively affects women and their employment.

Although employers have a duty to ensure the health and safety of their employees seldom do places of work take

responsibility for the social aspect of workers lives. The violence and abuse that a female employee may be experiencing at home is not considered a workplace concern. This is an erroneous judgment. Domestic violence, also known as intimate partner violence, is never solely contained within the boundaries of women's private lives - often this violence trickles its way into the workplace and the consequences thereof can be disastrous for employee and employer alike. It is important that workplaces recognise and develop strategies to address this.

The need for workplace strategies on gender-based violence was discussed at a dialogue attended by representatives from non-profit organisations and the gender officers of several trade unions and political parties. Some of the

conversations raised at the dialogue are included in this article.

IN ADDITION, THE PURPOSE OF THIS ARTICLE IS TO:

- Explores the consequences and effects of gender-based violence on society, in the workplace and to the country as a whole;
- Explores current strategies, both locally and abroad, that have been developed to respond to the prevalence of violence against women in the workplace; and
- Makes suggestions to stimulate thinking/inform future workplace initiatives to respond to gendered violence.

GBV IN THE WORKPLACE

To keep women safe from abuse and discrimination in the workplace, the South African government has enacted several pieces of legislation and policies such as the Employment Equity Act (1998), the Protection from Harassment Act (2011) and the Code of Good Conduct on the Handling of Sexual Harassment Cases. Despite this, women continue to experience discrimination and sexual harassment at work. For many, reporting incidences of harassment or other forms

of gender-based violence is not an option for fear of losing their jobs, being ridiculed or being accused for instigating such unwanted attention. Even when cases are reported, sexual harassment is often difficult to prove – it is usually their word against that of the accused. As a result, some workplaces do not take such reports seriously or choose to simply ignore them. Another violation of women's rights that is often ignored in the workplace is some women's experiences of violence and abuse in the home.

Violence against women outside of work is widely viewed as a private matter and not a workplace or employment contract issue. Women are often told to leave their problems at home where it belongs. The reality is that the abuse does not stay at home – in one way or another it impacts on the place of work. Violence against women is a systemic and entrenched human rights violation that should not, at any point, be perceived as a private matter or someone else's problem. Employers need to accept that reality and respond to it accordingly.

The following are some examples of how intimate partner violence can directly impact the workplace:

- Women who experience violence in the home may be prevented or delayed from getting to work by the perpetrator.

"VIOLENCE AGAINST WOMEN OUTSIDE OF WORK IS WIDELY VIEWED AS A PRIVATE MATTER AND NOT A WORKPLACE OR EMPLOYMENT CONTRACT ISSUE. WOMEN ARE OFTEN TOLD TO LEAVE THEIR PROBLEMS AT HOME WHERE IT BELONGS. THE REALITY IS THAT THE ABUSE DOES NOT STAY AT HOME – IN ONE WAY OR ANOTHER IT IMPACTS ON THE PLACE OF WORK. VIOLENCE AGAINST WOMEN IS A SYSTEMIC AND ENTRENCHED HUMAN RIGHTS VIOLATION THAT SHOULD NOT, AT ANY POINT, BE PERCEIVED AS A PRIVATE MATTER OR SOMEONE ELSE'S PROBLEM. EMPLOYERS NEED TO ACCEPT THAT REALITY AND RESPOND TO IT ACCORDINGLY."

The perpetrator may also intimidate or threaten the victim at her place of work through telephone calls, emails or physically harassing her at her place of work. This harassment may also extend to her colleagues.

- Physical injuries or psychological distress may lead to women abstaining from work.
- The physical and/or psychological distress experienced by women living in an abusive environment may lead to a loss of productivity, not being able to manage their workload or meet deadlines. This adds to the stress that they already contend with. An unsupportive work environment compounds that experience.
- Women seeking to protect themselves will need to take time off from work. This may entail going to the police to lay charges, going to a magistrate court to apply for a protection order, or going to see a social worker or psychologist for counselling. Applying for a protection order is in itself an arduous and time-consuming process and often, should leave be exhausted, the time taken off from work is unpaid.

As mentioned earlier, most workplaces do not recognise or consider the seriousness of how issues such as gender-based

violence can affect women's performance at work; her health and well-being as well as that of her colleagues who may, directly or indirectly, be affected by what she is experiencing. Dismissing or fully failing to consider the seriousness of this signifies that a workplace is not effectively prepared to deal with any consequences that may arise and is not able to efficiently assign resources or support services to assist employees under these circumstances. This is highly problematic as the example in info box 1 reveals. Violence against women has very real, very life-threatening consequences. It also has significant socio-economic implications.

The cost of gender-based violence in South Africa was recently highlighted by auditing firm KPMG (2014). In their study, *"Too costly to ignore – the economic impact of gender-based violence in South Africa"*, KPMG estimated that in the 2012/2013 financial year, gender-based violence had cost the country between R28.4 and R42.4 billion. These costs were attributable to the expenditure of the health, justice and service sector as well as those of lost earnings, revenues and taxes, and second generation costs such as the cost of children affected by domestic violence in the home. In reflecting on the findings of the KPMG study, Davies (2015), the Director of the

Africa Fatherhood Initiative, compares the cost of what the country spends on addressing gender-based violence to that equivalent of paying the salaries of 200 thousand primary school teachers or the fees of almost a million engineering students. He writes:

"When violence affects the profit margin, there should be incentive for businesses to lobby governments to work toward

effective prevention strategies and also implement their own prevention and support programmes. Assuming a VAW prevalence rate in South Africa of 30% the proportion of the overall cost attributed to workplace VAW and therefore lost business productivity is over R2, 734,855,038. This makes it all the more puzzling why VAW at work has received so little serious attention from governments and employers over the years".

INFO BOX 1: EXAMPLE OF HOW INTIMATE PARTNER VIOLENCE CAN IMPACT ON THE WORKPLACE

Knife attack victim 'had been abused for weeks'

News 24

8 October 2015

Jeff Wicks

Durban - A woman, who was critically injured when she was nearly disembowelled in a bloody knife attack, allegedly had been abused for weeks. A co-worker, Mark Govender, said that the woman was an "excellent worker" who did her job diligently and was quiet and reserved. She remained in a critical condition under police guard in a Durban hospital, and has not yet been named. Speaking to News24, Govender said that the woman had often arrived at work with injuries.

"She often arrived at the bakery with a black eye and before she even came here with marks from being sjambokked," he said.

Govender added that last week, when the woman was attacked, she had been walking from work to a nearby tuck shop when she was followed by man believed to be her boyfriend.

"I think he was waiting outside on the pavement and then when she went out he followed her and started poking [stabbing] her.

"I didn't see what happened; I just heard that one of our employees had been stabbed. By the time I got to the scene the police were already there. She wasn't saying a word; she just stared at us because I think she was in so much pain."

Govender said the woman's intestines were "hanging out" and that "she was holding herself".

The man who attacked her remained at large.

What does this case study highlight?

- The victim had been abused for a long time prior to the incident taking place.
- The abuse had not appeared to affect her work productivity although she is described as being quiet and reserved.
- Another article² on this case states that despite the victim not wanting to see her boyfriend, he would often come to her place of work. She had laid criminal charges against him prior to this incident.
- While evidence of the abuse had been noted by one of her colleagues there is no reference as to whether the company had intervened or offered her support prior to the incident.
- The attack on the employee has not only left the victim severely traumatized and injured but it has also negatively affected her colleagues who witnessed her injuries and suffering.

CURRENT STRATEGIES TO ADDRESS VAW AT WORK

The International Labour Organisation (ILO) and the International Trade Union Movement have both identified that not holding companies accountable for social ills like gender-based violence is a flaw and a gap that needs addressing. As such the ILO has recently called for a Convention on Gender-based Violence in the Workplace. Ideally, all countries should endorse this call and develop strategies to protect workers affected by all forms of gender-based violence. Locally and internationally, academics, non-profit organisations and trade unions have been hard at work advocating for this and other measures. This section includes two such examples.

A LOCAL PERSPECTIVE - SACCABU

Trade Unions play a vital role in ensuring that workers' rights are safeguarded. They have dedicated structures, committees, programmes and personnel who are tasked with addressing gender-related issues. The South African Commercial, Catering and Allied Workers Union (SACCABU), was formed in 1975 and is affiliated to Cosatu, South Africa's largest trade union. SACCABU is a fine example of a union that is committed to addressing gender-based violence whether it takes place in the workplace

or outside of it. At the HBF dialogue, Patricia Nyman, National Gender Coordinator of SACCABU, spoke of the efforts undertaken by her union to address gender-based violence in the workplace. She says:

.....

"SACCABU firmly believes that violence against women is a workplace issue. Women workers are wives, partners, girlfriends, and members of communities. Public spaces such as workplaces cannot be separated from the private space when gender stereotypes and patriarchal attitudes persist in both spaces. The workplace is a good starting point for change in society. Trade Union institutions, like SACCABU, believe that if workers are well informed they will be able to influence and assert much needed change to social issues and contribute to changing patriarchal gender roles."

.....

Below are a few examples of the union's strategies and programmes on this topic:

Mobilising for workers' rights

SACCABU has successfully mobilised for the rights of their members to a safe work environment free of gender-based violence. A recent case that the union took up (case study provided in info box 2) is illustrative of the extent to which the union advocates for the rights of its members.

INFO BOX 2:

CASE STUDY OF PHYSICAL ASSAULT IN THE WORKPLACE AND HOW THE UNION SUPPORTED THE VICTIM

An employee working for a multi-national corporation was physically assaulted by her manager for having disagreed with him on a particular issue. Although she reported the matter to the police, the police failed to arrest him. On hearing of the case, the union instituted a grievance against her manager as well as with the police. The union also lobbied

for support from trade union body Cosatu; from Chapter 9 institutions; and other civil society organisations. The manager was dismissed from his employment and the case was taken to court. The support exhibited by the union to its member was imperative in her being able to taking the case forward.

