THE PRIZE AND THE PRICE

SHAPING SEXUALITIES IN SOUTH AFRICA

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HSRC
PRESS

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Foreword

THE TERM 'HETERONORMATIVITY' WAS known to me before 1995. However, as a straight man who considered himself socialist pro-feminist, I assumed that the concept was primarily important only to people who identified as homosexual or bisexual. It was their enemy. While I certainly supported their struggles against that enemy in my heart, my head was focused on what seemed to be obviously much bigger struggles. Male violence against women, HIV/AIDS, structural adjustment, and other broad anti-democratic forces were all depressingly evident at the time in both my homes (southern Africa and North America).

An inkling of doubt about this confident ordering of priorities came soon after I took up a lectureship at the University of Zimbabwe in 1995. Robert Mugabe and his supporters began attacking gays and lesbians with such hyperbolic rhetoric that one could hardly fail to notice a disproportion. Why such a fuss over a gay rights movement that was politically and socially so utterly marginal? I assumed some gay scholar somewhere would take up the challenge to explain (as indeed several did, quite convincingly).

The pertinence of heteronormativity to my own research interests only began to dawn on me at a conference that I attended on the history of women and gender in South Africa around this time. After two or three intense days, an anonymous comment appeared on the bulletin board – something to the effect of, 'Gawd, this conference is so heterosexist!' It was not too difficult to intuit who among my fellow delegates was the author, and indeed, when I approached him to enquire he readily confessed. More to the point, my new friend patiently walked me through the meaning of the term and the importance of the critique it offered. Exclusive, lifelong heterosexuality is not a natural condition but has to be carefully cultivated and constantly recreated as a hegemonic ideology in the face of changing material circumstances and in relation to multiple marginal identities and practices. Many aspects of the dominant expressions of heterosexuality that we commonly assume to be natural and normal (notably, men are active and penetrators, women are passive and penetrated, but also, old people, children and disabled people are asexual) are in fact deeply contested and contingent. Homophobia (and heterosexism) are not simply the concerns of a non-normative minority but are central to the ways that sexuality for the whole of society is organised and experienced.

All my work on the history of gender up to this point suddenly seemed embarrassingly simplistic. My passivity in response to homophobic politics in Zimbabwe suddenly seemed unconscionable. I felt compelled to go back to my

sources, and to re-examine my vocabularies and other choices, to see where and how they were affected by this invisible juggernaut, heteronormativity. I felt like a fish discovering he lived in the sea.

More than a decade since that epiphany, what a thrill it is to see hetero-normativity so squarely and thoroughly problematised in this erudite yet accessible volume. The book is directed at people like the old me, which is to say, you know about and generally sympathise with gay rights or queer theory, in theory. In practice, you are not quite clear how these might apply to (and enrich) your own work. You might even avoid some of the issues out of anxiety that some uninten-tional mangling of the latest terminology identifies you as embarrassingly out of touch. This book says, don't worry about it. Just get on board.

I don't mean to be flippant here. On the contrary, much of *The Prize and the Price* makes for heavy reading. Many of the chapters deal with horrific abuses and dehumanising tendencies in social practice that take place within the rubric of 'normal' – rape, paedophilia, layer upon layer of racism, exploitative and degrading sex work or sex tourism, and more. This will not really surprise most readers, I expect. South Africans since 1994 have had to begin to renegotiate the norms of race, class, gender and other identities laid down over centuries of ideology, violence and law. It would have been difficult and painful even without the explosion of heterosexually transmitted HIV/AIDS.

The authors do try to bring out elements of positive change, dignity and pleasure to be found within this discouraging menu. Still, it is hard to avoid the feeling that even with good intentions and lots of money, South Africans will be working to resolve these issues for a long time. We should probably not assume that good intentions and money can be relied upon.

Happily, as the chapters in this book demonstrate, there is room for optimism that currently hegemonic heteronormativity is being challenged in promising ways. People's dignity, creativity and complex sexuality can be freed up from the toxicity and limitations of the past. It also gives me a feeling of optimism that works such as this are strong enough to be noticed beyond the roiling but small environment of South African academe. Much of the theorisation of sexuality in the west, for example, including supposedly cutting-edge queer theory, is terribly westo-centric, parochial or patronising towards African scholars and theorists. My hope, which the editors modestly articulate, is that *The Prize and the Price* can contribute to the enrichment and maturity of sexuality studies globally.

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I appreciate Reg for his love and support and Thembisa for her constant assistance that frees up my time.

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I cannot express my gratitude to Pauline, for her enduring love, support and loyalty.

Melissa Steyn and Mikki van Zyl
Cape Town, June 2008

For everyone who has ever wanted to enjoy their sexuality.

Melissa
For Emily: may she have the freedom to be herself.

Mikki
For my mother, who taught me to think for myself, and always to Pauline.

INTRODUCTION

Sex is for pleasure. It is for the nation and people.

(Nomxolisi Dandaza, nursing sister and mthwasa, *sangoma 'initiate')*
(in Thornton 2003: 4)

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The prize and the price

Melissa Steyn and Mikki van Zyl

HETERONORMATIVITY IS THE INSTITUTIONALISATION of exclusive heterosexuality in society. Based on the assumption that there are only two sexes and that each has predetermined gender roles, it pervades all social attitudes, but is particularly visible in 'family' and 'kinship' ideologies. Heteronormativity constructs oppositional binaries – for example woman/man, homosexual/heterosexual – and is embedded in discourses which create punitive rules for non-conformity to hegemonic norms of heterosexual identity.

Sexual beings

This book has been a long time in the making. The authors, we are sure, would agree that it has been far too long, yet the theme of the work has remained pertinent throughout the political and social changes that have marked the democratic South Africa's recent past. The concern of the book is the invisible power of heteronormativity as the enduring dominant ideological formation in post-apartheid South Africa, exercising control over who we are and who we should be, and the costs of being different. The title, *The Prize and the Price*, alludes to the manner in which *the desired* and *the desirable* are constructed through the simultaneous constellation of the *undesired* and *the undesirable*, deeply knotted into our gender, 'race', age, class and our times and place – integral and complex parts of our sense of self, of where and how we fit into the world.

Collectively, the authors of the chapters in this book throw light on how South Africans engage with this dialectic of desires within the context of their newly achieved democracy. Some negotiate new possibilities for their desires, some attempt to have old desires newly recognised, some attempt to perpetuate prized positionalities, while others continue to pay the cost of being undesired. A key challenge has been presented to the edifice of heteronormativity through the 'queering' of the Constitution with the protection against discrimination of sexual orientation.

Informing this work is the belief that our sexuality is shaped within our social understandings of selfhood, how we make sense of our relations to others and how we fit into our cultural institutions – the laws, religious institutions, schools, social venues and, above all, families. These are sites of energetic social pressures, evoking equally energetic agencies on the part of individuals to conform, perform, enact, resist, undermine, revise or transform the constraining and enabling influences. We express our sexualities through a diverse range of subjective experiences, filtered through social frameworks of ideologies, theories, politics and ethics. Sexuality gives meaning to our experiences of ourselves in different and varied contexts and social milieus – even as our desires may seduce us beyond the social discourses provided for us to make sense of ourselves. Sexuality is more than sex; it is the entire way we 'come out' of our bodies to be in the world.

Disciplining the body

Our sexuality is a deeply political issue, continually subject to various contesting discourses of moral regulation. The intersection of various historical strands of political struggle put sexuality in the political limelight in post-apartheid South Africa – women's struggles for equality, lesbian and gay liberation, the rampaging HIV/AIDS pandemic in Africa and the negotiations for a peaceful settlement in South Africa. In popular ideology, the transition also marked a liberalisation of sexuality in contrast to the puritanism of the apartheid era, which was founded on the tenet of racial purity and policed through a prohibition on interracial sex. Therefore a study of sexuality must recognise how socio-political and cultural processes of creating 'races', genders, sexualities and disabilities are expressed through and upon our bodies. It is through the meanings attached to non-hegemonic bodies and their desires that Othering is perpetuated, and upon whom different forms of exclusion, oppression and violence are perpetrated. The body becomes the site of discursive power struggles.

Within the broad modernist western tradition, hierarchical social values would construct the most prized sexual being as the white, adult, heterosexual male – virile, able-bodied, handsome and healthy, and of good social standing – the eligible husband. The most prized sexual liaison would be a monogamous same 'race', heterosexual union between two able-bodied adults (not too young, not too old) for the purpose of raising a family. The sexualities of those differently positioned are all subject to constructions of Othering in some form or another. The black penis is exoticised (Ratele 2004), and African men are understood to have a rampant sexuality which leads to rape (Arnfred 2004; Fanon 1988). Women's sexual autonomy is constrained by discourses that 'fix' them in terms of a natural disposition towards emotion – romance, nurturing and maternity, as closer to

nature and nurture (Hird 2007). Disabled people are considered asexual, as are the elderly and children. Youth are sexually explosive and need to be controlled.

The powerful norming action of taboos and stigmas draws the boundaries on a social continuum moving from the actively pursued, the desired and the accepted, through the tolerated, restricted and constrained to the outlawed. At the marginalised end of the continuum, social meanings constitute and are constituted by institutional regulations which control sexualities through labelling them as sinful, sick or criminal, where individuals pay the price for their desires that offend. At the centre, reproductive marriage confers the prize and signifies the victory of the heteronormative.

The hierarchisation of sexualities is written into westocentric cultures through discourses which value individualistic, rationalist, biologistic, techno-scientific, biomedical, psycho-medical explanations of 'the sexual'. Women's bodies are frequently pathologised or medicalised, even for the apparently 'natural' processes of menstruation, childbirth and menopause. Bodies that desire people of the same sex are psychologised into perversion. On the other hand, many social theorists have treated the body as a peculiarly 'bloodless' object constructed within socio-cultural discourse. Postcolonial, feminist and queer theorists have provided deep critiques of these dynamics in the construction of sexualities and gender, leading to the 'reintroduction' of the body in social theory and challenging the Cartesian body/mind split which characterises much of the western intellectual tradition (Connell & Dowsett 1999). There are numerous other current discourses on sexuality framed by westocentric knowledge systems – approaches in public health, kinship and marriage studies, human rights, gender studies and popular literature on sexuality – which do not contextualise sexuality within a nexus of other intersecting cultural meanings. Yet, as is often pointed out:

> Sexual meanings are central to concepts of self and of the person, and to the values we associate with others. The values we attach to pleasure also differ. Accordingly, where social structures, concepts of the person, and values differ, we may find differences in sexual culture that coordinate with these differences. (Thornton 2003: 11)

In South Africa, the persistent history of hegemonic whiteness together with postcolonial globalisation has resulted in the dominance of westocentric meanings of sex and sexuality. Indigenous southern African meanings have largely been silenced by the violence of the colonising project (Osha 2004), and the practice of sacralising knowledges and philosophies of sexualities within the secret domains of traditional healers (Thornton 2003). Over the last century, influences of westocentric knowledge production have generated many texts which explore African sexualities, initially through a western lens but increasingly from more

African-centred perspectives, for example Amadiume (1987), Gevisser and Cameron (1995), Epprecht (2004), Arnfred (2004), and Morgan and Wieringa (2005).

Contemporary discourses shaping South African sexualities, then, are a complex mix of the dominant western discourses, both the contemporary global strands and the often still colonial local inflections, and the tensions in postcolonial African heteropatriarchies as they formulate re-imagined African national identities. We see these dynamics operate in critical issues such as HIV/AIDS (Steinberg 2008), and in positions on homosexuality (Hoad 1998; Salo & Gqola 2006) where it is often claimed that homosexuality is 'unAfrican'. Current historiography of sexual practices in Africa (see Epprecht 2004; Morgan & Wieringa 2005; Murray & Roscoe 2001) indicates that *homophobia* – as discrimination and Othering – *not homosexuality* – as same-sex practices – was a colonial import (see also Aarmo 1999; Phillips 2000, 2003, 2004). Yet the contemporary discourse reveals the complex engagements between colonial discourses of 'sin', 'perversion', 'bestiality', 'primitivism' and 'crime' and the silences around sexuality and sexual practices in traditional African discourses.

It can be argued that we see these intertwined disciplinary processes at work also in the meanings assigned to sex as the nexus of social continuity – linking past and future, linking individuals through social and political arrangements in the present – underpinned by values which are deeply gendered. Social and political roles incorporate the distinctions between masculinity and femininity, established within sexual roles, as 'root metaphors' for broader aspects of daily social and political life. During the apartheid struggle women activists were frequently typified as 'mothers of the nation', showing the imbrication of politics, nationalism and gendered identities. In the Jacob Zuma rape trial the defendant used the power of his political position to 'speak' on behalf of a Zulu 'traditional' masculinity (Ratele 2006), re-imagined into a postcolonial political identity. The continuities between military power, political power and sexual power, often played out in dominant western masculinities, too, were explicit, reflecting the entanglements of inequality and differences such as status, generation, gender and ethnicity.

Embodiedness

As it shapes our sexualities, social and cultural regulation not only informs our sense of self, but also contours our actual bodies. Bodies become vehicles of cultural ideals and notions of etiquette. For example, in South Africa, the population group with the highest rise in anorexia is young African girls, who increasingly see themselves through western discourses that valorise thinness, and reject more traditional approaches to female ideals that encourage an ample female figure as a marker of health and prosperity. The materiality of the body in culture raises the

question of 'which bodies come to matter – and why' (Butler 1993: xii). Philosophers and critical social theorists such as Michel Foucault (1992, 1998), Judith Butler (1993, 1999) and Susan Bordo (2004) have grappled with the dialectical tensions between bodies and cultures, and the constitution of subjectivities and identities in the face of hegemonic discourses which place differential values on people depending on their bodies. Butler (1999: 19) queries the constitution of sexual subjectivities in culture:

> [W]ho is it who is able to recognise him or herself as a subject of sexuality, and how are the means of recognition controlled, dispersed and regulated such that only a certain kind of subject is recognisable through them?...One might very well be the bearer of a sexuality in such a way that one's very status as a subject is destroyed by bearing that sexuality.

Discussions focusing on the materiality of the body and its desires are underpinned by various tenets regarding 'nature'. Sexuality does not arise ready-made from 'nature', discoverable by science; as a discursive construction 'nature' has a history of being massively deployed to write the 'inevitability' of heterosexuality into sexuality and gender (Schiebinger 2000, 2004). 'Nature' is used as the yardstick for hegemonic normativity through which regulation of bodies is defended. Yet any examination of the history of what has been regarded as 'natural' at different times even within the same cultural tradition shows its ideological embeddedness within place and time. For example, the notion of two complementary sexes as the material basis for gender and heteronormativity is itself a construction of modern medicine, an 'advance' on the Aristotelian views of one sex where woman was a 'falling away' from the perfection of man:

> In the one-sex model that dominated anatomical thinking for two millennia, woman was understood as man inverted. The uterus was the female scrotum, the ovaries were testicles, the vulva a foreskin, and *the vagina was a penis*. (Laquer 2002: 61, emphasis in original)

Through its physicality, intersex as a category particularly disrupts the 'natural' binary sex system, while critical queer scholarship has unearthed a variety of cultural permutations of sexual and (trans)gender subjectivities and identities that perform as dissident sexualities – beyond the boundaries of normativity.

Like sexuality and 'nature', physical desire has a history. In westocentric discourses desire is perceived to arise in and through sex, which is also naturalised. Yet ironically, these 'natural' phenomena become the focus for rigorous social, political and moral regulation. The realm of sex-desire is built upon 'asymmetrical' gender norms and the precept of continuous heterosexual becoming of 'women' and 'men'. Therefore desire is deeply marked by sex and gender, and central to an

analysis of sexuality and power. The histories detailing the physical phenomenon of orgasm in the west have conflicting explanations for males and females, originating in searches for rational explanations of the 'biological imperative to procreate the species'. From a masculinist perspective, 'desire' and 'pleasure' were therefore constructed as necessary for the procreation of the species. Yet, once female clitoral orgasms had been 'discovered', and Freudian-inspired debates around vaginal orgasms had been laid aside, theorists of sociobiology failed to find a persuasive 'biological purpose' for the female orgasm, thus making the clitoris a conundrum. Even many feminists have found it hard to accept the argument that females may experience orgasms purely for pleasure (Lloyd 2004).

The issue of women's sexual pleasure in Africa is put under the microscope in discourses drawing attention to the prevalence of female genital cutting (Dellenborg 2004), and widespread gender-based violence (Bennett 2001). Attempts to redress the perception that female sexualities in Africa are underscored by pain and violence have elicited responses from African feminists focusing on sexuality and pleasure (McFadden 2003; Spronk 2007). Others point out that despite the historic silences on African sexualities, desires and pleasure have always been present through fantasy (Ngwena 2007). Elder (2003) demonstrates how apartheid was built on assumptions of heteronormativity. We are left with these distortions wrought in African traditional sexual relations through the periods of colonial oppression and their subsequent interpellation into postcolonial hegemonic discourses.

The chapters in this book address the materiality of desires through describing sexual practices which arise in the spaces defined by a potent mix of historic and contemporary cultural regulation.

Intersectionality

> Meanings and materialities of desire, forms and technologies of pleasure, ways of practising sex, and the sexual identities which attach to all of these, *form and re-form within other hierarchies of dominance and the contestations they provoke.* (Posel 2003: 3, our emphasis)

The categories of conventional identity politics, such as 'race' or gender, for example, are complicated by other salient differences which dehomogenise positionalities. In response to work by theorists focusing on 'race', postcoloniality or gender, the concept of intersectionality has come increasingly into currency, and is recognised as a sub-field in its own right.[1] Intersectional analyses show that social positionalities such as class intersect with gender and 'race' or sexuality, and 'are simultaneously subjective, structural and about social positioning and everyday

practices' (Brah & Phoenix 2004: 75; Bakare-Yusuf 2003). Not only do these axes of social power intersect, but they also shape each other, even constitute each other. For example, gender is likely to 'look' very different in contexts that vary along lines of class and 'race'. Therefore it is helpful to think in terms of a 'politics of location': the way power lines operate within a particular location to create conditions for identities to emerge (or be submerged) – the conditions for belonging, 'passing' or being 'closeted':

> We regard the concept of 'intersectionality' as signifying the complex, irreducible, varied, and variable effects which ensue when multiple axes of differentiation – economic, political, cultural, psychic, subjective and experiential – intersect in historically specific contexts. (Brah & Phoenix 2004: 76)

While this work on intersectionality is well established in much postcolonial, feminist and 'race' theorisation, where it interrogates differentiating gender and global/local power relations, until recently relatively little has been done to particularise and de-essentialise sexualities beyond the well-established line of writing on gender and homo/hetero sexualities. This is a state of affairs changing quite rapidly, as witnessed by the advent of journals dedicated to the task, such as *Sexualities; Sexualities in Africa*; *Culture, Health and Sexuality; Sexuality Research and Social Policy;* and *Body & Society*. Work has been done on particularising homosexualities (*Performing Queer* being one example amongst many similar African and international publications; see Van Zyl & Steyn 2005). *The Prize and the Price* takes heteronormativity and deconstructs its marginalised domains, examining some articulations of differently located sexualities in contemporary South Africa – on or off the edge of marginality. It shows that heteronormativity is not monolithic, and points to how all the marginalised positionalities within heteronormativity are actually co-constituted through dominant heteronormative cultural constructions. The goal of disaggregating the hierarchies present in heteronormativities is important to contribute to our understanding of post-apartheid sexualities.

The reason for the silence into which our book speaks is the enormous invisible power which heteronormativity holds as the dominant ideological formation. In this respect it is very much like whiteness, which maintains its invisibility through its power as the norm. The imperative to 'out'[2] whiteness and particularise its operations in specific contexts is now accepted as a major theoretical contribution in Race Studies. Similarly, numerous publications on hegemonic masculinities have problematised the multiple sites of constructions of masculinities. We contend that in making an analogous move in 'outing' the 'taken for grantedness' of heterosexuality *from within heteronormativity*, tracing

both continuities and departures from the apartheid past, this volume makes a substantial contribution to our understanding of the multiple workings of heteronormativity in particular, and sexuality in general. In South Africa, academic interest in marginalised sexuality has focused almost exclusively on homosexuality and, where it has focused on heterosexuality, it has done so overwhelmingly in the context of HIV/AIDS and gender-based violence. While not ignoring these important aspects of heterosexuality, our book foregrounds lesser discussed areas of heterosexualities, and shows how these articulate together.

The Prize and the Price highlights the historical continuities in our deeply racialised society. The profoundly racialised construction of sexuality in South Africa needs to be recognised as one of the particularities of our 'politics of location'. At the same time, and similar to the global queer scholarship where South African sexualities are frequently represented, this book will contribute to scholarship on sexuality well beyond South African borders.

Overview

The Prize and the Price is organised into five sections. Each section reflects a different set of responses to normativising and normalising discourses on sexuality within post-apartheid South Africa. The chapters represent a range of conversations with dominant hegemonic pressures, from rearticulating agency within prevailing social and cultural (con)formations, to changing the terms of engagement.

Negotiating new deals

In this section experiences of young post-apartheid South Africans, the 'rainbow children', are narrated. Facing the challenges of democratisation and changing laws, they explore possibilities for new subjectivities and identities. They negotiate aspects of the old and the new, engaging with and contributing to emerging cultural forms.

The high school pupils that Pattman and Bhana interviewed are conscious of the residual racialisation of their identities. The authors explore how class differences shape the experiences of girls from an African school in contrast with those from a 'formerly Indian school'. The African girls deploy their racialised sexualities as a 'resource and source of self-esteem' in contexts of racial subordination, but remain firmly rooted in heterosexual desire and desirability.

Salo and Davids write on the sexualities of matriculants from working-class schools in 'coloured' Wynberg, Cape Town. They elaborate on the semiotically charged Matric Ball as a rite of passage which inscribes desirable 'femininity' through global discourses and mediascapes of consumption intersecting with local gendered heteronormativities. The Matric Ball also becomes an intense focus

for parents – particularly mothers – as they invest in their daughters' social début through their own desires of romance and marriage for their daughters. They demonstrate how 'race', space and gender intersect in new and localised ways.

The trajectory of interracial relationships in South Africa is explored in the chapter by Sherman and Steyn. Giving a brief historical review, they place a preoccupation with 'race' in sexuality within the context of colonial South Africa and shifting expressions of whiteness. They explore a site of interracial dating – middle class, driven by neoliberal notions of individualism – where racial-group boundaries break down with relative ease. This small sample illustrates how since the repeal of the miscegenation legislation new spaces for sexual freedom and identity mobility are emerging, demonstrated here by the apparent irrelevance of the political dimensions of 'race', power and the enduring inequalities of class written through 'race' in the broader South Africa.

Flipping the coin

The chapters in this section show dynamics of engagement with enduring conditions and conventions in contexts that allow little room for negotiating identities. The participants in the studies manoeuvre within the confines of power structures to change the terms of their positioning within dominant discourses that attempt to fix their sexual subjectivities.

Writing about prison life in rural South Africa, Niehaus asserts that dominating heteronormative masculinities are recast into men having sex with men. Disentangling the tension in discourses about male–male sex in 'total institutions', he problematises explanations that reassert essential heterosexuality as much as those that romanticise male–male sexualities within queer discourses of masculine desire. In this account, sexual intercourse becomes the mechanism by which relationships of domination and subordination are constructed, not only between individuals, but also between rival gangs, thereby creating hierarchies of masculinities which are sustained through violence and fear. Niehaus emphasises the contingency of masculine identities, and how the men's sexualities are shaped by place.

Normative assumptions about 'sex work' and female sexuality are challenged by 'Fauna, Flora and Fucking: Female Sex Safaris in South Africa', as McEwen explores the issues of gendered power relations and how they intersect with 'race', class and age. By casting the relationships between young males selling sex to female tourists in a romantic light, dominant discourses about 'female' sexuality mask transactions that are fundamentally economic. This chapter interrogates the shifting relations of class, 'race' and north/south in the context of selling sex, and disrupts many readings of sex work that emphasise gender inequalities without addressing economic, 'race' and macro structural dynamics.

Popplestone presents a deeply personal account of the impact of her blindness on her sexuality and how it has affected her sense of herself as a woman, sometimes being a marker of 'interesting' difference, and often a spur to be more and better than her peers. With wry humour she exposes herself and her human frailties, her susceptibility to falling into the traps of stigmatisation and Othering of people with disabilities. She grapples with the complex question of 'what qualifies or disqualifies us as legitimate objects of desire' and concludes that it is to be seen as whole, not only by others, but by ourselves. She longs for integration with the norms of society, while lingering on the margins. Unlike, for example, lesbian-gay-bisexual-transgender-queer-intersex groups who seek recognition for their dissident sexualities, people with disabilities are marginalised even when they desire very normative sexual relationships.

Addressing sexualities in old age, Thornton, Potocnik and Muller show that older people remain interested in and often enjoy sex well into their eighties and nineties. They argue that stigmatisation and discrimination against the elderly can cause great pain to people who want to experience intimacy and live full lives in their old age.

Paying the price

The violent reassertion of dominant racialised and heteropatriarchal hegemonies is the subject of this section. Underlying values around blackness and whiteness, femininities and masculinities, and age continue to permeate the social regulation and exploitation of certain sexual subjectivities through structural and actual violence.

In 'The Weather Watchers', Artz interrogates 'what the law means to women and how we should use the law – if at all – in the protection of women'. Her study, based on the life stories of women in rural communities in the Western Cape, demonstrates how coercion and violence are central in 'shaping, maintaining and restricting women's sexuality'. She shows how social institutions, the women themselves, families, as well as the justice system, which is supposed to protect women, are used as tools to control women's sexuality. The gendered nature of social institutions raises questions about whether the criminal justice system is capable of protecting women.

The issue of disability and sexuality is addressed again in the chapter by Sait, Lorenzo, Steyn and Van Zyl. While media exposés of paedophilia often focus on 'man to boy' abuse, the statistics on child sexual abuse indicate that female children are far more frequent victims, being especially vulnerable in their families. This underscores the power of heteronormativity where abuse of the girl child is so commonplace as to be almost taken as normal. In this chapter the challenges that mothers face in managing the sexual development of their daughters with

disabilities highlight the intersectional marginalisation of young black girls with disabilities in an impoverished area of the Northern Cape. Living in communities where gender-based violence is rampant, their mothers are challenged by the environmental dangers as well as by moralistic discourses of purity and biologistic decisions regarding the girls' reproductive capacities. Besides the disabilities of the daughters, the challenging living conditions, the girls' lack of autonomy, and the lack of support and information make parenting an anguishing task for the mothers.

Henri Lefebvre (1991) has noted that societies produce spaces to facilitate their own reproduction. Teppo examines the history of policing whiteness in former white working-class neighbourhoods in Cape Town – an ideological task of fashioning 'white respectability'. The structuring of physical spaces according to 'race' corresponded to the ideological boundaries between 'civilisation' and 'barbarism'; location and class intersect in the search for respectability. Tracing the historical shifts from apartheid's policing of whiteness to the 'upward mobility' of coloured people moving into the area after 1994, she demonstrates shades of whiteness as, post-apartheid, their 'race' privilege fails to protect the 'poor whites' who are looked down upon by their new upwardly mobile neighbours. Central to the search for respectability is the regulation and self-regulation of sexual behaviour and gender presentation.

Moving into locations which are deemed 'asexual' – i.e. work – Hambidge and Orr show how disciplinary performances make visible the taken-for-granted sexualities through enforcing particular configurations of dominant hegemonies. As two women caught at different ends of 'sexual harassment' policies, the similarities of their experiences show how apparently 'sexless' and 'genderless' institutions are founded on notions of heteronormativity. The conversation dances around notions of 'spoiled identity' which have sinister echoes of what happened to the rape survivor during the Zuma trial. The political repercussions experienced by these two academic women in South Africa are reproduced in other sites – institutional warnings to women who are successful in a man's world to 'keep in their place'?

Holding onto the prize

Holding the centre involves hard discursive work, and involves ongoing maintenance of practices which (re)energise dominant hegemonies. Discourses under challenge need to be reworked, recoded and sometimes even renamed in order for privileged positionalities to be (re)secured.

Focusing on heterosexuality and discourses about HIV/AIDS among some students at the University of the Western Cape in the late 1990s, Shefer and Foster present their contributions to debates about theory and interventions through the lenses of gender and heterosex. They find that research on sexual practices in South

Africa follows the global trend of focusing on behavioural interventions in unsafe sexual practices. The proliferation of studies on heterosexuality mostly illustrates how unequal gender power relations play out in the negotiation of heterosex, which is generally presented as essential. They conclude with the importance of articulating alternative discourses of sexual subjectivities and asserting women's sexual desires to shift the binarisms implicit in heterosexual society.

The intimate relationships between politics, language, 'race' and identities are explored in Ratele's provocative chapter on the post-apartheid constitution of sexualities. He argues that the 'race shape of apartheid sexualities' continues through colonial historical configurations, where 'many South Africans continue to live out the sexual identities, desires, fears, and relationships that apartheid fathers sought to cultivate on this land'. Racialisation is reinscribed in sexual identities through naming practices, sexual fear and ignorance, which endure and permeate post-apartheid South Africa.

Like disabled people, children and old people are seen as 'asexual'. Jane van der Riet explores the perceptions that adults have of children's sexualities, and shows how the regulation of children's sexualities follows from varying assumptions. The nature of children's sexuality is highly contested, ranging from 'nice' and 'natural' to 'deviant' and 'dangerous', but somehow the idea that adults should 'take charge' of it is persistent, though the answers to how this should happen are varied. Children's sexuality is a contested topic, sitting on the boundary between protecting children against potential sexual abuse while affirming their bodily integrity and autonomy.

Que(e)rying the contract

The final three chapters focus on sexual rights. By interrogating marginalised sexualities and the manner in which they have been written into or omitted from the Constitution and its articulation through the legal framework, the authors in this section highlight the relationship between the post-apartheid state and its citizens.

Focusing on the more prevalent forms of women selling sex to men, Gardner makes a case for decriminalising adult sex work on the basis of the negative impact it has on the lives of sex workers. Criminalisation of sex work has led to coercion from law enforcers and lack of protection from criminals. Bringing adult sex work into the open would clarify the distinction between consenting commercial sex and under-age sex work, which is criminalised, thereby facilitating the apprehension of offenders against vulnerable people like children. It would also open possibilities for addressing sexual health issues such as HIV/AIDS.

Reddy tackles the prickly topic of same-sex marriage, arguing that not only same-sex practices but also gay identities were present in African communities during apartheid. Using the legal framework as an entry point, he examines the

meanings of same-sex marriage in South Africa, which complicates the notion of marriage itself as well as the meaning of homosexual identities. He concludes that the law in post-apartheid South Africa has been powerful in constituting queer identities by affirming intimate sexual relationships through marriage, though it has not erased homophobia in the society.

South Africa was the first country in the world, and remains the only country in Africa, to protect citizens against discrimination on the basis of sexual orientation in its Constitution. In the final chapter Van Zyl examines the conjunction of various historical processes of struggle which made it possible. By exploring the significance of these struggles of belonging and society's reactions to them, she assesses their potential impact on sexual rights. Belonging speaks to the values of diversity which are promoted as characterising South African national identities, and symbolised in the motto 'Strength in diversity'.

Notes

1   As shown by the five-day symposium dedicated to the field in the International Sociological Association World Congress of Sociology in Durban in July 2006.
2   We use the term 'out' as broader than a homosexual identity, but rather as a politicised identity because it is publicly proclaimed. See the explanation of 'coming out' by Van Zyl (2005: 90).

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NEGOTIATING NEW DEALS

Experiences of young post-apartheid South Africans, the 'rainbow children', are narrated. Facing the challenges of democratisation and changing laws, they explore possibilities for new subjectivities and identities. They negotiate aspects of the old and the new, engaging with and contributing to emerging cultural forms.

