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Undercutting the lives of South African women: Sexual violence and the NGO Funding Crisis in post-Apartheid South Africa

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Introduction

In 2018, in response to an increase in violent crime, particularly murder, former police minister Bheki Cele stated that South Africa is comparable to countries in the throes of military conflict despite being considered a bastion of peace (Green, 2018). Cele was not the first to compare South Africa to an unacknowledged battle zone. Many feminist activists have used this discourse to highlight the country's high levels of sexual violence and other forms of gender-based violence. The 'war on women's bodies' has been a prevalent rhetorical tool deployed in movements, campaigns and literature for many years. The devastating impact of this widespread assault on women's rights and the bodily autonomy of marginalised groups has been compounded by the systemic injustice perpetuated by the South African government and the international donor community. This article will contend that inadequate state funding and withdrawal of international funding constitutes an insidious form of structural violence in this environment of endemic violent crime. International geopolitics and the economic policy of South Africa has severely gutted service provision for survivors of sexual violence. This article will focus on one of the main service providers who have been adversely affected by this tenuous funding environment: Thuthuzela Care Centres (TCCs).

The nexus between gender-based violence and structural violence

In *The Gendered Effects of Structural Violence*, Karie Cross (2013) contends that there is mounting evidence that structural violence has the capacity to cause more destruction to

a greater number of people than direct warfare or the violence of militarised conflict. Cross also affirms that there is a nexus between structural inequalities and gender-based inequities – particularly when it comes to structural issues such as access to healthcare. According to Cross, this increasing literature on the impact of gendered structural violence has not been comprehensively taken into account in the study of conflict and peacebuilding. Cross argues that globally there's a dearth of comprehensive data on violence against women and there's a tendency within the field to focus on political violence rather than the violence that often happens to women in private spaces. In her view, a gender lens needs to go hand in hand with the conceptual framework of structural violence.

I contend that these arguments are true even for states that are not considered to be post-conflict or in a state of war. South Africa is often lauded on the international political stage for peacefully transitioning from an oppressive regime to a democratic nation-state. There were many incidents of state violence during the resistance struggle against the Apartheid government, but these are not often labelled as acts of civil war. Apartheid ended through a negotiation process between the former ruling Apartheid government and the liberation movement that ended the racist tyranny of this regime. However, the legacy of structural violence from colonial and Apartheid rule did not end when South Africa had its first democratic election in 1994.

The endemic violent crimes that currently mars the socio-political landscape of South Africa is often linked to structural inequalities that have continued from the past. According to the World Bank, South Africa is one of the most economically unequal countries in the world (World Bank, 2019). This is largely a legacy of British/Dutch colonialism and then Apartheid, which entailed the following: slavery, land theft, rampant police brutality against economically marginalised communities and the exploitation of cheap black labour that resulted from black people being forced off their land, being barred from well-paying jobs, receiving largely subpar primary education and having minimal access to tertiary education (Ramugondo, 2018: 2). Although it has been 25 years since the end of a regime that systemically marginalised black South Africans, it can be argued that the dynamics of wealth distribution in the country have not shifted significantly and that the current government has not done enough to transform the inequitable status quo.

It can also be argued that these historically based dynamics were further fuelled by certain members of the international community through their inaction and sometimes blatant support of the Apartheid regime in South Africa. Economically, the South African mining sector provided mineral resources such as gold or coal to countries in the Global North and in general South Africa provided a significant market for commodities from the Global North (SAHO, 2011). States such as Britain and the USA used their power in the UN Security Council to resist attempts from other states in the international community to economically sanction and isolate the Apartheid regime in South Africa until the mid-80s (SAHO, 2011).

This historical backdrop set the stage for the unchecked scourge of sexual violence that exists in post-Apartheid South Africa. In *'These Women, They Force Us to Rape Them': Rape as Narrative of Social Control in Post-Apartheid South Africa*, Helen Moffett contends that the high levels of gender-based violence in tandem with a deficient criminal justice and healthcare system have created the conditions for what she proclaims to be

“an unacknowledged gender civil war”(Moffet, 2006: 129). She roots this socio-economic and political crisis in a legacy that stretches from South Africa’s Apartheid past. In her view, the current climate of unbridled sexual violence is driven by the spectre of a political regime that engineered authority through violent domination - a regime that normalised systemic subjugation. Violence was sown into every sector of South African society and part of that was the patriarchal project of rape.