Collective bargaining

Violence against women has been prioritised in the collective bargaining agenda by ensuring that it is included in Companies' Wellness or Personal Assistance Programmes as well as HIV and Aids Policies and Programmes which make provision for access to Post-Exposure Prophylaxis (PEP) should workers experience rape or sexual assault. Companies such as Clicks, Edcon and Makro have this provision in their HIV and Aids Policy and Programmes.

Wellness/personal assistance programmes

Companies' Wellness or Personal Assistance Programmes may make provision for 'time off' (this may be unpaid or paid). They may also provide support services such as counselling and transport for the affected members. In order to have these issues included in Company Policies and Procedures the Union also had to sensitise Negotiating Team members, mostly comprised of men, on gender issues including gender-based violence.

The role of shop stewards

Shop stewards play an important role as they are the union representatives tasked to engage with management when cases of abuse or violence arise. Shop stewards may negotiate for workers to be given time off to go to court, for example. They can also ensure that temporary safety measures are put in place such as changes to work hours and patterns, and may assist in helping to relocate children to other schools. Shop stewards also have to ensure that management has a list of support service organisations and shelters available where affected workers can be referred to.

Support committees

SACCAWU recognises that a safe and supportive work environment is crucial to those affected by gender-based violence. As such it has helped establish company based gender committees (such as in the case study provided in info box 3) and trained members on how to co-ordinate those committees at both local and national levels. It is these committees and co-ordinators that ensure that gender issues are part of collective bargaining and that workplace policies cater for the needs of its women members.

Keep the workplace informed

The success story of the Makro Gender Committees has proven that if members

are aware of the support and assistance that the union can provide, then more come forward and ask for help. An important aspect therefore is to raise awareness and educate its members. Both male and female workers participate in workshops on subjects such as domestic violence. At these workshops workers learn about the causes and consequences of domestic violence, what the rights of victims are, the legal remedies that exist to support victims and practical steps on how to make use of these legal remedies. This process also ensures that male workers are sensitised to these issues and are better able to offer their female colleagues support. It also helps them identify any of their own behavior that may contribute to the discrimination and oppression of women and are supported to make changes to their behavior.

Endorsing international processes

The union has engaged with the South African government to join its efforts in endorsing the ILO's instrument on gender-based violence.³ In a letter to the Minister of Labour (dated October 2015), SACCAWU notes that adopting an instrument would:

- reduce women's vulnerability to exposure to gender-based violence and increase their economic independence and productivity at work;

INFO BOX 3:

CASE STUDY OF A GENDER COMMITTEE ESTABLISHED TO PROVIDE SUPPORT TO EMPLOYEES

SACCAWU assisted in the setting up of gender committees at Makro, a national wholesale company. These committees are responsible for conducting awareness-raising and for providing practical and psychosocial support to those affected by sexual harassment, domestic violence, substance abuse and other issues. The Makro store in Ottery, a suburb in Cape Town, is a prime example of a committee that has played a

fundamental role in assisting women experiencing violence at home. The support has included going with the victim to the police to reports cases of abuse, going with the victim to apply for a protection order at a court, taking victims to the hospital for treatment should they arrive at work with physical injuries and helping the victim to collect clothes and other belongings from her home.

- help to improve health and safety at work and improve industrial relations;
- help to create a workplace culture where gender-based violence is not tolerated;
- reduce the costs associated with gender-based violence in the workplace, for example through absenteeism, loss of productivity and court/tribunal cases;
- recognise the impact of domestic violence on the workplace;
- give clear guidance to employers and workers concerning their responsibilities to prevent, address and redress gender-based violence at work;
- assist employers with crafting well-designed human resource policies that contain clear processes for preventing and addressing the consequences of gender-based violence in the workplace;

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ALL OUTDOOR
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Less 30%



NEWS

Cape Towner



■ Cynthia Gogotya, a Big Issue vendor, left, and digital marketer Amanda Lambe, right, formed part of the "Women who Work" panel discussion.

Women winning

CARL COLLISON

Under the theme "Women Who Work", a panel discussion held at the V&A Waterfront's Table Bay Hotel aimed to look into the challenges faced by today's working women. The discussion formed part of the latest in the Big Issue magazine's business breakfasts, which was held on Wednesday November 25.

The panelists were made up of SAM presenter Nancy Richards, Tamsine Harris, the owner of The Harris Group, Lara Roussin, chief executive officer of The Seed Academy, digital marketer Amanda Lambe, and Big Issue vendor, Cynthia Gogotya, who sells the magazine on Orange

Speaking at the event, Ms Richards, who chaired the discussion, said: "Women want to work. It is in their nature to work."

Ms Richards added, however, that many women – especially working mothers – needed a support system in order to raise a family and be employed.

Commenting on the support systems in her life, Ms Gogotya said: "The Big Issue provides us as vendors with access to social workers, so I get a lot of support from them. And I also have my sisters who always provide me with support."

Ms Gogotya, a working mother, conceded, however: "The money we have at home is the money I make at the Big Issue magazine. And when people don't want to open windows, so you don't

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recalling what sparked her deter-
ination to be as financially inde-
pendent as possible, Ms Lambe said:
"I always knew I was going to work. Her
because my mother didn't work. Her
financial dependence was a difficult
thing for me. A lot of women, how-
ever, have no choice."

Ms Joseph said: "I was freelancing
when I became pregnant with my
first child, but working from home
was impossible - I couldn't concen-
trate."
"So, I'd leave the house for about
three hours a day and sit in a coffee
house that normally
accompany their lifestyles, such as

shop with good wife and work."
Ms Joseph added: "For me, not
working would be a disaster. I'd go
off the rails. I need an outlet. The big
challenge was finding a balance
between being a mother and your
career."

Offering advice on how she tries
to attain this balance, Ms Rosmarin
said: "I try and keep my children
involved in my work life so that there
isn't this complete division between
work and family. In fact, I've set up
a space in my office for them, so that
they have a place with me while I'm
working."

Ms Lambe said: "When starting
out in your career, it can be tough -
especially if you are working in the
corporate world. I learnt from early
on that you don't always get every-
thing right, so I am not afraid to ask
for help."

At the same time, Sars cross-
appealed on the basis of the High
Court's failure to appoint a curator

"I have my mom, dad and sister
and everybody jumps in when it
comes to helping out."
She added: "We also try not to be
gender-specific in our roles. We
don't have 'pink jobs' and 'blue
jobs', as such."

Concurring with this, Ms Harris
said: "My partner and I also don't
have 'blue jobs' and 'pink jobs'.
Instead, what we do is work accord-
ing to our strengths - focusing on
what the other is good at, not their
weaknesses."

This, Ms Harris said, not only
made the children-related duties eas-
ier to execute, but also helped one to
"form a better relationship with your
spouse."

Ms Harris added: "It is not always
easy, but anything important - any-
thing worthwhile - requires our
energy and effort."

"At the very least," she allowed
him to use her bank accounts, "or can
not prevent him from doing so."
The court found that Van der
Merwe and her father's close relation-

Fraud-accused lawyer risks being barred

"there has been a consistent pattern
on the part of (Du Piessis) contraven-
ing the (society's) rules over the past
six years".
According to his affidavit, the soci-
ety has found Du Piessis guilty of
professional conduct more than 20
times in the past of complaints that
he has dis-

- Failed to hand over clients' files when they terminated her mandate.
- Entered into a business contract with her client and failed to refer him for independent legal advice.
- Misinformed a client that his transfer had been lodged with the Deeds Office when it hadn't.
- Failed to keep a client abreast of developments.
- Failed to respond to the client's demands.

FATIMA SCHROEDER

... attorney who is
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- assist employers in establishing clear procedures for reporting grievances and complaints;
- contribute significantly to realising decent work objectives; and
- assist in building greater consistency into legal frameworks aimed at eradicating gender-based violence and promoting women's human rights.

Much time and energy has been devoted by the organisation to ensure that workplaces are well organised to attend to issues pertaining to gender-based violence. The strategies, programmes and structures listed above serve as good examples on how unions and workplaces can develop effective policies and interventions to ensure women's safety and security in the workplace.

AN INTERNATIONAL PERSPECTIVE - DV@WORK NETWORK⁴

The DV@Work Network is a body with an international membership of domestic violence advocates, academics and unions. Members include the ILO and a number of global union federations. This network monitors international developments and good practice, and is engaged as experts in the proposed ILO gendered based violence labour standard. Thus far this network has had

significant success in demonstrating to employers that domestic violence is not a personal matter but rather one that impacts the workplace significantly resulting in losses due to lack of productivity and absenteeism. Retaining economic independence is critical for women experiencing domestic violence. Their ongoing employment is a major pathway out of this crisis in their lives.

Much like the case of South Africa, gender-based violence has cost the economies of other countries. In the United States, the cost was estimated at \$5.8 billion each year and in Australia, it was estimated that by the year 2021-2022, gender-based violence would have cost the country \$15.6 billion.

Internationally there have been a number of different strategies to address domestic violence in the workplace - notably anti-discrimination law reform in the United States, occupational health and safety law reform in Ontario, and violence against women legislation that addresses the workplace in Spain and the Philippines.

In Australia, discussions to protect workers affected by domestic violence started as far back as 2009. In 2011, a National Survey was conducted by the University of New South Wales to assess the impact of domestic violence in the workplace. The study revealed that one

in every five Australian women who had experienced domestic violence in the home had continued to experience it in the workplace. The survey, which was distributed by Trade Unions and completed by 3600 members, revealed that 45% of respondents had discussed the violence with someone at work. Although most had talked to co-workers or friends about the abuse, almost half of all respondents (48%) had also disclosed the violence to their manager or supervisor. Only 10% of these respondents felt that the responses they received from their employer had been helpful. The findings conclusively revealed that domestic violence negatively affected the capacity of a significant number of workers to attend work, it affected their work performance and their safety was often at risk. The survey also found that co-workers of victims of violence were also negatively affected.