2

Colouring sexualities: How some black South African schoolgirls respond to 'racial' and gendered inequalities

Rob Pattman and Deevia Bhana

THIS CHAPTER[1] DRAWS ON an interview study we conducted which sought to explore the lives and identities of Grade 11 (16–17-year-olds) learners in four schools: formerly white boys' and girls' schools, a black[2] township school and a formerly Indian school in the Durban area. (Durban has one of the highest populations of Indians living outside India.) Its focus is on black girls, and notably those interviewed in the formerly Indian school and, to a lesser extent, the black township school. Loosely structured and mono-ethnic interviews were conducted about 'being young people of their age'. In the interviews with black girls, 'race'[3] and sexuality were introduced and addressed in engaged ways by the girls themselves, signalling their importance as themes in their lives. Rather than exploring 'race' and sexuality in isolation from each other, the chapter examines how black girls, and in particular those interviewed at the formerly Indian school, draw on heterosexuality when identifying themselves in relation to girls (and boys) they construct as 'racial' Others. Whereas school-based studies on sexuality and black girls in southern Africa have tended to emphasise coercion, abuse and harassment (see Bhana 2005; Human Rights Watch 2001; Jewkes et al. 2002; Morrell 1998, 2000), this chapter examines how these black girls may use sexuality as a resource and a source of self-esteem in contexts where they feel subordinated 'racially' and as girls, even though, paradoxically, it may be in relation to heterosexuality that they feel particularly subordinated.

Before referring to the interviews we shall elaborate briefly on the schools our interviewees attended and where the interviews took place. What was so striking about these was how different they were in terms of resources and composition of learners.

In schooling in post-apartheid South Africa, enrolment of people from different 'races' has occurred in the more affluent institutions, notably the formerly white schools enrolling middle-class black and Indian learners whose parents have moved to the catchment areas and who can afford the school fees, while the much poorer educational establishments have become entrenched as black or Indian.

Black schools in the townships and the rural areas are not referred to as formerly black schools since *all* the learners and teachers are black (see Soudien 2004), while (formerly) Indian schools, like the one in our study, may have a few black learners. In our study Makgoba, the black township school, was indeed exclusively black, and the inferiority of this school – no wide open spaces or nearby sports pitches, no trees, no buildings with stairs, no long corridors, no assembly halls, no areas to retreat from the large numbers of other people and no library, study areas or computer rooms – reflected the implication of the inferiority of blacks. Affluent black parents sending their children to formerly white schools served to highlight the contrast between the black and formerly white schools in our study. Though the formerly white schools with their mix of white, black and Indian learners can be read as exemplars of post-apartheid integration, they are, when set in relation to the much more poorly resourced black schools, elitist institutions which reinforce assumptions about white superiority and black inferiority.

Makgoba looked rather like a prison compound with the main building comprising basic classrooms constructed in a rectangle and surrounded by high fences with barbed wire. At break times learners congregated and squeezed into the small spaces between the classrooms and fences. In terms of resources, Gandhi, the formerly Indian school, lay somewhere in between Makgoba and the formerly white schools in our study. Like Makgoba, it seemed quite functional, with classrooms not housed inside large buildings as they are in the formerly white schools, but in basic makeshift units. However, there was more space in Gandhi than Makgoba for learners to mix and socialise at break time. At Gandhi 85 per cent of the learners were Indian and 15 per cent black.

Theorising identities

A major concern which framed the research was to address young people both as active agents constructing their identities and, at the same time, as constrained by the cultural resources available to them (see Frosh et al. 2000). Hence we used the participatory methodology outlined below, and focused on 'race', gender and social class as influences constraining group identifications and the sorts of cultural practices associated with them.

Addressing the young people as active agents means theorising 'race' and gender not as essences which they have that make them behave in certain ways, but as categories constructed by the young people themselves. According to social constructionist accounts of 'race' and gender, there are no black, white or Indian, male or female essences; rather, they are renderings of blackness or femininity that make sense only in relation to characteristics constructed as Other. Some social constructionists have drawn on psychoanalysis to develop a radical critique

of the reification of opposing identities like black and white, male and female as fixed and independent opposites. 'Opposed identities…are not only constructed in relation to each other,' Richard Johnson argues, 'they always carry in their inner configurations, some version (fantasy, image, imago) of the Other' (Johnson 1997). 'Racial' and gendered identities, then, are not only played out in relation to each other, but produce the Other through projected anxieties as well as longings which are split off from the self. A sense of 'racial' or gendered identity is derived *through* constructing the 'racial' or gendered Other, which becomes a fantasy structure onto which difference is projected, a peg onto which fears or desires can be hung. This chapter draws on this social constructionist/psychoanalytic framework, and focuses on how black girls in different kinds of schools construct and engage with Others.

Rather than taking sexuality as an essential quality inhering in post-pubescent young people, for example as a drive fuelled by the possession of male and female hormones which make girls and boys different and produce predictable and similar feelings, attitudes and behaviours among all girls (and all boys), sexuality is addressed in this chapter as a key resource which black girls draw on in the very process of identifying themselves in their particular schools in relation to various groups they define as Other. We focus on how sexuality was invoked discursively by black girls rather than seeing it as something which speaks for itself.

Methodology

Loosely structured interviews were conducted with Grade 11 learners in single-sex and mixed, multi-ethnic and mono-ethnic groups in the two schools already mentioned, as well as in formerly white boys' and girls' schools. When arranging the interviews, we asked teachers to select learners for each group whom they considered reflected a range of levels of ability and commitment to school work.

Twenty-two interviews were conducted with young people in groups, usually comprising six individuals, at the four schools. The interview we focus on in this chapter was conducted by Rob, a white British man, with six black girls at Gandhi. We also draw on an interview conducted by both Rob and Deevia, a South African Indian woman, with five black girls at Makgoba. Among the Gandhi girls, five were living with both their parents and one with her mother only. For all these girls, at least one of their parents was employed – in lower middle-class grades in teaching, the police force, social work or insurance. They protested that because they were black going to an Indian school, it was often assumed by Indian learners and teachers that they were poor and lived in the shack accommodation in the school's catchment area. Among the Makgoba girls, one was living with both her parents, one with her grandparents and three with their mothers. Only three of these girls had parents/guardians who were employed – in cleaning and domestic work.

There were certain general themes we tried to cover in all the interviews we conducted, for example relations with learners of the same and other 'races', with boys and girls, and with adults; pleasures and anxieties; aspirations; interests and leisure-time activities; and reflections on being learners. But how and in what order these were addressed and how much time was accorded to each depended on the young people we were interviewing, how they framed the discussion and their engagement with particular issues. Our approach in the interviews was to address the young people as authorities and experts about themselves and to encourage them to set the agenda; we picked up on issues which *they* raised and encouraged them to reflect and elaborate upon these. We wanted to find out from them what it was like being young people of their age, and the significance *they* attached to 'race', gender and sexuality in their accounts of themselves and their relations with others (see Frosh et al. 2002).

We conceptualise the interviews not simply as 'instruments' for eliciting information from people but as social encounters or sites in which the participants were forging identities (see Pattman & Kehily 2004). This means we attend not just to what the interviewees say, but to *the ways* they speak and present themselves, including emotional tone, body language and silences. We also reflect on our relations with our interviewees, for how they present themselves depends on the kinds of relations they develop with us and, of course, we with them. (In this sense we understand the interviews as co-constructions.) In doing so, we refer briefly to some of the emotions our interviewees evoked in us and what these implied about them and the dynamics of the interview (see Frosh et al. 2002; Hollway & Jefferson 2000).

Black Gandhi girls' opposition to Indian girls

Usually we began the interviews after the introductions by asking the group what they liked or disliked about school, and it was in response to this that Lulu, a girl in the Gandhi group, mentioned being one of the few black people in her class and being treated with contempt by the other learners: 'the others they treat you like, "who the hell?", in class but then, you know at the end I know who I am. Why I am in this school. I'm here for education.' When Rob enquired who the 'others' were, they turned out to be Indian learners. The girls' marginalisation, notably by Indian girls as well as by some Indian teachers, framed what became an extremely animated and emotionally charged interview. 'Race' and racism were thus put on the agenda early in the interview by the girls themselves.

In this interview the girls provided rich examples of subtle and blatant forms of racism perpetrated mainly by Indian girls against them. They were

highly engaged emotionally, raising their voices and talking over each other, with the microphone, which speakers were asked to place near their mouths, being whisked around from one person to another. When examples were being given and elaborated, it was never just one person talking; rather, they all joined in. Clearly the stories they were telling of racism were common cultural ones which seemed to symbolise common experiences of marginalisation as young black women. These included accounts of

- the school's cake sale and how they were told by the Indian girls not to touch the cakes they were selling;
- how black learners were always assumed to be responsible for crimes committed at school;
- how Indian not black learners were applauded when they gave presentations in English lessons;
- how Indian learners undermined black teachers by mispronouncing Zulu words when asked to be quiet or shouting 'mielies' (maize or corn on the cob), conjuring stereotypes of loud lower-class black women selling food on the streets.

Though Indian boys were implicated in their accounts of racism and were presented as the main perpetrators undermining the authority of black teachers, the black girls' opposition to racism was mainly directed at Indian girls, and this seemed to be fuelled by anxieties about being constructed as less sexually attractive than them.

This was apparent when Rob referred to the Indian girls he had just interviewed. He was about to ask for their reactions to the claim by the Indian girls that people at school of different 'races' mixed as friends, when Samantha asserted that Indian girls were 'more racist than [Indian] boys', and the other girls generally supported this. Their animosity to Indian girls centred, as we see in the passage below, around appearance – and notably the attractiveness of their hair – and the Indian girls' construction of themselves as 'wonderful' in relation to black girls.

Rob: I was interviewing a group of Indian girls actually.

Samantha: Girls are more racist than boys.

Rob: Are they?

Fortunate: Boys are better.

Fortunate/Ronda/Bongiwe: Boys are better!

Lulu: You know one boy from our class, you saw him. He would talk to you, he will touch you and he will even take what you were eating and eat it.

Rob: Yeah, yeah.

Lulu: But the girls! They are racist.

Bongiwe:	One boy in class, after English, we were like walking. Instead of him asking me, 'Please can I pass' he swears me and I swear him back. He swear and I pushed him away.
Rob:	A boy or girl?
Bongiwe:	A boy.
Rob:	Okay.
Bongiwe:	I didn't want to swear him back but I had to do it. I had to.
Lulu:	The boys are not racist at all.
Rob:	Why do you think that is?
Lulu:	I don't know, I don't know.
Bongiwe:	The girls, they think they have everything, they wear make-up, their long hair, and we got short hair.
Lulu:	But one day I ask them, what's so, so now you racist? What's so wonderful? They told me their hair.
Rob:	Their hair?
Lulu:	The African hair, oh no! They don't like it, and the only thing wonderful about them is they got nice hair, you know. And I said oh God! There's nothing wonderful about you! I had to say that.
Rob:	Right.
Lulu:	There is nothing wonderful about you, nothing, like we the same. I don't care about [loud angry tone] like I told them, I hate you all! Because of what they are doing to us.

Though Bongiwe provided what appeared to be (in the context of the discussion) an example of an Indian boy's racist behaviour, Lulu immediately affirmed 'the boys are not racist at all', and Bongiwe did not contradict this but implicated Indian girls for being racist for constructing themselves as more attractive than black girls. While they provided examples of Indian boys' racism, their constructions of the boys as 'better' or less racist or not at all racist served to accentuate the racism of Indian girls. This suggests they attached much importance to being *heterosexually* attractive and felt particularly troubled by the Indian girls being positioned as more attractive than them. Lulu denied this, claiming 'there is nothing wonderful about you...I don't care about...', but her loud, angry tone combined with the way she personalised her 'hate', referring to 'you all', as if they were present, suggested that she cared a great deal. The black girls' anger towards Indian girls stemmed not only from concerns about being undermined by them, but also from their *own* sense of feeling less attractive. Though Lulu and Bongiwe were critical of the significance Indian girls attached to hair as a marker of their attraction and difference from black girls, Lulu still described Indian girls' hair as 'nice' in implicit contrast, of course, to black girls' hair – 'the only thing wonderful about them is they got nice hair'.

In South Africa 'beauty has been, and continues to be, violently raced or articulated through the medium of skin colour and hair texture' (Motsemme 2003: 14), with whiteness or features such as straight hair which distinguish whites from blacks being emphasised and becoming icons of female attractiveness. Accounting for the attractions of 'skin bleaching and hair straightening' for black British women, Amina Mama argues that these are 'less about black women wanting to be white than about black women wanting to be attractive, especially to men in a patriarchal world that assumes beauty to be blonde and blue-eyed, and makes it imperative for women to be attractive enough to succeed with men' (Mama 1995: 151). Indians were criticised by the black girls for 'acting white' and, by implication, rendering them – the black girls – less heterosexually attractive. The image of Indian girls 'flaunting' their straight hair was, for the Gandhi black girls, a powerful symbol of this.

Fantasising about Indian boys rather than constructing them as racists

The black Gandhi girls' sense of marginalisation and exclusion around their identities as black heterosexual young women was made explicit when they spoke about how much they longed to go to the school dance (an important occasion also mentioned by the Indian girls and boys we interviewed at Gandhi), but could not go because no Indian boy would ask them out, and there were not enough black boys of their age to act as potential partners.

Bongiwe: Like now we will be having a dance. So now we don't have partners and we scared to ask them, a boy to ask with you because they won't go. They won't go. I'm sure.

Rob: The Indian boys?

All: Ja!

Lulu: Like you black and he's Indian, he won't go. Like we want to go. We really want to go, but we don't have partners. The problem is that we don't have partners.

Mapopo: It's not like we don't want to go to the dance. We do want to go but we don't have the right partner. There is African boys here but not enough for us.

Bongiwe: But, another Indian boy asked me but I'm not sure.

Rob: Not sure? Why won't you do it?

Bongiwe: Um...

Lulu: He's a player.

Bongiwe: I'm not sure, maybe he's just playing.

Rob: What do you mean?

Bongiwe: Joking…But it's like, you say that nothing is impossible, but it's possible an Indian asks me out.

Rob: And it's not possible for you to ask an Indian boy out?

Lulu: How! Please! Who do you think you are?

The dance was constructed by these girls as a celebration from which they were excluded, a celebration of heterosexual attraction, and especially female heterosexual attraction, with attendance depending on having a partner of the opposite sex and, in the case of girls, being propositioned by a boy. In contrast to the previous passage where the black girls criticised Indian girls for taking pride in their hair and subordinating them sexually, no criticisms were levelled at the Indian boys even though the implication was that it was the Indian boys' antipathy to having them as partners which prevented them from going to the dance. The black girls want to be 'asked' by Indian boys; indeed, Bongiwe fantasises about the possibility of a serious request from one and *reluctantly* describes the Indian boy who did 'ask' her as 'maybe…just playing'. Significantly, it is another girl, Lulu, who calls him a 'player', and it may be that when Bongiwe refers to 'just playing' as 'joking' she is using 'joking' euphemistically, avoiding the connotations which 'player' normally has of a male whose interest is purely sexual and who 'sleeps around' or 'plays around' with several females. Given the importance they attached to sexual attraction as an aspect of femininity and their everyday experiences of subordination and marginalisation at school, the idea that some Indian boys might find them attractive (in a non-abusive way) seemed to be quite empowering, as we see in the following passage, for Samantha and Lulu. Notably, Samantha blames an Indian girl, not the Indian boy, for him turning 'against me'.

Samantha: One guy in my class, remember that day? One Indian boy, no, Adeil, he told me that I've got sexy legs one day and there was this [Indian] girl who was like 'you are so pathetic', and now everything I say now he's against me. She's always against me because [the] boy who she was having a heart for told me that I've got sexy legs. He likes my legs.

Rob: All right. Yeah.

Lulu: And a [Indian] boy told me that you girls, with your jeans…I think you're hot. And I take that as a compliment.

Idealisations of whites and constructions of sexuality

Gandhi

Though these girls did not raise possibilities of heterosexual relations with white boys – whites were much more distant figures for them than Indians – they were

particularly excited talking about Danny K, a young white male South African singer who had just released a song with Mandozo, a black South African rap artist. One of the girls had a poster of them advertising the new song which she took from her bag, and when I asked which one they liked, they all pointed to Danny K and spoke, with shrieks of excitement and laughter, about how attractive he was. The girls kept referring to him mixing with Mandozo, and there is no doubt that he was particularly attractive to them because he was a white man mixing with a black man. It was as if he was demonstrating that blacks could be equals to whites, and that the Indian learners, whom the black girls despised for ridiculing the partnership and the posters depicting it, were trying to deny this.

He was also attractive to these girls because by mixing with a black man he was making himself 'accessible'. Whites, as we see in the following passage, were, for these girls, both distant and idealised figures (indeed it was partly because they were distant figures that they were idealised). The girls had just spoken enthusiastically about a popular and controversial song by a black South African artist claiming Indians, not whites, were the main perpetrators of racism.

Rob: What makes you think that whites are not racist then? Do you come across any whites?

Mapopo: Another family, a white family, they even come to my house and say, 'Hello. How are you?'

Rob: Are there any whites at school?

Interviewees: No.

Winnie: I've been in the same crèche as whites. Ja. And they are so nice. They used to come to my house with me, eat and drink anything, anything.

Fortunate: Now Indians they think they are white.

Lulu: You know what? Whites got everything. They are rich, they are successful, but more than that, I don't know why, they [Indians] are acting like them but...

Bongiwe: And now, after apartheid they feel like they [Indians] are bigger now.

Lulu: We are left alone down here and now they are up there, calling us names...That's what I can't understand. Why do you people [Indians] treat Africans like that? Why? Why? Really. Maybe it's my hair. If I had straight hair, then you will look at me differently.

The black girls at Gandhi constructed Indians as the new racists in post-apartheid South Africa, and as acting 'white' or asserting themselves as superior by denigrating blacks, with their attitudes to 'African' hair becoming, for Lulu and these girls, an important symbol of this. Lulu personalises this by directing

a rhetorical question at 'you people', even though no Indians are present, and drawing attention to herself and her own experience by using the first person and asserting boldly that if '*I* had straight hair, then *you* will look at me differently' (our emphasis). The implication was that whites were *naturally* affluent and successful.[4] Rather than being blamed for being arrogant and snobbish in relation to blacks, as the Indians were, the girls constructed whites as distant yet also accessible, like friendly celebrity figures who might 'even come to my home' and greet them. In the girls' clearly infrequent associations with whites – for example, in the distant past in a crèche – the latter would engage and interact with them and 'eat and drink anything, anything'.

It seems likely that the girls constructed Rob along these lines, especially as in his role as interviewer he was not aloof and detached but encouraged them to speak about issues which concerned them, showing interest and empathy. The girls spoke very positively about being interviewed, and notably about the opportunities they had for 'speaking our minds'. Yet the familiarity of all of them with the stories each one raised about 'race', gender and sexuality and their feelings of marginalisation, suggested that these were common themes they discussed among themselves. Presumably, then, it was because they were telling these stories to Rob that they felt they were 'speaking our minds'. The girls did not treat him in either a deferential or a hostile way as an authoritarian figure, but were friendly and keen to tell him about their anxieties, concerns and pleasures, and made Rob feel very positively towards them. In his field notes Rob describes the interview as 'an amazing sociology lesson', and comments not only on what he learnt from them about their 'everyday experiences of racism and how they dealt with this' but also how 'privileged' he felt that they were telling him, 'a white, British, adult male outsider about this'. But he also felt 'slightly uncomfortable' when the girls were eulogising about whiteness and constructing Indians as the 'new racists', as if they were 'so open and friendly with me because I was white'. Though she described the (different) black girls she interviewed at Gandhi as 'pleasant', Deevia felt much less passionate about her interview with them. They did not dominate and steer the interview in the ways the black girls Rob interviewed had done, nor did they display the same passion and support for each other, and conspicuously absent from Deevia's interview were accounts of racism. Presumably this was because Deevia was Indian and perhaps also, given the antipathy of the black girls Rob interviewed towards Indian girls, because she was a woman.

Makgoba

At Makgoba, too, whites were idealised by the black young people – girls and boys – we interviewed, partly because they were distant figures for them. They were associated with wealth but were praised, not blamed, for this. Indians with whom

they sometimes interacted outside school, but not in school, were constructed as more affluent than blacks. As in the interviews with black young people at Gandhi, Indians were criticised for being racist. This was not, however, nearly such a pressing issue as it was for the black interviewees at Gandhi, and was only raised by the young people when they were asked specifically about their relations with young people of other 'races'.

In the interview we discuss here, which we conducted with black girls at Makgoba, the girls reflected, near the end, on how being white made us – Rob as well as Deevia – celebrity figures in the school.

Ronda: They call you *Umguna* [white person] [laughter].
Prisca: We're not usually around white people and it's so amazing.
Ronda: We look at white people and we think, 'Oh my God.'
Charity: Cos you're a girl the boys have noticed you [to Deevia] and cos you're a
              man [to Rob] we girls have noticed you.

At Makgoba we were lumped together as white, though distinguished by gender and, it seems, sexualised, despite both of us being middle-aged (though Deevia was often mistaken for someone in her early twenties). In a previous interview Rob conducted with black girls at this school, one of the girls asked for his phone number, making it clear, perhaps as a way of de-sexualising her request, that she wanted him (as a British person) as a 'penfriend'. When Deevia asked why she was called white, Prisca switched from 'we' to 'they', as if excluding herself, and explained, 'they [the learners generally] can't see any difference between you, maybe they think you are both white'. This was presumably because we were being constructed as different and important and whiteness tended to symbolise and emphasise this.

As indicated, Deevia was constructed as Indian, not white, by blacks at Gandhi, as implied by the absence of criticisms levelled against Indians in the interviews she conducted with black girls and boys at Gandhi. In contrast to the black girls at Gandhi, the girls in this interview expressed admiration for Deevia's hair, and two of them even started stroking it. This also was near the end of the interview when the girls were asking questions about us, the interviewers. For these black girls at Makgoba, Indian females were much more distant figures than for the girls at Gandhi. Deevia's long hair was not seen as an expression of 'Indian femininity' associated with racism and everyday experiences of subordination and marginalisation but, perhaps, as symbolising her celebrity status. This status was no doubt reinforced through the girls' appropriation of tv. The black girls experienced people of other 'races' every day on tv, and made positive associations with sexual attraction and sexual behaviour and other 'races', drawing on the

movies they watched. In this context Deevia with long black hair seemed, perhaps, like a movie star. Also, the fact that our approach was informal, friendly and centred on the young people made us *accessible* 'celebrities', and made it possible for the girls to stroke Deevia's hair.

Idealising white mothers, criticising black mothers

Whites were associated positively with affluence, fame and the work ethic by black learners we interviewed at Gandhi and Makogba but not by black girls in the formerly white schools. However, in all the schools in our study, black girls praised white mothers for their presumed kindness and liberal sexual values. While whiteness, as Fanon (1986) has argued, has come to symbolise for many blacks in the former African colonies and elsewhere cultural and economic superiority, these young women were not, we suggest, simply the pawns of cultural imperialism. Concerns about parental silences and strictures around sexuality emerged spontaneously and as major themes in interviews with black girls in all the schools, and by constructing white mothers as liberal and understanding, the girls were contesting the ways they were policed in their families, especially in relation to sexuality. Such concerns may have been highlighted for them as a result of various high-profile sex educational campaigns in the media – for example, the loveLife campaign in South Africa, which communicates messages about sexuality and HIV/AIDS in entertaining ways through a range of popular media such as comic strips and TV drama, has enlisted the support of well-known politicians to speak in the national media and urge parents to 'love them [their children] enough to talk about sex' (Posel 2004: 61).

As we see in the following extract from the interview with the Makgoba girls, by distinguishing mothers or grandmothers of 'other races' from their own in terms of their attitudes towards young women and heterosexuality, they were able to engage in a powerful and subversive critique of their mothers' authority. The angry and accusatory tone of Ronda's grandmother on the topic of pregnancy, and the rhetorical use of pregnancy as a kind of threat, were clearly familiar to the other young people who laughed and made noises in recognition, and Prisca seemed to delight in mimicking and mocking her mother, much to the amusement of the others.

Ronda: She [a white girl] got pregnant and her mother was very happy she's having a grandchild. It was so nice. But every time a black girl gets pregnant her parents will chase them away…I'm living with my grandmother and she always tells me that whenever you get pregnant don't ever come back [laughter and recognition from others].

Prisca: Yes because the other races they even allow their daughters' boyfriends to enter the house and visit them like a friend like she's a girl. Her mother won't scold them, but when boys visit me my mother has those eyes [mock scary tone] [laughter from group] which look at them 'now why don't they go home' [more laughter]. She won't say anything to them but she has those funny looks, she's wondering, 'what are they doing in my house, they have to go now'.

For the black girls at Gandhi, Indians, and Indian girls in particular, were their main points of reference at school as they tried to assert themselves in relation to them, partly through contesting racialised constructions of sexuality. But when it came to protesting against their mothers, they, like the Makgoba girls, drew on idealised parental attitudes to sexuality and daughters which they associated with whites, as we see in the following. The association of black young women with high rates of pregnancy was also raised spontaneously here and addressed as a problem, but without problematising black girls themselves.

Samantha: ...Why is it that white girls don't get pregnant? Because they, the [black] teenagers are getting pregnant.

Mapopo: There is no communication between a child and the mothers. They lack communication, our parents. It's hard. But the whites, they communicate very well with their parents. I think.

Lulu: Like me, I'm nineteen now you know. I've got a boyfriend, but my mother. Oh no! She doesn't know.

Mapopo adds 'I think' after claiming whites 'communicate very well with their parents', as if aware that this is a view for which she has no first-hand evidence.

While initially there appeared to be a consensus in the group around opposition to black mothers and their attitudes to sexuality and their daughters, a heated exchange began to develop in which some of the girls invoked 'culture' to refer to supposedly black or African values which they accused Lulu, who was most critical of black or African parents, of 'forgetting'. Culture was invoked (with pride) by these girls as a resource which provided a positive sense of identification with other blacks, in a school where they felt marginalised. Given the significance they attached to 'culture' as a source of identification in their school, such an accusation was clearly a serious one.

Lulu: African parents are different from other parents because with African parents if you are standing with the boy it's wrong and it's showing no respect to others. You cannot stand with a boy, holding hands. No! No!

	[loud authoritarian voice]. Don't stand with a boy because you are not showing any respect.
Mapopo:	But that does not mean you must forget your culture, and where you come from.
Lulu:	There is nothing wrong with that [angry tone, speaking very quickly].
Mapopo:	I understand that but you must respect your parents. Everybody is your parents. Everybody that is older than you is your parents.
Lulu:	But there is nothing wrong standing with someone, a guy.
Florence:	But holding a boy in front of an old person?
Mapopo:	But you know what. Your parents will be ashamed and say, 'See my child standing with the boy? What will the neighbours say now?'
Samantha:	But hello? This is the new generation. You are talking about the new generation here.
Mapopo:	Respect comes first and your religion comes first.
Florence:	My mother's a nurse. But she doesn't talk about sex to me. She doesn't tell me about condoms, she doesn't tell me about AIDS. What she's going to tell me is that when she sees me with a guy, she's going to tell me, 'Hey, you going to get sick, you going to get AIDS! Hey you!'
Samantha:	They feel that if you tell your children about sex, it's like telling them, 'Go! Go do it.' That's how they think.
Lulu:	That's being old-fashioned. That's being old-fashioned.

As research Rob has conducted elsewhere suggests, accusations about 'forgetting culture' are often directed at young black women and focus on sexuality (see for example Pattman [2005] on boys' opposition to 'salad girls' in Harare, and Pattman [2001] on criticisms of 'modern' women at a teachers' college in Zimbabwe). These draw on long-standing discourses in which black African females are idealised as repositories of 'culture' and sexualised (usually) and demonised if influenced by 'modernity' (Ogundipe-Leslie 1994). This results in contradictory demands on black girls and women, who are subject to conflicting pressures about looking good and behaving well in line with being 'acceptably African' or 'modern' (Lewis 2005). As if identifying as 'modern', Lulu characterises black parents' concerns about talking about sexuality with their children as 'old-fashioned' and Samantha, responding to Mapopo about the 'shame' of being seen standing with a boy, retorts that this is the 'new generation'.

Amina Mama (1995: 137) argues that the motivation for blacks blaming other blacks for not being authentically black stems from 'their own inner racial insecurities', which are projected onto others. Following this line of analysis, it might be argued that blaming Lulu for 'forgetting culture' allowed some of the other girls who shared Lulu's misgivings about parental silences and policing

regarding sexuality, to construct themselves as authentically black and to minimise the tensions they felt as black girls as a result of voicing these. Thus Lulu's main critic, Mapopo, was, as we saw earlier, critical of the lack of 'communication' about sexuality between black mothers and children. Florence also seemed both to criticise public shows of heterosexual affection seen as 'culturally' unacceptable, while illustrating how problematic communication about sexuality was between parents and children because of cultural (?) constraints. Significantly, it was just after Lulu had parodied her mother by mimicking her authoritarian injunction not to stand with a boy that the accusations against her were made. It seems she was seen as 'going too far' in criticising her mother in this way.

Conclusion

Our research suggests that 'race' is still a key category which forms of schooling actively produce in the post-apartheid era. With the unequal divisions of formerly white, formerly Indian and black township schools, schooling is structured in a way that reproduces inequalities which are highly racialised. Furthermore, even in the same schools 'racial' divisions, according to the black learners we spoke to, were being produced. Schooling was experienced by these girls, even – and perhaps especially – by those who went to 'racially' mixed schools, as reinforcing, not challenging, 'racial' divisions and inequalities. Where all the learners were black and relatively poor and resources and facilities were basic, as in the black township school, or where the black learners were not only numerical minorities but experienced minority status, as in the formerly Indian school, 'race' became a major source of identification and differentiation for our black learner interviewees. Addressing these girls as active agents, the chapter is not about the passive reproduction of 'racial' inequalities through fixed patterns and structures of schooling, but focuses on how the girls themselves construct their identities and negotiate spaces for themselves (in conditions not of their own choosing and where, as in the case of the Gandhi girls, they feel undermined), drawing on versions of 'race' and sexuality as powerful resources.

'Race' and sexuality were introduced as important themes in the interviews by the black girls themselves. They were not addressed separately in their accounts but were interlinked and intertwined. It was in relation to heterosexuality that the black girls at Gandhi spoke with most engagement about experiences of marginalisation and racism; sexuality became a focal point for them through which they contested the racism which permeated their everyday lives. Constructing themselves as heterosexually attractive, their anger was gendered, directed at Indian girls as their oppressors, not at Indian boys as their (albeit unlikely) admirers. And discourses which idealised whiteness were invoked by

black girls in all the schools to resist the ways they were policed (notably by their mothers) through sexuality.

As mentioned in the introduction to this chapter, studies on black girls and sexuality in Africa have tended to focus on their exploitation and abuse. This research has been enormously important in drawing attention to abuses which may be taken for granted and seen as the outcome of natural gendered behaviour. However, as Patricia McFadden (1992, 2003) and Rob (Pattman 2005) have argued, concern for the sexual rights of black girls and women in the region must address female sexual agency and desire as well as violations of their rights through sexual abuse and violence. The interview with the black girls at Gandhi showed how sexuality was certainly a source of anxiety and consternation for them, but how it was also a source of much pleasure. Through their opposition to racialised constructions of heterosexual attraction which rendered them unattractive, through fantasising about being asked out by Indian boys and sexually idolising Danny K, the black girls at Gandhi were asserting themselves as desiring and desirable subjects, and associating sexuality with suffering largely because they were not being addressed or recognised as such. For the black girls at Gandhi and Makgoba, fantasies about white liberal parents reflected associations of sexuality with desire, and with conflict relating to the policing of desire by their parents and mothers. Even if they hardly interacted with whites, they appropriated and idealised media images of sexuality, white girls and their parents in ways which were empowering to them.

As Deborah Posel argues, 'for black youth – particularly women – asserting a sexualised "freedom" may be a statement of the rupture between the apartheid and post-apartheid generations, as much as a symptom of the erosion of parental authority' (2004: 56). This does not imply that these girls were identifying symbolically with whites in ways which made them attach less significance to 'race'. That their expressions and assertions of sexual desire were so racialised points to the significance not only of heterosexuality but also of 'race' as powerful and intersecting markers of their identities.