Gender-based violence as a legacy of Apartheid – the transition to democracy

In *Gender, Masculinities and Transition in Conflicted Societies*, Naomi Cahn and Fionnuala Ni Aolain contend that in practice, transition is not about peace; it is the pursuit of a less visible form of violence (Cahn and Aolain, 2010: 102). They suggest this assertion becomes evidentially more persuasive when the gender lens is applied to evaluate the transition of a repressed society to a more liberal or democratic society. This is apparent in the case of South Africa’s transition.

The Truth and Reconciliation Commission (TRC) in South Africa was one of the fundamental mechanisms of transition from the white supremacist Apartheid era to the democratic post- Apartheid era (Kusafuka, 2009: 45). It was billed as an open forum for victims to testify about the injustices of Apartheid (Kusafuka, 2009: 46). It was also a national forum for the perpetrators of politically motivated violence during the Apartheid era to lay bare the truth of their crimes and seek official pardon through the amnesty process (Kusafuka, 2009: 46).

The overarching justification for the formation of this commission can be described as follows: “to investigate the nature, causes and extent of gross violations of human rights” (Kusafuka, 2009: 46). The ideological narrative that permeated this process was the assertion that truth-telling would be the bridge to national reconciliation (Kusafuka, 2009: 47). This national project was largely pursued without acknowledging the gendered nature of the South African experience (Kusafuka, 2009: 45). This oversight had a knock-on effect of rendering gender-based violence (primarily committed against women) mostly invisible (Kusafuka, 2009: 45).

The TRC’s lack of engagement with gender began with its narrow and problematic categorisations of human rights abuses. The recognised violations were as follows: “the killing, abduction, torture or severe ill-treatment of any person,’ or the ‘attempt, conspiracy, incitement, instigation, command or procurement to commit’ such acts” (Kusafuka, 2009: 48). Acts that fell into the category of gender-based violence were only acknowledged after civil society organisations drew attention to this oversight – these acts were then placed into the category of “severe ill-treatment” (Kusafuka, 2009: 48). Just before the public hearings were due to begin in 1996; a few gender activists began to question the commission’s overall gender-neutral framework (Olckers, 1996: 63). These activists posited that Apartheid era political violence was meted out along gendered lines (Olckers, 1996: 62). Due to socially enforced gender roles, men were often on the front lines of the struggle whilst women took care of the household. When the men were taken or killed by Apartheid agents there would be economic and social consequences for the women (Olckers, 1996: 64).

In response, the TRC put in place a gender specific plan that included ad hoc women's hearings, a policy that allowed for more sensitivity when taking statements, research focused on the gendered element of the Apartheid era and a chapter dedicated to women in the penultimate report (Kusafuka, 2009: 48). As acknowledged in the TRC report, these efforts were insufficient add-ons which ultimately treated gender as a marginal consideration (Kusafuka, 2009: 49).

From its inception, this commission was criticised for focusing on the suffering of selected individuals rather than the systemic violence of the Apartheid era state machinery (Kusafuka, 2009: 51). This emphasis on personal suffering of particular political agents hindered the gendered analysis that revealed that the Apartheid state used sexual violence as a political tool. This shut out adequate recognition for the everyday terror experienced by women. For example Apartheid security operatives would use the threat of rape to bully women and commit acts of rape as a punitive measure (Kusafuka, 2009: 51). This issue was brought to light during the women's hearings, but even in this specialised forum the Human Rights Violations Committee and the Amnesty Committee grappled with ascertaining whether an act of sexual violence was politically driven or not (Kusafuka, 2009: 52). Even in the heavily politicised arena of Apartheid era detainees, the gendered element went amiss. The torture of female detainees was notoriously sexualised and this calculated element did not get due acknowledgement (Kusafuka, 2009: 52).

In *Defining the Aftermath: sexual violence and the Truth and Reconciliation Commission*, Beth Goldblatt and Sheila Meintjes (1998) lay out some of the reasons that women did not come forward and share their experiences of sexual violence – even when their anonymity was guaranteed in the women's hearings. Firstly, they outline the precarious status of women in South Africa. They argue that women are treated as second class citizens and their value as human beings is often devalued in every sector of society (Goldblatt and Meintjes, 1998:10). In their view, the separation between public and private affairs in South Africa creates conditions where violence against women can occur with impunity. The public arena, which is often gendered as male, is where political affairs and the significant business of the state takes place. The private arena is where sexual violence and domestic abuse is often relegated – this allows these forms of violence to be dismissed as personal matters that are not tied to the larger structures of how the South African state operates (Goldblatt and Meintjes, 1998:10).

