

# Corrective Rape: The Plight of black lesbians as victims and survivors of sexual violence

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Date: 5 July, 2011, 4<sup>th</sup> Sexual Offences Indaba,  
National Prosecuting Authority

Social science that makes a difference

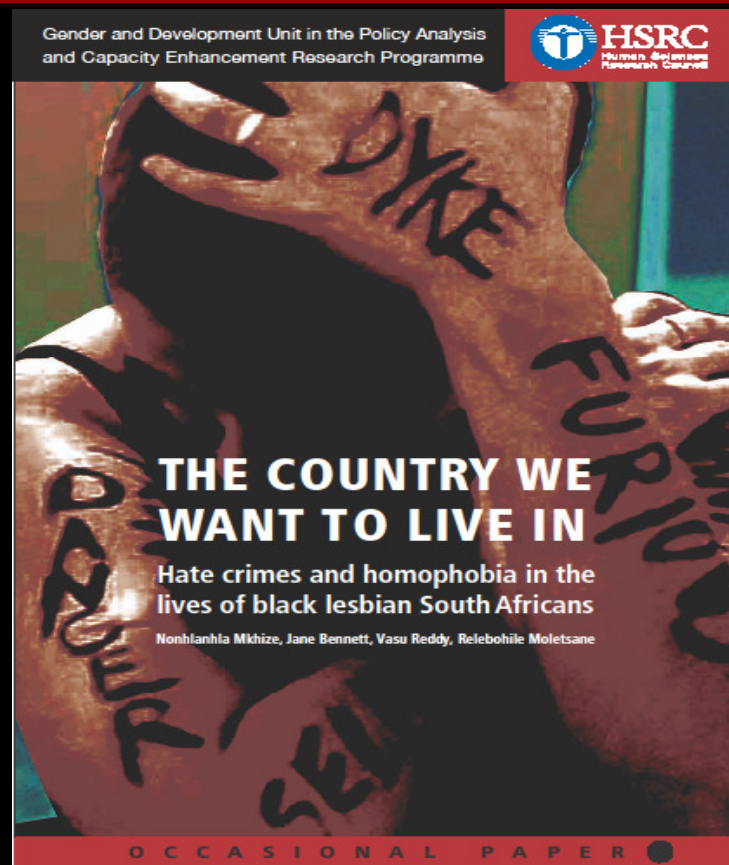
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1968-2008



**HSRC**  
Human Sciences  
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# Aims: to provide brief perspectives on

- **Where do we come from?**
- **Sexuality: Some conceptual notes**
- **Homosexuality in South Africa**
- **Corrective Rape**
- **The Country We Want to Live In**
- **What do we Need?**



Context of post-apartheid South Africa reflects change,  
transition and transformation

**Apartheid and colonialism (nationalist, racially-exclusive,  
inward-looking) – red zone**

*to*

**Democracy (nationalist, racially-inclusive, forward-looking,  
benefits to accrue from global interaction) – green zone**



# Turning to “Sexuality”

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# Thinking about sexuality

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- **Sexuality makes up a large part of our self-perceived identity**
- **For many people, it is important that sex and sexuality be embedded in contexts of meaning**
- **For many, sexuality is linked to their identification with a sexual orientation (e.g. being heterosexual, homosexual, bisexual, transgendered)**

Adapted from: Eve Sedgwick's *Epistemology of the Closet* (1994)

# Sexuality is historically formed in our culture

## BRINGS TOGETHER A HOST OF POSSIBILITIES

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- Sexual difference
- gender identity
- bodily difference
- Reproductive capacities
- Needs
- Desires
- Fantasies
- Power
- Social Movements

**“Meanings we give to  
‘sexuality’ are socially  
organized, which tell us  
*what sex is, what it  
ought to be, and what  
it could be”***

**Jeffrey Weeks**

## **“Sex is always political” following Gayle Rubin**

Its politicization involves a continual attempt to draw boundaries between “good” and “bad” sex based on

« hierarchies of value »

Religion, medicine, public policies, and popular culture

anxieties lead to « moral panics »