While resistances to 'black' forms of parental control were evident in all the interviews we conducted with black girls in the mixed and the black township schools, it was clear, in the interview with the Gandhi girls, that girls advocating freedoms – especially if these were linked to sexuality and expressions of desire – ran the risk of being accused of cultural violation. 'Culture' was deployed not only as a source of empowerment by black girls who felt 'racially' marginalised, but also as an instrument of control and regulation in relation to other black girls.

Sexuality, thus, was significant for these different black girls we interviewed in complex ways, associated with desire and pleasure as well as with policing and control, usually by parents and mothers but sometimes also by other black girls.

Sexuality was also a medium through which they asserted themselves and through which they were subordinated. Above all, sexuality emerged in the interviews with the black girls as a key aspect of their identities which always intersected with 'race'.

Notes

1   Thanks to Debbie Epstein and Lebo Moletsane for their very helpful comments when an earlier version of this chapter was presented at the International Sociology Association Conference in Durban in July 2006.

2   We use 'black' in this chapter because most young people in the study used this to describe themselves, though in one of the schools interviewees identified as African.

3   We're working with the assumption in the chapter that 'race' is socially constructed, yet constructed in a way which makes it seem like something fixed, essential and biological. In other words, the appearance belies the reality. The same applies to 'racial' and 'racially'.

4   The construction of whites as 'naturally and immutably middle class' and affluent in the post-apartheid era was shared by whites themselves, as Salusbury and Foster (2004: 101) found in interviews with white English-speaking South Africans keen to downplay the significance of 'race' and 'racial' exploitation as the basis of their power and wealth.

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3

Glamour, glitz and girls: The meanings of femininity in high school Matric Ball culture in urban South Africa

Elaine Salo and Bianca Davids

IN CONTEMPORARY CAPE TOWN'S urban contexts, the impact of globalisation on youths' popular cultural practices is taken for granted or naturalised. In most urban South African contexts, the smell of perfume brands à la Estée Lauder, the beat of Nike or Reebok sports shoes on the street, the low-cut jeans displaying the requisite naked band of midriff as part of seasonal fashions, even the glossy covers of the women's magazines on the coffee tables, in the bathrooms or on the magazine stands in the supermarkets could be anywhere in Suburban Mall, Smallsville, USA. Yet this is urban Cape Town, in South Africa, in Africa. Similarly, the annual round of formal Balls – colloquially referred to as Matric Balls[1] – that ritualistically mark the end of a student's high school career and are the high point in every senior school girl's calendar, just seems to be another take on the American prom dance. One could argue that with the onset of democracy in South Africa, these urban youths' cultural practices have so incorporated global cultural forms that they cannot be marked as sufficiently different, or sufficiently Other, to label them as 'authentically' African.

In this chapter we argue that whilst these cultural forms and practices appear to parody northern-based – and in many ways specifically American – cultural forms, their embeddedness within local cultural meanings of personhood, as these have emerged from historical processes of urbanisation, dislocation and power in South Africa, imbue them with peculiarly southern African cultural meanings. We want to focus on the Matric Ball as an event whose multiple cultural meanings mark both continuities and disruptions in the meanings of race, space and gender in the context of working- and lower middle-class coloured Cape Town.[2]

Our work draws upon the Foucauldian notion that often what we have come to accept as official markers or boundaries between historical epochs may in fact not be so – that where we expect continuities there may be disruptions, and where we expect disruptions or clean breaks between historical epochs, there may in fact be continuities. In the South African context, 1994 – the year in which the first democratic elections were held – has become the accepted boundary marker of

political and social transition from apartheid to democracy. However, in this chapter we argue that whilst some social and cultural changes accompanied the political transition to democracy, other older cultural forms, specifically the cultural forms of gendered personhood as these have been informed by the spatial separation of old apartheid racial divisions, have in fact become reinforced through apparently new social practices such as the Matric Ball. The power of globalisation as a cultural and political process and its interaction with gender and heterosexuality are the additional overarching themes that we want to focus on as a framing commentary to our analysis of the Ball.

Global cultural flows, local meanings

'Globalisation' seems an almost trite term to describe or explain the cultural practices of South African youth that so closely resemble the popular forms of their counterparts located in the north. Far from supporting an argument of homogenisation and the obliteration of particular cultural forms and meanings in the context of the south, we argue that despite the apparent impetus to 'standardise', at least in material outward forms, the particular cultural meanings of practices in African contexts are often reproduced, reinforced and renovated. It is important here to distinguish between the different processes of globalisation precisely because issues of geographic location, difference and power do arise within them. Arjun Appadurai (1996) distinguished between five dimensions of global cultural flows, namely ethnoscapes, technoscapes, finanscapes, mediascapes and ideoscapes. For the purpose of this chapter, we will draw on only two concepts here, namely ethnoscapes and mediascapes.

Ethnoscapes refer to the cultural flows that are produced by the steady streams of people either as tourists, immigrants, refugees, exiles or guest workers across national boundaries. These ethnoscapes provide us with the means to acquire information about different worlds, about different cultural practices in everyday life, as well as about dress codes. More importantly, we also learn about how we embody gendered and cultural identities through our dress codes in these different worlds.

We also obtain information about these different cultural practices of adorning the body without leaving home. The power of print and visual media and the ready access to these media provide us with a rich source of images across physical and spatial boundaries. Appadurai (1996) called this powerful exchange of information and images via the production and distribution of newspapers, magazines and visual media 'mediascapes'. When we consider the fact that a fashion magazine like *Cosmopolitan* (which the young women we interviewed use to copy Matric Ball dress designs) is printed in 28 different editions in 12 different

languages and circulated in more than 80 countries around the globe, we can assume that most of these young people's contemporary practices and imagery could have emanated from the same global cultural centre, and that they resemble each other in one way or another. However, Appadurai does not consider how the local meanings of personhood generated in local histories and cultures reconfigure mediascapes or ethnoscapes. We ask how diverse cultural practices such as seemingly westernised, formal Ballroom fashion are reconfigured in relation to gendered personhood as they are incorporated into local contexts. In this chapter, we draw upon research findings[3] on Matric Ball culture, located in the peripheral suburbs of Cape Town, to explore how the seemingly homogenising influences of global cultural flows enter into specific local contexts and articulate with culturally specific meanings of personhood and identity as they are generated within historical processes that have given very specific meanings to space, gender and age, to reproduce these meanings of personhood and identity or to create new identities rooted within the local contexts.

The Matric Ball: A brief history

Matric Balls probably have their distant origins in the social rituals of femininity amongst the upper classes of Europe since the eighteenth century. In England, young ladies were presented to court and their eligibility for marriage was advertised at debutantes' balls. This social event was adopted as a feminine rite of passage into society and potential marriage by most of England's colonies, including white South Africa, Australia, the West Indies, Canada and the United States, where it has subsequently become a function where debutantes – young women from socialite and upwardly mobile families – raise money for charity. With the advent of women's schools during the late nineteenth century, graduation was accompanied by a social celebration closely resembling the debutantes' ball through its signification as a rite of feminine passage, and the glocalised inevitable formal dress codes which discipline young women into the discursive practices of adult heteronormative femininities.

Though debutantes' balls persist in South Africa, by the early twentieth century Matric Balls had become the social rite of passage in educational institutions for whites, and in the 1970s many coloured schools in Cape Town also held Matric Balls. Some elite schools today still refer to their matric dance as a debutantes' ball. In the United States, the formal graduation dances became known as 'proms', in Canada as 'grads' or 'formals' and in the United Kingdom they were often described as 'leavers' balls'. In many countries around the world these rites of passage centre on complex glocalised interactions of gender, race, class and sexuality.

This event, which is the romantic highlight of almost every senior high school graduate's life, seems to have become institutionalised in most post-apartheid high schools in the 1990s. The meaning of the event is highly gendered, as it seems to hold far greater importance for young women and the meanings of youthful femininities than it does for young men and the meanings of youthful masculinities. The Matric Ball is a sufficiently important social institution in the public schools to merit its own organising committee, the Matric Ball committee, which consists of Grade 12 and in some cases Grade 11 students. This committee advises the principal and other teaching staff on the theme for the Ball, the selection of a suitable venue, ticket design, printing and pricing, and assists in the administration of finances.

The glamour associated with the Ball has been a key aspect of the institution, reflecting its roots in upper-class society – a romantic interlude into a world of frivolous spending. Though anecdotal evidence testifies to Matric Balls in poorer, mainly black[4] residential areas such as the Cape Flats during the 1980s, they became more common in high schools just prior to and during the new democratic era. Oral histories obtained from generations of older coloured women suggest that whilst the Ball or social dance as an event has been a long-standing tradition in black townships, even prior to apartheid, it was attended exclusively by working adults and generally not associated with high school graduation. Prior to the 1990s many school-leaving social rituals in black high schools were informal and limited to a picnic or barbecue at a local leisure resort or the beach. During the political uprisings of the 1970s and 1980s, black schools on the Cape Flats were transformed into sites of protest and opposition. The hyper-politicisation of education took precedence over school-leaving rituals, even informal ones. Therefore, in the contemporary context the Matric Ball has become a signifier of the post-apartheid high school era and more broadly associated with the onset of formal democracy in the country. Most of our informants regarded the Matric Ball as a formal event, indeed even the most important event in their high school calendar, often overshadowing the matriculation examinations.

In this chapter we argue that, for our young informants in the working- and lower middle-class mainly black residential areas, the Matric Ball is also a key site for revealing the construction, reproduction and contestations of the meanings of femininity, sexuality, gender and intergenerational relations that are currently at work. It has remained an institution that is unexplored, at least by social scientists, often holding only the attention of educationalists and journalists during the Ball season between August and November each year. Yet the meanings of gender and intergenerational relations that are embedded in this event, as well as the construction of sexuality as it articulates with ideas of consumption and power, are important especially in a society facing the ravages of HIV/AIDS and where education

around sexuality is clearly not preventing the spread of the disease among the youth.

The high school as a research site

Bianca Davids carried out the research under Elaine Salo's guidance at The Oaks High School,[5] located in what is colloquially referred to as 'coloured' Wynberg (to distinguish it from the more affluent mainly white Wynberg) in Cape Town between May and November 2005. Salo negotiated access to the school and mediated all formal relations with the principal. The students who attend the school self-identify as coloured or amaXhosa, and come from lower middle-class and working-class backgrounds. Davids conducted an ethnographic study of matric students' interactions in the schoolyard. A smaller group of seven young coloured women informants aged between 16 and 18 years was tracked for seven months to map their activities throughout the process of preparing for the Ball. Davids also interviewed these young women at regular intervals during the research period. Contact was initiated with the young women in February 2005 and was continued on a weekly basis until the Matric Ball, which was held in August 2005. The young women were given diaries in which to reflect upon their preparations for the Ball. In addition, they were also supplied with disposable cameras to take snapshots of themselves in different stages of preparation for the Ball, as well as of their partners and their friends on the big night. During the course of the research, Davids also befriended and interviewed the primary interviewees' family members, especially their mothers, about their role in their daughters' preparations for the Ball. In addition, focus group discussions were held with all the girls in the matric class of 2005. Follow-up interviews were conducted after the Ball in September/October 2005.

Informants' socio-economic and cultural background

Most of the informants lived in lower middle-class or working-class suburbs such as 'coloured' Wynberg, or in suburbs on the Cape Flats such as Retreat, Lavender Hill and Parkwood Estate. All these areas are predominantly coloured, and consist of both Christian and Muslim households. Suburbs such as Wynberg and Retreat are characterised by modest ownership housing, and mainly lower middle-class households reside there. These households are economically somewhat better off than the households of Lavender Hill and Parkwood Estate, who reside in rented municipal accommodation. However, households in Wynberg and Retreat often rely upon backyard tenants to subsidise household income, and the socio-economic boundaries between these areas become somewhat blurred. All these areas bear the historical scars of apartheid urban planning: they are all racially homogeneous, densely populated, with very small, often inadequate, commercial, educational and

leisure resources such as shopping centres, banks, libraries, schools and sports fields – too few to serve the needs of their residents. Historically, residents have always sought commercial services in the previously white business districts, such as Wynberg Main Road and Tokai. In the post-apartheid era, households that want to access better educational and sports facilities send their children to former 'Model C' (white) schools or use the sports fields in formerly white suburbs such as Plumstead. Consequently, households' social mobility is marked by their frequent use of resources in formerly white suburbs, and their increasing mobility beyond the physical boundaries of their residential areas.

This cultural perception of what constituted upward social mobility was no exception in the choice of a suitable venue for the Matric Ball. When the venue for the event was discussed by the Matric Ball student committee and teachers, student members were adamant that the venue should be a 'glamorous space' in the city. Funding constraints dictated that it certainly could not be held at quintessential fashionable spaces such as the Waterfront, yet there were venues in the city – such as hotels in Sea Point and Cape Town city centre – that, at some financial stretch, were just within reach. Eventually agreement was reached that the event would be held at the Cape Sun Hotel in the heart of the old city centre. In order to secure the venue, the school had to forward a deposit of R10 000 by the beginning of May. The committee decided that the deposit would be reached through early sales of tickets. Tickets were sold at R350 per couple. Students and their parents could pay off the cost of the ticket during the preceding months of early 2005. However, by the beginning of May only about 5 per cent of tickets had been sold and the total sum for the deposit was not reached. This was not surprising at a school where, according to an interview with one teacher, approximately 30 per cent of students were unable to afford the fairly modest school fees of R1 100 per year.[6] Senior teachers advised the students to move the event to a more affordable if decidedly downmarket community venue, namely the William Herbert Sports Complex located in old 'coloured' Wynberg. There was an immediate uproar among our informants about this potential social demotion. Comments that were heard included:

Not as glamorous as the Cape Sun...

So typically coloured – *gooi a braai* [throw together a barbecue], drink beer from the can and *klaar* [done] [here reference was being made to the crude simplicity of the barbecue, which is a favourite South African pastime but which is associated with social informality].

No driveway up to the entrance of the hall, for one to get out and show off your outfit on the red carpet there [at the William Herbert Complex].

> My Matric Ball experience must be a night to remember – how can we do that at William Herbert?

In this last comment, the student was making reference to the fact that this sports field, which is located in the heart of the coloured suburb, is part of the everyday sports calendar that most of them participate in on a regular basis. She and many of the other young women wanted the event to be held in a space they associated with places that are usually economically inaccessible and certainly beyond the physical confines of their suburbs, which they linked with the everyday, ordinary run of events.

These comments suggest that the Matric Ball had to be a glamorous event with little association with the everyday activities or the community spaces in these young people's lives. Their dissatisfaction with the local community sports complex as an alternative, more affordable venue implies that they wanted their futures to be marked by their desires to occupy city spaces previously denied to the older black generation under the exclusionary race laws. More importantly, they considered that holding the Matric Ball in a glamorous, cosmopolitan space in the city would associate them with upward social mobility, the sought-after hallmark of the post-apartheid black South African generation.

Dress to impress: Marking the body as part of the new femininity

Most of the young women had begun thinking about their dress designs very early in the year. There was great anxiety about meeting the cost of the dress, often even involving the researchers as mothers and daughters sought advice about obtaining a fashionable dress at a sale or at cost price, or about sourcing a dressmaker who could make a copy of a fashionable design at a reasonable price. At the same time, during conversations among the girls themselves about their dresses, they were careful not to reveal anything about the dress design or, more importantly, express anxiety about the total cost of their outfits or beauty treatments. Yet we knew that a few of these young women's parents, especially their mothers, were very concerned about the total costs of the young women's preparations for the Matric Ball. In private conversations with many mothers, they expressed worry about the growing expense as the young women's beauty needs seemed to grow exponentially as the Matric Ball drew nearer. Moreover, many of the students did not meet the payment deadline for their tickets, a clear sign that their households had financial priorities other than the Matric Ball.

When the young women were asked privately about their apparent show of financial security, they indicated that they did not want their peers to think that their parents were not able to meet the expense of the Ball. Through this show of nonchalance, they seemed to be redefining the locally accepted norms of

femininity to be associated increasingly with upward social mobility as marked by a greater consumption of fashionable dress and glamour products, with increasing public visibility in multiracial cosmopolitan spaces in the city, as well as with the importance of leisure activities such as the Matric Ball. 'It's a coloured thing to spend lots of money on a girl's matric outfit,' one young woman indicated. 'Coloureds need to show that they have the resources to give their daughter the best. Coloured women dress to impress.' Her comments revealed the extent to which the meanings of femininity seem to be shifting in this community.

Elaine Salo's (2004) earlier research in a similar community, Manenberg on the Cape Flats, found that femininity was defined especially in relation to learning how to utilise household resources carefully and frugally. Given their diverse cultural roots, most coloured people, until recently, constructed the meaning of personhood and identity within the religious value systems of Islam and Christianity. Residents from the suburbs mentioned above draw on key religious values, such as modesty and sexual propriety, to prescribe appropriate dress styles for women in this context. Here adolescent girls and adult women are required to dress modestly and to display as little bare flesh as possible. Women from both religions draw upon cultural Islamic dress in Cape Town (itself a hybrid mélange of African, Indian, Indonesian and, more recently, Arabic feminine dress styles), which consists of a head covering (either a scarf or cap worn close to the skull, usually covering the hair), a long shirt or dress worn over a pair of trousers or jeans, or a mid-length skirt and blouse, to embody feminine personhood. Mothers considered all children to be a minimum economic investment and most expense on offspring was confined to investment in their education, with economic resources spent primarily on school uniforms, stationery, school outings and the like. Women prized daughters because they were raised to invest energies in domestic chores.

Now, however, educational expenses also include the costs of attending the Matric Ball. Moreover, the economic resources invested, especially in young women's Ball-related needs, are transforming the socio-economic meanings of adolescent femininity. Daughters, who were previously considered to add value to households through completion of unpaid domestic chores – framed under the trope of 'good girlhood' – are now becoming fashionable consumers who signify their parents' social status. This shift was particularly marked in the case of three young women who were potentially not able to attend the Ball because of their families' lack of resources to meet the cost of new dresses. The researchers and a teacher borrowed dresses from friends to lend to the girls. However, this activity had to be done under a shroud of secrecy, so that no other students would come to hear of their plight and use the information to shame them or their families.

We found the young women's emphasis on conspicuous material consumption particularly poignant. Their almost obsessive preoccupation with dress and car brands as well as the glamour status of the venue indicates the new ways in which heterosexuality is being defined. Young womanhood seemed to be increasingly rewritten as an identity associated with conspicuous consumption and grooming. These interviewees were learning to expect high-cost investment in personal grooming from parents and also, by extension, from future partners. Yet the economic resources were procured at enormous stress to the overall household budgets. The numerous beauty treatments that they underwent before the event also reflected their focus on consumption of beauty products. Many reported that they had had facial treatments, hair styles, manicures and pedicures done professionally in a beauty salon. Those who had had these treatments done by a sister or close female family member using off-the-shelf beauty treatments, at much less cost, certainly did not indicate that they had followed the cheaper route. One young woman had a full body massage prior to having her face professionally made up in a beauty salon.

The availability of a motor vehicle that would escort the young woman and her partner to the Ball was another source of anxiety. During a discussion with some of the interviewees, they emphasised that the car could not be a 'skorokoro' or 'skedonk' (local terms used to describe an ageing motor vehicle). Late-model cars, preferably German-made luxury models such as BMWs and Mercedes Benzes, were highly prized, although a late-model Japanese car such as a Toyota Corolla would also meet their standards. It was important that the women and their partners be seen alighting from a car that would enhance their image at the entrance to the Ball. This image was indeed the case at The Oaks' High School Ball, as we witnessed luxury-model motor vehicles pull up to the entrance of the venue. Older male drivers or partners stepped up smartly to open the back door from which the young woman emerged and stepped onto a red carpet, à la Oscar Awards style, where her partner joined her, arm in arm, to the delight of a crowd that had gathered at the entrance. On the evening of The Oaks High School Ball, Japanese tourists happened by and began taking pictures of this spectacle, enhancing the glamour of the event.

During Salo's research in Manenberg, she found a father who had worked double shifts to save money in order to hire a chauffeur-driven stretch limousine that would escort his daughter and her partner to the Matric Ball. Whilst this may have been an extreme case, we found that where parents did not own a respectable looking, late-model vehicle, they often requested friends or relatives who owned such vehicles to chauffeur their offspring to the Ball.

Perfect mothering and the intergenerational continuities of femininity

It became clear early on in the research process that the girls' mothers invested an enormous amount of time and resources in preparing their daughters for the Ball. The young women's mothers were the primary individuals who were responsible for overall planning and advice. They assisted the young women in finding a dressmaker or a suitable dress, and they made appointments at the hairdressers and beauticians or found a suitably skilled individual to complete these beauty treatments at home. Most of the mothers emphasised that their daughters' body image had to meet acceptable standards of beauty. They put their daughters onto dieting regimes months before the event and in one case a mother enrolled her daughter, Candice, at the local Weigh Less club, despite the expense. Candice became quite anxious about losing enough weight in order to be fashionably thin at the Ball. She said that her mother and her maternal aunts made her feel inadequate because they thought that she was overweight. It is worth quoting her experience here:

> The thing is…my aunties, they take laxatives, Bianca. To them it is a big thing…I am proud of the fact that I have a lot of confidence, but it's them, they like…put so much emphasis on that you have to be thin. They say about me, '*Oe sy't groot borste*' [Oh she's got big breasts]. The one is on Weigh Less and now she's losing weight. I'm like…My god, why can't I lose weight? So the pressure is on. So my mommy said, 'I can enrol you in Weigh Less and then you can go.' So I [said], 'Ja, I want to go.' So it was a whole big thing because my cousin was also going, and I heard on Sunday that she's taking laxatives…so she can lose more weight [than me].

The mothers whom we interviewed indicated that they took a leave of absence from work occasionally during the preparation process to assist their daughters and, on the day of the event, to prepare for the informal reception at home known as the 'before-party' buffet.

This reception, which is held at the young woman's home, serves as a space where relatives and friends are invited to admire the young woman in her Ball outfit, and to listen to parents, usually fathers or a male relative, give a short speech extolling the mother for being a successful parent, the young woman for being a good daughter and congratulating her on her educational success as a potential high school graduate. Thereafter, the small group watches as the young woman departs with her partner, arm in arm, for the vehicle that will drive them to the Ball. This ceremony closely resembles a young bride's departure from her parental home for her marriage – except in this instance the male partner is present rather than awaiting his 'bride' at the church. At one before-party buffet, a relative was

requested to record the event on a video camera to show to absent relatives and friends at a later stage.

Mothers are key players in selecting their daughters' partners, especially given that relatives and friends enquire about 'the young man's family or his character'. Partner selection implied that the young woman's partner had to be male. The possibility of a young woman or man being accompanied by someone of the same gender was never entertained by any of our informants. The older women used the Matric Ball moment to reinforce their own opinions about what constitutes good masculine characteristics, and to 'teach' their daughters how to select a potential life partner. According to the younger women, their mothers reinforced the idea that a suitable man was one who would earn enough to support them and meet their desires to own a home and live comfortably. One informant, Kayla, said that her mother did not approve of her choice of partner because she had witnessed him drinking a beer at a social gathering. She said that her mother thought that men who consumed alcohol would spend their resources irresponsibly and not make good husbands. Kayla tried to explain to her parent that the young man was not her potential bridegroom, just her partner to the Ball. This only served to anger the older woman and so Kayla reluctantly sought out another partner who met her mother's approval. For many young women, the choice of a partner was very important. As one young woman said:

> Looking at your Matric Ball photos ten years later, you'll want to be saying things like 'I had such a great time with him' – that is why finding the perfect guy as a partner is very important. You must also be indicating that you are able to 'attract' the 'perfect man'.

The fathers were relatively passive onlookers in the process, except when they had to provide economic resources or find a suitable car to use. The importance of the Matric Ball as a site for displaying the older women's successful femininity to the local community cannot be underestimated. When The Oaks High School Ball was in danger of being cancelled, some young women feared breaking the news to their mothers. They said that they would have to face the older women's wrath as the latter imagined their shame in the community as they withdrew invitations to the before-party buffet.

A night at the Ball: Sexualities, ambivalences, ambiguities

A young woman's arrival at the Ball is the moment when she can perform her hetero-feminine skills. When the young women emerged from the cars, it was clear they had undergone dramatic transformations. They confidently negotiated the short walk into the venue foyer on high-heeled shoes, whilst smiling to all.

This performance of femininity was used effectively by those young women whose heterosexuality was often doubted. One young woman had a reputation at school for being aggressive and was rumoured to be a lesbian because she preferred to play soccer and dressed in a masculine fashion. She arrived at the Ball wearing a flowing, full-length red gown with diamanté detail, with a small faux diamanté tiara on her head; her hair was curled in a feminine style and her make-up was flawless. The teachers were so surprised at her self-presentation that they insisted she come over to their table so they could examine her outfit from close quarters. Furthermore, throughout the first half of the evening she affected a very feminine style of conversation, and was careful not to appear aggressive or loud. Another young woman, in contrast, whose heterosexuality had never been doubted, arrived accompanied by a woman partner dressed in a tuxedo, complete with bow tie and hat. They set the young people's tongues wagging.

The ballroom was hung with murals displaying various fairytale themes, such as Cinderella and her Prince at the Ball. These images reinscribed the hyper-hetero-feminine character of the Ball, a character which is associated with virginal innocence. They also displayed the naivety of the Matric Ball committee about the images of sophistication they imagined a Ball of this nature should reflect. Disturbingly, the fairytale themes also spoke of the young people's association of a European racial identity with social mobility and sophistication in a post-apartheid context.

However, if these young people imagined that they had now arrived on the social scene, the serving attendants were at pains to 'put them in their place' or to point out to them that they were 'bodies out of place'. All the serving staff were black. Some were seen sniggering at the young people as they anxiously asked each other about the correct use of cutlery with the various courses. One Xhosa-speaking woman student asked a female attendant for a clean glass for water, upon which the latter sharply retorted that she could use the same glass she had used to drink juice.

As the evening wore on, the young men and women gradually relaxed and dispensed with awkward high-heeled shoes that prevented them from making sexy dance moves. The voices grew more raucous as their youthful exuberance took over, and rapidly the formal ballroom space was transformed into a pumping dance scene that could have been located anywhere on the Cape Flats. It was as if these young people, especially the young women, were indicating that having displayed their ability to perform the restrained behaviour of hetero-femininity and -masculinity, they were now free to be and to transform the space with more blatant, sexier, working-class heterosexual meanings.

After-parties and after-party surprises

Couples paired off and left the Ball together, ostensibly for one of the after-parties that characterise Matric Balls. We did not request to attend any after-parties, having been made aware that the after-party was a time when many young people engage in illicit alcohol consumption or in sex. Certainly many of the young women reported that they and their peers had talked about the after-party as a moment when young women 'lost their virginity'. One informant said that she knew of a friend who had become pregnant after having sex at an after-party. All the young women said that they thought that the pressure to have sex increased at after-parties, especially when alcohol was consumed and there was no parental supervision. They also said that the young men spoke of the hope of getting lucky at after-parties and 'plucking someone's cherry' (i.e. having sex with a virgin). However, during follow-up interviews most of the young women revealed that they spent the time at a friend's home, merely reviewing the evening's events. These responses seemed to indicate that the perceptions of after-parties differed from these young women's actual experiences. However, their reports also indicated that there were different gendered expectations of the after-party from young men and women.

Global mediascapes, local histories and gendered personhood

Despite the apparent similarities between practices such as the American prom and the Matric Ball, in which apparently global fashion designs are worn, copied from the pages of *Cosmopolitan* magazine, the variation in local histories and specific cultural meanings of gendered personhood prevents us from assuming that these practices are just a parody of the west. In the case of Matric Balls, young men and women may well have drawn upon dress styles and images of popular icons such as J Lo, Mary J Blige or the Bling culture of American male rap artists that they have sourced from magazines such as *Cosmopolitan*, books or other visual media, such as the MTV music videos screened with regularity on South African television stations. We may assume that given these globalising influences on their style of dress at the Matric Balls, most of their creations could be called examples of western dress. Such assumptions are shot through with the age-old notion that the dress and the lifestyle of populations in the south are now 'aping' those of the west, albeit in an inferior manner. The notion of western (specifically North American) dress and cultural practices is a powerful one, given that historically westernisation and, by association, western fashion have long been seen as synonymous with 'modernisation' and 'civilisation' in African contexts.

However, we want to make a cautionary note about culture and power – questions of geopolitical and cultural power are central to the way we perceive the generative creativity of youth popular culture – as well as understand the continuities of socio-economic and cultural inequality as they are embedded in the nuanced meanings of these practices in local contexts. We also draw upon another Foucauldian insight, namely that power is generative. We argue that the transmission of northern-based cultural images, which initially seem only to threaten or obliterate local youths' expressions of popular culture, is incorporated into extant local forms of economic and cultural stratification and of gendered personhood. These 'new' cultural images may be new signifiers of older expressions of identity and difference, or of newly emergent forms of identity and difference. Post-modernist celebrations of global youth culture's homogenising impetus often suggest the universal triumphalism of western cultural forms. However, the expression of seemingly global cultural rituals such as the Matric Ball is also shot through with issues of power and cultural difference, both between western and southern societies as well as between social groups within these contexts. The homogenising argument implicitly assumes that western cultural forms taken up in southern settings often retain their original meaning. Consequently, in southern contexts apparently similar youth subcultural practices are only parodies of the western form. In the case of the Matric Ball, local dress styles would only signify a semi-civilised, naive acquaintance with a western lifestyle (Allman 2004). Such an assumption suggests that the only cultural history of leisure, of youthful popular culture and of dress and adornment of the body worth examining exists in western contexts. Furthermore, it also suggests that 'modern' popular cultural practices such as Matric Balls, weekend clubbing activities such as hip-hop, and dress styles in non-western contexts are only useful as markers of difference and of a lack of familiarity with civilised ways.

We need to situate these practices in the social and cultural histories of the local contexts where they occur in order to unpack the richly complex, culturally specific meanings accorded to the racialised and gendered bodies that participate in these practices or when adorned in apparently westernised clothes. It is to the importance of the local context and the bodies that inhabit its diverse spaces that we now turn in order to illustrate why a subtler, more complicated reading of apparently global forms is so important to uncover the culturally specific meanings of apparently similar 'western' dress styles.

Salo (2005) points out that many proponents of cultural globalisation argue that cultural flows are from the north to the south and lead to northern hegemony and local cultural destruction (see for example Zeleza 2002). These proponents contend that these flows lead to cultural hybridisation (see Nuttall & Michaels 2000) or to cultural hegemonisation and homogenisation (Ake 1997, quoted in

Zeleza 2002). Naomi Klein (2001) argues that the same hegemonising processes occur as marketing processes located in urban centres usurp the cultural forms of the ghettoised peripheries in the north, thereby relentlessly propagating the cultural imperialism of the dominant classes.

In contrast to perspectives that foretell the end of local cultural practices and the specific meanings given to them, Paul Zeleza (2002) and Daniel Miller (1995) argue that cultural globalisation does not necessarily lead to 'generic Westernisation' (Miller 1995: 5). Zeleza argues that the meanings taken on by the consumption of global cultural forms and goods are shaped by specific local histories and cultural contexts. He argues that people in the south may well consume images and products from the north. However, the ways in which these products and images are collectively or individually perceived or used are complicated as they are incorporated into local contexts and as inhabitants bring with them specific cultural filters that impose local meanings upon these items.