Goldblatt and Meintjes also assert that economic marginalisation and gender-based violence are interconnected. The difficult socio-economic conditions that Apartheid created, in particular for black women, often left them trapped in abusive situations. Fuelling the silencing fostered by these unsupportive conditions is the belief that the suffering that black women experienced under the Apartheid regime was not as significant as the pain of black men. Many women internalised this belief and did not equate their experiences, particularly of sexual violation, as human rights abuses (Goldblatt and Meintjes, 1998:10). In fact, many women who testified during the TRC proceedings privileged the telling of the experiences of men in their lives rather than their own experiences (Olckers, 1996: 64).

In addition, Goldblatt and Meintjes point out that discourse around sex, in general, is shrouded in shame, which makes discourse around sexual violence more taboo. This has the knock-on effect of stigmatising the person who experienced sexual violation. In the case of Apartheid South Africa, both men and women were tortured in a sexually violent

manner but female survivors seemed far more reluctant to fully disclose the horrors of that experience during the TRC (Goldblatt and Meintjies, 1998:11). Goldblatt and Meintjies further explain this reticence by highlighting the fact that women who had sexual violence committed against them were seen as contaminated by the political enemy. Jessie Duarte, an anti-apartheid activist, contended that making a women's sexual assault public knowledge would dent their standing in their party and would overshadow their contribution in the political struggle (Goldblatt and Meintjies, 1998:11).

Goldblatt and Meintjies buttress Duarte's assertion by indicating that sexual violence that occurred within the liberation movements was often dealt with in a lacklustre manner (Goldblatt and Meintjies, 1998:12). One example of this is how the African National Congress (the ANC) presented a report on sexual violence in the training camps of their military wing – Umkhonto weSizwe (MK). The ANC indicated that gender-based violence had occurred but did not elaborate on how the perpetrators within their ranks would be held accountable (Goldblatt and Meintjies, 1998:12 -13). This is particularly concerning because the ANC has been the ruling party in the South African parliament since the early 1990s. Allegiance to the ANC and other political parties stopped some women from testifying in the women's hearings and those who attempted to share their stories were sometimes threatened with reprisal from their comrades in the movement (Goldblatt and Meintjies, 1998:13).

According to Goldblatt and Meintjies, the violence that is prevalent in post-Apartheid South Africa is a continuation of violence that has gone before – particularly the high levels of sexual violence (Goldblatt and Meintjies, 1998:13). The legacy of violent repression, state brutality and violence against women has stretched into the socio-political reality of present-day South Africa. They also assert that coming to terms with these historical continuities will require the work of women's organisations – especially those who place emphasis on the healing process of survivors (Goldblatt and Meintjies, 1998:7).

The role of the international donor community in the transition to the 'new' South Africa In the 1980s and 1990s, there was a shift in the mechanisms that the Global North utilised to bolster their political influence in the Global South (Hearn, 2000:815). During this period, Northern states began to widely deploy International aid as a mechanism of foreign intervention – particularly as a tool for democratisation. The birth of International funds being available for 'democracy assistance' largely came from the failure of previous strategies of intervention – which entailed supporting dictatorships that were sympathetic or strategically aligned with partner states in the Global North (Hearn, 2000:815). In South Africa, these new dynamics of International donor aid played out in the arena of the South African transition from Apartheid to post-Apartheid democracy.

In the 1990s, South Africa received most of its aid for the purpose of strengthening and re-creating its formal democratic structures rather than to deal with the issue of the vast socio-economic inequality that Apartheid had entrenched (Hearn, 2000:819). Donors in the Global North chose to invest vast amounts into South Africa's transition due to its strategic role in the past (Hearn, 2000: 821). South Africa had been a key player in the capitalist endeavours of Global North states and their corporations since the turn of the century. The Apartheid regime was a particularly useful economic and political ally to European states, the USA and Japan until the 1970s when political pressure began to build against the violent and racist policies of the Apartheid government (Hearn, 2000:821).