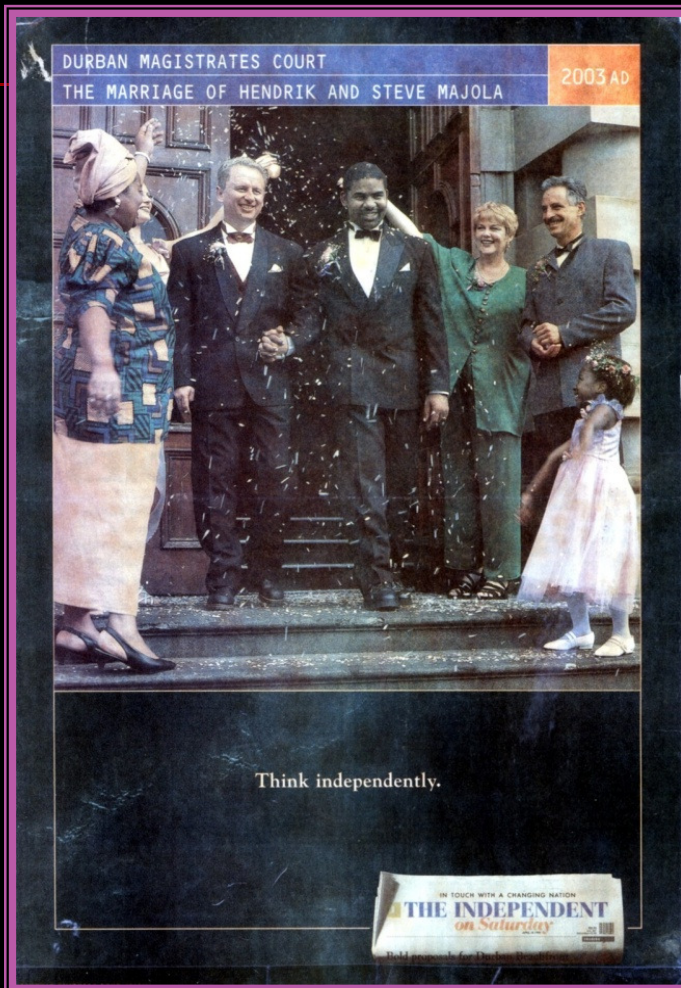
**Negotiations over sexual goodness and badness become contested and overtly politicized**

# Turning to homosexuality

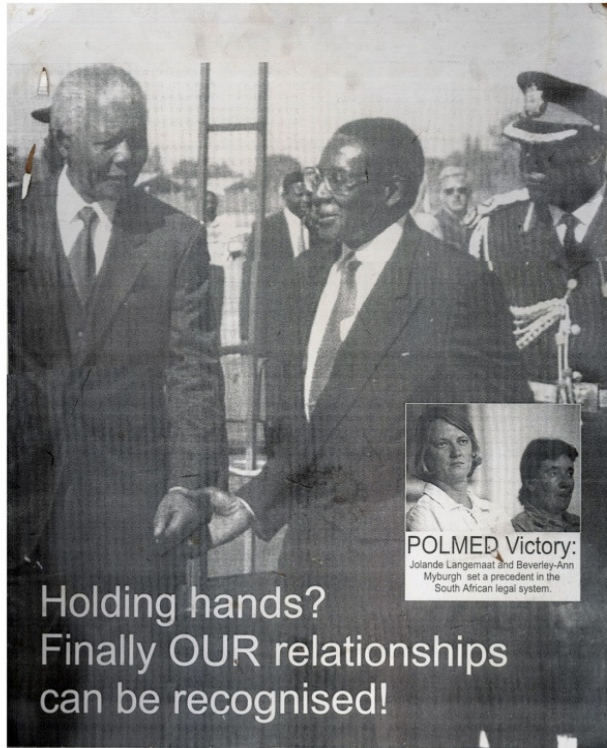
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# The context of homosexuality



- **Criminalisation (policing, prohibition, pathologisation, exclusion): apartheid classification under Christian Nationalism as deviant behaviour**
- **Legalisation (decriminalisation, inclusion, recognition, citizenship) : access to justice in a constitutional democracy**



Holding hands?  
Finally OUR relationships  
can be recognised!



**POLMED Victory:**  
Jolande Langemaat and Beverley-Ann  
Myburgh set a precedent in the  
South African legal system.

Issued by the KwaZulu-Natal Coalition for Gay & Lesbian Equality  
P.O. Box 30890, Mayville, 4058  
Voicelink: 088-13-202-14

**Homosexuality  
(unAfrican) = disease**

**Homosexuality  
(unAfrican) = AIDS**

**Nonmarital,  
uncontrolled sex =  
disease**

**Transgression of family  
values = disease**

**(*innocent victims*  
*versus guilty*  
*perpetrators*)**

# Debates informed by:

- Arguments against:



**about morality**

- Arguments against:



**based on religious  
doctrine/cultural models**

- Arguments for:



**based on a rights – based  
model**

- Arguments for:



**based on recognition of  
difference, diversity and  
inclusivity**



# Homosexuality is now legal in South Africa

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- **Latest Development: Enshrined in the Civil Union Bill (2007)**
- **However, “rights” do not immediately translate into “justice”**
- **You cannot legislate thinking, attitude and belief**
- **Homophobia/*Homoprejudice* still persists (perhaps also in its most *violent* manifestation to date)**

# Turning to “Corrective Rape”

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racy. —**cor'rectional** adj.