Zeleza's argument suggests that far from dislocating identities from the local context, the creative uses of images and products that have originated in the north frequently resonate with local social tensions about race, gender and class and the struggles over local identities. Similarly, Miller also argues that even when the 'locals' outside the cosmopolitan centres consume imported cultural ideas, goods and practices, their identities are not necessarily subsumed by the dominant meanings associated with these factors in the metropolis. He uses the useful notion of 'differential consumption' of global forms to understand the rise of novel identities in local contexts beyond the northern-based metropolitan centres. Miller too argues that the consumption of imported goods and images is shaped by local histories of modernity, and local forms of social stratification. These new local linkages may lead to the reproduction or novel invention of differences vis-à-vis northern localities as well as the rise of novel identities in the local context. We would add that these novel identities are at once rooted in and ruptured from those that are considered to be more traditional.

In Cape Town, these young men's and women's activities in events such as the Matric Ball – the selection of their dress creations, the multiple pre-event plans and processes that lead up to this event and the youths' performance of the emerging 'young adult self' on the 'big night' – have originated in specific local and cultural contexts, where the meanings of race, space, generation and gender in a country that is in the throes of political and social transition convey specific cultural messages about power, citizenship, personhood and identity. This local study is informed by Zeleza's and Miller's views that the meanings associated with the consumption of global cultural ideas, practices and products in the local context cannot be assumed to signify the same identities and/or spaces in which these features originate.

Notes

1 'Matriculation' derives from Oxford or Cambridge entrance exams. In South Africa the term denotes graduation from secondary school, either with a secondary certificate or with university exemption, allowing students entry to university. The common term for the last year of school is 'matric' and hence the school-leaving ball is known as the Matric Ball.

2 Matric Balls had been an established cultural event in white South African schools for the better part of the twentieth century, most likely modelled on debutantes' balls for socialites, which were adopted by white South Africa, Australia and New Zealand as part of colonial English culture.

3 The research on Matric Balls is part of a broader project entitled 'Forging Coca-Cola identities', which is located in the townships of Cape Town, South Africa. The project, which is funded by the South African–Netherlands Research Programme on Alternatives in Development (SANPAD), explores how youth utilise popular cultural forms to inform, contest or reinscribe meanings of gender and race in the different urban spaces they occupy.

4 Unless otherwise stated, I use 'black' here in the political South African sense to refer to people who were previously discriminated against during the apartheid era and who were classified as coloured, African and Indian.

5 Actual names of schools and informants have been kept confidential and pseudonyms used where appropriate.

6 These annual school fees of R1 100 are contrasted with fees that range between approximately R12 500 and R15 100 per annum at the previously white schools.

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E-race-ing the line: South African interracial relationships yesterday and today

Rebecca Sherman and Melissa Steyn

THIS CHAPTER CONSISTS OF two distinct but interrelated sections. The first section traces the broad outline of the history of interracial encounters in South Africa. The second reports on an empirical study conducted in Cape Town, among young interracial couples.

Interracial encounters, yesterday

Intimate encounters between people of different caste, tribe, faith, race and nation have been recorded, mythologised and condemned since long before the era of imperialism. The development of colonialism introduced a new frontier for sexual relations between remarkably different people. Since then, a huge body of literature, folklore, and public and private debate has been devoted to the intimate encounters between the European and the 'native'. Intimate relations – sex, love and marriage – are often viewed as the most private and personal matters of one's life. Within the colonial realms, however, the private became political. In South African history, intimate interactions between members of different race groups have been deeply politicised. Public, religious and political discourse on interracial intimacy was and remains imbued with notions of hierarchy, race, gender and morality.

Since the arrival of the first settlers at the Cape in the mid-seventeenth century, South African history has been characterised by interactions among different groups of people. As European settlement led to colonisation, South African society was developed by mixed communities of indigenous people, Dutch and English settlers and missionaries, and slaves brought from the east. This diverse society, dominated by the Europeans, was regulated by a system of power hierarchy mediated through discourses of religion, race, civilisation and gender.

Throughout this history, contact between different groups has led to sex – in forms including forced sex, concubinage, marriage, clandestine relations and cohabitation. Cross-cultural relationships have necessarily involved transgression

of boundaries separating different groups in the power hierarchy. Of these, race has been the most salient marker of difference throughout South Africa's history. Sex across racial lines threatened the Eurocentric order of racial hierarchy. In response to this threat, interracial relationships have been restricted by the use of social customs, religious rhetoric and legislation. Parallel to the changing politics of power and race weaving through South African history, the regulation of interracial intimacy has reflected the shifts in popular values, scientific and religious discourses, and economic concerns.

Early settlement

At the very outset of establishing the Cape as a colony, sexual activity across race lines was widely practised. European male settlers vastly outnumbered their female counterparts, and sexual encounters with indigenous women quickly became widespread. Generally, sex between European men and African women reflected the asymmetrical power relations between the two populations; most encounters involved a powerful white male accessing the socially subordinate black female (Wells 2001).

During the early settlement period, Europeans rationalised their superiority on the grounds of religion: Christians were 'saved' while non-Christians were 'heathens'. This method of dominance allowed for some fluidity across racial lines: European men sometimes married slaves – African and Asian – who had been baptised. Concubinage was prevalent along the frontier, but the most common form of interracial sex was illicit and forced intercourse between European masters and female slaves. As a result, a substantial population of 'mixed-race' offspring soon emerged (Sonnabend & Sofer 1948).

While some mixed-race offspring were designated as slaves, others were adopted into European families. Most retained an intermediate status as house servant or skilled labourer. This demographic shift blurred the clear hierarchy between Europeans and Africans. Just as notions of 'us' and 'them' were being redefined, Commissioner Van Rheede of the Dutch East India Company (VOC) visited the Cape in 1685. He disapproved of the relations between European men and African women; the success of the VOC's ventures demanded a clear hierarchy of rule. Marriages between Europeans and freed female slaves of full colour were then prohibited, but those with emancipated 'half-breeds' were still permitted. Illicit intercourse with slave women became strictly forbidden. Given the scarcity of European women in the settlement, this was viewed as a futile prohibition (Sonnabend & Sofer 1948).

Reflecting Van Rheede's concerns, the European settlers were compelled to reaffirm their superiority within a population that was no longer simply black and white. Colonial authority, as Stoler (1989: 635) explains,

was constructed on powerful, but false premises: the notion that Europeans in the colonies made up a superior, easily identifiable and discrete biological and social entity. The politics of membership in this elite was contingent on constructing categories, legal and social classifications designating who was 'white,' who was 'native,' who could become a citizen rather than a subject, which children were legitimate and which were not...

Concerned with maintaining their elite social, economic and political status, the settlers established a social code dominated by notions of race.

Through a combination of slavery, restrictions on free blacks, colonial frontier wars and extermination, white domination and racism became firmly entrenched. Race relations, once fairly flexible, became rigid around the early nineteenth century (Foster 1991). 'The gradually emerging European ideology of racism,' Foster explains, was embedded with sentiments discouraging interracial intercourse; it

contained a number of contradictory strands in its 'representation of the other' but in general depicted Africans as both physically and culturally different. The emerging image included attributes such as bestial character, potent sexuality, cannibalism, heathenism and savagery. (Foster 1991: 364)

Though still widely practised, interracial sex became regulated by social taboos. These customs reinforced the solidifying hierarchy of master–servant, ruler–ruled relationships in the South African settlement (Wells 2001).

British missionaries

At the turn of the nineteenth century, the London Missionary Society (LMS) began its missions to South Africa. In tow they brought a different philosophy on race relations to the Dutch-dominated settlement. The early missionaries believed that Africans, or 'heathens', could be taught Christianity and achieve equality with people of European descent. The demands and dictates of the colonial economy and society were not well served by this approach; their settlement justified the takeover of foreign lands on the grounds of a vast difference and separation between Europeans and indigenous people (Wells 2001).

The missionaries viewed race relations from another perspective: from the beginning of LMS operations worldwide in 1796, its director openly suggested that it might be preferable for the single missionaries to marry indigenous women. The LMS supported such partnerships for a number of reasons. They believed that native wives could smooth out cultural differences and represent models of the ideal convert. Furthermore, they saw the marriages useful not only for cementing relationships between local powers and missionaries, but also for sending a

message of full acceptance and appreciation of the host society. Many English missionaries took African wives, especially along the frontier. Their wives, having been baptised, generally adopted the status of their European husbands. This trend created uproar among the Dutch settlers – it utterly challenged and overthrew the prevailing norms, which insisted on an insurmountable division between Europeans and Africans (Wells 2001).

Tension erupted between the settlers and the English missionaries, who the former viewed as too sympathetic to the local and mixed populations. 'The firm line of white dominance in the face of an overwhelming indigenous population was at all times fragile,' Wells (2001: 4) insists, 'and the blurring of this line was perceived as particularly threatening.' Apprehensive about the rift with the settlers, conservative missionaries reproved the actions of their liberal brothers. Without directly denouncing mixed marriage, they purported to be concerned about losing popular support and financial contributions. Led by Rev. George Thom, they held a synod in 1817 in Cape Town, demanding that missionaries who had relations with African women be expelled. The convergence of settler attitudes and conservative sentiments within the mission pressured the leadership to act. London replied not by forbidding mixed marriage, but by introducing measures to minimise it; they decided to stop sending single men into the field, and agreed that all marriages of missionaries would have to take place within the borders of the Cape Colony. The conflict and politics surrounding the mixed marriages of English missionaries cemented the trend of restricting interracial relationships in the South African settlement. By the end of the dispute, a wave of resistance swept away the era of hesitant tolerance for mixed marriages (Wells 2001).

Anti-miscegenation

During the early years of Cape settlement, the offspring of interracial intercourse were generally accepted as relatives of their European families. While their treatment ranged from full acceptance to slave status, most retained a standing somewhere between the Europeans and Africans. When slavery was abolished – further undermining the racial caste system – miscegenation became increasingly taboo. South Africans of European ancestry became increasingly concerned with preserving the purity of the white race in the face of a huge African majority. Marriage between 'pure stocks' in particular was socially denounced (Findlay 1936).

Towards the end of the nineteenth century and well into the twentieth, anti-miscegenation attitudes were normative within white South Africa. Social, political and biological arguments were advanced as evidence of the dangers of race mixing. Openly discussing the 'degenerate' effects of miscegenation, whites reaffirmed the supremacy of their race. These sentiments were not isolated to South Africa; in the early decades of the twentieth century, scientists in many western

countries advanced eugenics, a scientific endeavour to confirm white superiority. Such ethnocentric attitudes were so pervasive, even George Findlay, a communist, expressed distaste for the physical results of miscegenation in 1936: 'Nothing is more remarkable than the trend of ugliness in South Africa to take the forms of flattened, rather bridgeless noses, thick lips, heavy jaws and chins, and innumerable other Bantu traits' (1936: 21). Biological arguments against race mixture claimed that 'hybrids' tended to exhibit decreased physical efficiency, produce several 'physical disharmonies' and exhibit declining fecundity (Sonnabend & Sofer 1948: 10).

Assertions that race mixing caused social harm were equally prevalent. Though mixed-race populations were not new to South Africa, white insecurity fostered distress over the state of mixed people. In his 1936 book *Miscegenation*, Findlay (1936: 9) explained white fears:

> The real objection to primary miscegenation, the crossing of the pure stocks, is that the progeny is thrown neither into one social group nor another. Tainted as a rule with illegitimacy, its association with the family is peculiar; the half-breed, according to the opportunities his appearance offers, feels that his membership of the family and cultural group is nothing definite.

Social and biological anti-miscegenation discourse was largely uncontested, its popularity exceeding incidents of the 'problem' of race mixing itself. Anti-miscegenation was the dominant opinion within civil society, many churches and politics. In a 1936 speech advocating the merits of a segregation policy, Minister of the Interior Jan H Hofmeyr instilled fear in his student audience of 'the revolting possibility of ultimate social equality and the mixture of the races' (Hofmeyr 1937: 278). The minority liberal opposition opposed legislating against race mixing, yet maintained that mixed marriages produced tragic results. Though the opposition rejected the view that mixed marriages produced hereditary defects, they failed to offer arguments extending support for interracial marriage (Furlong 1983). Although he represented a fairly extreme political standpoint, Professor Geoffrey Cronjé's ideas were hailed in influential nationalist circles and characterised popular expression. He warned of the threat of coloured infiltration into the white race and encouraged harsh condemnation of miscegenation as a most serious offence against the white race. Miscegenation, he asserted, was a crime typically committed by native South Africans and low-class immigrants, whose 'degenerate' behaviour undermined the survival of the white race (Furlong 1983).

Anti-miscegenation sentiments, postcolonial theorists suggest, indirectly reflected whites' fears of losing their vulnerable position of dominance. One contemporary historian elaborates: 'The iron rule of endogamy at the heart of the notion of caste helps to explain why "miscegenation" has been such an obsession amongst white South Africans...' (Cornwell 1996: 453). Whites were eager to

preserve their population and discourage any bending of the biological and political boundaries delineating their rule. 'Eugenics', one historian writes, 'provided not so much a new vocabulary as it did a medical and moral basis for anxiety over white prestige' (Stoler 1989: 645). Fears of physical contamination were also an expression of apprehension about political vulnerability. Anti-miscegenation attitudes defined a collective 'politics of exclusion' that regulated not only the dominated castes, but also the behaviours of the dominators themselves (Stoler 1989: 644).

White poverty

The economic impact of the Great Depression and the readjustments within the South African economy led to social and economic upheavals during the 1920s and 1930s. Poor Afrikaner farmers were forced off their land, and a wave of migration rushed into the cities as this population sought employment in the growing industrial sector. The upper classes expressed concern about the so-called 'poor white problem', which they defined as the social, economic and moral impoverishment or 'degeneration' of poor urban Afrikaners. While they expressed disdain for the growth of the slums, the cohabitation of the races within the slums was a focal point of concern. Mixed residential areas heightened the threat of increasing miscegenation. In addition, leading whites feared that poor whites could not compete with Africans for low-wage jobs. They were worried that inferior whites were undermining the white race as a whole (Klausen 1997).

As white women were often preferred as factory workers, urbanisation produced an Afrikaner female proletariat. In 1924, they made up 48 per cent of Johannesburg's manufacturing workforce, and by 1935 three out of four factory workers were white women. During this time, women played an increasingly important role outside the home; for the first time, many of them were making significant financial contributions to their families. Concurrently, the decline of the agriculturally based social order was steadily undermining the patriarchal form of domination. The traditional role of the Afrikaner male was being eroded. This economic and social transition cut across past patterns of gender relations in white South Africa (Hyslop 1995).

Anxiety erupted over the sexual conduct of young women in the cities. Their poor rural families and elite society alike expressed alarm about their interactions with coloureds and Africans. The white female proletariat was a source of stress for anti-miscegenationists; they saw the 'factory girls' as a vulnerable source of race mixing. The outcry fuelled growing appeals for legislation against miscegenation. As the authority that had once seemed their entitlement was being challenged, white men were especially invested in reaffirming their social, political and economic control over white women. Afrikaner men were joined by their wives and the Eurocentric elite, and soon much of white South Africa supported political

appeals for legislation against intercourse across racial lines. This period effectively garnered their support for anti-miscegenation legislation (Hyslop 1995).

The 'black peril'

Public anxiety over the sexual behaviour of white women in urban areas was sensationalised through projection; whites circulated stories of their young women being raped by African men. The legend of the 'black peril' – the compulsive raping of white women by African men – was circulated to the point of mythology in the early part of the twentieth century. The trope was disseminated through literature, the media, and social, religious and political discourse. This social psychological response is not unique to South Africa; the 'peril' reaction to a perceived threat to the power of the dominant group can be found in the histories of other nations. At times during the nineteenth and twentieth centuries, 'peril' panics erupted in both the United States and Germany (Cornwell 1996).

As postcolonial theory suggests, the 'black peril' may reflect whites' fears of the fragile racial hierarchy being undermined. The phenomenon, one historian notes, included a range of emotions from sexual jealousy to fear of native rebellion. It became a rallying cry for white South Africans, 'because what was at stake was the integrity of the white female body, mythologised by a frontier society as the last and most intimate frontier of all' (Cornwell 1996: 441). The alleged sexual threat may have been mere symbolism – whites could not openly admit that they felt politically or socially vulnerable.

Afrikaner males, whose authority had been especially impaired during this period, were eager to reassert their role as protectors who must defend the honour of white women from African infiltration. Sexual intercourse between white women and African men was particularly outrageous because it reversed the established racial hierarchy, as Cornwell (1996: 442) elaborates:

> In the patriarchal construction of the sexual act, whether forced or not, the male is dominant and the female is subordinate...the political scandal of the Black Peril is the subjection of a woman of the dominant race to the power of a man of the subordinate race; the penetration of a white woman by a black man is an act of insurrection.

While the 'black peril' garnered more popular support for anti-miscegenation legislation, it also contributed to a growing sentiment of white supremacy and the drive to control other races.

The role of the Afrikaans churches

Exacerbating the impact of the 'poor white problem', the 'black peril' and eugenics, the Afrikaans churches contributed religious rhetoric to the anti-miscegenation

discourse. Racist denunciation of mixed marriage was popular in Dutch- and Afrikaans-speaking churches in the 1930s. Christian opposition to mixed marriage reverberated around a notion of a group ethic. Arguments for individual rights were suppressed by an increasingly complex theology grounded on exclusivist trends in scripture and anti-liberal and anti-communist sentiment. This theological tradition – heavily influenced by the writings of Calvin and Kuyper – was widespread. The theology was moulded by an elaborate combination of Calvinist and political philosophies tailored to appeal to the Afrikaner historical experience (Furlong 1983).

Anglican and Roman Catholic churches generally agreed that mixed marriage was problematic, but maintained that marriage was a holy union in which politics should not intervene. Anglican and Catholic opposition, however, could not restrain the lobby of the Dutch Reformed Church, which condemned miscegenation as a godless condition and urged the government to legislate against it. Though anti-miscegenation discourse did trigger resistance in the church, the legislature and popular thought, the powerful influence of the Dutch Reformed Church propelled the drive for anti-miscegenation legislation (Furlong 1983).

Early legislation

Until the 1930s, mixed marriages between all races were fully legal in three of the four provinces of the South African Union (Findlay 1936: 5). Early restrictions on interracial relationships were less concerned with miscegenation than with maintaining established hierarchies of domination. During the first few years of the 1900s, prohibitions in the Cape and the Orange Free State were only extended to 'illicit' relations where the European concerned was the *woman* and the prohibition was confined to unions with an 'aboriginal native for the purposes of gain' (Findlay 1936: 5). In the Transvaal Law passed at about the same time, 'there was no objection to the miscegenatory activities of European *men*. Only European women are restrained, but in all cases, irrespective [of] whether the union was for purposes of gain or not' (Findlay 1936: 6). This legislation represented the drive of Afrikaner men to dictate, by law, their supreme racial and gender authority. As Findlay (1936: 6) reflected:

> It is most important to note that in this body of legislation it was definitely not intended nor thought necessary nor expedient to strike at the most potent source of race fusion, that brought about by European males...The inference is irresistible that race purity fell far short of being a dominant consideration in the popular mind at the conclusion of the Boer War.

Anti-miscegenation rhetoric, then, was strategically used to foster the underlying political desire to establish race and gender hierarchy in law (Stoler 1989).

At the height of popular anxiety over miscegenation, there were very few mixed marriages actually taking place. The De Villiers Commission, appointed by anti-miscegenationists, found that between 1930 and 1937 the number of mixed marriages fluctuated between 72 and 100 per year. White and African marriage was extremely rare; the great majority of mixed marriages were between white women and coloured men. The Commission found three cases of marriage between white women and African men between 1929 and 1931, and none in the following five years (Hyslop 1995: 64). According to another source, less than one in a hundred of all European marriages were to other races between 1925 and 1946, and the rate declined during this period (Sonnabend & Sofer 1948: 26).

The Immorality Act (No. 5 of 1927) was the first significant piece of anti-miscegenation legislation in South African history. The law prohibited all illicit relations between Europeans and natives. It left proper marriages unaffected and prohibited unions only of the 'pure stocks', leaving the coloured community unlegislated (Findlay 1936). Because such relations were so rare and clandestine, the imposition of legal sanctions was primarily a symbolic gesture responding to white anxiety. 'Redefinitions of sexual protocol and morality,' Stoler (1989: 651) suggests, 'emerged during crises of colonial control precisely because they called into question the tenuous artifices of rule within European communities and what marked their borders.' The Immorality Act marked a turning point in the condition of interracial relationships in South African history; it opened the floodgates to a wave of racist and political animosity against mixed couples.

The 1938 national elections

Race mixture had become such a pressing public issue that by the 1938 national election campaign it was a central point of debate. Propaganda from the Afrikaner nationalists in DF Malan's Gesuiwerde Nasionale Party (GNP; Purified National Party) criticised the United Party (UP) of Hertzog and Smuts for its laissez-faire approach to mixed marriage. The GNP attacked the UP's unwillingness to legislate against mixed marriage, warning that their policy would lead inevitably to widespread miscegenation and allow 'feckless' African males to marry and exploit white women (Furlong 1983; Hyslop 1995). Pressing this point, the GNP appealed to the racially defined identity of poor Afrikaners to garner political support (Hyslop 1995). Much of the contest between the two parties concerned the approach to mixed marriage policies.

While the GNP emphasised the need to ensure the maintenance of racial boundaries, the UP maintained that the GNP had insulted white women by the mere suggestion that they would marry African men. Furthermore, the UP argued that public opinion and non-white stigma were sufficient deterrents to mixed marriage, and stressed the impracticability of such laws (Furlong 1983). 'The male

politicians of each side,' Hyslop (1995: 58) reflects, 'competed as the champions of white women against the supposed black threat.' While the UP won the election by a huge majority, the contentious debates over the mixed marriage issue propelled it to the forefront of the political arena. The debates laid the discursive and popular foundation for Bills against mixed marriage in later years.

The rise of apartheid philosophy

Despite its losses in the 1938 elections, the GNP was gathering strength and popular support. Over the next decade, Malanites continued to draw on racist rhetoric and appeal to white ethnic pride. Especially in the farmlands, they successfully mobilised poor whites. Miscegenation was again a key campaign issue leading up to the elections of 1948. The GNP's platform elaborated an aggressive policy of segregation, called apartheid. Malan maintained that the only alternative to the daunting possibility of racial parity was the systematic apartheid scheme. Framing their rhetoric within the Christian principles of equality and fairness, the GNP proposed a complex set of segregation measures designed to preserve the white race. White purity would be safe, according to the Malanites, if indigenous groups were contained in separate communities, and all groups were encouraged to foster 'national' pride and mutual respect (Furlong 1983). The apartheid philosophy proposed overwhelming segregation of the races in politics, economics, work and residence. Social integration of the races would be restricted wherever possible. Mixed marriages, the most fundamental threat to race segregation, were viewed as a social parasite requiring extermination.

To many people's surprise, Malan's extensive propaganda and strategic appeals to Afrikaner nationalism assembled enough support to push the GNP to victory in 1948 (Furlong 1983). When the GNP came to power, they used the ideology of apartheid to hold race relations constant while promoting economic change and expansion. Their primary techniques were the perfection of unequal-status contact between the races, the removal of non-white affairs from politics and administration, and the monopoly of all constitutional means for initiating social change (Kuper 1954).

The Prohibition of Mixed Marriages Act (No. 55 of 1949)

At the top of the GNP's agenda was the systematic elimination of the possibility of equal-status contact. Beginning with the maximum degree of intimacy, the renamed Nationalist Party (NP) proposed the Prohibition of Mixed Marriages Bill in 1949. The Bill provided that a marriage between a European and a non-European could not be solemnised (Kuper 1954). Minister of the Interior Dr TE Dönges introduced the Bill, claiming it was not racist because it applied equally to both races. Despite evidence to the contrary, he maintained that both whites and

non-whites had expressed opposition to mixed marriages. The NP claimed that without legal action, mixed marriages would increase and become more acceptable, creating housing and economic issues (Furlong 1983).

Parliamentary debate over the Prohibition of Mixed Marriages Bill was heated, though the opposition's arguments were effectively weak. Smuts, representing the dissent, agreed that race mixing was evil, but opposed the Bill on practical grounds (Furlong 1983). Expressing eugenic sentiments that went largely unchallenged in Parliament, JH Abraham stated on the floor of the House: 'it is scientific to hold yourself aloof from a race with a lower civilization and less education and more limited intellectual powers' (Furlong 1983: 28). The only substantial counter-arguments came from lone communist Sam Kahn, who pointed out the Bill's underlying racial prejudice and questioned the 'evil' of mixed marriage. Kahn compared the Bill to Hitler's anti-Semitic Nuremberg Laws. Arguments against the Bill were stigmatised as liberal or communist, linking the UP to these 'un-South African' groups. The Bill passed in both the House and the Senate and was signed into law (Furlong 1983).

Public response to the legislation was mixed. Some maintained that the Act was racist, others that it infringed upon the holy institution of marriage, and some that it was a violation of human rights. While the Act was well received in many white circles, several civil organisations as well as Indian and coloured groups expressed opposition (Furlong 1983). In spite of their disapproval, mixed marriage would remain illegal.

The Act, a logical first step towards systematic segregation, was the first measure unashamedly part of the apartheid programme. Its real purpose, contemporary historians suggest, was to close the membership of the ruling group and ensure party support on the platteland (remote country district). While earlier prohibitions had paid little attention to the coloured population, the Act aimed to erect a barrier against their race mobility (Kuper 1954).

Additional apartheid legislation

The national government was not confident that the Prohibition of Mixed Marriages Act of 1949 would effectively dissuade miscegenation. They pushed a rapid succession of additional legislation through Parliament, making it effectively impossible for mixed couples to live normally (Foster 1991). The Immorality Act (No. 21 of 1950) amended its 1927 predecessor, declaring all illicit relations between whites and non-whites illegal. Previously, there were no legal sanctions for illicit relations between whites and coloureds. The amendment aimed to prevent miscegenation with coloureds and preserve the purity of white blood (Kuper 1954). The Population Registration Act (No. 30 of 1950) and the Group Areas Act (No. 41 of 1950) followed shortly, creating serious implications for intimate relations across

the colour line. With the former, the government created mechanisms to designate the racial category of every South African. Where members of the same family had different features, its application sometimes broke up homes. The Group Areas Act furthered segregation, dividing urban areas into zones where members of only one race could live and work (Jacobson et al. 2004).

Apartheid legislation against interracial relationships was built on a foundation laid decades earlier by the combined rhetoric of anti-miscegenation, eugenics, the 'poor white problem', the 'black peril', racist discourse of Dutch Reformed churches, Afrikaner nationalism and white supremacy. The nationalist government drew from these discourses to create a narrative justifying the need for harsh policies against interracial relationships. After decades of popular anxiety over mixed-race relationships, the new legislation assuaged white anxiety with the rule of law.

Anti-mixing laws were often strictly enforced, posing a serious threat to interracial couples. Many suffered humiliation, lack of privacy, and degradation by the police. Authorities frequently followed people suspected of interracial sex. Police raided homes in the early hours of the morning to examine identity documents to ensure that sleeping partners were of the same race. Sometimes bed sheets and genitals were inspected. For a white and non-white pair of the opposite sex, even travelling in the same car exposed them to the danger of being followed by the police and arrested on suspicion of contravening the Immorality Act (Jacobson et al. 2004). Those accused of violating the laws faced formal penalties and harsh jail terms; nearly 2 000 people were prosecuted between 1974 and 1982, and 80 per cent were convicted (*Manchester Guardian Weekly* 21 April 1985: 6).[1] Legal sanctions were exacerbated by public opinion – mixed couples risked rejection by their families, friends and community (Jacobson et al. 2004). Hundreds of mixed couples went into exile to enjoy a normal life; others fled to Namibia or independent homelands. Many lived together with the constant fear of prosecution (*Manchester Guardian Weekly* 21 April 1985). Interracial relationships were heavily restrained in South Africa for the following three decades.

Changes in the 1980s

The enforcement of the Mixed Marriages and Immorality Acts generated criticism both domestically and internationally. In large cities, citizens and law enforcement alike increasingly ignored the laws. Starting in 1979, then Prime Minister PW Botha began suggesting that he was willing to consider changing the interracial sex laws. This shift was heavily influenced by the changing stance of the powerful and conservative Dutch Reformed Church. In 1983, the Western Cape synod adopted a resolution declaring that the Mixed Marriages and Immorality Acts were contrary to scriptural and ethical principles of marriage. The synod asserted that marriage

was a holy institution, and that love and respect were the essential criteria for such a union. They went so far as to suggest that the laws harmed human dignity by attributing immorality solely on the basis of race (BBC 1983). As the nationalist government faced increasing disapproval from many directions, apartheid zeal was gradually fading.

Also in 1983, the government established a parliamentary select committee, led by Deputy Minister of Internal Affairs Piet Badenhorst, to investigate the prospects of changing the laws. The following year, the committee requested permission to report on the possibility of repealing the measures altogether (BBC 1984a). When the committee reported its suggestion that the laws be scrapped, the nationalist government was nudged into action. In 1985, Minister of Home Affairs and National Education FW de Klerk announced that the government would withdraw its support for the measures. While the decision was a significant step away from racial discrimination, the NP maintained that segregation would remain intact (BBC 1985).

The Prohibition of Mixed Marriages Act and section 16 of the Immorality Act were repealed, making it legal for people of different races to marry or have sexual relations. Though he insisted that sex across the colour line would create social problems, De Klerk announced that it was time to remove the issue from the political realm. At the same time, he stressed the preservation of group identity and community life, emphasising that other legislation would not be abandoned. Conservatives opposed the changes, fearing a domino effect and surrender of white power to the black majority. Political support for the move highlighted the potential for a loosening of disinvestment sentiment in the international business community (*Associated Press* 16 April 1985[2]).

Though interracial relationships were decriminalised, it remained illegal for mixed couples to live together under the Group Areas and Separate Amenities Acts. Rather than amend these measures, the NP permitted mixed-race lovers to be reclassified under the Population Registration Act. Both spouses could become classified as the same race – this most often meant whites would become reclassified as coloured. After reclassification, they could live together legally in the appropriate Group Area (Simon 1989).

While these developments represented a dramatic move towards social change and the easing of apartheid, cynics accused the NP of window dressing. The removal of the measures was considered cosmetic, as it benefited relatively few people and maintained the rigid system of segregation (Simon 1989). The South African Catholic Bishops Conference underscored that the move left the pillars of apartheid untouched. Dr Nthato Motlana, a community leader in Soweto, the populous and politically salient African township outside Johannesburg, declared that the move was of no interest to black South Africans. 'The primary battle,' he

stated, 'is for one man, one vote. We might believe the government is in earnest about reform if it repealed the pass laws and the group areas law' (quoted in *Associated Press* 16 April 1985). Opponents of apartheid were not to be muted by inconsequential political gestures.

True to its history, the legislation of interracial intimacy continued to be used as a symbolic act. The repeal of the laws was widely considered a political move to appease opponents of the apartheid regime. At the time of the repeal, surveys by the Human Sciences Research Council found that 80 per cent of white Afrikaners were in favour of retaining the laws (BBC 1984b). By keeping a firm grasp on segregation laws, the NP was fighting to hang on to its popular support. In spite of its surface-level implications, the move to legalise interracial relationships was an important political gesture *towards anti-racist politics*. Just as anti-miscegenation laws of the earlier twentieth century set the scene for apartheid legislation, the repeal of such measures cleared a path for the future dismantling of the apartheid regime.

Interracial contact

The repeal of the sex and marriage bans turned out to be the first in a series of measures to break down the apartheid regime and introduce democratic rule. With the liberalisation of race policies in the late 1980s and the transition to a majority leadership under a new Constitution in the 1990s, South Africa's social landscape was transformed. As a result, the frequency of interracial contact and cooperation has slowly increased (Jacobson et al. 2004). Since the 1996 ratification of the new Constitution, which outlines extensive civil rights and guarantees protection from discrimination, South Africans have been exposed to more tolerant treatments of race. Mechanisms such as the media, the Truth and Reconciliation Commission, supportive leadership, and changing international norms have contributed to a reconstruction of racial discourse. At the same time, socio-economic divisions along racial lines remain appalling. In the face of these challenges, integration of public and private spheres has influenced race relations in many ways (Jacobson et al. 2004).