During Apartheid, there were international donors that provided support for civil society organisations. In the 1960s and 1970s, this funding came from Nordic states such as Denmark and Sweden (Hearn, 2000:817). In the mid-80s, economic sanctions against the Apartheid regime were instituted and at this point, the European Union and the USA began to make vast amounts of funding available for South African civil society organisations. This funding tapered off after the 1994 elections that brought Apartheid to an official end and ushered in the era of the ANC-led government (Hearn, 2000:817).

International aid was largely redirected to the project of democratic state-building: the TRC process, developing the constitution, national and provincial legislatures, reforming the South African police, local government structures. There was an emphasis placed on entrenching reverence for formal democratic principles while spending on substantive transformation of sectors such as healthcare, education and housing were seen as secondary initiatives that would ensure democratic stability (Hearn, 2000:820). This resulted in South Africa becoming what can be termed a ‘polyarchy’ – an elite driven form of democracy that allows socio-economic inequality to flourish (Hearn, 2000:818).

Gender-based violence in post-Apartheid SA and the current funding climate

There is overwhelming evidence to indicate that sexual violence in South Africa is an issue that has reached pandemic levels. Some studies indicate alarming statistics such as one in four women in the country has been raped in their lifetime (Shukumisa, 2017:2). Studies also show that very few survivors report incidences of sexual violence to the police – some indices place this at 1 in 25. In addition, the research also suggests that very few survivors of sexual violence gain access to essential post-trauma care such as health and psychosocial services or legal counsel (Shukumisa, 2017:2).

South Africa has comprehensive and progressive legislation meant to deal with both sexual crimes (Sexual Offences and Related Matters Act) and domestic abuse (Domestic Violence Act). However, what’s on paper does not match reality. Civil society organisations have contended that lack of political will to carry through legislated policies has resulted in widespread structural failures (Shukumisa, 2017:5). Some organisations have also asserted that official crime statistics released by the South African police grossly underestimate the extent of the problem. According to the literature, the South African police only take on 60 % of the cases reported to them. Some organisations contend that this was due to a lack of understanding and adherence to legislation that is in place (Shukumisa, 2017:28). Research has also indicated that performance indicators discourage the South African police from fully reporting the extent of the problem (Shukumisa, 2017:28).

In order to provide care for survivors of sexual violence, the Department of Health has allocated 265 public healthcare facilities nationwide to offer medical, psychological and sometimes clinical forensic services (Médecins Sans Frontières, 2017: 2). Unfortunately, recent research indicates that most of these facilities do not operate to their full capacity and many of these facilities do not provide a number of services they are mandated to provide (Médecins Sans Frontières, 2017: 2). A study done by Médecins Sans Frontières (MSF), which mapped the services of 63 % of the facilities, found that only 26 (7 %) of facilities offered the full medical care required for survivors to obtain comprehensive care

and only 42 % of facilities stated that they were equipped for all the medical examinations and treatments. Alarming, 7 % of the facilities reported that they do not provide services for survivors of sexual violence at all (Médecins Sans Frontières, 2017: 2).

Recent studies also indicate that these services are chronically underfunded. In a statement to *The Guardian*, a South African-based MSF staff member, Garret Barnwell made it clear that current service provision is nowhere near meeting the demand (Summers and Jolaoso, 2017). He points to the current economic climate as a barrier to delivering adequate care. In his view, economic policy grounded in austerity is diverting funds from crucial services. Lisa Vetten, a violence against women researcher based at the Wits City Institute, buttresses Barnwell's argument by adding that South Africa is currently experiencing an economic downturn. Furthermore, she contends that international donors now consider South Africa to be a middle-income country and have diverted their resources elsewhere. In Vetten's view, this assessment of South Africa's economic capacity is deeply flawed and should be reconsidered. Vetten also asserts that the government is not willing to self-fund these services (Summers and Jolaoso, 2017).

Case Study: Thuthuzela Care Centres

Thuthuzela Care Centres (TCCs) were conceived as a “one-stop” care centre for survivors of sexual violence – a place they could receive legal counsel, medical services and mental health care all under one roof (Šimonović, 2016:14). This initiative is spearheaded by the National Prosecution Authority's Sexual Offences and Community Affairs Unit (SOCA). Nonetheless, it is a joint venture between the NPA and the Health, Justice and Social Development departments. This integrated approach is supposed to ensure that survivors are not subjected to the secondary trauma associated with a disjointed legal and medical process (Šimonović, 2016:15). The approach also aims to ensure higher conviction rates and to shorten the time that cases take to make it through the legal system.