As a result of the study, a new domestic violence clause was developed for negotiation as part of collective bargaining. This was done in partnership between academics, the domestic violence sector, and trade unions.

In conversation with HBF, Ludo Mcferran, a gender-based violence activist who was actively involved in advocating for the domestic violence clause in Australia, and is one of the founding members of the

DV@Work Network, admits that at first there was real anxiety amongst employers and some union officials about taking on this responsibility. Domestic violence was perceived as a 'difficult issue' and workplaces feared becoming drawn into the complexities of this, or of mishandling sensitive situations. Mcferran remarks on this in more detail:

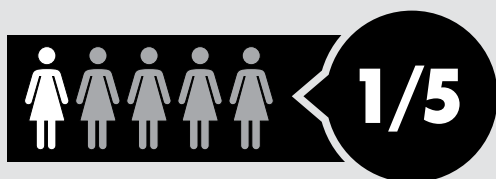
.....

"Their reaction was 'we are not social workers or domestic violence experts' and 'we can't solve this'. We drew a clear line on this and our message was that workplaces are not expected to solve the greater problem and should not try to become domestic violence counsellors/ social workers. This should be treated as a workplace issue like many other complex issues - and the necessary measures taken to ensure workers can get to work, can do their job and are safe. For other support, workers should be referred to domestic violence specialists. The message from the workplace must be: your job is safe, we understand this and will provide you with the support you need".

.....

The strategy developed by Mcferran and her colleagues has proven successful. The domestic violence clause includes the claim for paid domestic violence leave to do what is critically necessary

A STUDY BY THE UNIVERSITY OF NEW SOUTH WALES FOUND THAT:



1 in 5 Australian women who had experienced domestic violence in the home had continued to experience it in the workplace.



2 000 000

Australian workers now have standardised and enforceable domestic violence protections at work.

such as going to court for a domestic violence order that protects the victim at home and the workplace. Other parts of the clause provide for confidentiality of employee details; workplace safety planning strategies; referral of employees to appropriate domestic violence support services; training for contact people in the workplace; flexible work arrangements where appropriate; and no adverse action or discrimination on the basis of their disclosure of, or experience of, domestic violence.

Training of union delegates is also key to ensure the basic understanding of what domestic violence means and the legal protections available, how it affects workers at work, and how to implement the domestic violence clause. At its core it's about 'how to have the conversation', i.e. creating a safe and informed workplace culture where employees feel safe to disclose and then focusing on what the employee needs to be safe and able to do their job. The clause is not gendered. In training and resources it is recognized that men can be victims and women can be perpetrators. But the training does say that in terms of severity and risk to health, home and job, women are at greater risk. Nevertheless, employers are

expected to treat with equal respect all workers disclosing domestic violence.

Five years on, 860 agreements with a domestic violence clause have been signed by many of Australia's leading employers. With the inclusion of public service awards or directives, over two million Australian workers now have standardised and enforceable domestic violence protections at work. In addition, the Australian Council of Trade Unions has brought forth a case before the federal arbitrator for workplaces to increase paid domestic violence leave to 10 days. CEO's have also demonstrated their support for this paid leave.⁵

THOUGHTS FOR ACTION - ENSURING GENDER AWARE AND SENSITIVE WORKPLACES FOR WOMEN

In continuation from the examples listed above, the following are suggestions that can assist the state, and private and public sectors to establish workplace environments that are safe and supportive spaces for women.

WHAT CAN WORKPLACES DO TO ADDRESS VAW?

- **Review existing workplace policies and protocols:** Review current workplace policies to ensure that they are gender sensitive and do not reflect patriarchal values. Policies need to have specific sections addressing VAW and sexual harassment - not just 'one liners' that are often found in policies. There is also a need for workplaces to ensure that there are specific provisions in their policies to address challenges faced by persons of diverse sexual orientations and gender identities in the workplace. Protocols on how to address and promote the prevention of incidences of gender-based violence must also be developed.

- **Raise awareness and educate:** Workplaces must ensure that managers have been educated and trained on issues pertaining to violence against women. Managers must be able to effectively handle incidents and deal with issues raised and

accordingly provide support and access to the necessary resources. Employees must also be educated on the causes and consequences of gender-based violence. Educating employees on the law can also help to deepen their understanding of remedial measures available for victims.

- **Provide access to support & develop safety plans:** Ensure that workers who experience abuse have access to phones, emails and other workplace resources that may help them to deal with their experience. Establish workplace support services or provide referrals to organisations that do. Ensure that workers are given sufficient time-off or flexibility in their working day to access those services. Assist the victim in developing a safety plan. Where possible, work with psychologists, trauma specialists and/or organisations to ensure that safety plans for victims are comprehensive.

- **Develop gender committees at work:** Create gender committees in the workplace to provide employees with a safe space to address their concerns. Elect a gender representative to voice the concerns of their colleagues at management meetings.

- **Develop mentor groups/work networks:** Create employee or worker networks across companies and with relevant NGOs and stay in touch with each other. Update and educate each other on issues and how each company deals with issues.

Ensure groups have follow ups on for e.g. policy revision and whether companies have carried out worker concerns. This will help and enable groups to devise effective response strategies as well as put pressure on companies.

- **Develop and run campaigns:** Develop initiatives to promote best practice and share good case examples. Challenge workplaces to run awareness campaigns and develop policies geared to ensuring women's safety and addressing VAW in the workplace.

WHAT CAN NGO'S AND TRADE UNIONS DO?

- Form partnerships together, and with the private and public sector, to guide the development of workplace policies, programs and support services on preventing and addressing gender-based violence. They should also advocate for a domestic violence

clause in collective bargaining.

- Conduct a domestic violence at work survey in South Africa (similar to the one conducted in Australia and in several other countries since) to assess the impact of domestic violence in the workplace. Evidence-based

research of this nature would help in advocating for workplace strategies and policies to respond to gender-based violence. To the best of the authors' knowledge no such study of this nature has

been conducted in South Africa as of yet.

- Engage with the DV@Work Network for assistance on this and other possible initiatives and interventions.

WHAT CAN GOVERNMENTS DO?

- Support the ILO call for a convention and measure on gender-based violence in the workplace.
- Support and make it obligatory for workplaces to adopt policies and programmes to support employees affected by gender-based violence despite whether that violence takes place at the workplace or not.
- Make sure that current obligations, as outlined in the employment act and other related legislation, are being adhered to. Develop improved systems to oversee that compliance and make sure that all mechanisms adopted are gender sensitive and cognisant of how gender imbalances affect people differently in the workplace.

ENDNOTES

1. *Sexual harassment and sexual violence affects both men and women; however, women are predominantly affected as compared to men thus the focus of this article is specifically focused on violence against women and not men.*
2. <http://www.news24.com/SouthAfrica/News/Pregnant-womans-abdomen-slit-in-bloody-attack-boyfriend-on-the-run-20151005>
3. *The ILO Experts Meeting on a GBV standard is set for October 2016.*
4. *More information on the DV@Work Network can be found on the networks website at <http://dvatworknet.org>.*
5. *More information on this can be found at <http://malechampionsofchange.com/domestic-violence-is-a-workplace-issue/>*

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WOMEN'S SAFETY IN PUBLIC SPACES: AN ONGOING STRUGGLE FOR EFFECTIVE STRATEGIES

by Sultana Mapker, Claudia Lopes & Tahila Pimentel

INTRODUCTION

In December 2014, a few days before Christmas, Cape Town police made the disturbing announcement that the bodies of six women had been discovered over the course of a few weeks in a large, open field near the Century City train station. The victims were believed to have been attacked while crossing the field on their way to or from the station.¹ A few months later, in July 2015, a 20-year-old woman was raped, stabbed and dumped in the drain of an open field in Khayelitsha, one of Cape Town's largest townships. Community members from the area said that two other women had also been raped and stabbed in the same field.²

While research by organisations like Gender Links³ indicate that violence against women predominantly takes

place in the home and by persons known to the victim or survivor, in many other instances, such as in the cases referred to earlier, women's experiences of sexual violence, assault and harassment take place in public spaces and on a daily basis. The infrastructure and spatial layout of routes that commuters use to access public transport, including sites such as public toilets, parks and unused land are all spaces in which the safety of women, children and members of the Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) community may be compromised.

Despite an extensive legislative framework, policies and programmes to secure the rights of citizens, South Africa continues to carry the burden of a history of gendered, racial and class hierarchies and divides. Working masses continue to live furthest from the cities,

in areas less serviced than those of urban spaces and have access to fewer resources which would allow for more reliable and safe transport. According to the Western Cape National Household Travel Survey (2014), 52.8% of workers either took public transport (36%) or walked to work (16.8%). Those that used public transport to travel to work had to walk for at least 5 minutes before they were able to reach a bus stop, train station or taxi rank.

This article captures some of the voices and perspectives of non-profit organisations, activists, government representatives, Cape Town city officials and members of the private security sector who attended a dialogue hosted by HBF on this topic.

IN ADDITION, THE PURPOSE OF THIS ARTICLE IS TO:

- Explore women's⁴ vulnerability to violence in public spaces;
- Identify factors that may contribute to this;
- Explore current strategies, both locally and abroad, that have been implemented to reduce crime and increase women's sense of safety and security; and

- Identify opportunities and makes additional suggestions to stimulate thinking and inform future initiatives to improve women's safety (including their sense of safety) in public spaces.