While there is an extensive international literature on interracial intimacy,[3] research on interracial marriage in the 'new South Africa' is limited. The topic has received some attention from a literary point of view (Glenn 1996). A sociological study by Jacobson et al. (2004) investigated interracial marriage trends using the 1996 national census. They found that all four 'racial groups' – African, coloured, Indian and white – have extremely high rates of homogamy. The highest outmarriage rate, for coloured women marrying African males, was under 3 per cent. Besides that exception, they found a general pattern of lighter-skinned males married to darker females (Jacobson et al. 2004: 453). The authors suggest that high homogamy rates are a result of socio-economic disparities, de facto segregation, and enduring social norms and taboos (Jacobson et al. 2004). A qualitative study by Barnes et al. (2001)

explored the social reactions that mixed-race couples encounter in everyday life in South Africa. They found that the couples' 'race' featured prominently in their social interaction, and that their relationship routinely became the object of racialising discourse. Their study illustrates how interracial relationships may have social effects that ripple beyond the participants themselves, shaping relations in the wider networks of association within which couples are embedded.

Conclusion

In the history of legislation on interracial intimacy in South Africa, the prohibition of such relationships served to regulate the boundaries of a strict gendered and racial hierarchy, dominated by white masculinity. Post-apartheid South Africa is ruled with different interests in mind. Egalitarian, anti-racist, feminist, gay pride, multicultural and other progressive discourses now play a role in South African politics. The freedoms guaranteed in the new Constitution protect the rights of interracial lovers.

Interracial relationships, today

As outlined in the first section, intercultural intimate encounters are not a recent phenomenon. Intergroup relationships are influenced by a number of structural and cultural factors, which change with time and place. How often and why mixed couples get together, how they are treated, the obstacles they encounter, and the insights they gain from their relationships differ depending on the social–historical context within which they occur. Societal reactions to interracial relationships, ranging from violence to acceptance, also vary with context.

The new South Africa is a unique social–historical context for interracial relationships. Heavy with the enduring legacy of racism, white supremacy and oppression, the new South Africa is also characterised by an official discourse encouraging non-racialism, diversity and multiculturalism. This juxtaposition has moulded the structural and cultural forces that most often impact on interracial relationships – social norms, racial stigma, family values and progressive ideas. How are South Africans who are engaged in an interracial relationship received? The voices of five students at a formerly white, English-speaking university are represented below, as they answer this question.

This section of the chapter reports on a small study among young adults that is part of a larger, ongoing qualitative research project investigating the nature of interracial relationships in post-apartheid Cape Town, South Africa.[4] Research questions include: What factors lead South Africans into interracial relationships? Has the new South Africa affected the sense of taboo and transgression within interracial relationships? How does participating in an interracial relationship

influence one's sense of self within a South African racialised and gendered context? How does race affect the relationship? What are typical reactions of the public and of families?

In-depth interviews with five students were conducted for approximately 90 minutes each. Of the five respondents, four were partners in couples. Each couple participated in a joint (two interviewees, one interviewer) interview. The remaining individual was interviewed unaccompanied. The participants, South Africans in their twenties who were involved in interracial relationships ranging from two to five years in length, were found through word of mouth. They are all well educated, middle class and live in Cape Town. The interviewees included two African women, one white woman, a white man and a coloured man. All interviews were administered by Rebecca Sherman – a white, female American student who spent one semester in South Africa.

We do not wish to generalise from the findings, given the size, scope and preliminary nature of the study, yet the primarily descriptive results provide an interesting indication of what is happening among one group of people, at least, in post-apartheid South Africa.

Living in interracial relationships

Seven themes characterising these relationships are described below.

Hierarchy of status   Nicole and Byron,[5] a mixed-race couple, referred both directly and indirectly to status several times during their interview. Byron, a 23-year-old coloured man, explains how association with whites has historically been a source of status mobility for coloured people. Though racial hierarchies are being reconfigured in the new South Africa, as Byron notes, hierarchy and status still very much affect relationships between coloureds and whites:

It's always good for coloured people to be associated with white people. There's this joke among coloured people that, if a white person comes over for tea, you take out the finest cutlery, you take out the best tea, you take out – not just the normal sugar – you take out the *Hulett's* sugar.

Intimate interactions heighten the effects of status exchange (Spickard 1989), as his stories indicate:

One day I was speaking to a friend of mine at tech, also a white girl. I mentioned that Nicole is white. My friend was surprised, 'Is Nicole white!?!' And from that day on, it was like, 'Byron can date white girls!' You know, he is of that kind of nature that he is accessible for white girls now. And it's a completely different change. When they see coloured guys with white girls, white girls immediately start seeing them as a potential. It's not so

much anymore that he can only be approached by coloured girls. As soon as you're with a white girl, it's kind of like, he's fair game now. Amongst coloured guys, white girls are almost like a trophy. To get a white girl in this conservative city, it's like, you must be doing something right.

If you sleep with a white girl, it's like you've slept with a unicorn. But if you make her your girlfriend, it's like your social thing goes up, and you become accessible to all other white girls. They start treating you like you're from overseas, the way they treat you. People start assuming you are not from South Africa. If you have a white girlfriend, it opens out a lot more for you, people treat you with more respect. They think you are that decent.

By dating a white woman, Byron seems able to receive some of the privileges of white status. What has changed, it seems, is the openness and ease with which he can access this; what hasn't changed is the social capital of whiteness.

Colonial remnants   Even as they move into the relatively unchartered spaces of interracial partnerships, the young students seem to have internalised many Eurocentric stereotypes about white and black sexuality.

Byron, an architect, is a middle-class coloured man, a status he calls 'super-coloured'. His views about coloured women appear to reflect many of the negative stereotypes rooted in ideologies of white superiority:

I'm a man, so I'm attracted to any kind of person, really. But it really has to do with how you come across. I have this one friend who some people classify as beautiful – but her personality and her voice, especially her voice – it's unbearable. She's coloured, but she's a beautiful coloured girl. But the way she comes across, she still has this kind of coloured in her, where she has this accent. And I wasn't brought up like that. I was told to speak properly. I would date a coloured girl, but then you get coloured girls like my cousin, who, oh my word, she's whiter than all the white people I know. She went to this very upmarket school in Rondebosch. She's the type of coloured girl I would date, if she wasn't my cousin. It's how you come across. If you are this girl who smokes tik.[6]

Similar to Byron, Thembisa's attraction to her white boyfriend Christopher may draw on internalised white beauty standards, as well as cultural stereotypes of western men:

With Christopher, I did think about his race, but it was a more beautiful thing. There's a certain aesthetic I liked, physically. I think I am more attracted to white men. Maybe in storybooks that I have read, he calls to

mind certain pictures of these suitors in the books, like Prince Charming. I am mostly attracted to white guys. I've interacted more with white guys. I've also got an association with black guys, like the guys I grew up with, at home, on my street and area, they didn't really have the qualities I was interested in. I thought white guys were more monogamous, more sensitive.

In addition, the exotic ideas about other races prevalent in colonial discourse are evident as Nicole elaborates on her attraction to coloured people:

I felt more at home with coloured people. I felt more at home listening to coloured music, black music, black actresses...I was just more comfortable in that environment. I find white people weren't passionate enough; I'm a very passionate person. I think I'm a very sensual person, a creative person. I felt more at home – for me, I saw myself in black and coloured people. I saw something there, some fire over there, that it's just not existent in white people.

Her attraction to coloured people is followed by an explanation of the deficiencies of whites, her 'own' group:

White people are very quiet, they're very conservative, they're very respectful. They have a white picket fence and they have two dogs. And I can't identify with that, because there was something in me, too much passion inside me, I suppose. Coloured guys are more passionate than white guys. White guys are very dry.

As it is possible to deduce from the respondents' comments, dominant ideas about the beauty and sexuality of the self and the Other continue to influence these individuals who seek partners across the colour line.

Prior experience   All the interview subjects partly attributed their interracial relationships to the ease they had acquired in previous multiracial environments, especially in private schools. Furthermore, some of the respondents reported feeling somewhat marginal from their race groups. Thembisa, a 24-year-old woman who defines herself as a Xhosa-speaking South African, explains her youth as an African girl in the Eastern Cape:

I went to school in a very upper-crust environment. I would come from my house in a township, a working- to middle-class environment where everyone was black, and go to school in the suburbs where there were a lot more white people. I didn't have any problems, I had mixed friends. I've always been comfortable around white people; most of my friends are white. In the area where I grew up, I didn't have a lot in common with the kids, because they all

went to government schools. At school was where my siblings and I formed our social worlds.

Stacy, a 20-year-old who calls herself a 'so-called black South African', had a similarly privileged experience:

> In school, there's always a group of your white people, your black people, and your Indian and coloured people. And there's always a mixed group. I always belonged to the mixed group from day one. In high school people started mixing more with their own races. My first high school was about 90 per cent white, there wasn't much segregation, because there wasn't anyone to segregate. So the group I was in was, I guess, white, because of that situation. The second high school I went to was mixed, and it was a strange transition. Seeing black girls who didn't want to speak to white chicks, and on and on, it was weird. So again I was in the mixed group.
>
> My first boyfriend was white. I was 14. No one else was in interracial relationships at the same time. I didn't really think about it though. I went to a lot of white parties. I was always the 'prized' black chick. It seems like every group – even in the American sitcoms – has only one black person or only one white person. I was always that black person, but I never saw it like that.

The ease which these young women ascribe to prior interracial experience is clearly also the description of successful assimilation within the white norm, and while they do not problematise it much, an element of self-alienation is also apparent in some of the comments.

Romantic individualism   The notion of romantic individualism (Moran 2001) informs many of the reasons respondents offered for choosing their partners:

> *Byron*:   Of all the times someone asks if Nicole is white, I think, you know, she's not. And I'm not coloured. I don't know what she is and I don't know what I am. It's crazy and sort of idealistic.
>
> *Nicole*:   We're not colours, we're just people. He's Byron and I'm Nicole.

It is clear that romantic individualism enables the experience of living beyond and outside of race, yet also that this freedom may entail an element of recourse to colour blindness, avoidance rather than transcendence of the implication of race.

Social and personal attributes   In their volume *Multiracial Couples*, Rosenblatt et al. (1995) identify social and personal factors leading to interracial relationships in the United

States, including family and communal values of tolerance, mixed relationship precedents in family and community, African American pioneers, hunger for diversity, influence of civil rights movement, autonomy and confidence, whites growing up hostile to racism, and the assertion that similar values and interests are more important than race. Many of these factors appear to have played a role in leading these young South Africans towards interracial intimacy.

Each respondent reported growing up with family and community values of tolerance. All of them explained that their parents were liberal, and they attended progressive 'Model C' schools where multiculturalism set the tone in social interactions. For example, Christopher, a white 25-year-old, explains his upbringing in a small town:

> I was very fortunate that my parents are very open-minded liberal people. I was always in a co-ed and multiracial school. Since age five I have been intermingled. I was in a very small school – there were 23 people in my year when I matriculated, so we were very much integrated because it was so small. My parents were liberal, but there were others as well. The public schools took longer to pick up the whole multiracial thing. My school was run by the Christian Brothers, who have always been working with street kids and working with kids in the locations, so our school was very open in that way.

Another theme respondents spoke to was autonomy and confidence. They suggested that their individualism may have led them to cross the colour line. Thembisa, for example, proposed that her relationship was made easier because, 'With Christopher, I was feeling more self-confident. I didn't care what other people thought.' Stacy was convinced that her personal autonomy is a major reason behind her openness to interracial dating:

> I'm very liberal-minded, I'm unrestricted. I never told myself, 'You have to stay with these people.' I feel that's very inhibiting, because there's so much out there. There's so many different people, different races that you could explore. Why just restrict yourself? I'm the type of person, I don't think how the norm thinks. I'm out there. Even if I think or I am subjected to those normal thoughts, I try to get out of it, because I think it boxes you or limits you.

Liberalism on race issues, as Christopher and Stacy mention, was a significant theme running through the narratives. It appears that many of the factors the respondents mentioned as leading them towards interracial intimacy are products of the enabling environment provided by the liberal human rights values of the Constitution of post-apartheid South Africa.

Reactions of others   Overwhelmingly, the respondents reported experiencing few negative reactions to their interracial relationships. Family reactions were generally positive and public incidents were limited. Those who reported the most difficulties were the two African women, who at times felt accused of betraying their race. During the 1970s, black consciousness leadership frequently discouraged interracial dating. With the structure of racial hierarchy still very much intact in South Africa today, attitudes made popular during the black consciousness movement appear to remain salient, perhaps even fired by a growing African nationalism. Attesting to this trend, Thembisa describes the guilt she felt when she began dating white men:

> I got a lot of reactions from strangers, especially when we went out. It made me feel weird. I didn't want to hold his hand in public; I didn't want to be sexual in public. I was just freaked out about what other people thought. I came from this tolerant 'Model C' environment, and then I was in public and I'm with this white guy, and it's like you are turning your back on your culture and yourself. It's stares mostly, mostly from black people. They see me as betraying them. It's a generational thing as well. There was – I guess there still is – a black revival and black pride kind of thing. Like militant people at poetry slams. It's not overt. It's all undercurrent. I was just particularly sensitive to it. I sometimes worried about being the betrayer. I felt like I was doing something wrong – what's wrong with me, why can't I just go out with a black guy? I just felt awkward. It bothered me a lot, that I couldn't be affectionate with the person I was sleeping with in public.

This anxiety has been mentioned in the literature on interracial intimacy. Rosenblatt et al. (1995) describe how interracial partnerships led people to question their identities and group membership. African Americans, in particular, they write, felt their credibility was challenged. While Stacy was not burdened by guilt, she also reported incidents of negative reactions from her African peers, many of whom, it seems, harbour negative attitudes towards Africans who date outside their race:

> One chick said, 'Oh, I didn't know you were one of those.' And I said, 'One of what?' And she said, 'One of those black girls who date white boys.' And I was like, 'Huh?' And she said that you always see these 'cool' girls, wannabe Paris Hilton metropolitan black girls going out with white guys, because they think they are better than everyone else. And I asked her, 'Why are you saying that? Do you not want to talk to me any more because I am with a white person?' And she said, 'No, but if I had known before I wouldn't have spoken to you.' If you are hugging a white person or holding a white person's hand, they automatically assume that you wouldn't speak to black people, or that you wouldn't use your native tongue – only English. They assume that you think you are better than everyone else. Which is very sad.

> People would say in Zulu, 'Oh Stacy, *muphi umlumg'wakho*,' which means, 'Where's your white person?' Which meant, in the old day, 'Where's your master?' And this bothered me, because why would anyone say this? It implies that I would want something from him. It puts him up high, and I am below him automatically. And it's not like that. I wouldn't want to see him like that, or us like that.

Interestingly, while both Thembisa and Stacy were exposed to negative attitudes from their race groups, the whites did not report parallel reactions from their group. This may be because outright expressions of racism – especially those hailing from the former oppressors – have become increasingly taboo in the new South Africa, which means that whites' negative attitudes are more likely to be unspoken.

Race is not an issue   In their research, Rosenblatt et al. (1995) found that most of the couples interviewed characterised their relationships as normal; they volunteered that the race of their partner made no difference to them. In the beginning, they reflected, matters of physical attractiveness and the meaning of entering an interracial relationship might have been more important, but as the relationship developed they were no longer major issues. Often respondents said that usually they were not aware of their partner's race, that they only thought about their relationship as interracial when an outsider reminded them. The authors argued that societal challenges such as discrimination were not large enough to significantly affect interracial couples' happiness (Rosenblatt et al. 1995). Though they drew their conclusions from American data, these generalisations also resonate with the responses of the South African students. Among the respondents – members of the first generation to grow up without the oppressive force of apartheid – race does not appear to be a salient issue in their interracial relationships. Christopher recalled being aware of race at the outset of his relationship:

> I wondered about what being with a black woman would be like; I thought it was an interesting thing. With them, during that phase before you actually get together with someone, where you are thinking, 'Is it gonna happen? What's going on here?' race was a bit of a thing for me. I was quite aware of it until I kissed her, and then it was just like, ok cool, let's go. I think until you're in it, because of the stigma, because of the awareness of difference, you feel like something is going to be different until you do it and you realise, lips are lips, they kiss.

For Byron, race was apparently never a concern in the dating market:

Byron: I never found out I was coloured until she told me! [joking] I was so sheltered from it. My parents and their generation really felt it, and

that's what my parents didn't want me to feel. So being coloured, I just thought I was a tanned white person! My friends were coloured, white, black. My teachers were coloured, no, must have been white...The subject was just never broached, that's all.

Nicole: Not in that context in that private school in an upper-class area...

Byron: They would speak about this term 'apartheid', but it was never drilled in so badly. Really, honestly, I was never affected by it. I knew Nicole was a white girl, but I never thought at one stage that she was out of my reach. I saw a white girl, I saw a black girl, I saw an Indian girl – I saw things, but I would never think of that being a problem, I would always think that's a girl, she just happens to be this colour.

Stacy maintains that she has very little consciousness of race in her relationship:
Sometimes I look at him, and think, 'You are white, oh my god, you are white!' And it will pass, but sometimes I just have moments like that, because most of the time I don't notice it at all, he's just a person. But sometimes I have that realisation, like, you're actually white!

Notably, by their account race seems to play a minor role in the relationships of the interviewed couples. Race was never a source of conflict between the couples. Like those Rosenblatt et al. (1995) interviewed, the respondents described having very little awareness as they went about their daily lives that their relationships are interracial. Perhaps more than anything else, this comfort reflects the difference between current South Africa and the apartheid past.

Changing climate

Later scholarship on interracial relationships recognises that structural and cultural factors have played a part in initial encounters between interracial couples, but that these features do not necessarily make the relationships abnormal. As the climate of race relations changes within a context, many authors suggest, specific causes and motives become less salient. Perhaps, Spickard (1989) purports, interracial relations were once governed by neurotic and status motivations, but that is no longer the case.

In the new South Africa, 'transformation' – a key word in public discourse – is used to encourage transition in attitudes from racism to acceptance, aversion to sympathy, segregation to integration. Rapidly changing norms may mean that people in South Africa today enter interracial relationships for different reasons than they did in the past. While certainly complex and full of problematic elements, in this analysis of young Capetonians individualism was the strongest undercurrent running through the narratives of interracial intimacy. Among these middle-class,

liberal, educated urbanites, love is drawn from romantic individualism – Moran's (2001) 'X factor' appears to govern their experience of love.

Conclusion

The analysis presented in the second section of this chapter enters into an interesting dialogue with the first section, which describes South Africa's history of taboo and prohibition of interracial liaisons. The young adults we interviewed revealed at once the ongoing power of racialised imaginations, replete with colonial tropes of the Other's sexuality, enduring disparities in racial status, and interesting combinations of denial and transgression of the social impact of race in their lives. Yet, significantly, participation in an interracial relationship was not a notable challenge for any of the respondents. Its effects, Christopher explains, are 'just subtle things...just small. Nothing huge. Just slow, like floating down a river and kind of seeing things as you go by. Almost subliminal, and when you're on the edge you realise it afterwards.' While some of the respondents maintained that they were more or less unaffected by the experience, others reported that interracial dating has helped them become more well-rounded South Africans. Christopher demonstrated this sentiment:

> Having never been particularly aware of race, now I'm a bit more aware. Or more comfortable...say if I'm with a group of Xhosa men, I'm more comfortable with the language difference, the culture difference. I'm more at home I think, I feel more at home in South Africa. I feel more whole, more rounded, which was an unexpected perk. I feel more aware of racism, it's a more personal thing for me.

His girlfriend Thembisa concurs:

> I don't think the society we are in is necessarily encouraging interracial relationships. I think it's pushed, almost kind of forced, this idea of a rainbow nation, but it's necessary, it's great. But I don't know if it's been internalised among South Africans, but it hasn't been long. It's made me feel more South African, rather than just Xhosa, rather than just part of this one culture.

It is striking to discover that these interracial relationships in the new South Africa came with 'unexpected perks' and few challenges. The interviewees offered no reflections about the power dynamics inherent in interracial and cross-gender relationships. This may speak to the changing hierarchies of race and gender in the democratic era. By definition, of course, the sample excluded couples whose relationships were not working out or were short-lived. In addition, those who experience problems may be the least willing to share these issues with a researcher.

Nevertheless, the voices of our interviewees may also reflect the influence of the contemporary South African climate of race and class relations in the early 2000s. It appears, based on this research, that the new South Africa is a context within which the possibility at least exists for happy interracial relationships to form without overt obstruction. In order to contribute to an understanding of the changing nature of South African interracial intimacy in particular, and race relations in general, this chapter forms part of a larger body of long-term research on the subject. Further research may confirm, amend or contradict the conclusions drawn here, especially as it examines different experiences of interracial relationships in different social positions within the changing social landscape of post-apartheid South Africa.

Notes

1   Barry Streek, 'The act that only the policemen loved'.
2   Andrew Torchia, 'Apartheid opponents deride plan to legalise interracial marriage'.
3   See Blackwell & Lichter 2004; Carrington 2000; Childs 2005; Clarke-Ibanez & Felmlee 2004; Forry et al. 2007; Frankenberg 1993; Jacobson & Heaton 2000; Joyner & Kao 2005; Kalmijn 1998; Kalmijn & Flap 2001; Kennedy 2003; Leticeq 2004; Luke & Luke 1998; Pascoe 1991; Romano 2003; Rosenfeld & Byung-Soo 2005; Sollors 2000; Spickard 1989; Tyner & Houston 2000; Yancey 2007; Zebroski 1999.
4   This research is part of a broader research project on interracial relationships being conducted by INCUDISA at the University of Cape Town. Rebecca Sherman did the interviews used in this chapter, while Melissa Steyn is the principal researcher of the larger project.
5   To protect the privacy of research participants, all names have been changed.
6   'Tik' is the local name for methamphetamine, or crystal meth.

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FLIPPING THE COIN

The chapters in this section show dynamics of engagement with enduring conditions and conventions in contexts that allow little room for negotiating identities. The participants in the studies manoeuvre within the confines of power structures to change the terms of their positioning within dominant discourses that attempt to fix their sexual subjectivities.

5

Renegotiating masculinity in the lowveld: Narratives of male–male sex in compounds, prisons and at home

Isak Niehaus

SEXUAL STEREOTYPES, PREFERENCES AND prejudices have tainted the study of male–male sex in southern Africa.[1] This is particularly so in the context of the growing tide of homophobia sweeping through our subcontinent. Robert Mugabe, president of Zimbabwe, and Sam Nujoma, his Namibian counterpart, regularly describe same-sex erotic relations as an unAfrican 'disease', introduced by disreputable European settlers. Both have repeatedly threatened to expel gays and lesbians from the body politic. In South Africa, 'visionaries' such as Kenneth Metshoe, charismatic leader of the African Christian Democratic Party, coined the phrase 'God created Adam and Eve, not Adam and Steve'.

By documenting same-sex practices in historical and in contemporary contexts, anthropologists and historians have played a major role in combating ignorance.[2] Of particular significance is the recognition of male–male sex as the dominant expression of sexuality in South Africa's mining compounds and urban prisons. As Van Onselen (1984: 3) shows, these 'total' or 'complete' institutions – where men 'cut off from the wider society for an appreciable period of time, together lead an enclosed, formally administered round of life' (Goffman 1961: 11) – are pivotal to the republic's labour-repressive economy. In 1987, South Africa's mining industry employed 528 922 labour migrants, and there was a daily average of 113 660 prisoners in jail (SAIRR 1989: 419, 540).[3]

At the turn of the nineteenth century, Junod (1962 [1912]) observed that Shangaan miners in Johannesburg, called 'husbands' (*nuna*), asked boys to become their 'wives' (*nsati*). They gave the boys a great deal of money and treated them with great kindness. In return, the boys satisfied their sexual urges. 'The worst aspect of the situation,' writes Junod (1962 [1912]: 495), 'is that the immense majority of the Natives themselves do not consider this sin as of any importance at all.'

Subsequent studies have treated male–male sex in the compounds and jails as a kind of 'contingent inversion', occasioned by the non-availability of women as the preferred love object (Freud 1953). Van Onselen (1984) suggests that it was in

response to the spreading of venereal disease that Nongoloza Mathebula instructed his Ninevite gangsters to take boys as wives. Moodie (1988, 1994) and Harries (1990) see 'homosexuality' as a source of resistance to the wage economy. They argue that young men agreed to play the part of women in sexual activity to more rapidly become men at home. By acting as wives, young men could double their earnings, rapidly pay *lobola* (bride price) for their wives, and quickly establish their own homestead. However, with the loss of agricultural land, more fully proletarianised workers started establishing permanent relations with women who came to stay in town, and began to perceive 'homosexuality' as disgusting (Moodie 1988).

Though Campbell (1997) reports that male–male sex still exists on the South African mines, she does not see it as an expression of personal preference, but rather as due to celibacy induced by the deprivations of total institutions. Haysom (1981: 27) argues that the great frequency of 'homosexual' rape in South African prisons exemplifies the 'frustration-aggression syndrome' and is a violent assertion of masculinity in a context of powerlessness.

Achmat (1993) detects a strong heterosexist bias in much of the literature and asserts that existing accounts of male–male sex neutralise the significance of the body, desire and pleasure through the language of cause and effect.[4] He argues that colonialism established new constellations of power, in which men's bodies were no longer bound by their reproductive functions to secure wealth and status. In this process, he suggests, the compound emerged as a new space for desire, where non-reproductive sex attained new validity. Achmat, however, posits a complete rupture between sexuality in the rural and urban areas, and suggests that any sense of continuity between 'pre-capitalist formations' and 'homosexuality in the compounds' is a false one. Male–male sex in the compounds and prisons is 'not derived from the familiar pattern of male domination and female subordination' (Achmat 1993: 101). Unfortunately, Achmat tends to romanticise all that is 'positive, pleasurable, and creative in same-sex desire' (Di Leonardo & Lancaster 1997: 3), and to present modern gay identities as the normative expressions of same-sex intimacy.

This chapter examines these issues with reference to the experiences and recollections of male–male sex by former miners and prisoners in Impalahoek – a village in the Bushbuckridge area of the South African lowveld.[5] During the era of apartheid the village formed part of the northern Sotho bantustan of Lebowa. In 1994 Impalahoek was incorporated into the newly constituted Limpopo province and currently has a population of approximately 20 000 northern Sotho and Tsonga speakers. Bushbuckridge is situated fairly close to Junod's original field sites and was the setting of the interviews Moodie (1988, 1994) draws upon in his analysis of migrant sexuality.

Men from Impalahoek have worked alongside Shangaan migrants from Mozambique in the Pilgrim's Rest gold mines since the late nineteenth century (Bonner & Shapiro 1993). Initially the Chamber of Mines recruited mainly Mozambican migrants to work on the Witwatersrand, but in the 1930s it began to focus greater attention on the South African lowveld as a labour-supplying area. In 1936, 22 260 Africans from the Transvaal were already employed on the Witwatersrand mines (Wilson 1972: 6). With drought and increased population pressure in the reserves (due to the afforestation of large tracts of land on Mount Moholoholo and the eviction of former tenants from white-owned farms), labour migrancy became a career for many men. After the implementation of villagisation schemes in the 1960s, however, labour migrancy became indispensable to people's survival.[6] Indeed, in 1992, 57 of 113 (51 per cent) male wage earners in sampled households in Impalahoek were migrant labourers.

Through time, increasing numbers of Impalahoek residents have also been imprisoned. Policing has progressively become more effective. Increased numbers of police were deployed to suppress the political uprisings in the latter years of apartheid, and to deal with the dramatic escalation of crimes such as theft, robbery and murder in the context of mounting unemployment in the post-apartheid era. Until 1958 there was only a single police station in the entire Bushbuckridge area. At the time of writing (2008) there were six.

Whilst this chapter argues against the heterosexist assumption of 'contingent inversion', the evidence that I present does not support Achmat's (1993) contention of a rupture between masculine identities at home, at work and in jail. Rather, I argue that the workplace and the prison present novel contexts in which men renegotiate pre-existing masculine identities. In the new politics of identity, fantasies of power are of cardinal significance. In the mining compounds male–male sex presented a unique opportunity for intimacy and romance. In prison male–male sex exemplified male dominance, realised through physical violence and sustained by fear. The identities forged in this process are a far cry from modern gay personhood. As McLean and Ngcobo (1994) and Donham (1998) show, same-sex couplings in South Africa's townships designate a dominant masculine partner (*injonga*) who sexually penetrates other men, and a playful effeminate partner (*stabane* or *skesana*) who adopts only the receptive role in sexual intercourse. In certain respects this division is comparable to the division between the honourable and active *machismo* and the stigmatised and passive *cochon* in Latin America (Gutmann 2000; Lancaster 1992, 1997). In the lowveld, as indeed elsewhere in South Africa, modern gay identities – where both parties in the same-sex relationship are classified as the same male gender and as gay – emerged only in the context of transnational connections forged during the liberation struggle.

Sex and power in the mining compounds

The migrants whom I interviewed had worked in the coal mines of Witbank (Goede Hoop and Amco Bank) and KwaZulu-Natal (Dundee); in the gold mines of the North West (Stilfontein, Vlakfontein, Westonaria, Carltonville, Kinross and Estate) and the Free State (Welkom, Elandsrand and Geduld); and at the Penge asbestos mine in Limpopo province. Though their recollections covered the period from the 1960s, their most detailed memories were of the 1980s and 1990s.

The experiences of my informants, from their recruitment until the completion of their contracts, foregrounded their masculine identities. Migrancy defined masculinity. Only through migrant labour could men succeed as providers and build and support a household. Moreover, as Campbell (1997) suggests, an appeal to masculine attributes such as bravery, fearlessness and persistence was a sort of coping mechanism in the face of the demands of dangerous underground work.

In the earliest years, before identity documents were widely available, officials of the Native Recruiting Corporation in Bushbuckridge would take young men aside, lower their pants, and inspect the size of their penis and their pubic hair to assess whether they were old enough to work on the mines. Thereafter all men underwent a thorough medical examination. They were undressed, weighed, examined for scars and disease, and had blood samples taken. Anyone weighing less than 55 kilograms was deemed too light to tolerate the strenuous physical demands of underground work and was sent home. So were those contaminated by disease. At the medical centre the recruits were subjected to further tests. They had to dance and climb steps in a heated room: 'If you could not endure, fell down and collapsed you failed the test. Then you had to work on the surface – not underground.'

At the training centres of their respective mines the recruits were issued with the proper attire – overalls, belts, helmets and boots – and were allocated rooms in the compounds. For the next two weeks the recruits received instructions. Daniel Mokoena recalls that, at the Kinross mine, 'They told us: "Here is the first rule. You are not here for girls." Then they showed us a picture of a woman with a baby on her back. "You are here to work for this woman and her baby."' All workers were also given safety instructions. They were shown film clips of various accidents and were taught how to prevent them. Many workers recited the mantra, 'Examine the workplace! Examine your apparatus and tools! Examine your workmates! Correct everything!' The new workers also started learning *fanagalo* – the lingua franca of mining instructions.

Underground workers worked three alternating eight-hour weekly shifts: from 6am until 2pm; from 2pm to 10pm; and from 10pm to 6am. Their work teams comprised 'chesa boys' (cleaners), 'pipe boys', 'spanner boys', 'timber boys', winch and drilling machine operators, and '*bhas* boys' (now called team leaders). This

hierarchy was reflected in their salaries. During the 1990s the first four categories of workers earned about R1 000 per month, machine operators R1 500 in basic salary plus a R600 bonus, and team leaders up to R3 000. (Mozambicans earned slightly more because they were not issued with unemployment insurance cards.) All underground workers faced the same dangers. They wore strong leather to protect their elbows and knees and always worked in pairs. Winch cables could snap at any time and rockfalls occurred regularly. One informant told us, 'So many workers were injured by the rocks' and showed us the scars where rocks had hit him on the arm. These fears of rockfalls were well founded. The South African mining industry has long had an alarming accident rate. Within a 20-year working life, an underground worker has a 3 per cent chance of being killed in a work-related accident and a 42 per cent chance of suffering a reportable injury (Campbell & Williams 1996: 3).