A 2016 report by the Special Rapporteur on violence against women noted that there were 55 TCCs nationwide housed in public hospitals in areas with elevated rates of sexual violence. The Special Rapporteur also remarked that the quality of care offered differed from facility to facility and that there is a dearth of psychological support offered in these facilities (Šimonović, 2016:15). The Special Rapporteur's findings are backed up by a study done by Médecins Sans Frontières. In their research titled *Untreated Violence*, MSF reports that there's a marked shortfall in what facilities are purported to provide versus what services they actually provide. They stipulate that this gap in adequate care is most apparent when it comes to mental health services (Médecins Sans Frontières, 2017:2).

In the report on violence against women, the Special Rapporteur indicates that the majority of the funding for TCCs is provided by the international donor community (Šimonović, 2016:15). This concluding note on the TCCs has far reaching implications. In MSF's report, it is clear that counselling services are given the least amount of financial backing (Médecins Sans Frontières, 2017:2). This is significant because mental health services are outsourced to Non-Governmental Organisations (NGOs) that get very little state funding despite the TCCs being earmarked as a key component of the South African government's “anti-rape strategy” (Šimonović, 2016:15). In 2017, a coalition of 60 NGOs working on the issue of sexual violence conducted a study to evaluate the work that NGOs are responsible for in the TCC model and to lay bare the constant issues that they confront within this model (Shukumisa, 2017:5). One of the main findings of the Shukumisa

coalition's research was that the current funding model for the TCCs impedes NGOs from performing their necessary function. NGOs are the reason that TCCs are able to provide 24-hour services – their staff remain after hours when the day staff go home. Despite this, these organisations are not considered to be a crucial component of the TCC model, which puts them in the financially precarious position of relying on foreign funding.

NGOs that formed a part of the Shukumisa Coalition's report stated that the South African government needs to intervene and provide the resources to end this funding crisis (Shukumisa, 2017:27). The Coalition noted that the agenda set by international donors often did not align with the strategies in place in South Africa. The Coalition also contended that the short-term nature of donor funding impeded long term sustainability of services in the TCCs and often made it difficult to retain well-trained staff. Furthermore, some of the NGOs argued that some international donors are focused only on narrow statistical markers such as percentage of people tested for HIV rather than the overall well-being of those accessing the services (Shukumisa, 2017:27).

Conclusion

State and international institutions have the ability to fuel and perpetuate trauma – in particular, they often play a key role in re-traumatising historically marginalised communities (Burstow, 2003:1307). This trauma is amplified through not acknowledging the harm that certain forms of violence have caused. This is apparent in how sexual violence was largely invisibilised during the TRC process and in donor funding endeavours before and during the transition. This trauma is also magnified through minimising or failing to take seriously the harm caused, in turn, failing to provide the necessary care and assistance (Burstow, 2003:1307). The lacklustre service provision for survivors of gender-based violence is indicative of a state that downplays the impact of this trauma by stripping funding from services that would ensure the physical and mental wellbeing of survivors. International donors are also culpable as they invested in and pushed for a liberal democratic framework for South Africa that did not grapple with the chasm of socio-economic inequality and the endemic violence of the past. They further perpetuate this cycle of re-traumatisation by absconding from responsibility in present day funding initiatives that aren't in line with the needs of survivors and create short term solutions to long term problems.

In November 2018, a National Summit on Gender-Based Violence and Femicide was convened by the South African presidency. In his address, South African President Cyril Ramaphosa made the following statement about the TCCs: "Where these centres aren't working optimally, we would like to hear about it. If it's a shortage of money, we will make money available for them" (Pilane, 2018). This summit brought together civil society organisations, activists who focus on gender-based violence and government officials. This summit was in response to demands made by the intersectional *womxn's movement that had led a march attended by thousands of people nationwide (Ebrahim and Moosa, 2018). In statements made to the publication *Daily Vox*, some activists present voiced their concern that the South African government would not deliver on its promises and these declarations would prove to be prescient. Five months after Ramaphosa's proclamation, less than half the TCCs (40 %) had received word that international donor funding would be made available to them (Msomi, 2019).

**The term womxn is used to be inclusive of all femme-identifying bodies, not just cisgender women.*

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