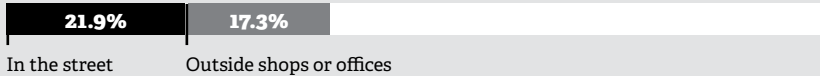
VULNERABILITY IN PUBLIC SPACES

In Statistics South Africa's most recent Victims of Crime Survey (2013/2014), 21.9% of victims who admitted to being assaulted, said that this had taken place on the street in the area in which they lived, while 17.3% of victims were assaulted outside shops or offices. In sexual offences cases, about 50% took place within the home, while 15.4% of incidences took place in someone else's home and 9.6% took place in the street.⁵ In 29.3% of incidents reported, perpetrators of sexual offences were not known to the victim.

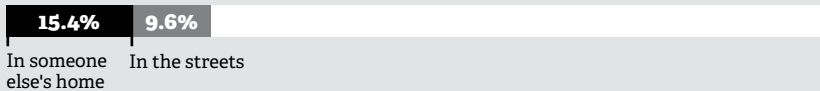
The survey went further to reveal that 65.1% of persons felt particularly unsafe walking in the streets at night and the presence, or fear, of crime negatively impacted the daily lives of many of those surveyed. In the Western Cape for example, 40.8% of people felt fear prevented them from using parks or open spaces, 24.2% from using public transport, and 22.2 and 21.2% of people were prevented from walking to work or to the shops.

AVAILABLE STATISTICS ON GENDER-BASED VIOLENCE IN PUBLIC SPACES

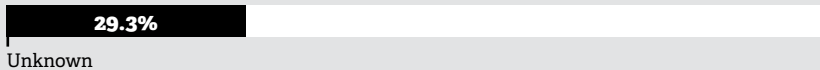
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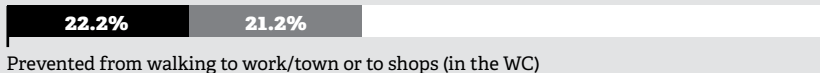
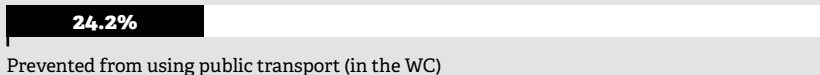
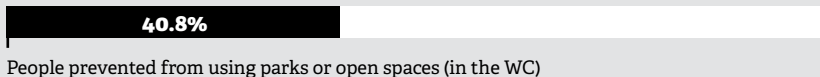
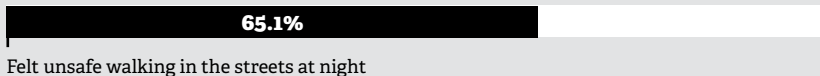
SEXUAL OFFENCES:



KNOWLEDGE OF PERPETRATOR:



IMPACT:



Source: Victims of Crime Survey (2013/2014) By Statssa





Anecdotal evidence shared on social media platforms also often details women's experiences of being sexually harassed in trains, in buses, or while walking in the street. In 2014, Gillian Schutte, an independent filmmaker, writer and social activist, captured some of the lived experiences of women in their everyday lives via a facebook page she created. The platform was set up for women to share their personal encounters with some form of sexual harassment. The responses were nothing short of chilling.

.....

"I think many coloured and black women can vouch that this has been happening to them from a very young age. Especially when using public transport. My friend and I were about 16 years old when we took a train into town. A man sitting opposite us masturbated right there. No one I know likes walking through the taxi rank in Cape Town because of this. No one really speaks about it."

"I was walking with my little sister to a supermarket around 5pm, and I noticed that there was a car going up and down (following us). We went into the supermarket, came out and I noticed the same car following us back to our place."

Then this old white man stopped the car, (got) out with no clothes below the belt and played with his penis while he waved at us to get closer. We ran and took a different route back to our flat ..."

"I once got slapped by a guy who was trying to 'hit on me' and I wouldn't respond to his advances. The thing about it that was scary was that I was in a busy area at Bree Street taxi rank and a lot of people saw it happen, but not one person did a thing. I just walked off crying. And when you don't return men's advances in town, you get called a whore or a bitch, just because you wouldn't say hello back!"

.....

As in the examples above, women constantly express having to navigate and adjust their lifestyle, behavior and routines in fear of, and in order to avoid, being sexually assaulted. This tendency is so common that feminist theorists refer to this as women living to a "rape schedule".⁶ This is further reinforced by continuous news reports which narrate incidences of women and girls being found raped and murdered in open fields such as the examples referred to earlier or being sexually violated at taxi ranks such as the example provided in info box 1.

INFO BOX 1: EXAMPLE OF THE ASSAULT OF YOUNG WOMEN AT A TAXI RANK

Taxi rank assault causes outcry

IOL

January 4 2012

SAPA

A government department and the ANC Women's League on Wednesday added their voices to the condemnation of the harassment and groping of two teenagers at the Noord Street taxi rank in central Joburg.

The behaviour of the men who confronted the youngsters – one of whom was wearing a mini-skirt – did not belong in a democratic society, the department for women, children and people with disabilities said in a statement.

"It is sad that in this day and age, there are individuals who believe that they have the right to dictate to women what they can and cannot wear," spokesman Cornelius Monama said.

The Sowetan newspaper earlier this week reported on a 17-minute clip of CCTV footage it said showed a crowd of men following and groping the girls last Friday.

In the video footage, the mini-skirted young woman can be seen screaming at her tormentors and occasionally trying to punch them after they groped her. Johannesburg metro police came to the rescue of both girls.

No case has been opened. Johannesburg central police were in possession of the CCTV footage, Warrant Officer Xoli Mbele said.

“One girl’s brother told us yesterday that they are not around, but the moment they are back they will come forward,” said Mbele.

“We have the footage with us, we are looking into the matter. As soon as they come forward our investigations will begin.”

Monama said the department was confident law-enforcement agencies would ensure the perpetrators were caught.

“We must work tirelessly towards a day when all women can walk the streets of our cities without fear of being harassed, raped or assaulted,” Monama said. The ANC Women’s League was “deeply disturbed” by the actions of some men at the taxi rank.

“No man should feel they have the right to touch, abuse, harass or humiliate anyone, especially based on what they are wearing, and no man has the right to dictate what a free woman can or cannot wear,” spokeswoman Troy Martens said in a statement.

“It is sad that none of the men at the taxi rank stood up to their contemporaries and stopped this incident from happening.”

On Tuesday, Gauteng Premier Nomvula Mokonyane and the National Union of Metalworkers of SA condemned the attack.

Four years ago another woman, Nwabisa Ngcukana, was stripped and sexually molested at the same taxi rank for wearing a miniskirt. – Sapa

Not all cases of harassment and assault that women experience end up reported in the pages of newspapers. Most go unnoticed or are considered trivial and not treated with the same urgency as other more brutal forms of sexual crimes. Schutte believes that the daily acts of sexual harassment such as those shared on her facebook group should also be acknowledged as a serious form of violence against women, particularly in light of its frequent occurrence in South Africa. She says:

.....

"Sexual harassment, often casually dispensed by men, has not been part of the public debate on violence against women in South Africa. With appallingly high rape statistics, femicide and hate crimes against lesbians living in townships in South Africa, catcalls and wolf whistles seem trivial in comparison. And yet street harassment is so widespread that it should be acknowledged as a violence against women as well. It makes women feel insecure and anxious and thus restricts their mobility. It also thwarts women's efforts to achieve control over their public lives and to feel legitimate in public spaces."

.....

THE IMPORTANCE OF 'GENDER-SENSITIVE SAFETY PLANNING'

The experiences of thousands of women across the country reveal that violence has become increasingly widespread in public spaces. Their trauma is frightening and the severity thereof is often underestimated. In light of this violent reality, research conducted by organisations such as Action Aid, has shown that good infrastructure and access to basic public services plays a role in women's perception of their safety in public spaces.⁹ The planning and design of a space has the potential to either reinforce gender inequality or to advance gender equality. While the existence of well-planned infrastructure and public services do not guarantee a violent free society, it certainly provides women with an improved sense of security and potentially deters perpetrators of violence against women.¹⁰ For this reason, the planning and design process is a crucial facet of creating safe cities for women and girls.¹¹

UN Women's "Safe Public Spaces" campaign notes that 'safety planning' needs to be incorporated at a policy or programme level. Safety planning considers the specific needs of women and girls before any physical safety features are established.¹³

INFO BOX 3: THE IMPACT OF PUBLIC VIOLENCE ON WOMEN AND GIRLS

Public violence can cause women and girls to feel:

- Ashamed of their bodies, gender, race, age, culture, ability, sexual orientation and other status.
- Distrust towards others in the public sphere, including neighbours.
- Unable to access public services, education and support schemes for unemployment⁸.
- Fear certain places or avoid leaving home alone.
- Isolated from the larger community and unable to participate in public life.
- Inadequate compared to other (male) users of public spaces.

INFO BOX 4: CHARACTERISTICS OF A SAFE CITY FOR WOMEN AND GIRLS

What does a safe city for women look like?

- Safe public spaces where women and girls can move freely, without fear of assault.
- Access to water and sanitation, electricity, transportation and other public amenities at residences and in public locations to reduce the risks of violence.

- Freedom from sexual harassment and abuse in the workplace.
- Gender sensitive policing mechanisms for reporting violence and obtaining redress, such as anti-violence centres and shelters for abused women.
- Systems and structures for women and girls to enjoy social, economic, cultural and political participation.¹²

BOX 5:

THE BENEFITS OF 'GENDER-SENSITIVE' DESIGNING AND PLANNING

According to UN Women, gender-sensitive designing and planning of safe public spaces for women and girls is important because:

- It raises awareness of the fact that space is not neutral; the design of spaces can either facilitate or impede their use, appropriation and safety for women and girls.
- It recognises that gender and gender relations between women and men are key factors in how urban spaces are organized and developed.
- It recognises that the city spatially reflects specific social, economic and historical characteristics that are unique to local women's situations.
- It recognises that spaces in the city reflect the relations of power that determine the behaviours and differences in the lives of women and men.
- It recognises that the public spaces in a city are usually designed based on a traditional conception of the family and a traditional division of labour

among women and men (men as workers in the public space and women as caretakers and home keepers in the home and private spaces). Furthermore, it promotes initiatives to change this spatial organisation in order to reflect changing gender roles in society.