Not all workers were fearless enough to work underground. Sputla Ngobeni immediately volunteered to work as a security guard on the surface 'because securities are more respected by the mine managers'. Ben Monna did not mind working as a 'tea boy' and later as a clerk. 'I would not have liked to have worked underground,' he said. 'Falling rocks maimed these people. Many people with whom I stayed died. I could not risk my life.'

Most migrants resided in single-sex dormitories in the mining compounds. Whilst their work teams were ethnically integrated, specific dormitories were allocated for Shangaan, Tswana, Pedi, south Sotho, Pondo, Xhosa and Zulu workers. A few older migrants recalled that they once slept with blankets on concrete bunks without mattresses and were served meals comprising mainly soup, cabbage and porridge. However, by the 1980s and 1990s miners slept on double-decker steel beds with mattresses. Their dormitories had wardrobes, heaters and fans, and all compounds were equipped with changing rooms, washrooms, kitchens, laundries, television sets and beer halls stocked with a wide assortment of liquor. Workers pretty much ate what they liked.

The administrative control of the compounds was vested with white compound managers, their *izinduna* (headmen) and security guards. Their major task was to produce a satisfactory flow of labour down the shaft every morning (Moodie 1994). To meet this aim the compound administrations enforced a host of regulations. No unauthorised visitors such as women, children and hawkers were allowed within the compound premises. Workers were not allowed to bring liquor into the compound from outside, or to drink inside their dormitories. They were also prohibited from arriving late or in an intoxicated state for their shifts, from bearing weapons, smoking dagga (cannabis), making an excessive noise, and from roaming about at night. Compound managers illegally empowered security guards to commit any miner to a lock-up (called *stokisi*). The guards also punished workers

by making them carry coal and meat, and called the police to arrest those guilty of serious transgressions.

Each dormitory accommodated between eight and sixteen men. They themselves elected a *sibonda* (leader) to represent the dormitory in their dealings with the compound manager, sort out quarrels, appoint workers to fetch rations from the kitchen, and to see that the dormitory was neat and tidy.

Until the suspension of apartheid's draconian influx-control laws, men found it virtually impossible to secure accommodation outside the compounds. A former employee of the Penge asbestos mine recalled that whenever their wives visited them in the 1960s, they asked local people to accommodate them or built a temporary shelter from stones, slates and canvas. Mine management often phoned the police to demolish the shanty and to arrest the wife. Fortunately this situation changed. By the 1990s certain sections of the security and administrative personnel were entitled to houses, and miners whose wives visited them could temporarily reside in married quarters at the mine. Migrants were also entitled to secure accommodation in the townships, but there were often severe housing shortages. For example, whilst Justice Malatsi worked at Witbank, he shared a house with his *malome* (mother's brother), his *malome's* wife, son and wife's younger brother. There were only two small bedrooms and Justice shared a bed with his cousin.

On the mines violent physical assertion – particularly in dealings with fellow miners and in faction fights – was a key component of masculinity.[7] Valley Ndolvu said that he had never seen as much fighting as he saw on the mines, and that these fights were often caused by misunderstandings due to language problems. Similarly, Paul Mahumane described how discontent about the price of beer escalated into extremely violent fighting at a Randfontein mine in the late 1980s:

> The mining magnates had the only bar in the mines where they sold beer. We miners saw how the price of beer increased, but not our salaries. We were unanimous about the exploitation of the bar. We said that whoever drank from the bar would be killed. We fought until 1987 when the bar and all the cafés on the mine were closed. But the whites used divide and rule against us. They realised that the Xhosas wanted beer a lot and spoke to them. They gave them beers free of charge and supplied them with knobkerries, spears and pangas [machetes], taught them of faction fights and ferried them from one compound to another. First the Swazis fought the Xhosas. It was so fierce. The Basotho then decided to deal with the Nguni. They would wake each other early in the morning and go down to the mine with sharpened steel rods. Many people were killed inside the mine. The Basotho asked you if you *thetha* ['speak' in isiXhosa] or if you *bua* ['speak' in SeSotho]. If you say *thetha* you are dead. You would be thrown into a dark pit and would die there. Eventually the Xhosas had to go.

The most obvious contradiction that arose from the foregrounding of masculinity was the absence of women; an absence threatening to demasculinise and deprive men of opportunities for sexual contact, intimacy and domesticity. The men believed that, for males, sex was not only necessary for pleasure but also to ensure a balanced supply of blood that was essential to the maintenance of health. Prolonged celibacy caused poorly regulated bodily fluids, short tempers, recklessness, depression and an inability to think clearly (Campbell 1997). Some workers believed that the doctors who examined new recruits at the medical centre injected them to suppress their sexual urges. Others argued that the healthy foods they ate at the mines heightened their sexual desire and prowess.

Very few miners masturbated in the change room. In the lowveld this practice – known only by the Zulu word *chocotcha* or by the Afrikaans *skommel* – is strictly taboo. Men feared that masturbation made them sick because their penises sucked in air. One informant said he wore a condom whenever he masturbated to prevent this, and another actually believed that masturbation causes AIDS.[8]

Most men sought to satisfy the physical demands of their manhood outside the compounds. Contrary to Goffman's (1961) ideal type of total institution, the barriers to social intercourse between the mines and the outside world were by no means absolute. Migrants could leave the compound premises whenever they were off duty and were free to sleep in the townships overnight.

Men could easily locate sex workers (*kwababane*) whose services were relatively affordable. According to one informant, 'Only the Xhosas did not buy women. They prefer to wet themselves at night, eating the ancestral vagina [have wet dreams].' Young women loitered around the gates of just about every mine.[9] In the 1970s the sex workers at the Geduld mine asked only a few rand. In the 1990s Witbank's coal miners could purchase the services of housewives in the townships adjoining their compounds, or those of more professional sex workers who arrived from Durban at the end of each pay day, for between R80 and R200. Other miners persuaded the women who sold clothes, fruit and beer at the compound gates after each shift to have sex with them in the bushes by placing R50 notes in the zips of their pants. Five women 'of ill repute' shared a shanty outside the Vlakfontein mines, from where they sold liquor and engaged in the commercial sex trade. White businessmen also capitalised on this lucrative market. At Klerksdorp a white man owned a brothel within walking distance of the mine, where miners could spend the entire night with beautiful young Xhosa women for R250. On a farm strategically located between two Stilfontein mines, a wealthy businessman, Koos Viljoen, accommodated more than 100 young sex workers from Lesotho. The women paid rent of R90 per month, and Koos's employees sold milk, beer and dagga to the customers.

In a cultural ethos that condones only polygyny, women with multiple partners are condemned as unacceptable (*bogega*). As one miner explained:

> In our culture a man is allowed to have three wives. But a woman...She is supposed to respect a man, to have babies, to clean and to do domestic things...Prostitutes lower a man's dignity. After you have chowed [eaten, had sex] they will have a bath and will chow again. Because they have so many different men, prostitutes spread venereal diseases.

Another informant added, 'These women were so fast. The next day they would not even recognise you.' Sex workers enabled men to release their sexual tensions. They did not provide men with intimacy, domesticity or the comforts of home (White 1990). Some workers nonetheless valued this service: 'A man is a man. For us one round is enough. We can do it in the veld and we can share the same woman. It does not really matter.'

From the viewpoint of intimacy, *bonyatsi* relations with township women provided a more satisfying alternative. *Bonyatsi* denotes a regular extramarital relationship in which men provide intermittent amounts of money and gifts to their paramours (*dinyatsi*, sing. *nyatsi*), but do not exchange these directly for sex (Spiegel 1991). Men from the lowveld easily found *dinyatsi* in the residential areas near the mines. Justice Malatsi told me, 'There are women all over and women want money.' He said that he would propose love to any 'good-looking woman' he met on the streets of Witbank. If she accepted his proposal, he would make an appointment to meet her in a bar lounge, in the hope that this would lead to a sexual relationship. Justice's cousin – Elvis Manzini – proposed to older women and always took along meat and beer whenever he visited them. From the bands men wore on their arms, women could see that they were miners. Older men generally had more dignified *bonyatsi* relations with domestic assistants who worked in the white suburbs. In some instances these affairs even ended in marriage.

Men's *bonyatsi* relations with township women were more likely to meet their desires for the comforts of home. Because migrants earned relatively good wages, the relatives of their *dinyatsi* oversaw that they did not have affairs with other men. But as in the case of men's fleeting sexual encounters with sex workers, the financial component of these relations could be extravagant. Justice Malatsi described these affairs as extremely expensive:

> You won't pay for sex, but you'll spend a lot of money. You'll have to buy the woman liquor. She'll drink Crown or Hardies [cider] and that sweet stuff is expensive. Maybe she'll invite her friends. Then you spend more. When you sleep with her you also have to buy beer for the man who owns the house. It could cost R100 to R150 if you include transport. Then when you get to bed you'll be drunk and you won't be able to perform – especially with brandy. You'll only come [ejaculate] after hours.

Gangsters could also disrupt the relations between migrants and township women. At Stilfontein the notorious Russians beat any outsider involved with local women. Sometimes they stripped the migrant and chased him, naked, down the streets back to the compounds. Miners' wives resented township women. A man's failure to send regular remittances could result in an unexpected visit from his wife. (Before 1960 compound managers could deduct half of the husband's wages and arrange for his wife to collect these at the recruitment offices in Bushbuckridge.) Once a chief from the Transkei sent three of his policemen to *sjambok* (beat) the men from his chiefdom who had neglected their wives.

In the compounds male–male sexual relations more closely approximated heterosexual marriages at home. Unlike commercial sex, these relations enabled migrant men to assume the role of husband at work, to engage in intimate romantic liaisons with a faithful partner, and to enjoy the comforts of home. In the context of the mines, these relations expressed the personal preference of many men.

Junod (1962 [1912]) writes that at the turn of the previous century, Shangaan miners paid up to £25 in bride wealth to the boy's elder brother, and killed a goat to signal that they had entered into a binding contract for the whole time that they spent on the compounds. In addition, the 'husband' gave his 'wife' £1.10 at the end of each month. Older informants recalled having observed similar marriages in the 1960s. Joseph Monna said that Mozambican, Xhosa and Zulu men took boys as wives during a public ceremony at the Stilfontein gold mines. In front of hundreds of witnesses, they presented their boys with gifts of trousers, dresses and colourful blankets to signify the start of their 'marriage'. At the end of their contract the husband gave his 'mine wife' £30 to take home. Joseph personally abhorred this practice, but accepted it as part of the lifestyle of the ethnic Other. Another informant recalled that at Vlakfontein it was the prerogative of boys to choose their own husbands:

> Every Saturday there was a wedding. The Xhosa and Pondo sang and danced in front of our rooms. They would dance, jump up and down, and would pull their blankets so that their buttocks and genitals stick out. They only covered it with the shell of the *maraka* fruit. Everyone went there to listen to the nice songs and to see what happens. The young ones would choose any man they think would take care of him. They would be married from that time until the contract expired.

Evidence from the lowveld does not support Moodie's (1988, 1994) and Harries's (1990) contention that mine marriages were no longer a common feature of life in the hostels after 1970. Though these marriages were certainly less formal, informants insisted that they were still extremely pervasive. Senior migrants still yearned for power, romance and domesticity on the mines, whilst junior miners'

desire for money had not abated. Sputla Chiloane recalled that when he had newly arrived on the Witbank mines as a 21-year-old novice in 1987, up to 10 men proposed love to him each day. Sputla said that he declined these proposals, but that many of his friends accepted and were immediately given R600. He specifically recalled that one man offered a youngster R200 for one round of sex. The young men who accepted these proposals lived as mine wives (*msisa* or *nsati*) of the senior partners. They lived with their husband behind an enclosure of curtains (called *madia dia*), shared his bed, regularly offered themselves for thigh or anal sex, and undertook various domestic tasks. The wife cooked, washed 'her' husband's clothes, polished his shoes, fetched rations in the kitchen, added sugar to strengthen his home-brewed beer, and accompanied him to town. In return, the wife received an additional amount of about R300 per month.

Many senior migrants preferred mine wives to sex workers and township women. Some informants said that it was easier to propose love to one's younger co-workers than to unfamiliar women. Others suggested that it was cheaper and healthier to have sex with men. In contrast to the R300 per month senior miners paid to sustain mine marriages, women allegedly demanded not only money but also clothes, and ate much more expensive food than men. Given the understanding that during sexual intercourse a man's penis not only discharges semen ('white blood') but also sucks in vaginal fluids from the female partner, women were seen as more dangerous than male sexual partners.

I have personally asked the elderly men why they prefer boys. They tell me that women bite. With a woman you can become ill and get sexually transmitted diseases, and you can even die if she has committed an abortion. With women there is also AIDS. They say that it is safe with a young boy. He won't transfer any diseases to you.

Many miners did not believe that one could contract AIDS by means of anal intercourse. This explanation captures men's willingness to sacrifice the moral precepts they might transgress by having sex with other men, in favour of their materialistic concern for personal health and well-being.[10]

The association of mine marriages with seniority, dominance and power is also insightful. Nearly all the men who kept mine wives were team leaders (*bhas* boys) or locomotive drivers underground, or were *sibonda* in the compounds. Mozambicans, who had a reputation for being tough underground workers, were deemed to be particularly fond of having sex with men. Informants highlighted the strength of this association by speculating that Mozambicans used potions (*dihlare*) to attain influential positions, and believed that sexual contact with women weakened their power. (Soccer players, too, abstained from sexual intercourse with women before important matches.)

The Mozambicans were not well educated, but after three months they would be made an *induna*. Most of them are leaders in the shafts. They always had nice rooms. If a Mozambican looks for a job today, he'll get it. A herd boy from Mozambique can get his father's position on the mines. If a Mozambican tells his boss, 'I'll phone Maputo to call my relatives,' the white man will employ them. I think this is because they eat *matanyola* [have thigh sex]. Women will weaken them...We rarely saw a Mosotho in a senior position. If there was a Mosotho in such a position, we suspected that he had a male wife.

Seniority predicted sexual practices rather than vice versa. Being a husband exaggerated a man's masculinity and enabled him to be a *monna na* ('real man') or a *ramotse* ('father of the village') on the mines. Like the sexually assertive Latin American *machista* (Lancaster 1988, 1992), the mine husband suffered no stigma. He achieved honour by subordinating other men sexually, being polygynous, being a provider, and enjoying the comforts of home. One husband never ate in the kitchen. 'He said that his food must be cooked by a wife – not by a machine.' Moreover, erotic attraction towards men predominates in a cultural milieu that foregrounds masculine beauty.[11] A man's love for his mine wife could be extremely intense. Indeed, the loss of a loved partner could be so personally destructive that it could occasion suicide. On the Witbank coal mines, one husband hanged himself after he discovered that another man had had sex with his mine wife. The distraught husband took his wife's clothes, shred these to pieces, and placed the litter in a bag. Before tightening the noose around his own neck, he hung the bag from the rafters.

Mine marriages, in turn, feminised the male wife. Male wives were rarely older than 30 years, were always clean-shaven, and mimicked women in their hairstyles, clothing and mannerisms. On weekends husbands took their mine wives to the hairdressers in town – to have their hair straightened, permed or braided like that of a woman. Mine wives always wore attractive feminine clothing – headscarves, expensive dresses, tight trousers or clothes made from beautiful floral material. One perplexed informant asked me, 'What kind of madness is that? These men wore very expensive dresses. I would have liked to have bought dresses like that for my wife [at home], but I could not afford it.' Mine wives also wore rings as a sign of their attachment and painted their fingernails. They did not participate in sport, never fought, spoke to their husbands in high-pitched voices, and drank cider or wine rather than beer. Underground team leaders always ensured that their wives were not given strenuous manual labour. They never worked with drills, but polished the drills and swept the floor. Team leaders also sent their wives on extensive sick leave. At the Kinross mine a team leader spared his mine wife – a

feminine man with a light complexion – from any labour. 'We never saw him when we worked, only afterwards. The *bhas* boy hid him in a secluded place.'

The motives of men who assumed the role of mine wives were multiple and complex. We cannot exclude purely financial considerations and physical coercion. Jonas Mohlala recalled that at Stilfontein:

> Things such as *matanyola* [thigh sex] were there. A man would do such things if you were young and you could not resist. The *bhas* boys will make you work and toil like hell and will then tell you to come to their rooms at night. In that way [by having thigh sex] you will get some relief and won't have to work like hell any more.

Team leaders and *isibonda* (headmen) occasionally raped newcomers on the mines. The young men had no recourse to justice; they would either quit their job or continue with the relationship. 'It was very humiliating to be raped. Because we served our families we could not go back home. We were also afraid of the *bhas* boys.'

Many of the young men who conceded to perform the role of wives lacked heterosexual experience. At home young men roamed about as groups of herd boys and were deprived of opportunities to meet girls. To prevent teenage pregnancies, parents were extremely strict and prohibited their daughters from forming attachments with boys. These young men often engaged in thigh sex with young girls, or occasionally also with their male compatriots. They perceived their sojourn on the mines as an educational experience, and perceived their relations with older men as part of being socialised into becoming powerful men.

Sex in jail

Apart from Scotch Mosoma and Big Vincient, all of the 11 former prisoners interviewed were imprisoned in the 1990s. Scotch served a 21-year prison sentence from 1962 to 1983, and Big Vincient was imprisoned from 1982 to 1988. The other interviewees served sentences of between one month and eight years. They were incarcerated in the holding cells at the Acornhoek, Hazyview, Tulumahashe and Standerton police stations; in the medium-term prisons of Nelspruit and Bethal; and also in the Barberton maximum-security prison.

Our informants were generally cagey about the nature of their crimes. Big Vincient said that he was wrongly convicted of raping a woman in the village of Rolle, and Andries, who served only six years of his twelve-year sentence, described himself as a political prisoner. Jack Malapo was found guilty of assault, Freddy Usinga of stealing a firearm and of robbery, and Betwell Mnisi of attempted murder after he shot someone who broke his window with an unlicensed firearm. Elleck

Malatsie was detained without trial for participating in a protest march against the presence of the Mankweng riot squad in Acornhoek.

The admission procedures for prisoners were far less elaborate than those for migrants. Warders merely inspected inmates' bodies for any marks, tattoos indicating prior membership of prison gangs, and for signs of disease. The warders then issued them with prisoners' clothing and escorted them to their cells. Inside the cells older prisoners initiated the newcomers. Betwell Mnisi recalled how he was put through a series of humiliating trials at the Acornhoek police station. Older inmates asked him to sit on a wall and pretend to cycle to town, and hit him with shoes they tied to a belt. They also commanded Betwell to act as a drilling machine. He had to put his finger in a small hole and circle around the hole until he was so tired that he collapsed.

Conditions in the prisons improved greatly through time. Scotch Mosoma recalled that in the 1960s up to 100 inmates shared a single cell in the Nelspruit and Barberton prisons. They slept in pairs on sisal mats on cement bunks or directly on the cement floor. Political activists were also detained under extremely adverse circumstances. Elleck Malatsi and 13 other comrades – aged between 16 and 24 – were held in custody in a storeroom at the Tsakane police station. They slept on a cement floor, were issued with only eight blankets, could not wash for the entire month, and were fed only oranges and bananas. The police constantly interrogated and beat them, and forced them to frog jump from the police station to a nearby dam. In times of drought the holding cells of the Acornhoek police station were without water and their toilets did not flush. In 1998 conditions were so desperate that the prisoners smeared faeces on the prison walls to protest against this intolerable situation and demanded to be transferred to another prison.

During the 1990s prisoners were still accommodated in fairly large cells. The 10 holding cells of the Acornhoek prison each held 10 double-decker beds, the cells of medium-term prisons such as Nelspruit about 15 double-decker beds, and those at the Barberton maximum-security prison up to 20 beds. Newcomers occupied the less envied beds on top. Unlike the dormitories of the mining compounds, inmates of the prisons were not segregated by ethnicity or by the category of crime they had committed. Basotho, Shangaan, Swazi and Zulu robbers, rapists and murderers shared the same cells.

The outstanding feature of prison life was its predictable routine. At 7am the cells were unlocked and all prisoners counted. Each morning the warders asked prisoners to speak out if they had any complaints. Then the prisoners were marched to the kitchen in two straight lines. Each morning they ate a breakfast comprising two slices of bread, soft porridge and a cup of tea. The prisoners usually ate fast, to make way for others. From the kitchen they were led to the quad to relax and to occupy themselves with their own tasks. At midday the prisoners were served large

slices of bread called 'bare head' (*kaalkop* in Afrikaans) and a cup of fruit juice or cold tea. Supper was served at 3pm and comprised starch (maize porridge or maize rice), vegetables (potatoes, cabbage or carrot), and meat (pork, beef or chicken) or soup. The inmates then cleaned the passages, were again counted and then locked in the cells. Such routine generated intense boredom:

> We only ate and slept. That's all. We did nothing to pass the time. We did no work and no sport. The quad was small – only one metre wide and three metres long. We only walked and after you were tired of walking we played casino [a card game] or *marabaraba* [a board game].

Some prisoners were given study rights and others could work for a small wage. Gardeners earned R7 per month; carpenters who repaired furniture R7.30; those who cleaned the courtyard, bathrooms, toilets and showers R7.70; builders R7.70; boilermakers R18; and chefs R18.60. (After each six months these wages increased by 50 per cent.) Only in maximum-security prisons such as Barberton could inmates work outside the prison. These prisoners were called the Ferreiras (a common Afrikaans surname) and did diverse jobs such as cleaning dog cages, caring for pigs and cattle, cultivating the prison fields or those of private farmers, and building dams. The Ferreiras greatly relished the opportunity of working outside. Until 1990 each prisoner received a packet of tobacco in addition to his wage. The workers could save their earnings or purchase tea, bread, sweets or cold drinks at a tuck shop inside the prison.

Prisoners could receive visitors until 5pm, and churches sometimes came to show religious films. The visitors brought them food and small amounts of cash, but many prisoners were incarcerated too far away from home to remain in contact with their kin.

The warders who exercised surveillance and control over the prison regime played a determining role over prisoners' conditions of life. Some were oppressive and made life hard. For example, the Shangaan warders at Tulumahashe were said to be 'full of tribalistic remarks'. At Barberton warders punished prisoners for small misdemeanours such as not standing properly in the queue, for disobedience and for fighting. The warders deprived the troublemakers of food, locked them in icy refrigerators or confined them to single cells. Warders also conducted unexpected searches for dagga and weapons, some got drunk and made a lot of noise in the passages, and others were grossly incompetent. For instance, the warders mistakenly informed Jomo Manzini's relatives that he had died. There were, however, warders who actively sided with prisoners and participated in the jail's underlife. Some warders ignored all infringements of the rules and even smuggled dagga, liquor and weapons into the cells for a nominal fee.

We can only understand the sexual lives of inmates in the institutional context of persistent hunger, prison gangs and their hierarchical social organisation sustained by violence and fear, and a flourishing informal economy.

Goffman (1961) observers that many inmates become obsessed with the rewards obtainable within the total institution's privilege system. In this respect our informants' greatest concern was the quantity and quality of food, and constant hunger was their greatest complaint. To cite some interviewees:

Nobody was satisfied with the food. You won't hold out from 3 o'clock in the afternoon until 8 o'clock in the morning without anything. That is 17 hours! We would gulp the little food they gave us in a few minutes and after finishing we always desired to eat more.

With food you will never eat and say you are satisfied. Throughout my stay there [in prison] we ate samp [maize rice]. The porridge was too soft and too little. This was very difficult for me.

The main cause of trouble was the lack of food. An empty stomach can drive you to do many bad, silly, unnecessary and unheard-of things.

Inmates who were deprived of food were sometimes so hungry that they ate a mixture of toilet paper, toothpaste and salt. Indeed, those who always went around begging for food could even become the targets of witchcraft. The Ferreiras could manufacture poison from the head of a snake or a lizard, or from a flower called *nvuthuza*. When spread on an inmate's bed, this potion would cripple him.

In all South African prisons the gang is the basic unit of social organisation. Haysom (1981), Van Onselen (1982, 1984) and Lötter (1988) comment on the structure, ranking and multi-ethnic and nationwide organisation of these prison gangs that pre-date the South African prisons department. All 11 interviewees were well acquainted with the workings of Big Five, 26, 28 and Air Force. (Three belonged to Big Five and one to 26.)

Members of Big Five wore tattoos of a cross, a swastika and the number five, and were known as 'Hitler's soldiers' or as the 'Germans' in prison. My questions about their association with Hitler elicited the response, 'We admire Hitler because he wanted to conquer the whole world.' Big Five operated mainly in the former Transvaal, spoke Afrikaans and *tsotsi taal* (a language of township thugs) and collaborated with the prison authorities to secure privileges such as extra food and an early release. Despite the references to Hitler, members of Big Five referred to themselves as peacemakers and said that their slogan was, 'We don't meet with blood' (*Ons ontmoet nie met die bloed nie*). Big Five opposed all other gangs, reported

anyone who smuggled knives or dagga to the prison authorities, and disciplined any of their own members who robbed, stabbed or raped other inmates.

The tattoo of 26 was a dollar and a hand clasping a money-bag, and members were known as the Krugers (after the krugerrand). Their members were primarily those arrested for crimes such as robbery, theft or car heists. Twenty-sixes devoted themselves to making money in jail and their slogan 'the sun rises' (*mpumalanga*) means that they operated in the daytime. Inside, 26s devoted themselves to stealing money from fellow inmates, gambling, and controlling the trade in cigarettes and dagga. Jabu Usinga, who was a member of 26, said that he bought cigarettes and tobacco from the prison warders and sold them to fellow inmates at inflated prices. He asked 50c for a single cigarette (loose draw) or for a matchbox of pipe tobacco. In this way, Jabu made between R17 and R50 each week. Other 26s bought dagga from the warders, hid it underneath their mattresses, and smuggled it past checkpoints by wrapping it in cellophane and pushing it up their anuses. The dagga trade was extremely lucrative. Outside jail a matchbox cost R5 and an 'arm' between R30 and R50; inside a matchbox cost R10 and an 'arm' R150.

The 28s – South Africa's oldest prison gang – are an outgrowth of Nongoloza Mathebula's Ninevites.[12] Their tattoo was a circle with four pointed arrows extending from it, or a heart with a vagina painted inside. The circle shows that all directions end up in prison, and the heart indicates their fondness of male–male sex. The members of 28 were mainly long-term prisoners – sentenced for rape and murder – and sought to make a living for themselves in jail: 'With good food, dagga and with boys they feel that they can stay in jail forever.' They spoke mainly Zulu and Afrikaans and their slogan 'sunset' (*mshonalanga*) shows that they operated mainly in the dark. Twenty-eight was known for extreme violence and they would burn off the tattoos from their members' shoulders with plastic before expelling them from the gang.

Air Force – also known as the flying Springboks – have the tattoo of an eagle with the letters RAF (for Royal Air Force) on the left and the numbers 2, 3 and 4 on the right. In contrast to the other prison gangs, Air Force see everything of value as located outside the prison. Their sole aim is to escape:

> They [Air Force] hate to be arrested and can only talk of going out. They never carry a lot of bags. Their hands are always free. This is so that they can escape any time…They don't deal with *picaninis* [young male lovers] and don't like eating too much. When they eat food they get late. They always fly. They don't like to own anything. Not even a rug. They only like you if you have a plan to escape.

Air Force 2 attempt to escape from the police stations, Air Force 3 from medium-term prisons, and Air Force 4 from maximum-security prisons. They speak a coded

language that nobody else can understand, and are known for their fierce loyalty. Their slogan is, 'Where you die, I will die. Your thing is my thing.' In the folklore of every prison there are legendary stories of miraculous escape attempts from every jail. In Acornhoek, Jomo Mohlala overpowered a policeman, took the key and escaped. In Nelspruit, Ditiro Moeng and Flick Mohlala cut the bars of their cell with a steel saw blade and escaped with a rope that they made from cutting blankets. At Barberton, Air Force tried to escape with a police vehicle. Some gang members also paid a warder to take them to town, and disappeared after they went to a shop.

All prison gangs were hierarchically organised to maintain their own internal discipline. Big Five has no fewer than 25 ranks. These include the pillars (who fight under command like foot soldiers); the shine (*skyn*, who investigates cases and acts as a type of overseer); witnesses (who give advice); judgement judge; advocate (who defends gang members accused of various misdeeds); battle machine; marshal; spade jack (who is responsible for the gang's internal organisation and plans attacks on other gangs); peacemakers; the head; vice-president; queen (also called 'mother of the children'); and the president. The president sleeps with the queen and she 'pleads for mercy on behalf of all the soldiers'.[13]

Anyone who transgressed the gang's rules or disobeyed the hierarchy was given a formal hearing. Evidence would be presented against him, lawyers would defend him and the president would give a judgement. Gang members immediately executed the punishment. They could beat the offender, throw him to the ground and walk on top of him, or even execute him. Big Vincient recalled that in Bethal one gang sentenced an offender to death:

> They rolled a blanket around his neck and pulled on either direction to suffocate him. Meanwhile others kicked him in the stomach. I cried as I saw how they killed the man. He was killed right in front of me in the cell and I was too confused to call. When I cried the others laughed. They would say to each other, 'This youngster is getting mad. He is not used to prison life.'

In 1996, 28 executed someone in Barberton. After breakfast they met in the quad and dragged the culprit into the toilet. Whilst some blocked the door, others killed him, dissected his body with Okapi knives and actually ate his liver. Five men were rearrested and resentenced in court.

Violence was extremely pervasive between the different gangs. In January 1996, five inmates were killed and nearly forty were seriously injured when 26 and 28 fought Big Five in the Barberton prison. The fight occurred after Big Five informed the chief warder that one of their rivals had borrowed a video cassette recorder from a guard, a 28 had raped a member of Big Five, and 'someone swore at someone else' in the kitchen. The 26 and 28 gangs used knives, sharpened plates and sharpened spoons, and Big Five broke off table legs to defend themselves. The

fighting started at 1pm and was only brought under effective control by the police at 6am the next morning.

Inmates regularly fought with fists, broomsticks and even with the frames of portrait holders. (Prisoners displayed endless creativity in manufacturing weapons.) The victims were those who insulted others, who kept all the money for themselves after selling dagga, or who refused to settle their gambling debts. Those who stood outside the gang structure were most vulnerable. They were called insulting names such as 'free flower' (*vry blom*), 'moron' (*mpatha*), 'know nothing' (*mutu wa ka baba*), 'stupid' (*skanae*) or 'someone from the bush' (*se hlathini*).

Whilst the oppressive conditions inside the prisons generated intense frustration, fighting created fear. To cite some informants:

People outside misbehave because they don't know that place. They don't know what jail is like. Those who have experienced staying in jail will never again commit any crime. It is better to be dead than to be arrested. You can't even eat in jail. Your heart is always sore and you are always worried. Being in jail makes you feel entrapped and caged. There is absolutely nothing that you can do. You are just there. Many people wanted to commit suicide, but the place is always clean and there are no utensils with which to do so. You think and think. The only thing that kept me going were the tablets [tranquillisers] the guards gave me.

From the day you arrive till the day you get out you thank God for each day you survive. They might hit someone with a mug in the kitchen and then the fighting would start. Then you have to flee. You always doubt if you will be alive tomorrow. You become unsure of your faith.

In Barberton life is not safe. Maximum is very dangerous. It is rotten. You are always on the watch out for those who can harm you. With a mere nail they can take your eyes out. You sit like a rabbit with your feet underneath your body. You sit very quiet.

In Acornhoek a man who had been arrested for carjacking, armed robbery and murder committed suicide by viciously smashing his head against the cell wall. Unlike in the compounds where migrants preferred male–male sex to several other alternatives, prisoners had no choice. Scotch Mosoma commented, 'In the twenty years that I was in prison, I never saw a woman. I had a wife at home, but the authorities did not allow her to visit. I only received some letters.' In prison folklore, rather than in men's actual experiences, corrupt prison warders arranged women for the Ferreiras at an exorbitant fee. Men also told a story of a warder who

acted as a man, but was really a hermaphrodite. He regularly paid prisoners to have sex with him and was in love with a dark and handsome Mozambican.