**correctitude** (kə'rektɪ,tju:d) *n.* the quality of correctness, esp. conscious correctness in behaviour.

**corrective** (kə'rektɪv) adj. 1. tending or intended to correct. ~*n.* 2. something that tends or is intended to correct. —**cor-**

**rectively** adv.

**Correggio** (Italian kor'reddʒo) *n.* Antonio Allegri da (an'tɔ:njo al'le:gri da). 1494–1534, Italian painter, noted for his striking use of perspective and foreshortening.

**rape**<sup>1</sup> (reɪp) *n.* 1. the offence of forcing a person, esp. a woman, to submit to sexual intercourse against that person's will. See also **statutory rape**. 2. the act of despoiling a country in warfare; rapine. 3. any violation or abuse: *the rape of justice*. 4. Archaic. abduction: *the rape of the Sabine women*. ~*vb.* (mainly *tr.*) 5. to commit rape upon (a person). 6. (also *intr.*) to plunder or despoil (a place) in war. 7. Archaic. to carry off by force; abduct. [C14: from Latin *rapere* to seize]

# Corrective rape is when men rape women in order to 'cure' them of their lesbianism

- Estimated 500 000 rapes yearly (this is not a figure for 'corrective rape' of lesbians)
- "For every 25 men brought to trial for rape in SA, 24 walk free" (~~People Opposing Women Abuse, NGO, SA~~)
- More than 10 lesbians per week are raped or gang-raped in Cape Town alone, according to Luleki Sizwe, a charity which helps women who have been raped in the Western Cape.



## Is the term “corrective rape” the most adequate?

- The term is wholly inappropriate and misleading, in fact offensive in its meaning.
- The current meaning of "Curative rape" implies that the act of rape is justifiable, that it supposedly offers a *corrective* to something that is missing, deficient and wrong.
- Rape cannot be justifiable, defended and offered any moral protection.
- It is a violent, intrusive and brutal act that intrudes on bodily integrity, privacy, respect and dignity.
- To "Cure" means to find a solution to a problem.
- The term is only relevant from the perspective of the perpetrator (the rapist) and not the victim.
- In some instances the interchangeable term of "Corrective rape" is also used.



## SHOULD THE TERM BE RETHOUGHT?

- Term emerged in recent years as a way of describing the phenomenon from the perspective of the perpetrators. Its a new coinage that offers insight not on the act of rape, but its particularised meaning under special circumstances. The special circumstances here point to a targeted act by men against lesbians who are deemed by such men as inadequate, incomplete women.
- The term itself should be rethought from the perspective of the victim and in relation to the core meaning of rape. The act is violent, ~~dominant, damaging and shaped by the power exercised by one over the other~~.
- However, my feeling is that if the term "Corrective rape" is as a term brings attention to the special circumstances under which lesbians are raped, simply because of their sexual orientation, that it be used and understood in the context that it is ultimately a form of gender-based violence that targets lesbians.
- Rape cannot be distinguished as any other act.

## SOME KNOWN CASES

- Zoliswa Nkonyana, Khayelitsha, Cape Town, 18, murdered on 4/02/2006
- Madoe Mafubeda, raped and stabbed to death, April 2007
- Sizakele Sigasa, Meadowlands, Soweto, 34, raped, tortured and murdered, 7/07/2007
- Salome Massoa, Meadowlands, Soweto, 23, raped, tortured and murdered, 7/07/2007
- Thokozane Qwabe, Ezakheni, Ladysmith, KZN, 23, stoned and murdered, 22/07/2007
- Eudy Simelane, Kwa-Thema (Springs), 31, raped and murdered, 28/04/08
- Khanyiswa (Lhoyie) Hani, New Brighton, Port Elizabeth, 25, stabbed and murdered, 26/05/08

## SOME KNOWN CASES ctd.

- Daisy Dube, Yeoville (JHB), in 20s, shot and murdered, 2/06/08
- Sibongile Mphelo, Strand, Cape Town, 21, raped, shot and vagina cut off, murdered, 20/06/08
- ~~Girly 'S' Gelane Nkosi, 37, Kwa-Thema, stabbed and murdered, 22/06/09~~
- Noxolo Nogwaza, Kwa-Thema, 24, stoned, stabbed with broken glass, murdered by 8 men, April 2011.