- It recognises that women's fears are based on reality (the relationship between feelings of fear and experiences of violence) and that women know when and where they feel unsafe in the cities and why.¹⁶

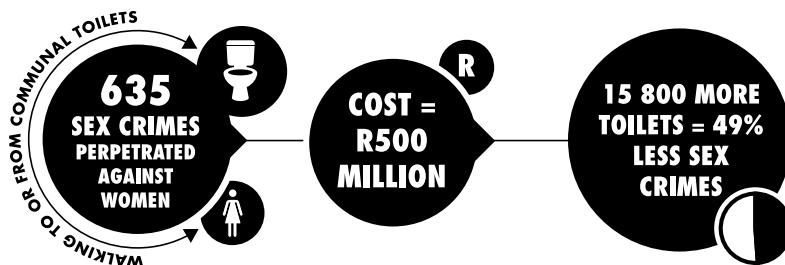
By understanding that public spaces are gendered and women and girls interact with those spaces differently to men, allows for infrastructure to be designed and planned around their exact needs. For example, women and girls living in informal settlements or rural settings in which ablution facilities are not available within the home, are at greater risk of gender-based violence than men using the same facilities.¹⁴ A study by Yale's School of Public Health and School of Management on this very theme, found that between the periods 2003 - 2012, an average of 635 sex crimes took place while women were either walking to or walking from communal toilets in Khayelitsha. The annual cost of responding to these sexual assaults at that time amounted to R500 million. The study concluded that if the number of toilets were increased from 5 600 to 11 300, it would not only decrease sex crimes by nearly 30% (and 49% if

increased to 21 400), but it would also save the country millions of Rands¹⁵ - a further advantage to 'gender-sensitive planning'.

CURRENT STRATEGIES TO IMPROVE WOMEN'S SAFETY IN PUBLIC SPACES

Civil society organisations in South Africa, such as women's rights organisations Mosaic, Rape Crisis, New World Foundation, the Women's Legal Centre, Free Gender and many others, have long been hard at work in finding ways to address ongoing threats to the safety and security of women and children in communities. These organisations provide direct support to victims/survivors and their families, they educate and raise awareness, and they advocate for new or improved implementation of, and accountability to, legislation and policies designed to protect the rights of citizens.

THE IMPORTANCE OF 'GENDER-SENSITIVE SAFETY PLANNING' THE CASE OF KHAYELITSHA



Between 2003 and 2012 - 635 sex crimes took place while women were either walking to or walking from communal toilets in Khayelitsha.

Annual cost of responding to these assaults amounted to R500 million.

If the number of toilets were increased from 5 600 to 21 400 sex crimes would decrease by 49% and it would also save the country millions of Rands.

Source: Study by Yale School of Public Health and School of Management

Organisations such as the Social Justice Coalition (SJC) and the Public Transport Voice (PTV) also take up advocacy initiatives to improve the public safety of women and girls within their specific mandates. The SJC has advocated for improved ablution facilities and a key focus for the PTV is to engage the transport sector on the role it can play in increasing the safety of women accessing and using public transportation facilities.

Organisations such as Code4SA, who believe in collating and using data to “improve lives and empower people to make informed choices”, and think-tank Future Cape Town, which aims to promote a more visionary and inclusive city, have also explored creative ways to advocate for improved resources and safety measures for women. It is also encouraging when state institutions take up this cause directly.

"THE EXPERIENCES OF THOUSANDS OF WOMEN ACROSS THE COUNTRY REVEAL THAT VIOLENCE HAS BECOME INCREASINGLY WIDESPREAD IN PUBLIC SPACES. THEIR TRAUMA IS FRIGHTENING AND THE SEVERITY THEREOF IS OFTEN UNDERESTIMATED... WHILE THE EXISTENCE OF WELL-PLANNED INFRASTRUCTURE AND PUBLIC SERVICES DO NOT GUARANTEE A VIOLENT FREE SOCIETY, IT CERTAINLY PROVIDES WOMEN WITH AN IMPROVED SENSE OF SECURITY AND POTENTIALLY DETERS PERPETRATORS OF VIOLENCE AGAINST WOMEN."

A LOCAL PERSPECTIVE - THE CITY OF CAPE TOWN

In August of 2014, the City of Cape Town and UN Women (Safe Cities Global Initiative) partnered to improve the safety of women and children in public spaces. This has included a pilot study conducted in Atlantis, an area just outside of Cape Town that is fraught with high levels of violence against women. The study aims to assess women's safety in and around MyCiti Bus stations. The project also looks to explore ways to improve infrastructure (such as lighting, easy walk-able pathways, etc) in this regard.¹⁷

The City of Cape Town has also created a department called "Transport for Cape Town"¹⁸ and is developing an 8-step plan to revolutionise Cape Town citizen's mobility. Safety Programmes in the city have also focused on violence prevention, more specifically through its Violence Prevention through Urban Upgrading project (VPPU)¹⁹. VPPU and the Mayoral Urban Regeneration Programme (MURP) which was launched in 2012²⁰, looks at public spaces that are frequently occupied but that feature as high risk areas. The programme is geared toward the upgrade of these spaces. The City notes that that these prevention programmes have resulted in improvements in the areas that they were implemented in.

Other safety programmes in the City of Cape Town include the IRT (Integrated Rapid Transit) Unit & PTI (Public Transport Interchange), Prevention in Action (PIA) and the Ceasefire Programme²¹. In recognition that policing response capability is limited, the city's focus has been on education on gender-based violence to ensure that Metropolitan Police Officers are able to respond appropriately to cases and incidents of that nature.

INTERNATIONAL SAFETY STRATEGIES FOR WOMEN

Countries such as India, the United Kingdom (UK), Canada and Egypt have created programmes and initiatives to improve women's sense of safety and security in public spaces. Some of these efforts have included women only carriages. This is particularly notable in the case of India²² and in Tokyo²³. Women-only-carriages have also been proposed by British Labour Party leader Jeremy Corbyn albeit with mixed responses on the efficacy of doing so.²⁴

Interventions in the UK include police hotlines staffed by women to deal with sexual harassment and assault cases. Efforts also looked at introducing a minister responsible for women's safety.²⁵ Project Guardian in the City of London,



has increased police officers to patrol London's transport network. These police officers have been specially trained to deal with cases of unwanted sexual behavior.²⁶ Canada created an online hub for people to share experiences of sexual/gender based harassment on public transport²⁷ while Egypt's Ministry of Housing, Utilities and Urban Development has adopted women's safety audits to guide urban planning.²⁸

IN CONVERSATION WITH CSO, STATE & PRIVATE SECTOR REPRESENTATIVES

Despite the implementation of various safety efforts in Cape Town, organisations who have been working on the issue suggest that initiatives are still not addressing the problem adequately. At the HBF dialogue, criticisms were leveled at government for focusing only on infrastructural upgrading in and around the city and wealthy suburbs. These areas have been known to be better resourced than poor areas that are located further from the city.²⁹

Residents living in areas such as Khayelitsha and other informal settlements feel that current safety initiatives are not doing justice in poor areas. Khayelitsha is home to approximately half a million people and is an area riddled with high levels of crime

yet CCTV cameras installed in the area are faulty. The area is meant to have 16 CCTV cameras to help monitor crime activity. Of these 16 CCTV cameras only seven are operational.

Residents have also pointed out that problems remain with inadequate street lighting and public roads and even though transport initiatives such as the 'My City Bus' are accessible in the area, the walking distance to and from the bus stop leaves women in a permanent state of vulnerability and fear. The safety of women at train stations in and around Khayelitsha was also raised as a problem that needs addressing urgently. One of the participants who attended the dialogue shared her personal experiencing of having been violated while accessing public transport in her community. She says:

.....
"If you are a woman and you are stuck between stations [especially] during winter you are in position of being raped. The Langa train was full coming from Khayelitsha, the carriage was overcrowded. A guy kept rubbing against me. I couldn't move the carriage was too full. I felt him rub and move against me. The train was slowing down to my stop, my skirt was wet. He had ejaculated on my skirt."
.....

Frustrations were also leveled at the lack of response and visibility of police officers especially when it comes to addressing and responding to gender-based violence incidents. The lack of a comprehensive integrated approach between departments (e.g. South African Police Services, Human Settlements, National Prosecuting Authority and Transport) was noted as another ongoing challenge in addressing safety and security for women and girls. These departments were identified as critical role players when it comes to security issues, thus the need for an integrated response and approach remains critical. The perceived absence of political will and solid political leadership hampers any effort in addressing a problem that continues to grow by the minute.

THOUGHTS FOR ACTION - ENSURING WOMEN'S SAFETY IN PUBLIC SPACES

With ongoing reports of sexual harassment and brutal forms of sexual and physical violence being perpetrated in all areas of the country, there is urgent need to consider new strategies and interventions to address and curb these incidences. This section considers ideas and recommendations that could

potentially prevent violence and create safer public spaces and environments for women and other minorities.

The following boxes contain a summary of suggestions and recommendations that were generated by various non-profit organisations, activists, government representatives, Cape Town city officials and members of the private security sector who participated in the HBS dialogue on women's safety in public spaces.³⁰ The intention of these recommendations is to stimulate further thinking or future undertakings in the area of public safety for women and girls.

WHAT ARE POSSIBLE ENTRY POINTS FOR CIVIL SOCIETY ORGANISATION'S TO WORK JOINTLY WITH THE CITY OF CAPE TOWN?