Prisoners distinguished between consensual sex that was preceded by a proposal and coercive sex and rape (*go kata*, literally 'to push down') that was not. The former comprised a formal relationship between a *lebosa* (the he one) or *papa* (father) and *mfana wa misa* (boy wife) or *picanini* (small boy). Estimates by the interviewees provide some indication of how prevalent these relations were. They vary from two husbands and six wives in a cell of sixteen men, to three men in a cell of twenty who kept juvenile wives elsewhere. The partners had to be members of the same gang: 'The husbands were 28 and their wives also 28. If a Big Five has a wife who is a 28, the other Big Fives will punish him.'

The *lebosa* usually proposed and provided his partner with extra food, cigarettes, dagga or small amounts of money. He might give his partner his entire plate of food and eat only crumbs, or help the kitchen staff wash dishes in exchange for some of the leftovers. He was also expected to protect his lover at all times. He alone penetrated the boy wife during thigh or anal sex. The *lebosa* could also be polygynous and sometimes kept up to three boy wives. However, provision was the most important criterion of masculinity. According to informants, even the hermaphrodite at the Barberton prison was known as the *lebosa*: 'The prisoner put it in, but the warder was the *lebosa*. The prisoner was just a *picanini*. The warder was the one to convince the prisoner to do it with him. He does not put it in, but he pays.' Provision was also more important than age: 'Money talks in prison. Sometimes a small boy would even fuck an old man. This is because the old man suffers and wants to eat and smoke.' Partners usually had sex within an enclosure in the cell, made from blankets and sheets and called *madia dia*. In the case of more short-term liaisons, the *lebosa* proposed to the youngster in the quad and offered him a gift. They then had sex in a hidden place at the end of the passage where nobody could see them.

Young men who were fat and light in complexion were generally most desired as boy wives. Like the mine wives, they acted in an effeminate manner. They were clean-shaven, spoke in a feminine voice whilst in the company of the *lebosa*, wore a towel around their waists when going to shower, and used names like Sarah, Sebongile and Mmabatho. The boy wife washed the husband's clothes, swept his cell, made him tea and relayed messages for him. Youngsters were by no means forced to become wives. In fact, they sometimes proposed love to older men. They saw these relations instrumentally as a means of obtaining food, money with which to purchase dagga, and also protection: 'We were given too little food. Hunger and starvation caused men to become wives. Hunger can cause you to do things you don't like.' Big Vincient, who acted as a wife for two senior prisoners called Danger and Lucky, emphasised that they protected him:

> Danger was my lover in Standerton. He was one of the prisoners whom they brought from Pietermaritzburg because they killed a convict. Danger was a Big Five. I loved him because he was a boxer and he protected me. When a fight starts you run to him. I had to kiss him, romance him and caress him... Prison life is rotten. This man killed his children on my thighs. He made me a graveyard.

Lucky worked in the prison gardens and regularly supplied Big Vincient with vegetables that he stole from outside. The instrumentality of these relations was apparent in the case of Jabu Usinga, who complained to the warders that another man had taken his wife and who committed suicide by cutting his penis and swallowing razor blades. One of my informants described this deed as useless: 'His boy wife was not perturbed. In prison there is no love. You can't sympathise with someone else. You only sympathise with yourself: that there is nobody to help, supply and support you.'

Coercive sex was extremely common in jail. When senior gang members proposed to junior prisoners, the latter would often be too intimidated to refuse. 'If you refuse to have sex with them,' I was told, 'they could place dagga or illegal weapons on your bed. If you are in for three years they might increase your sentence to fourteen years. That's why you can't refuse.' Bekker Malinga, a warder at the Barberton prison, sexually assaulted boys in the showers and gave them cigarettes or R10 not to report him to the authorities.

Gang members frequently raped newcomers as a form of initiation. For example, at the holding cells in the Acornhoek police station, the entire 28 gang would have thigh sex (*matanyola*) with newcomers inside a shelter made from blankets. During 1989, Sigoto (a member of Big Five) captured a boy who was on trial in Nelspruit, gagged his mouth and raped him. A warder saw Sigoto, beat him with a baton and confined him to a single cell. Sigoto was then resentenced and forced to serve an additional two years.

However, in many cases the warders turned a blind eye to rape. Jomo Mohlala told me that he once awoke at night and heard someone crying. The warders switched on the light and caught a 28 raping a newcomer. When the warders asked him, 'What are you doing?' the intruder replied that he had merely come to ask the newcomer for a cigarette. Despite protestations by the other prisoners, the warders accepted this explanation. At other times the rape victims were too intimidated to report their attackers. Andries Mapayile relayed how he was raped during his stay in the Barberton jail:

> I was from the sports ground and I wore short pants so my thighs were exposed. I was not aware that this could happen. I noticed nothing and I

walked down a passage. Suddenly someone switched off the light and it was totally dark. Then they attacked me from behind and they raped me. There were many of them. Maybe four. They were the 28 and the 26. These are very troublesome gangs. Fortunately they only did it in the thighs…To save my life I kept quiet. Had I complained they would have taken me to the single cell. One thinks that the police are protecting you. But when you are released and go back to the cell the gangs can kill you.

Whilst rape and sexual assault may well be motivated by desire, these acts generated and sustained a hierarchy within and between gangs based on fear:

If you are without a number [not a gang member], 28 and Big Five may kidnap and rape you. But a Big Five is too scared to rape another Big Five. He will be beaten. If a Big Five rapes a 28 there will be fire. People will charge and fight and there could be deaths.

Unlike miners, prisoners expressed grave concern about the dangers of male–male sex. Jomo Mohlala recalled that a boy with whom the other prisoners had anal sex had to be treated in hospital. Other comments included:

Because the prisoners take male wives there will be a lot of disease. When men have sex between the thighs and ejaculate, their penises will suck air and they will grow lean. It is like masturbation.

Those who think their lives will end in jail do that [have male–male sex]. But if you are a thinking man you won't. It's not good. When you have sex with a boy your penis will suck air into your body and there will be dirt in your lungs. After three years of doing that, you'll be infertile.

The strength of the sperm causes debilitation. The sperms are alive. Maybe they do something inside your body. You become powerless.

After initially denying the existence of male–male sex,[14] South Africa's prison authorities have begun to place condoms in the passages of many jails. Educationists have also begun to visit the Nelspruit and Barberton prisons to inform inmates about AIDS. These messages have had a mixed reception. One informant remarked that the prisoners who did not recognise the dangers of male–male sex blew up the condoms like balloons. Others used condoms, especially when having anal sex: 'The men say they put condoms in the boiler – that is what they call the *picanini*'s anus. They say you have to wear three condoms on top of each other because the boiler is too hot.'

Conclusion

Contrary to the expectations of politicians such as Robert Mugabe, Sam Nujoma and Kenneth Metshoe, same-sex erotic intimacy is not confined to Europe. As Epprecht (1998a) suggests, in sub-Saharan Africa male–male sex is often hidden behind a veil of discretion. Yet my informants' accounts leave little doubt that male–male sex is extremely pervasive in South Africa's migrant compounds and prisons. Many black South African men have had direct experience of male–male sex – as instigators, willing receptors, rape victims or as witnesses. Moreover, male–male sex is integral to the folklore of South Africa's male working-class culture. Indeed, former prisoners would warn their friends to avoid being imprisoned, because 'this is where they will make you a wife'.

The assumption by historians of sexuality in South Africa that male–male sex is a mere form of 'contingent inversion' occasioned by the absence of women as men's preferred love object is also shown to be inappropriate. Despite the complete transformation of subsistence agriculturalists into a rural proletariat, the abolition of influx control and increased urbanisation, Moodie's (1988, 1994) and Harries's (1990) prediction that mine marriages would disappear has not been realised. Male–male sex continues to be as pervasive as in the past. For a variety of reasons, many miners actually preferred same-sex erotic relationships to heterosexual encounters with sex workers and with township women. Male–male sex was perceived as healthier and provided greater opportunities for intimacy and romance. Though the same cannot be said of South Africa's prisons, informants told me of former convicts who had developed a 'taste for men' whilst in jail: 'Rich people who have been arrested and fall in love with other prisoners will just love men. They will ask their boy wives, "Please come and stay with me when we get out of jail".'

However, male–male sex in the prisons and mines should not be confused with modern gay identities. As Donham (1998) contends, the emergence of modern gay identities in the lowveld is more recent and is connected with the transnational anti-apartheid struggle. George Manzini – a security guard at the Witbank coal mines – recalled that men of equal status sometimes had reciprocal oral, thigh or anal sex in the change rooms:

> The men started by drinking beers and when they were drunk they would go to the spare room. There they would smear their machines [penises] with Sunlight soap to have sex. These men preferred the back [anus]. They want the machine inside so that there can be friction. It was not a secret. I often saw them in the spare room. I actually thought the room was made for that [sexual encounters].

George described these sexual encounters as recent – characteristic of the early 1990s. It is indicative of the links to the anti-apartheid struggle that Bheki Ngobeni – a doctor who qualified at the University of Natal – was the first well-known gay person in Impalahoek. As an anti-apartheid activist, Bheki came to Bushbuckridge because he was not prepared to work for the Inkatha-dominated government of the KwaZulu bantustan. Bheki's partner was a professor at the University of the North – another centre of the anti-apartheid struggle.

One of the strengths of anthropological analyses has been to investigate the relativity of sexuality, and to record the great diversity of sexual identities.[15] Moodie (1994) is correct in drawing attention to power and dominance as the cardinal variable in the formation of masculine sexual identities. However, power bore a slightly different relationship to masculinity on the mines and in the jails. Moodie argues that senior migrants were able to take mine wives as a statement of their active masculinity:

> If the dominant mores of white society decreed that all black men, even senior mine supervisors, were 'boys', black workers themselves graduated from being 'boys' for their fellow workers to being 'men' with their own 'boys' as they gained mine experience. In fact, the entire system of mine marriages was thoroughly interwoven with the power structure of the mines. (Moodie 1994: 128)

Hence, the power structure of the mines determined sexuality. Male–male sex played a more creative role in the prisons. Here male–male sex did not reflect social relationships. Through sexual intercourse and sexual violence, men constructed social relationships of domination and subordination, within and between prison gangs. In other words, sex created a hierarchy of masculinity, a hierarchy that was sustained by fear (cf. Coggeshall 1990).

But why would certain men actively embrace the sexually subordinate role of being a mine wife or boy wife? This role can be illuminated by studies of transvestite performances. Lancaster (1997) observes that in Nicaragua the performance of transvestism by the *cochon* is widely celebrated by audiences who suspend their usual prejudices. Their performances are never unidimensional, but are overwhelmed by nuance, ambiguity, excess of meanings and complexities of intention. Male wives are not a purely negative countertype. By performing the role of women, male wives provide something of a muted and incipient critique of the conventional masculine role. They denaturalise and question the desirability of dominating others, giving rather than receiving money, behaving in an assertive and violent manner, protecting rather than being protected, doing drudgery and

dangerous underground work, and dressing in a dull and dreary manner. By speaking about, laughing at or desiring the effeminate mine wives, miners protect a vision of alterity and a space for critical reflection about the kinds of men they are. It enables miners to grasp the valorisation of masculinity by senior men, and perhaps also how mine management manipulates masculine attributes in pursuit of profit.

Notes

1   An earlier version of this chapter was published in Niehaus (2002).
2   See Amory (1997), Donham (1998), Epprecht (1998a, 1998b), Germond & De Gruchy (1997), Gevisser & Cameron (1994), and Murray & Roscoe (1998).
3   This figure excludes the prison population of Bophuthatswana, the Ciskei, Transkei and Venda. In the entire United Kingdom there was a daily average of 5 500 prisoners during the same year.
4   Rather than active bigotry, heterosexism denotes 'the passive acceptance of a conceit, that is, that exclusive reproduction-orientated sex is the ideal, the norm, the nature and the proper function of human sexuality' (Epprecht 1998a: 648).
5   Although I have conducted research in Bushbuckridge for intermittent periods since 1990, most of my interviews about sex in the mines and jails were conducted during July 2000 and January 2001. As usual I wish to thank my research assistants, Eliazaar Mohlala and Kally Shokane, for their help. I also benefited immensely from brief discussions with Gerd Baumann, Jean Comaroff and Graeme Reid. I have used pseudonyms to protect the identity of my informants and all references to indigenous terms are in northern Sotho, unless specified otherwise.
6   See Stadler (1994) and Niehaus (2001) for a discussion of the devastating impact of 'agricultural betterment' and of villagisation in Bushbuckridge. De Wet (1995) provides a more comprehensive analysis of 'agricultural betterment' in South Africa.
7   Breckenridge (1998) shows how both African and white men celebrate the capacity for violence as a key component of their masculinity.
8   In the South African lowveld heterosexual intercourse is widely perceived as the exchange of blood. First, the man's penis injects semen or 'white blood' (*madi a tshweu)* into the woman's vagina. Then it absorbs or 'sucks in' her vaginal fluids or blood.
9   See Van Onselen (1982) for an extensive historical discussion of the origins and development of prostitution on the Witwatersrand.
10 This materialistic viewpoint resonates with the well-known 'this worldly' religious emphasis of Zionist churches in the lowveld on the pragmatic harnessing of the divine power of the Holy Spirit, the human body and its immediate life worlds, rather than with the 'other worldly' theological focus of mission churches on God, moral conduct and transcendent salvation (Niehaus 2001; Peel 1968). The South African lowveld can appropriately be described as located in the heartland of Zionist-type churches, particularly the Zion Christian Church.
11 Mosse (1996) argues that same-sex eroticism is an unintended consequence in the modernist era that valorises the aesthetic beauty of the male body.

12 See Van Onselen (1982, 1984) for a detailed historical exposition of Nongoloza Mathebula's life and of the Ninevites.

13 See Haysom (1981) and Lötter (1988) for a discussion of the hierarchical order and rank structure of other South African prison gangs.

14 In 1987 two AIDS sufferers and nine AIDS carriers were found in South African jails and were placed in isolation. Col. DJ Immelman – of the South African Prison Services – said that homosexual activities were not tolerated and that disciplinary steps were taken against transgressors. He said that distributing condoms to prevent AIDS would be tantamount to condoning homosexuality (SAIRR 1989: 541).

15 See Besnier (1994), Herdt (1984), Lancaster (1992), Whitehead (1981) and Wikan (1977).

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6

Fauna, flora and fucking: Female sex safaris in South Africa

Haley A McEwen

ROSS AND JAMES ARE VERY different people. A 50-year-old South African of mixed European ancestry, Ross lives a life of simple pleasures in his caravan by the sea while James, a 28-year-old Nigerian–Congolese immigrant, struggles to make ends meet in Cape Town. However, despite their apparent differences, their stories come together through their experiences as commodified African male bodies in the context of a postcolonial tourism destination. With records of such activity dating to the nineteenth century, it must be acknowledged that female sexual behaviour with local men abroad is nothing new. Rather, it has merely grown in popularity among women with motivations different from those of Henry James's (1922) *Daisy Miller* or Willy Russell's[1] *Shirley Valentine*. Today, female travellers are more likely to be single, mobile and economically comfortable professionals than the legendary bored housewives. The increasing average age of marriage along with the ever-rising divorce rates among western women have both been cited as factors that have contributed to the growing trend of transactional sexual encounters between western female tourists and men who are local to their travel destinations. Documentation of such activity has been most thoroughly conducted in Jamaica, where an estimated 80 000 single women – from teenagers to grandmothers – arrive each year and use the services of approximately 200 men known as 'rastitutes', 'the Foreign Service' or 'rent a dreads' (*The Observer* 23 July 2006[2]). Although this practice has been increasingly noted in academic research and popular discourse, much of the commentary has employed specifically gendered, economic, generational or racial understandings of the power relations involved. While the forthcoming discussion will not evade such understandings, it will rather seek to apply them to an examination of how such dynamics create a matrix of possible interpretations within the context of how sexuality has been constructed within liberal democratic models of social justice.

Ross

Carelessly tossing handfuls of photographs from an old shopping bag, Ross looks down at the curled images of smiling faces as they slide across the table. An archive of creased nostalgia from his days as a safari guide reveals chronicles of holidays that weren't his. Handing me a photo from the top of the pile, I see an image of Ross and a young woman leaning with their backs against a wooden bar counter. Bangled and barefoot, his tan legs disappear beneath a dusty sarong. The enthusiastic eyes of the woman contrast with the capability reflected in his knowing gaze. He tells me how *lekker* (pleasant, nice) she was. It has been nearly ten years since the photo was taken, and five years since he left the overlanding industry.

'They weren't relationships,' he tells me, recalling nearly 20 women that he had sexual encounters with while working as a guide. Many had travelled from Germany and the United Kingdom and, wanting to see the legendary fauna and flora of southern Africa, decided that a guided overlanding trip would be the best option. In recent years, overlanding companies have become prolific in South Africa and despite the various market niches they occupy, each ensures a 'real African experience'.

'Youngest was nineteen, oldest about forty,' Ross explains. Further describing the women in general terms, he recounts that they were all 'professionals or studying to become professionals at university. I mean, they weren't dweebs [boring and/or socially inept]. Decent women.' Representing a segment of the tourist population that has both the means and the desire to embark on a safari holiday adventure, these women are economically on a par with the other tourists in their group. Reflecting on his experiences, Ross describes the attitudes of the women and speculates about their motivations for becoming involved with him during the overlanding trips. He explains, 'They're on holiday, they are free! They are out of their rut at home. It's different. It's part of the *jol* [party, good time]!' However, for Ross, while the female tourists enjoyed this perceived freedom from consequences, he

> gained fuckall. Emptiness. Some of them I wanted to get serious with…I fell for a German girl that I called 'My Little Hippie'. I cried over her. We spent a hell of a lot of time together. I took her all around after the trip, to Cape Point, around the Peninsula. Then, I dropped her off at the airport and cried like a baby all the way home on the N2 [highway]. What was her name? I can't remember. But, I never heard from her again, she was in a relationship back home. She was *lekker* but we never did the deed.

And, while some of them did come back to visit him after the trip, they only wanted the fantasy to continue. And, for those, he 'kicked them into touch [told them that the holiday was over]. There was one that I met up with in Zanzibar, but I never saw her again [after that]. I cut off contact with her.' Reinforcing the differences between himself and the women, he recalls:

> These women, they all wanted adventure. But, they don't want to be with a short bald guy who has no security forever. They want to have a big house and a nice car. They want security. Only hippie chicks would go for a guy like me, I'm never going to have one of those women. What do I have to offer them? Do you think that one of those pretty little blonde things wants to live with me in the caravan?

Taking pleasure in the temporary suspension of 'reality', the women Ross speaks of display behaviour that is typical of tourists (Cohen 1984). Once removed from daily obligations and the social constraints they are accustomed to, tourists frequently behave in ways they would never consider on their native soil where they are not tourists, but citizens with obligations, responsibilities and reputations. Ross reflects on how freedom from consequences and naivety motivated tourists to have 'the idea that nothing can hurt them – the lion looks like a big pussy cat'.

As tourists in search of an authentic experience, the women perceived Ross to be very different from themselves. For Ross, such perceived differences result from

> [the] capability factor…They have never seen someone who can cook food on a fire. You take them around Africa, you show them things. It's a fantasy for them. Do you think that the men they know back home can change a tyre… how many of them know how to change a plug on a kettle?

He reflects that as a guide in Africa 'you are fucking exotic. And…the whole Dark Continent thing; they think you have lions in your garden.' Preceded by missionaries and colonisers from their European nations, tourists are familiar with centuries of knowledge transmitted in the form of photographs, popular films, tourism brochures and documentaries. They arrive prepared with a concretised image of a homogeneously wild and exotic 'Africa' (Chabal 1996).

Although Ross admits that sometimes the women were 'hunting', he attests that he was often the initial predator: 'You know before you even meet them. You look at the roster and see their ages, if they are married or single, their occupations, and then if they are styling you go for it.' By 'going for it' he describes how he would 'give them special treatment; look after them on the trip. Then, when you make a fire and they are the last one sitting with you, you ask them if they want to go for a walk or something.' In return for his companionship and the temporary feeling of freedom he facilitated, Ross remembers that many of them sent gifts and photos

or promised 'trips to wherever'. 'I got a really *lekker* watch once,' he says, while one woman even 'wanted me to leave the company and she said she would set me up with my own. I told her to fuck off.'

James

Fifteen kilometres across the Peninsula, James stands at his post beneath the eaves of a British-style pub. Making small talk with the tourists and locals who pass by, James stands tall, monitoring the parked cars lined up along the busy street. According to the South African government, the tips he earns from car guarding are his primary source of income. However, James knows that later on that evening, when Emily comes back from a day of sightseeing, he will change out of the standard neon vest that the guards wear as a uniform and make it big. It is nearly the end of June and he knows that when she leaves South Africa and returns home he is going to have to make a new plan to supplement his income.

Like Ross, James does not describe his experiences with women as 'relationships' and also points to the differences between himself and the women, attributing their preconceived notions of his 'Africanness' as a primary reason why they seek to become involved with him. However, it can be seen from the experiences of James that a different aspect of 'Africanness' is at work, and that the economic elements of his encounters affect his degree of agency in the transaction. As a Nigerian–Congolese immigrant in a highly xenophobic community and saturated economy, employment opportunities for James are limited. As a car guard, he is able to earn a less than modest income, but the public exposure he is afforded in such a position allows him to interact with female tourists who may be potential contributors to his income. It is also worth noting that James's position as an immigrant has removed him from his community of origin in Nigeria, consequently severing him from the social practices and constraints in which he came of age. Therefore, similar to the tourist women he encounters, James is also in a liminal space in which the social norms that have typically governed his behaviours are in suspension. While his mobility and agency may be restricted by his socio-economic status in South Africa, he is conversely given free rein to renegotiate the social norms which previously limited his degree of agency.

Ross commented on his 'capability' as a key factor in his appeal, but James describes his apparent African male sexual prowess as a leading motivation for white women approaching him. Explaining that the women are the initiators in his experiences, James tells me that 'they see me and they say, "James, you are a big beautiful black man!" Then they phone me. Phoning me every night, saying, "James, please come and sleep by me tonight".' When I asked him about his feelings for these women, specifically Emily, a woman from London who was staying in a

hotel next to the English-style pub, James displayed little concern for the emotional consequences of becoming involved with a tourist, instead expressing anxiety over the exhaustion she induces. 'Eh...I don't really like her,' he tells me. Complaining, he says:

> She is phoning me every day, saying, 'James, come and sleep by me tonight'. But, I work all night, then if I go to her I won't get any sleep and I have to be at work the next day. She is always saying she loves me, but I don't know why.

When I ask how they met, he says, 'I was just here, and we were talking and then she says, "Oh James, you are a big black beautiful man".'

The differences articulated by Ross hinged on his capability and the tourists' preconceived notions of his exoticism, yet those noted by James refer to the racialised western stereotype of the sexually uncontrollable and everlasting black male. Such differences are made explicit as James surmises why the women are interested in him, explaining that 'these women, they are not happy with their men. When they are sexing with their men, their white...men, they [enjoy it] for only a few minutes, then the man's penis goes to sleep and the women can't wake it up and they are [unsatisfied].' While Ross explains that although he fulfils the western stereotype of an 'exoticism' which, for the women, signifies his difference from men in the west, he acknowledges that such preconceived ideas originate in the notion of the Dark Continent rather than in reality. James, on the other hand, also emphasises the differences between himself and the western women, but then proceeds to embody western stereotypes. After describing the sexual dissatisfaction that white western women have with their men back home, James continues, '...but me, I can go all night. Six hours I can go, the women say, "James, you fuck me too much"...I will fuck them all night. They wake up, go to sleep, wake up, go to sleep, and I am still going.' When I ask him, half jokingly, how he manages to last so long without getting tired, he refers to the physical differences between himself and the white women whose height dwarfs in comparison with his near seven-foot stature, pointing out, 'Look at me, I am two of you. I can go twice as long.' Further signifying his 'inherent' sexual prowess, James notes, 'The old men, their penis is this big [showing me his middle finger]. Me, I am this big [clenching his fist and grasping his forearm]!'

James describes the women as predators who enslave him to their sexual urges; nevertheless, he reveals himself to be more than merely passive 'prey'. Upon identifying me as a potential client, it becomes evident that James takes an active role in soliciting women. In efforts to determine whether he knows of other men who engage in sexual activity with tourist women in exchange for some form of payment, James interrupts my question, asserting:

I am right here, why do you want to know about other men? Baby, I can fucky fucky all night. I will eat your vaja for one hour. One hour! Baby, I love you… If you spend one night with me, you will dump your boyfriend and will be calling me every night. For you, it would be free. I will eat your vaja for one hour, then fucky fucky all night. You will be like, 'Ah, James, you fuck me too much.' You will be waking up and going to sleep and waking up again and I will still be going.

Upon this reply, I questioned the contradictions he had made regarding his prior complaints of women's relentless sexual demands and false proclamations of love, to which he replied, 'But I do [love you], you should let me eat your vaja. You will love it.' It becomes apparent that because I am questioning him about his sexual encounters with tourist women a door of opportunity has opened for him to not only pursue me as a potential client, but also to boast of his sexual prowess. Therefore, my conversation with James regarding his sexual encounters proves to be useful not only in what it reveals about the technicalities of his interactions with tourist women, but also as an indication of how James is able to construct and reinforce his masculinity through such encounters.

While James remarks that it is the endless nights of sexual pleasure that motivate women to become involved with him, it is cash payments, gifts and promises that keep him interested. Explaining that 'this thing with women is just on the side', James says that he makes 'about R1 025 per week' from a British woman he is currently having relations with. And while he acknowledges that he doesn't always get paid, he alludes to the subtle ways in which he introduces economics into the encounter. When I enquire if he asks for payment, he explains:

No. After a night I won't ask for anything. But, I will sometimes say, 'I don't want any money. But, you see, I have this flat in Muizenberg that is R2 000 a month and I need to go and pay that.' Then, they just say that they will pay it for me.

In addition to cash payments, women will often offer James trips to their home nations, or promise to get him a modelling job.

This account of how economics are introduced into the exchange reflects the opportunistic nature of the sexual encounters between James and the women he speaks of. In addition, the absence of a 'third party' such as a pimp, escort service or brothel allows for the encounter to evade classification as 'commercial sex work'. Unlike many female sex workers who operate, for purposes of financial security and physical protection, through a third party at the cost of their personal agency, James is in control of who he sells sexual services to and when. And, despite his claims

that it is primarily the tourist women who, through their sexual demands, confine him to 'slavery', James is not subjected to abusive pimps who claim a share of his earnings, as many female sex workers are.

Sexual regulation

Gayle Rubin asserts that we 'never encounter the body unmediated by meanings that cultures give to it' (1989: 276). In other words, just as it is impossible to think about race, class and gender politics without considering them to be social constructs, it is equally impossible to contemplate sex without acknowledging that it is a product of humanity that varies across space and time. It is a fault of western society, according to Rubin, that sex is considered to be dangerous, destructive, inherently sinful and guilty until proven innocent. As a result of the Christian focus on sexual behaviour as the root of 'good' and 'evil', sex has become a marked category that is burdened with moral significance and implications. Consequently, a hierarchical valuation of sex acts has been morally, medically and legally established that situates monogamous sex between a husband and wife at the top and sex workers almost at the bottom, as the lowliest of categories in the majority of cultures. As further discussed by Rubin, while sex laws are pervasive, most people are unaware of the extent to which their sexual behaviour is legally regulated. For those who engage in 'low status' sex practices, such as sex workers, sex laws which reflect and maintain the social relations of sexuality translate into a denial of full citizenship and access to rights and protections. In essence, the subjectively informed moral, medical and legal regulations placed on sexuality intersect with and are reminiscent of race-, class- and gender-based discrimination. For Rubin, 'Sex law and sex regulation are simply sexual apartheid' (1989: 291).

The study of prostitution dates back to the early nineteenth century and, at its core, has accumulated a snowball of unequally assigned sex values for male and female bodies. By taking a look at the history of prostitution and sex work, Rubin's assertion that sex regulation is a form of apartheid may be further investigated. The most evident social studies on prostitution emerged in western Europe and the United States, where longer standing patriarchal and Christian discourses informed the positivistic methods and meanings that were employed by the burgeoning studies of humanity. Christian discourses typically contend that sex is inherently sinful and may only be redeemed when used for purposes of procreation within marriage (Rubin 1989). The essentialised meanings that developed around the social implications of prostitution were also largely in response to an increasing concern in the west for the current political, social and economic conditions of imperialism and industrialisation. Consequently, the studies and legal regulations that emerged ultimately became the basis for social

and scientific understandings of prostitution that can be seen in contemporary discourse. Sex laws originated as an attempt to prevent the 'wrong' kinds of sexual relations, namely incest, homosexuality and bestiality, as proclaimed in the Bible (Rubin 1989). In the first part of the nineteenth century, increasing concern over the spread of venereal diseases such as syphilis caused the prostitute to become a central and perpetrating figure in growing concerns over the health of the social body (Kempadoo 2005). Once medicine and psychiatry gained power over sexuality, they became increasingly concerned with unsuitable forms of desire and erotic experience (Rubin 1989). In the economy, the first half of the nineteenth century marked the metamorphosis of prostitution from temporary working-class job to highly stigmatised and permanent occupation (Rubin 1989). Ironically, because sex was considered to be uncivilised and sinful, dominant social thought considered prostitution to be inevitable in consequence of inherently human 'vicious instincts'. Moreover, the changing social and economic conditions that resulted from urbanisation in western Europe and the United States were believed to intensify the inherently promiscuous male nature, and the female compulsion to disregard the conventions of sexual relations.

The 'problem' of prostitution was therefore seen to be the women who were the providers of sexual services rather than the men who created the demand for them. Such were the conditions that gave rise to the idea of the woman as an inevitable 'whore' (McClintock 1992).[3] The social–scientific understandings of prostitution therefore legitimised a double standard for the 'morality' of men and women. While the male right to regular heterosexual sex and biological promiscuity was perceived to be a universal fact of humanity, the women who satiated these male 'needs' in exchange for payment were perceived as social deviants whom the state needed to regulate so as to protect the health and morality of the public. The dominant ideology in this period of prostitution history realised patriarchal efforts to regulate the activities of the prostitute. This manifested in scientific approaches, informed state policies like the mandatory medical examinations of prostitutes and the resulting confinement of infected women, police supervision, and the creation of zones in which prostitutes could and could not practice (Kempadoo 2005). It was believed that such policies would place a check on the ability of the prostitute not only to further damage herself but, even more importantly, to infringe upon the purity of the state (Kempadoo 2005). Such convictions were not developed in isolation; these sexual regulations in the imperial nation were created during a time of growing concern for burgeoning colonial projects that aimed to civilise and Christianise the 'barbaric' non-western peoples.

While the second half of the nineteenth century was characterised by growing concerns for the protection of male dominance and power, the twentieth century witnessed a shift away from this emphasis on female sexual deviancy as

a prostitutes' rights movement began to emerge in liberal democratic western nations. In challenging existing notions of the prostitute as a victim and social deviant, this movement has emphasised the individual voices of women involved in various sectors of the commercial sex industry in the articulation of a distinct prostitute identity (Kempadoo 2005). Drawing on existing notions that prostitution is an inherent and undying aspect of humanity, prostitutes' rights advocates contend that prostitution and other activities in the sex industries are legitimate and respectable occupations. Moving away from the essentialised understanding of the prostitute as a moral indigent and sexual deviant, recent understandings have insisted upon fluid and culturally contextualised readings of transactional sex.