Some who live to tell  
their story

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**“They tell me that they  
will kill me, they will  
rape me and after  
raping me I will become  
a girl. I will become a  
straight girl.”**

**Zakhe, 23, Soweto.**



**“This guy he wanted to go out with my girlfriend so one day he picked me up with a crew of his gangster friends, they took me off the street and to an abandoned place where they beat me with a spanner and did whatever they wanted... All the time they were telling me this is what happens when a woman pretends to be a man.”**

**Tshidi, 31, Cape Town.**





**“At school I was betrayed by my best friend. He told me to come to his house for a school assignment but when I got to the house we fought until he hit me so hard I collapsed, and then he raped me because he said I needed to stop being a lesbian. Afterwards I got pregnant and had a baby. The second time my soccer friends and I were kidnapped at gunpoint and they took us somewhere far away and did what they wanted with us for three days. We told the police but the case just disappeared. Nothing happened because they all thought I deserved it. These men are still walking free.”**

**Nomawabo, 30, Limpopo, SA**



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**“I blamed myself for the rape. I did not tell anyone, not my family or the friends with me that night.”**

**Phumla (right) with her girlfriend Atarcia.**





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**Pretty, 31, Kwa Thema  
township,  
Johannesburg**

**Her best friend Eudy  
Simelane (a national  
soccer player) was  
brutally murdered  
because of her sexual  
orientation**



**Noxolo Nkosana (23), Crossroads, Cape Town, says she was attacked because she is lesbian, 2011**



- 'Hey you lesbian, you tomboy, we'll show you'
- Stabbed and hurled insults by two men, one of whom is known and lives in her community
- "I was sure that they were going to kill me," she says.

## SOME ISSUES

- Many of the cases are not reported because the victims are afraid that the police will laugh at them, or that their attackers will come after them, says Ndumie Funda, founder of Luleki Sizwe. "Many of them just suffer in silence," she says. "The cases people read about in the media are not even the tip of the iceberg. Lesbians are under attack in South Africa's townships every day."
- *"When someone is a lesbian, it's like saying to us men that we are not good enough" (A man)*
- *"Some policemen in the township mock you saying: 'How can you be raped by a man if you are not attracted to them?' They ask you to explain how the rape felt. It is humiliating,"* says Thando Sibiyi, a lesbian from Soweto.
- "butch lesbians" - a slang term used to describe lesbians with a masculine or manly appearance (often been targeted).
- *"When someone is a lesbian, it's like saying to us men that we are not good enough,"* Thulani Bhengu, 35, tells the BBC.

## These cases raise questions about:

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- **Why is it happening?**
- Deeply patriarchal culture with received notions of gender roles
- Increasing culture of misogyny and violence
- Homophobia/Homoprejudice is connected to beliefs, attitudes and prejudice
- **Failures of or weaknesses in the criminal justice system**

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Some closing  
comments

# WHAT WE NEED

- Public condemnation of all forms of violence
- ~~Provision of safeguards that all personnel and relevant officials are appropriately trained in protecting LGBT people from violence~~
- Ensure that criminal justice system is sensitive to the nature of crimes and does not subject victims and survivors to secondary victimisation
- Ensure that current legal remedies are available to individuals whose privacy has been infringed
- Reform the law such that CJS is fully equipped to deal with the crimes of hatred by speeding up the development of a **Hate Crimes Bill**
- Convene a working group on crimes against lesbians that could be led by the Ministry of Women and Children
- Ensure that the education system and all policies are attuned to the spirit and tenor of gender equality

# SOME RECOMMENDATIONS ctd.

- Challenge stigma, denial, discrimination and prejudice by addressing social justice issues
- Work closely with Yogyakarta Principles, a declaration of gender and sexual rights
- Support LGBT organisational development by strengthening capacity of organisations to advocate for protection of rights
- Support programmes that promote training and research focused on gender-based violence
- Public Campaigns on gender based violence need appropriate mainstreaming



# REFERENCES

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*The Country We Want to Live In: Hate Crimes and Homophobia in the lives of black lesbian South Africans (HSRC Press, 2010).*

Some Free copies left for you (collect from organisers)

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**Thank you!**  
**Ke a leboga!**  
**Ngiyabonga!**



Social science that makes a difference