- **Using local 'Safety City'**

programmes: In the context of public spaces, programmes like the 'VPUU' and 'MURP' could be replicated in high risk areas to decrease crime and violence perpetrated against women.

- **Development of multi-sector partnerships and sharing of information:** More spaces should be sought for the sharing of information on crime and safety strategies. Through knowledge exchange and networking, multi-sector partnerships can be developed allowing for a holistic and comprehensive response.

- **Review IT systems to help select suburbs in need:** Often, IT systems direct resources to suburbs that issue infrastructural complaints rather than crime. IT systems must be reviewed in order to move away from

complaints driven methodology. Consideration could be given to incorporating 'heat maps' (hot spots for criminal activity) where crime is most prevalent.

- **Information sessions on safety:** Sessions on safety can be extended to Neighbourhood Watch groups. CSOs could consider approaching the City to provide sessions on safety for communities. Sessions should be directed at community members who work in areas that are considered hot spots for criminal activity.
- **Community and education initiatives on safety:** CSOs could present initiatives that consider rolling out talks in schools. These talks can also extend to Neighbourhood safety watch groups for training purposes of its members.

WHAT SHOULD GOVERNMENT CONSIDER TO ENSURE WOMEN ARE SECURE AND SAFE?

- **Develop an integrated government approach:**

A comprehensive integrated approach is lacking. Departments such as SAPS, Human Settlements, Social Development, National Prosecuting Authority, Transport and Women need to come together and engage on the issue. Government could consider creating spaces for dialogues on this issue with the aforementioned departments, civil society organisations, and any other relevant institutions.

- **Improve basic services:** If women do not have access to good quality

basic services such as transport, street lights, sanitation, water and electricity, their safety will remain compromised. More efforts need to be geared toward providing communities with access to improved basic services.

- **VAW and public space safety education:** Education has an important role to play in uplifting society. Government should consider educating pupils at the level of primary school so that VAW is understood and safety measures are employed from a young age.

WHAT CAN CIVIL SOCIETY AND COMMUNITIES DO TO KEEP WOMEN FROM HARM'S WAY?

- **Awareness campaigns:** Increasing current awareness campaigns is of importance. Awareness campaigns should be visible in public spaces such as on bus signage or billboards.
- **Develop visual portfolios of public space violence on women:** CSOs should consider issuing government with visual representations of women's experiences of sexual harassment in public spaces. Visual representations of real lived experiences are often more effective than written submissions.
- **Share community prevention projects:** Communities are finding creative ways in responding to violence in their area. Creative strategies and initiatives need to be shared across communities. For e.g. in Lavender Hill and Steenberg, two areas characterized by violent crime and gang activity, male members of the community took it upon themselves to escort women and other community members to taxi ranks and bus stations. This has increased the sense of safety in these communities.
- **Increase crime reporting:** CSOs should provide spaces and encourage communities to increase crime reporting in their respective areas. More accessible real and current information on crime can aid in placing pressure on the state to direct resources towards the development and implementation of safety measures.

WHAT CAN THE PRIVATE SECTOR DO TO IMPROVE WOMEN'S PUBLIC SAFETY?

- **Create standardised VAW documentation:** Private companies, such as those offering security services, could consider developing protocols so that security officials know how to respond to violence against women when confronted with situations of this nature. This should include gender sensitive training.
- **Awareness-raising & support services in companies:** The corporate sector also has a role to play in securing the safety of their employees. This should include awareness raising, support groups, employee wellness programmes, and other interventions. Companies should consider inviting women's right organisations and trade unions to assist them in setting up such interventions.

ENDNOTES

1. <http://futurecapetown.com/2015/11/future-cape-town-why-are-our-city-spaces-designed-for-serial-killers/#VpUPsvlg7IV>
2. <http://www.iol.co.za/news/crime-courts/raped-murdered-and-dumped-in-a-drain-1.1887410>
3. <http://www.genderlinks.org.za/article/south-africa-the-war-at-home-VAW-indicators-project-findings-launched-2011-08-31>
4. While HBS recognises that other groups are also vulnerable to sexual exploitation and harassment, for the purposes of this publication the focus will mostly be on the safety and security of women.
5. Statistics SA notes in their report that it was difficult to garner information on assaults and sexual offences while doing household surveys due to the sensitive nature of this issue. They expect that far more cases exist than those who were able to share having had those experiences.
6. A precise description of the term "rape schedule" can be sourced on Wikipedia at https://en.wikipedia.org/wiki/Rape_schedule
7. Schutte, 2014.
8. The information on the impact of public violence on women sourced from <http://www.endvawnow.org/en/articles/241-programming-should-be-based-on-an-understanding-that-men-and-women-have-different-experiences-of-living-and-working-in-the-city-some-based-on-gender-inequality.html>
9. ActionAid International, 2013.
10. Ibid.
11. The information was drawn from the following website <http://www.endvawnow.org/en/articles/251-safe-public-spaces-for-women-and-girls.html>
12. Ibid.
13. Ibid.
14. Ibid.
15. Kinear, J, May 2015, Weekend Argus.
16. <http://www.endvawnow.org/en/articles/251-safe-public-spaces-for-women-and-girls.html>
17. <http://www.capetownpartnership.co.za/2014/11/women-have-a-right-to-safe-public-transport/>
18. For more information visit <http://tct.gov.za/en/home/>
19. For more information visit <http://www.vpuu.org.za/>
20. <https://www.capetown.gov.za/en/Pages/UrbanRegenerationProgrammestabilisesareas.aspx>
21. More information on these interventions can be found by visiting the official City of Cape Town website on www.capetown.gov.za
22. http://news.bbc.co.uk/2/hi/south_asia/8290377.stm
23. <http://www.theguardian.com/world/2005/may/10/japan.justinmccurry>
24. <http://www.theguardian.com/politics/2015/aug/26/women-only-carriages-train-passengers-react-to-jeremy-corbyn-idea>
25. <http://www.feministcurrent.com/2015/08/26/women-only-public-transit-regressive-or-dreamy/>

26. http://www.btp.police.uk/advice_and_information/how_we_tackle_crime/project_guardian.aspx
27. <https://translinkharassment.wordpress.com/>
28. Further reading on safety strategies is available at <http://www.unwomen.org/en/news/stories/2014/9/cape-town-safe-cities-partnership-launched#sthash.1wJJWGvA.dpuf>
29. Representatives from the City of Cape Town reveal that the city receives up to 2000 – 5000 complaints a day particularly from more affluent suburbs and/or areas. These complaints have been noted to be infrastructural in nature rather than crime. As a result, 'well off' suburbs have steered resources toward addressing complaints rather than crime. 30 Please note that the information in these boxes is limited to the responses that emerged from the representatives who participated in the dialogue and thus are not exhaustive.

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HOUSING & GENDER: THE SHARP EDGE OF THE HOUSING CRISIS FOR VICTIMS OF VIOLENCE AGAINST WOMEN

by Alison Tilley

INTRODUCTION

In 2012 and 2013, the Heinrich Böll Foundation and the Tshwaranang Legal Advocacy Centre conducted two studies which looked at the provision of practical and psychosocial support services to women, and their children, accessing shelters for abused women. The studies, "Housing women who have experienced abuse: policy, funding and practice" profiled the needs of 216 women and 308 of their children at eight shelters across Gauteng and the Western Cape.¹ The studies found that most women accessing shelters had low levels of education, were unemployed, had little or no access to other forms of income and most had significant health and legal needs. The provision of housing for abused women at

the shelters was temporary and depended on the shelter – ranging from one to five months. The studies also found that women struggled to access housing post their shelter stay. While some were able to move in with family members and friends, 36% of women were still accessing shelter services as they had been unable to find alternative accommodation.² Although shelters did not always collate information on where women went after leaving the shelter, those that did highlighted that 10% of women returned to live with the abusive partner. The rest moved in with family and friends or were still accessing shelter services.³ So what do women do in these circumstances? Is there a legislative argument to be made in regards to women's access to housing?

Alison Tilley, head of advocacy and special projects at the Open Democracy Advice Centre, explores the issue of access to housing in the context of violence against women.

IN THIS ARTICLE, THROUGH CASE STUDIES AND CASE LAW, TILLEY:

- Explores South Africa's legislative framework for the provision of citizens rights to housing;
- Looks at the extent to which these laws and policies cater for women victims of violence; and
- Concludes with recommendations for further work in this regard.

WOMEN'S RIGHTS TO HOUSING

Access to housing should be a right that all citizens enjoy but this is not always the case for everyone. In the United Kingdom for example, research demonstrated that women were more disadvantaged than men at acquiring owner occupation through state avenues.⁴ Women encounter similar challenges in South Africa. An analysis by Venter and Marais (2006) on gender and the South African housing policy reveals that the current housing policy fails to adequately take into account the weaker socio-economic

status of women in the application of that policy.⁵ The socio-economic status of women in South Africa is consistently worse than those of men. Women are afforded less access to sustained education and thus tend to have far lower income levels.⁶ This reality restricts their capacity to access commercial housing opportunities. Women are further disadvantaged by the prevalence of cultural and traditional practices which influences property ownership. For example, women married under African customary rights have extremely limited rights in terms of ownership as well as inheritance of property.

Failure to address these issues at the structural level will continue to leave women dependent on their male counterparts with few or no opportunities to change their circumstances. This is evident in the case study provided in info box 1.

In legislative and policy frameworks, women have a right to alternative accommodation, as developed in the case law, or to emergency housing through the national and local government housing policy. However this is only in the case of eviction. Since violence against women is not interpreted as an 'emergency' or an 'eviction', victims of gender-based violence are not catered for through justice prudence or through the existing policy.

INFO BOX 1: CASE STUDY

Mrs. X currently lives in Blikkiesdorp with her three children. She is living in her father's house. One of the three children is the result of incest in the home. The father has indicated that he wishes to have sex with one of his daughter's children. A social worker has been called in to assist the family. The social worker has indicated that since the house belongs to the grandfather of the children, the best option she can suggest is that the children be removed from the care of their mother. The social worker is now pursuing this course of action, since the children are clearly at risk of sexual abuse. The local court is unlikely to grant an interdict evicting the grandfather since he owns the house, and an interdict against him in terms of the domestic violence legislation is unlikely to be effective. The mother has no right to alternative accommodation in terms of the current emergency housing policy, although she would if for example the house burned down. Since she is not being evicted, the landlord does not have to provide for alternative accommodation. The case has been referred to the Women's Legal Centre.

Section 26 of the Constitution institutes the obligation of the State to take positive actions to meet the needs of those "living in extreme conditions of poverty, homelessness or intolerable housing". Access to safe housing is therefore clearly a constitutional right and fundamentally important to the attainment of South Africa's constitutional order. In addition, the International Covenant on Economic, Social and Cultural Rights states: "A state

party in which any significant number of individuals is deprived of essential foodstuffs, of essential primary health care, or basic shelter and housing or of the most basic forms of education is *prima facie* failing to discharge its obligations under the Covenant."⁷

While the constitution makes provisions for vulnerable groups in the case of extreme conditions of poverty,

homelessness or intolerable housing as its mentioned above, women are still not able to access housing in the case of abuse or domestic violence. The state has to “take reasonable legislative and other measures” to achieve the progressive realization of access to accommodation within its available resources. Without legislative provisions on housing, women are left in a state of permanent vulnerability.

INTERSECTION BETWEEN VAW AND HOUSING

It is important to take into account that space and spatial distribution is gendered.⁸ The social roles and expectations of women mean that women spend more time at home.⁹ It is therefore important that women in particular are and feel safe in their home. While this is the ideal situation, households in South Africa are fraught with high levels of gender-based violence. Gender-based violence does not only hold negative implications for those directly affected by it, but it also has implications for the country. The cost of gender-based violence is staggering.

A report by KPMG (2014) estimates that gender-based violence costs the South African economy R28.4-billion to R42.2-billion a year. The report suggests that gender-based violence could account for a loss of as much as 0.9% to 1.3% of South

Africa's annual gross domestic product (GDP). Based on a prevalence rate of 20% – an assumption is that one in five women experience an incident of gender-based violence each year. This costs the country at least R28.4-billion a year.

Despite the prevalence of violence against women in the country, the issue is not seen as an emergency from a housing perspective (not in terms of planning, emergency provisions or post-subsidy environment) and is thus not reflected in national policy around emergency housing.

1. Spatial and physical planning

It is starkly evident in the South African example, that the physical structure of informal settlements (which house a significant percentage of the South African population) encourages the perpetration of rape and gender based crimes against women.¹⁰ The frequent lack of adequate lighting; physical proximity of buildings; and even the nature of sanitation facilities contribute to the high incidence of gender-based violence.

However, despite a claim by the state that: “public safety has been paramount in spatial and physical planning and that gender issues have been of prime concern in the development”¹¹, research into crime

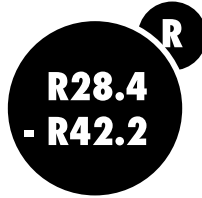




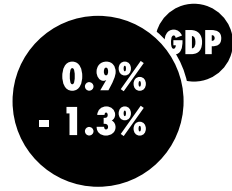
GBV IN SA - TOO COSTLY TO IGNORE



ONE IN FIVE
women experience an
incident of gender-based
violence each year



BILLION A YEAR
cost to the South
African economy



LOSS
of South Africa's annual
gross domestic product
(GDP)

Sourced from: Too costly to ignore – the economic impact of gender based violence in South Africa (2014), KPMG

within state constructed housing reveals that: "burglary is on the increase and as much of this is associated with house-breaking and armed robbery, the impact on women and children is presumably considerable. This sits squarely with the evidence from the broader literature that women are often least safe in their own homes. Hence, safety conscious physical planning is of great importance but is not sufficient".¹²

2. Emergency provisions

Closely linked to the need for safety conscious planning, is the need for the provision of housing in the event of gender-based violence. However, there is no mention of gender-based violence,

rape or other sexual offences, domestic violence, or incest, in the National Housing Code: Emergency Housing Programme (2009). The closest the policy comes to dealing with the issue is that an emergency may be where a person:

h) Live[s] in conditions that pose immediate threats to life, health and safety and require[s] emergency assistance.¹³

An example of an 'emergency' in the code is:

Situations of flooding, fire, unsafe buildings or any event that rendered the land occupied inhabitable, unsafe or unavailable for further settlement

purposes on a temporary or permanent basis, necessitating the relocation of affected persons and where suitable, available land exists where temporary settlement can take place and the land can be developed for permanent housing in future.

The above indicates that flood or a fire will result in emergency accommodation while ongoing patterns of assault are not seen as grounds for emergency accommodation provision.

Much of the work done in relation to housing for victims of gender-based violence is focussed on shelters and by those who are involved in this primary response. As a result, where shelters exist women are 'sheltered.' But they are not rehoused as they would be if they had been the victim of a natural disaster such a fire or flood. Beyond shelters, women do not have access to alternative housing.

3. Post-subsidy environment

The post-subsidy environment in housing is seldom understood by policy makers within a gender framework.¹⁴ For that reason, support is not given to post-subsidy beneficiaries that could alleviate the gendered discrepancies of ownership and the difficulties that result from socio-economic disadvantages.

ALTERNATIVE STRATEGIES TO ACCESSING HOUSING: THE CASE OF MEANINGFUL ENGAGEMENT

The focus on many judgements in the area of the right to housing has been on what is coined as 'meaningful engagement'.¹⁵ In their booklet, "Engaging meaningfully with government on socio-economic rights", researchers Chenwi and Tissington (2010) state that: 'Meaningful engagement is an important development in the approach of the courts to enforce socio-economic rights and promote active participation in service provision. Meaningful engagement is more democratic, flexible and responsive to the practical concerns that these rights raise. It can promote social change on the ground by creating a voice for the poor and marginalised in South Africa.'¹⁶

The implications of the judgments presented in info box 2 seem to be that South Africans don't have a right to a house, but have a right to meaningful engagement. This would have major implications for devising any alternative strategy in accessing housing. It would too further disadvantage women as since numerous pieces of research have shown that women find it far harder than men to engage meaningfully with local government structures.

INFO BOX 2:

COURT JUDGMENTS ON HOUSING THAT FOCUS ON 'MEANINGFUL ENGAGEMENT'

The judgment *Residents of Joe Slovo Community Western Cape v Thubelisha Homes and Others* dealt with the right to housing in the case of an eviction for the purposes of an upgrade. The court provided that “the respondents [the City] are directed to engage meaningfully with the applicants [Residents of Joe Slovo Community] prior to each relocation to ascertain the names, details and circumstances of those affected by the relocation; the time and manner in which the relocation will take place; the precise units to which each relocated household is to be moved, the need for transport for the people and possessions to be moved; the provision of transport from the temporary accommodation to schools, clinics and place of work; and the allocation of permanent housing in due course.”

In another judgment: *Occupiers of 51 Olivia Road v City of Johannesburg* the judges required the City of Johannesburg and the applicants to engage with each other “meaningfully,

and as soon as it is possible for them to do so, in an effort to resolve the differences and difficulties aired in this application in the light of the values of the Constitution, the constitutional and statutory duties of the municipality and the rights and duties of the citizens concerned”. The judgment also states that engagement “has the potential to contribute towards the resolution of disputes and to increased understanding and sympathetic care if both sides are willing to participate in the process”.

In the judgment *Blue Moonlight Properties 39 (Pty) United v Occupiers of Saratoga Avenue and Another* it is additionally said that “the city ought to plan proactively and to budget for emergency situations in its yearly application for funds”. The same judgment mentions that the City of Johannesburg defines temporary accommodation as “very cheap housing provided for a maximum of one year” in their Housing Report in 2010.

**"MUCH OF THE WORK DONE IN
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FLOOD. BEYOND SHELTERS, WOMEN
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HOUSING."**

THOUGHTS FOR ACTION – ADDRESSING WOMEN'S HOUSING NEEDS

It is clear that the experience of, and need for, housing between the genders is different, yet this is often not reflected in South African policy interventions. Peculiar housing issues for women are not being adequately addressed in the policies of the South African government on housing, and more vitally in the implementation of the differing types of housing policy.

Despite high rates of abuse, gender-based violence is treated as something to be dealt with between the parties in the 'private' space of the home, or living space, through such mechanisms as domestic violence protection orders. If the woman flees the home she can be given shelter, where shelters are available. But this, as

mentioned earlier, remains a short-term housing solution. When women need to transition from shelters to a more permanent solution, they are particularly negatively impacted by the lack of second stage housing as provided for in current South African housing policies.¹⁷ Currently there is little or no provision beyond the initial crisis response.¹⁸

The primary mechanism for the advancement of those most vulnerable in terms of accessing their socio-economic rights is local government engagement. However, in order to do so, women need to be adequately empowered and capacitated.

Further thoughts for potential entry points and/or strategies that could be developed or implemented to better secure women's access to housing are provided on the following page.

ENTRY POINTS AND STRATEGIES

- **Capacitating women:** In order to address socio-economic inadequacies, women must be capacitated to engage with government at the local and

national level. Women need to understand how local government works, in order to find the pressure points in planning, budgeting and policy

work, while at the same time being supported in developing and maintaining their own structures. Nationally, women need to raise concerns about the national emergency housing policy provision, and advocate for change in the housing policy.

- **Conduct in-depth research on VAW and housing:** Research needs to be done in order to establish legal opinion as to whether VAW constitutes an emergency in the context of housing. Such research could also be located in an organisation already working on VAW, in the area of a local government that has an emergency housing policy, and is sufficiently functional to be able to engage with stakeholders on emergency housing in the context of VAW.

- **Implement research through campaigns:** The 'host' organisation for the research would at this stage be able to

consider whether it could form the incubator for a campaign to amend the emergency housing policy to treat gender-based violence as an 'emergency'. This will enable women in such situations access to alternative accommodation, or alternatively a de facto eviction, which again would trigger the need for alternative accommodation. This could begin at local government level, with subsequent national interventions.

- **Translate research into toolkits/booklets:** research should be translated into popular education materials that would explain what the right is and how it can be asked for (which structures are responsible, who those people are, how that works). Some of this has already been developed by the Socio-Economic Rights Institute of South Africa (<http://www.seri-sa.org>) and could be adapted.

ENDNOTES

1. *Lopes, 2013.*
2. *Ibid.*
3. *Ibid.*
4. *Fildes, 1997, p.11.*
5. *Venter and Marais, 2006, p.77.*
6. *Ibid.*
7. *CESCR, General Comment 3 (1990), para.9 in Müller, 2013, p. 75.*
8. *Fildes, 1997, p.7.*
9. *Venter and Marais, 2006, p.1.*
10. *Silber, 2012.*
11. *Charlton, 2004.*
12. *Ibid.*
13. <http://tinyurl.com/qa6lp4t> accessed 15 November 2015
14. *Ibid, p.19.*
15. 'Meaningful engagement' arose through what is known as the 'Olivia Road' case which was a case about the right to have access to adequate housing for those facing eviction from rundown buildings in Johannesburg city centre.
16. *Ibid, p. 8*
17. *Ibid, p.31.*
18. In fact, though gender-based violence is specifically mentioned as a ward problem for the Tembelihle community in their Integrated Development Plan 2013/2014, it was not incorporated into the actual strategic activities. See: <http://thembelihlemunicipality.gov.za/wp-content/uploads/2013/07/IDP-2013-14-Tabling-March-2013.pdf>

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CONCLUDING THOUGHTS: A SIDE NOTE ON PERSISTENT PATTERNS OF GENDERED VIOLENCE

by Paula Assubuji

Throughout the world, violence and the various ways in which it manifests are an inherent element of everyday human relations and present in all spheres of social and political life. In South Africa, expressions and experiences of violence take staggering dimensions. South Africa is ranked amongst one of the top most violent countries in the world according to the last Global Peace Index published by the Institute for Economics and Peace (Times Live, 17 June 2015)¹.

The economic impact of responding to violence in South Africa is estimated to have cost the equivalent of 66.7 billion US dollars in one year alone.²

Violence in South Africa is not new – it has ebbed and flowed through different historical points and been carried from generation to generation for centuries. Today, violence has resurged with a vengeance. This is no more evident

than the violent clashes that have been taking place in South Africa over the last few years. It is not merely the violence entrenched in the daily acts of crime that are problematic, but also that it is finding its way into the public, much like in the days of apartheid, and into spaces where communities struggle for justice and the attainment of Constitutional rights. Violence and aggression appear to be the sole recourse in anticipation of, or in response to many conflicts. This may be illustrated by the often fierce engagement between communities and the state. As the institutionalised mechanisms for active citizenship in this acclaimed democracy increasingly fail, citizen's expressions of discontent with state performance or delivery, or lack thereof, routinely metamorphose into a violent confrontation between demonstrators and security agents. The state's approach is often characterised

by a demonstration – and even use - of military or institutional force, triggering anger, inciting aggressive behaviour and fuelling a spiral of violence.

In many ways, violence is linked to manifestations of power and used as a means to intimidate and assert dominance. Underlying this violent ethos lies a firmly entrenched patriarchal social order that asserts male supremacy and authority above all else. Ergo overt and pervasive patterns of violence impact more strongly on those gender identities seen as subordinate i.e. women and other non-normative gender or sexual identities.

In South Africa, over the last 20 or so years, women's rights activists and policymakers have actively introduced a variety of approaches, strategies, and measures to respond to and attempt to eradicate gendered violence. The strides made towards the empowerment of women and children have been significant. The legislative framework, for example, extends from the Constitution to the more recent Women's Empowerment and Gender Equality Bill, which was enacted to "fill in some gaps" in current legislation, and to strengthen the protection of vulnerable groups such as "widows, women with disabilities, and LGBTI groups."³ Notwithstanding these and various other strategies, the

configurations and manifestations of gendered violence continue to plague our society today as much, if not more, than they have at the onset of this progress more than 20 years ago. Taken as a given and commonplace, this violence is so pervasive that society appears numb to the less brutal and less obvious expressions of violence. Allowing any form of its perpetration, no matter how big or small does great harm. So too does disregard for its root causes. Renowned South African journalist and media commentator Rebecca Davis has said that gendered violence is "one of the most difficult social ills to tackle without looking at deep structural roots and causes, which is an understandably complex and nebulous element often missing in discussions..." (Daily Maverick, 22 August 2013)⁴. With these few words, she hits the nail on the head.

The intention behind the dialogues that HBF hosted in 2015 (that underpin this publication) was exactly to begin the kinds of conversations that Davis refers to. In other words, the dialogues aimed to create opportunities for reflection and discussion on the causes of gendered violence from different perspectives in our society. While the topics covered in the dialogues and included in this publication are not new, discussions have highlighted the need for a more active consideration of the various

ways in which environments, sectors and spaces endorse and/or legitimize gender inequality and the occurrence of gendered violence. Here are a few side notes to that regard.

The media is as capable of promoting gender equality and challenging traditional views on women's roles in private, social, and professional spheres of life, as it is able to promote the subjugation of women through harmful and contradictory messages and imagery. In the work sphere, a woman's role as the primary provider of (unpaid) care work is still taken as a given and her quest for professional and career advancement, in today's day and age, is still questioned. How they expect to reconcile family and a demanding career is an invariable question posed to women in job interviews. Wage disparities between women and men remain a concern, as do (predominantly) women's experiences of discrimination and harassment in the workplace. Further, little consideration is given to how women's emancipation may also be at risk when the violence they may be experiencing at home, impacts on their place of work. The brunt of systemic violence is remarkably taxing for poor women. The article on housing offers a perfect illustration hereto. It attests to women's dependency on shelters to feel and stay safe. When poor women and

their children are affected by domestic violence, shortcomings in the provision of housing services by the state leave them with few choices but to remain in an abusive household enduring both physical and psychological abuse or to seek refuge at the homes of their family or friends. Beyond the domestic sphere, public spaces are also sites where women are often targets of violent expressions of power. As a consequence, women invariably turn to a trusted male companion to navigate public spaces safely. Besides being unable to own their space within public areas, this status quo reinforces women's vulnerability and dependency on men. The article on women's safety in public spaces attests to the fact that public infrastructure is largely not gender-sensitive. Improvements in this sphere would go a long way to increasing women's sense of safety and security while reducing the costs of responding to the consequences of violence against women.

Talking about "reducing costs" this publication has made reference to gender-based violence in a context of costing the state money and resources. This suggests that state funds spent on responding to gender-based violence are an economic burden to be reduced. Referring to something as having a cost usually holds negative implications – in its definition is an implicit reference to

a charge, a price or a penalty. Financing responses to prevent and tackle the impact of gender-based violence on women should however never be thought of as such.

Legislative policies and laws in the context of gendered violence are important but meaningless if not accompanied by the requisite budgets to finance the implementation of those policies and measures. In a context of systemic gendered violence, these measures must be regarded as means to the attainment of justice and reparation for those who have been directly affected by its manifestations, particularly women. Hence responding to gender-based violence should not be seen as a charge but rather as an investment towards the achievement of gender equality, the consolidation of a more equitable and condign society – a benefit that is for all.

Still, these measures will only be effective if they are accompanied by preventative approaches and deeper social transformation. Two fundamental shifts are required here: firstly in the way social, political and private institutions operate to address the precursors that create environments hostile to women and other non-normative genders; and secondly, in the way society perceives women and

responds to violence meted out against them. The ultimate pursuit is to work towards a society that is intolerant of oppressive, patriarchal systems and which, at all costs, condemns any form of violence, particularly and more vehemently violence perpetuated against persons on the basis of gender belonging or sexual orientation.

It is hoped that the content and thoughts for action outlined in this publication have inspired the reader to find those entry points, re-think current strategies and develop innovative approaches to more effectively respond to violence against women and overall, toward the achievement of a non-violent society.

ENDNOTES

1. <http://www.timeslive.co.za/local/2015/06/17/SA-ranks-136-of-162-in-2015-Global-Peace-Index>
2. *Ibid.*
3. Chiroro, B and Managa, A (2013). *The scourge of gender based violence in South Africa.* Pambazuka News.
4. <http://www.dailymaverick.co.za/article/2013-08-22-analysis-gender-based-violence-and-the-sa-womens-other-problems/#.VvOqkI1pq6Q>

CHALLENGING PATRIARCHY

Conversations on violence against women

When South Africa celebrated the 20th birthday of its democracy, the Heinrich Böll Foundation initiated a project that sought to take stock of two decades of women's rights activism after the end of apartheid. Under the title "Challenging Patriarchy", a variety of actors across sectors were brought around the table over the course of the last two years. These engagements have echoed what feminists and activists have been saying for years: although the South African government has committed itself to gender equality, the reality many women face in society and institutions is a far cry from the vision enshrined in the country's Constitution and progressive legal framework. Significant advances towards women's rights and empowerment have been realized through specialized courts, quota systems, support services, and other programmes and instruments. And yet, acts of violence against women in particular have not visibly decreased. Capturing the 2015 "Challenging Patriarchy" dialogues, this publication seeks to unpack the many inter-related factors that continuously contribute to high levels of violence against women. Through enhanced understanding, it hopes to contribute to more strategic and collaborative action against violence against women.

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