The prostitutes' rights movement, together with postmodern feminist critiques of patriarchy, capitalism and racism, has insisted upon the reconceptualisation of the prostitute as a 'sex worker'. This redefinition has opened new doors of understanding, capturing the structuring of sexual labour through gendered, racial and economic processes in addition to emphasising the agency of people involved in the trade (Kempadoo 2005). And, while the notion of prostitution has been complicated through acknowledgement of the intersecting oppressions, subjectivities and exploitations, the understanding of hegemonic masculine power within capitalist and patriarchal conditions has retained its significance as the primary conceptual boundary within which transactional sex occurs (Jeffreys 2003; Kempadoo 2005). This postmodern approach has become central to new understandings of prostitution that have informed recent grassroots struggles to challenge social injustices and to transform gendered and sexual relations of power. In responding to systems of sexual stratification in which the seller of sexual services ranks the lowest, the prostitutes' rights movement has, in essence, aimed to empower sex workers by rejecting their historical status as morally defenceless victims with no power.

The undomestication of South African sex talk

As many other parts of the world were undergoing such changes in their understandings of sexuality and sexual labour, the South African apartheid regime silenced such discussions through repressive state laws and censorship. Specifically, the unyielding avowal of the apartheid regime to prohibit sex across racial boundaries, in addition to thriving colonial anxieties regarding the ravenous nature of African sexuality, contributed to the mounting barriers which further confined sex talk to the domestic sphere (Posel 2004). Furthermore, as a fundamental stanchion of the apartheid regime, preserving the purity of the white race was an inherent ideology in the construction of 'white supremacy'. In attempts to prevent the denigration of the white race that would occur should cross-racial sex take place,

persistent imagery of the sexual malignancy lurking within the hypersexual African body was propagated through various forms of media. Since the 1994 collapse of apartheid, sex talk in South Africa has taken a necessary and dramatic shift towards the development of a public discussion of sex, resulting in the whittling away of prior restrictions, taboos and censorships (Posel 2004). Emerging local logic has been informed primarily by the reconstitution of the nation's political agenda post-independence, in addition to the increasing politicisation and public awareness of HIV/AIDS and sexual violence. Consequently, issues of sex and sexuality have become the subjects of intense public scrutiny and political debate that often struggles to separate causes from effects in a climate of overwhelming statistics that reflect linkages between health, violence and gender. However, as previously suggested, such contestations have developed against a backdrop of politicised sex talk that emphasises sexual offences in a society where rape, gender-based violence and child abuse have increasingly dominated public and political discussions.

While South Africa has made the constitutional transition from apartheid regime to 'rainbow nation', citizens who practise sex for money exchanges are still denied equal access to the rights and protections inscribed in the Constitution. However, it is not the laws *included* in the new Constitution that are depriving many individuals of the rights of full citizenship; rather, it is the *exclusion* of laws that deprives them of protection and agency. It is at this point that we must ask ourselves and our elected officials, 'What is symbolic about sex workers, and what is so unique about their trade that allows for their rights to go unprotected and their work to be criminalised?' In asking this question, one must keep in mind the academic and legal history of 'prostitution' that contextualises the current atmosphere of discrimination. In examining the experiences of James and Ross in light of this history, various challenges to the historical and contemporary ways in which 'sex work' is constructed in the popular imagination emerge.

James and Ross do not define themselves as 'whores', nor do they consider their encounters with tourist women as 'sex work'. McClintock (1992) offers a historical explanation as to why neither these men nor the law defines or perceives their activities as such, despite the fact that they too put out the 'bait' and wait for a 'bite'. As members of society who have created the various laws – and the ideologies upon which they are founded – that demonise prostitutes, men have attempted to exclude themselves from and avoid being seen as 'erotic deviants'. Because the prostitute was constructed as a member of the 'dangerous class' along with other marginalised figures in society, the characterisation of the prostitute by the ruling male members of European society sought to regulate the bodies of sexually non-monogamous and 'deviant' women, not their own (McClintock 1992). While inestimable numbers of men are engaging in sexual activities with women in exchange for capital gain in a variety of contexts, they can easily elude the

identification of their activities as a form of sex work merely because their sexual encounters are heterosexual, and therefore reinforce the power of masculinity that depends on the powerlessness of femininity. Although such historical notions of sex work may prevent men such as James and Ross from perceiving themselves as sex workers, it is important that we employ their experiences and understandings in the process of problematising existing notions of sex work.

Romance tourism or sex tourism?

Throughout the past decade, sexual encounters between local men and tourist women have attracted much attention from playwrights, feminist scholars, novelists and sex work theorists who, in their attempts to define and describe the activity, have sought to uncover the power dynamics involved between white western female tourists who engage in money-for-sex exchanges with local men in various tourist destinations across the globe. A study conducted by Jacqueline Sánchez Taylor (2001) examines the sexual behaviour of female tourists in Jamaica and the Dominican Republic. Distributing questionnaires to 240 female tourists who represented a spectrum of age groups (late teens to women in their sixties), North American or European nationalities, and primarily self-identified white racial identities (77 per cent), Sánchez Taylor sought to uncover patterns in the sexual demands of such tourists in the context of the Caribbean holiday. According to the information provided by respondents, nearly a third had engaged in at least one sexual relationship with a local male during the course of the holiday. And, although not a single respondent in either country classified her experiences with local men as commercial sex work, a majority (60 per cent) did acknowledge an economic element to their relationship. As noted by Sánchez Taylor, the stereotypical image of the 'sex tourist' is most typically used to describe a western man who travels with intent of purchasing sexual services from local women. However, with increasing numbers of western women engaging in arguably similar behaviour in destinations across the globe, it becomes evident that the scenario of the mobile western woman who desires sexual engagement with local men while on holiday presents a number of challenges to theorists who have attempted to clearly distinguish between the powerful and the powerless in this context in which various forms of difference intertwine and intersect.

In attempting to define the sexual behaviours of female tourists and local men, notions of power relations in the context of gender become central to how the practice is understood. As academics from various disciplines reach conflicting conclusions as to how money-for-sex exchanges should be understood when existing understandings of prostitution, sex work and sex tourism are turned upside down, the inclination to situate one actor as powerful and one actor as powerless

becomes evident. In their attempts to define the sexual behaviour of western female tourists, many commentators have chosen not to use traditional understandings of prostitution and sex work to inform their discussions. For those who perceive sex tourism and prostitution strictly as an expression of male patriarchal power and female powerlessness, a conceptual wrench has been introduced to understandings when the purchaser of sexual services is a western female and the provider is an economically disadvantaged male from a developing nation. As noted by Sánchez Taylor, 'on the one hand, researchers often acknowledge that sexual relationships between local men and tourist women are based on the exchange of money or goods and gifts, but on the other they argue that the actors' narratives of romance and courtship make the term "prostitution" inappropriate' (2001: 750). Consequently, the phrase 'romance tourism' has been employed to describe the tourist woman who provides cash, meals and gifts to a local sexual partner (Dahles & Bras 1999; Momsen 1994; Pruitt & LaFont 1995; Meisch 1995 in Sánchez Taylor 2001). Subsequently, these discussions that seek to differentiate the behaviour of female tourists as 'romance tourism' employ dominant notions of how power functions within traditional gender roles. Interpretations of female tourists as passive and innocent actors who become victims of circumstance lend themselves to discussions which sympathetically characterise them as lonely, pathetic and desperate (Sánchez Taylor 2001).

In Nandasena Ratnapala's (1999) case study of male sex work in Sri Lanka, sex work with women is mentioned and attributed to the growth of the tourism industry. According to Ratnapala, male sex workers who seek female clients are found in or around resort areas and target foreign and local women using a variety of measures. Ratnapala (1999) explains that foreign women are typically encountered in these resort areas, but local women are most frequently approached through newspaper advertisements that carry innocent-looking offers such as body massage and other services through a language that encodes what is really being offered. Reflecting the traditional construction of gender identities, these accounts ultimately characterise male sex workers as predators and the women who pay for their services as prey. By keeping power and agency in the hands of males, this account reinforces dominant notions of gender roles rather than questioning the motivations or behaviours of the female clientele. Similarly, radical feminist theorist Sheila Jeffreys argues that because of the power of the sex–class hierarchy, 'the differences between what has been called "female sex tourism" and the behaviour of male sex tourists are in fact profound and…women should not simply be included in sex tourism' (2003: 223). Jeffreys contends that one cannot simply say that 'women do it too', because of existing economic and gendered constructs which shape gender relations in addition to the fact that the number of women who engage in such behaviour is small compared to that of men. Jeffreys's ultimate argument that women who pay local

men for sex cannot be considered as prostitute users or sex tourists is illuminated by her description of the static nature of the sex–class hierarchy:

> The sexuality of men under male dominance is constructed to confirm their masculinity through practices of objectification and aggression…The clearest expression of this sexuality of dominance lies in the existence of the sex industry which both reflects and helps to shape it. Women's sexuality, constructed out of a position of powerlessness, tends to be expressed in very different ways. Systems of prostitution exist to service men which do not exist for women. (Jeffreys 2003: 228)

Even though Jeffreys does not assume essentialist notions of gender identity, as Ratnapala does, she comes to the same conclusion that, in the context of women paying men for sex, it is the male who holds the power at the expense of the female. Placing the primacy of gender identity above other possible interpretations, such as the intersection of the historical legacy of colonisation which contextualises the economic situations of local men, both Jeffreys and Ratnapala consider the power to be definitively in the hands of the male at the expense of the female involved in the exchange.

Addressing the arguments presented by theorists who define female sexual behaviour abroad as 'romance tourism', Sánchez Taylor (2001) contends that such suggestions serve as reinforcements to essentialist understandings of female and male sexuality. In contrast to gender-based suggestions that female sexual behaviour abroad is essentially different from that of males, Sánchez Taylor focuses on the economic disparities between mobile westerners and the impoverished locals they engage with. A focus on the economic elements of western sexual behaviour in developing nations facilitates a shift away from classification of female sex abroad as 'romance tourism', and instead situates it as a sub-heading of 'sex tourism'. Sánchez Taylor emphasises the impact of economic inequality as she calls for the

> development of a theoretical model of sex tourism which can accommodate both the diversity of tourist-related sexual-economic exchanges which take place in economically underdeveloped countries and the complexity of the power relations that underpin them. (2001: 751)

Pointing to the estimated 44 per cent of the population in the Dominican Republic and one-third of the population in Jamaica that lives below the poverty line, Sánchez Taylor presents an economic interpretation of female sexual behaviour abroad. According to her collected data, the local men that tourist women become involved with typically earn money as bar or hotel workers or as 'beach boys', who are defined as 'young men who struggle to make a living by engaging in various forms of "hustling"' (Sánchez Taylor 2001: 753). Hustling may include any one or more of the following activities: promoting restaurants, clubs and water-sports businesses;

acting as tour guides; selling drugs; procuring female prostitutes for male tourists; acting as life guards; and providing boat tours or snorkelling instruction (Sánchez Taylor 2001). More specifically, Sánchez Taylor argues that while the survey reported that 60 per cent of women who had had sex with local men acknowledged an economic element to their relationship(s), this figure most likely underestimates the actual level of economic benefits received by local men, as women may not interpret their own behaviour as such. Sánchez Taylor cites one respondent who stated 'that she had not helped her boyfriend out financially [but] later noted that she was paying for a house to be built on his land. She described this as a "business proposition" rather than a gift to her boyfriend' (2001: 757).

Further emphasising the economic nature of relationships between tourist women and local men, according to beach boys interviewed, tourist women will often send cash and gifts to them upon returning home. In her discussion of body politics and difference in the context of tourism, Jane Desmond (1999) contends that in the tourism setting, factors of force, domination and hierarchy necessary for the maintenance of perceived difference between tourists and locals are naturalised or rendered invisible. Along with the invisibility of power relations as perceived by the tourist, the social history of western travellers who arrived as missionaries and colonisers long before today's tourists is erased. Consequently, the harsh economic realities of local men become erased for tourists while qualities of difference that are advantageous to the tourist gaze take precedence (Desmond 1999). Concluding her contestation of the distinction drawn between 'sex tourism' and 'romance tourism', Sánchez Taylor argues that the 'idea that tourist women who have sex with local men are not really "sex tourists" reflects a theoretical privileging of gendered power over questions of racism and racialised power, as well as downplaying the significance of economic power' (2001: 759).

It is also within the context of race that male and female sexual behaviour abroad can be compared as forms of 'sex tourism'. Because tourist women are predominantly white and local men are typically of colour, questions of racism and racialised power must also be acknowledged when considering the sexual behaviours of tourist women (Sánchez Taylor 2001). Referring to the articulations of racial Otherness and difference that surfaced throughout the study, difference emerged as a contributing factor in the women's justification of their own behaviour and also allowed them to overlook imbalances of age and economic power between themselves and the local men (Sánchez Taylor 2001). For Sánchez Taylor, feminists who consider a motivating factor behind male sex tourism to be 'orientalist' in the males' fantasies of pleasure with 'exotic' sexual objects must also acknowledge that western women are not immune to such fantasies, and are similarly in search of 'sexual adventures and experimentation with "exotic" Other men' (Yuval-Davis 1997 in Sánchez Taylor 2001: 760). In support of this contention, Sánchez Taylor refers

to interview respondents who, in efforts to explain to themselves why such young and desirable men would be eager for sex with older and less desirable women, pointed to racialised stereotypes of black men as hypersexual beings who are unable to control their sexualities. Such explanations allow female tourists to negate the economic elements of their relationships with local men, ultimately convincing themselves that their Caribbean boyfriends are not selling sex but rather doing what is 'natural' for them (Sánchez Taylor 2001).

An additional factor that has contributed to the definition of female sexual behaviour abroad as 'romance tourism' has been the fact that such transactions are often of a non-commercial, informal nature. Consequently, the boundaries between 'romantic relationship' and transactional sex become blurred, and an attempt to draw a clear line between the two becomes a virtual impossibility. For James, the economic rewards of his encounters with tourist women could just as easily be seen as an exchange of gifts between two lovers. With no third party serving as a mediator between himself and the tourist women, James has complete control over who he solicits and when, and is under no regulating escort service, brothel or pimp. The absence of a third party allows for the transactional sexual arrangements to be overlooked not only by policing bodies, but also by the tourist women who would perhaps rather perceive their interactions as of a 'romantic' nature, and by the men, such as James and Ross who would rather identify with their sexual prowess and capability than with sex worker status. However, when male tourists engage in transactional sex in the absence of a third party, the practice is still considered sex tourism despite the articulation of the interaction as of a romantic nature. In Havana, Cuba, for example, the sex tourism market is largely independent and non-commercial, and male sex tourists enjoy the consumption of romantic emotions which they perceive local women to be providing. According to a pair of expatriate American men who currently live in Costa Rica and frequent Havana in search of 'romance tourism', 'the Cuban women don't act like professional whores, "here's the sex now give me the money". They are really kind. They want to spend time with you, be your friend.' Bemoaning the recent growth in the Costa Rican sex trade because it 'ruined' the sex workers, they explain that now 'they just act like whores in the States' (Wonders & Michalowski 2001: 563).

It is useful at this point to reflect on Jeffreys's response to the question 'Do women do it too?' in regards to sex tourism that is typically classified as a male activity. For Jeffreys, to suggest that 'they do' erases the historical constructions of male and female sexualities and subsequent power relations, and therefore the phrase 'romance tourism' should apply specifically to the sexual behaviours of women abroad. However, would she also apply this argument for a separate language of definition to the question 'Do men do it too?' in regards to romance tourism? While the act of defining the practice of female sexual interactions with local men is contingent on one's subjectivities and how one formulates a hierarchy of race, age,

class or gender power relations, the act of defining is crucial in a discussion of civil and human rights. Ultimately, whether one chooses to define the practice as 'sex' or 'romance' determines whether or not one feels that there should be a provision of rights for the local 'provider' of services. For activists and theorists who seek to protect the rights of sex workers at the hands of adult male perpetrators, this question can easily transform into an ideological trap where adult men must also be positioned as 'powerless' sex workers who require rights and demand agency in order to protect the freedoms guaranteed to them in the Constitution. Women would then accordingly be situated as the perpetrators who would potentially commit acts of sexual offence. Ultimately, this ideological stumbling block calls for a shift in how sexuality and gender difference are conceptualised. Moreover, as in the case of Havana, where male tourists could engage in informal 'romance' tourism until the industry grew, will there be a similar trend of formalisation as numbers of women who travel to places such as Jamaica, Kenya and South Africa increase and a market niche is recognised?

Conclusion

In the experiences of James and Ross, it is evident that issues of race, class, age and gendered power relations contextualise their sexual encounters with female tourists and complicate existing assumptions of 'sex work'. Many commentators on the practice of sexual encounters between female tourists and local men reserve the phrases 'sex tourism' and 'sex work' for male tourists and female clients, arguing that women, as historically oppressed figures in the context of heterosexual relations, cannot be prostitute users, only prostitutes. Rather, such commentators employ the phrase 'romance tourism' to refer exclusively to encounters between female tourists and local men. Through the two interviews I conducted, in addition to a small-scale empirical study conducted by Sánchez Taylor, it became evident that such encounters between tourist women and local men are not purely 'romantic'. However, they are not purely economic either. Rather, the economic and racialised power (specifically in the context of James's experiences) of the women intersects with the historically inscribed gender power exerted by local men. This rearrangement of what has been traditionally defined as 'sex work' ultimately creates a matrix of possible understandings not only of the race, class, sex and gendered power dynamics of acting individuals, but also of the macro structural dynamics they simultaneously challenge and reinforce.

Notes

1   Directed by Lewis Gilbert, 1989.
2   Martin L, 'Sex, sand and sugar mummies in a Caribbean beach fantasy'.

3   Postmodern feminist Anne McClintock expounds upon the notion of the 'whore',
     asserting that the persistent denial of full rights to sex workers today results from the
     unrelenting existence of the 'whore stigma'. As the embodiment of the problem of social
     value in terms of the historical contradiction between women's paid and unpaid labour,
     the prostitute takes 'sex into the streets and money into the bedroom' (McClintock 1992:
     73) by demanding payment for a service that men expect for free. The prostitutes therefore
     insist that their sex work has economic value as well as showcasing male dependence on
     female sexual power and skill. Consequently, the 'fetishistic' investment of the law in
     policing the prostitute's body has a variety of origins. While the whore stigma reflects
     anxieties about women trespassing boundaries between private and public, it symbolises
     the displacement and embodiment of incompatible codes in social meaning, and also
     interferes with the male distribution of property, power and profit.

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7

Are blind people better lovers?

Reinette Popplestone

Sexuality is often the source of our deepest oppression; it is also often the source of our deepest pain. It's easier for us to talk about – and formulate strategies for changing – discrimination in employment, compulsory education, and housing than to talk about our exclusion from sexuality and reproduction. (Finger 1992: 9)

THIS CHAPTER IS IN the form of a fairly subjective reflection. It asks some questions without necessarily having answers to them, and makes some assertions which in no way claim to represent the views and feelings of all disabled people. The underlying assumption is that our sense of sexual identity is in large measure determined by who we see in the mirror the world holds up to us.

Or is it...?

As Hegel taught, there are usually more than two sides to every question, to every story. I thought I had left behind the Hegelian world of thesis, antithesis and synthesis when academe and I turned our backs on each other. But in the question of sexuality and disability there are at least three faces of the truth, and perhaps more.

We are by now all familiar with the notion which opposes the social model of disability to the medical model: the former lays the 'blame' for the level of people's disablement in the social, attitudinal and physical barriers set up by society, while the latter situates the 'problem' in the person with the disability.

I consider this opposition model oversimplistic, because even the most utopian barrier-free environment will leave people with disabilities disabled. No amount of change in attitudes will alter the fact that the person with a certain type of spinal cord injury loses all or most of the movement and sensation in their body below the level of the injury; nor will it alter the fact that people with sensory impairments lose out on much of the interplay and interchange of language in the case of the deaf, and gesture, expression, body language and much else in the case of the blind.

There are realities about disability that we cannot get away from. I found it an incredibly liberating experience when, in the midst of so much politicised disability discourse, my co-presenter living with multiple sclerosis told the entire assembled audience at a disability awareness workshop that on that morning her mother had not been quick enough to help her to the toilet, and she had wet her bed. No amount

of activist discourse would render that event any easier for either that brave woman or her mother.

In the arena of sex, the reality is that physical disabilities limit or alter sexual awareness. An arguably indiscreet male friend once shared with me his experience of making love to someone with a high spinal lesion. She derived her erotic pleasure from him stroking her face and neck. A male friend with a spinal injury confessed that his greatest pleasure was to have his scrotum squeezed as hard as possible. What would have constituted agony to someone with an intact spinal cord caused a sensation of extreme erotic pleasure for this guy. His name was Terry and I remember him with enormous tenderness.

Proponents of the social model deny claims by those writing from within the medical model that people with disabilities (notably blind people) are 'guilty' of inappropriate sexual behaviour. A talented, highly intelligent blind person of my acquaintance was finally relieved of his post because he would put his hand up the skirt of any female colleague who made the mistake of standing next to his desk. His excuse always was that he had been reaching for something in his desk drawer. I hate to admit it, but I have also heard many reports of blind people indulging in inappropriate sexual behaviour in public, such as masturbating. Yes, these accounts were normally reported by those who could see, but would they make them up? I doubt it.

A lover once told me he had read somewhere that in the eighteenth century they used to blind canaries because it made them sing more beautifully. 'God blinded you,' he said, 'so that you would be a better lover.' Whatever it was God intended, I doubt that that was it. Yet I cannot deny that there was a time in my life when I believed that this, at least, was an area in which I could get as good as, if not better than, the next girl. But surely that is only half the truth. The other half is that in some way the arena of sexual interaction seemed to me the only one in which I was allowed to ask, and empowered to give.

I share these anecdotes to make the point that there is the social model and there is the medical model and somewhere in between there is the real life of the disabled individual. And it is in that in-between space that I want to situate what follows.

There is a complex interplay between sexual and social marginalisation. People are socially marginalised because of sexual activity and sexually marginalised because of inabilities that are in the last analysis social. Homosexuals, bisexuals, transvestites, transsexuals are marginalised because of what they do, who they desire. These things place them on the margins of society. But with disabled people, it works the other way around. Their sexual marginalisation, their status

as beyond desiring, has nothing to do with what they want to do or can do in bed. It has to do with what they can or cannot do in the world: walk, see, speak, etc. And the more evident or visible these inabilities are, the more likely they are to compromise their status as desirable beings.

Furthermore, although in one sense who we desire and why we desire them are in large measure socially predetermined, notions of what constitutes a desirable person vary from culture to culture – but one would wonder a little, would one not, at someone who fantasised about having a disabled lover?

We have already had occasion to refer to Hegel. Let us invoke him once more. His formulation of subjectivity coming into being by defining itself positively in terms of some negatively construed Other has been profoundly influential in the fields of psychoanalysis and feminism, but most particularly in the field of postcolonial discourse. In these fields it has tended to be associated with strategies of oppression and exploitation. Othering came to be seen as a more or less conscious strategy in a bid for economic and other forms of domination.

But it is my conviction that Othering is not a sin to be laid exclusively at the door of the Imperial West and its counterpart the Patriarchy. The Othering instinct, I contend, is a basic human faculty which is no less potentially harmful for being universal. Lack or excess, too much or too little, sets apart, marks, stigmatises. It is for this reason that deformity, disfigurement becomes a disability, even when it in no way impacts on a person's physical or mental abilities.[1]

Rosemarie Garland Thomson (1995: 602) distinguishes between 'the personal experience of *having* a disability and the public experience of *being perceived as having* a disability' (my emphasis). The former requires seeking practical solutions to physical obstacles, finding alternative ways of accomplishing tasks and performing activities which give meaning and substance to our lives. The latter entails a Sisyphean effort at damage control: counteracting, at best minimising, the effects of the Othering process wrought by the world's evaluation of us as disabled persons. To paraphrase, it is infinitely harder to deal with being disabled-to-others than with the business of being disabled-to-ourselves.

It is my contention that it is this experience that largely determines the sexuality and sexual history of disabled persons. Underlying individuals' sense of their own worth, their right to a place in human society, is a sense of sexual legitimacy, a sense of being worthy of and capable of winning the love of others. Put rather extremely, the only way worth mattering is mattering sexually. Is that not at the root of the almost universalised fear of ageing, and the motive for the lengths many people go to in order to disguise its effects? It is not the ability to *do* that we dread losing, but the ability to *be* for ourselves and others. The question then is,

what qualifies or disqualifies us as legitimate objects of desire? Whatever else it takes to be legitimised, it is in large measure a requirement to be whole, to be intact. This is how Deborah Kent (1988: 90) articulates it:

> By the dawn of adolescence I had absorbed enough innuendos to suspect that, no matter what social graces I managed to cultivate, no matter how I dressed or wore my hair, I would never be the kind of girl boys wanted to flirt with or ask on dates. My reading heightened my apprehensions about the future. In books, it seemed the only way a woman could be fulfilled was through the love of a man; and the only women worthy of that love were lithe and lovely, unblemished, physically perfect. The smallest flaw – an uneven gait, a malformed hand, a squint – was enough to disqualify a woman from romance, from all hope for happiness.

Sexuality is of course only partly situated in this sense of how the world perceives us. Desire remains; the need to affirm and be affirmed by another remains; the capacity for it remains; What is often absent is any sense of having the right to feel these things, to need them, to offer them to the world. I would further contend that despite obviously different problems faced by people with different disabilities, the social and psychological mechanisms that govern their perception of themselves are very similar. The end result is likely to be a deep and abiding sense of inferiority which no individual triumph will alleviate, and which manifests in several ways and at several levels.

Even as I speak of inferiority I can hear cries of dissent and denial from individuals who would fiercely affirm their sense of their own worth. It is therefore probably necessary to qualify this claim. A sense of inferiority as we know it can lead to behaviour which on the surface would appear to be contradictory. One may either assent to the world's evaluation of oneself as unworthy of desire, which will incline one to passivity and withdrawal; or, in another individual, it may reveal itself as a single-minded determination to disprove an experience of the self as inferior, undervalued, worthless. It may be that this is the simple distinction between all achievers and non-achievers and that human beings are by definition marked by feelings of inferiority, and the sum of their lives' achievements are so many possible responses to a primal, generative sense of inferiority. In his book *Prospero and Caliban* this is indeed how Otave Mannoni (1964) accounts for the development of the Occidental personality.

But as I have tried to demonstrate, in the case of a disabled person these feelings of inferiority are very often associated with notions of their value or lack of it as a sexual being. In her essay 'Sexuality Ascending', an autobiographical reflection on her own experiences as a sexually aggressive, promiscuous disabled person, Carolyn Vash (1993) interprets her personal history of sexual promiscuity

in terms of the second and third rungs of Maslow's hierarchy of needs: fear of abandonment, and a need to assert the self at the expense of the other. She recalls justifying her behaviour in terms of proving she was still desirable though disabled:

> I feel shame over a phase of third-rung power-tripping when I indulged hostile egotism in a cruel game of 'Lady, if you act like you consider me asexual you'll see how fast I can get your man into bed'. To an infuriated, wounded ego this didn't seem like over-reacting...The husband or boyfriend was only a pawn in a transaction between her and me. (Vash 1993: 153)

Within the context of disability she adopted promiscuity as a survival strategy. She argues that it was not lust that prompted her many concurrent affairs but her 'all-consuming fear of being abandoned':

> I worried my way into feeling I'd better have a back-up to my lover, in case my husband and my lover defected at once. Talk about self-fulfilling prophecies: my second husband grew tired of being cuckolded and left me. (Vash 1993: 154)

Of course, scapegoats for less than admirable behaviour are ever ready to hand, but throughout my own somewhat extended adolescence I was very clear in my own mind that there was at least *one* thing I could do as well as, if not better than, the sighted girls. It took me years to grasp the extent to which this attitude left me open to exploitation, if not actual abuse. I came face to face with this truth perhaps for the first time when I saw Mark Medoff's (1982) incomparable stage play *Children of a Lesser God*.[2] In the play the deaf female protagonist tells her speech teacher and would-be husband of her experience with her sister's male friends:

> At first I let them have me because they would. Sex was something I could do as well as hearing girls. Better! It got to be that when I went home, the boys would be lined up on a waiting list my sister kept for me. Most of them didn't even take me for a Coke first. No introductions. No conversations. We just went straight to a dark place and [signing only] 'screwed'. (Medoff 1982: 30)

It would seem that desiring someone in private is a long, long way from acknowledging that desire in public. We feel that whom we proclaim publicly as our chosen sexual mate speaks about what we are worth, what we could aspire to and achieve. The latest manifestation of this must surely be the phenomenon of the 'trophy wife' – the sexualised symbol of achievements outside of the sexual sphere.

Our culture is characterised by sexual dishonesty, the most notorious manifestation of which must be the phenomenon of white males seeking out black women for sexual gratification – men who would die rather than be seen with

such a woman in public, men who worked most assiduously to keep such laws as the Immorality Act and the Mixed Marriages Act in place. I suspect that strong parallels exist within the context of disability. Many disabled women will attest to a significant discrepancy between those who approach them for sexual favours (more or less clandestinely and casually) and those who will own them as partner of choice in public.

What interests me is less the often expressed fact of the sexual disenfranchisement of disabled people, than their responses to a world in which they are at best invisible and at worst positively offensive. Far from expressing solidarity with their group, members of a marginalised group will often do all in their power to distance themselves from that group: 'I am not like those other (disabled) people. I am like you. Don't lump me with them. Let me into your normal world.'

I was strongly reminded of this when, not so long ago, I was asked by their guidance teacher to chat to a group of blind matriculants who were about to leave school. In South Africa most blind children still attend special schools for the blind, which makes it likely that their initial sexual exploration will take place with their blind peers. And yet in an important way these early relationships are undervalued, discounted. I spoke to them about study and work opportunities, the challenges facing them in a world designed for and by sighted people. But I did not have their attention. I gave up and called for questions, eliciting a little storm of 'Miss, Miss' and snapping fingers. The conversation went something like this:

Pupil: Miss, are you married?
Reinette: Yes, I am.
Pupil: Is your husband also blind?
Reinette: No, he can see.
Pupil: Wow! How did you manage that?! Where did you meet him?! Didn't he mind you being blind?

I spoke to them with sad hindsight: 'It's no big deal, you know, to marry a sighted person. In itself it guarantees nothing. There is perhaps even a sense in which you and your blind partner can empower each other in ways that you and a sighted partner never can.'

But they weren't listening. As far as they were concerned, and they were not the first nor would they be the last, having a blind partner entailed a compromise, an admission of defeat – it meant 'settling'. A sighted partner, on the other hand, constituted a social and sexual triumph. 'Why should a sighted person want you if you don't want each other?' I could have said to them, but didn't.

The Ultimate Guide to Sex and Disability (Kaufman et al. 2003) was written to affirm for disabled people their value as sexual beings and provide practical

guidance on how to overcome limitations of physical disability and give and receive meaningful sexual pleasure. One of the interviewees has this to say:

> I never saw myself as disabled. I've always been able to do whatever I wanted and I was lucky in that I grew up in a small community so all the kids knew me and didn't really treat me any differently. Then I went to high school and there were people from all over. My friends got diluted in the crowds and all of a sudden I was different and it seemed like a bad thing. There was a boy who used a wheelchair and everyone thought we should be friends but I really stayed away from him. *I didn't want anyone to think I was disabled like him.* (Kaufman et al. 2003: 18, my emphasis)

Here is another testimony from *The Sexual Politics of Disability* by Tom Shakespeare et al. (1996: 21):

> Jeremy was aware of his impairment and knew he was viewed by the other kids on his estate as the 'crip' who was bused off to 'special' school. However, when he went to his local PHAB [Physically Handicapped and Able-Bodied] club he reported being able to patronise those disabled young people who were more impaired than he was. It was many years later, when he began to feel more positive about himself, that he was able to look back and accept that he had seen himself as superior to those 'real' disabled people who were wheelchair users.

There are obvious and less obvious reasons, I believe, for these feelings of sexual inferiority. I want to make it clear that in what I am about to say I do not wish to blame anyone – not the parents of any disabled person and least of all my own parents, nor take blame as a parent myself.

There is much talk these days of the dysfunctional family, but in my view there are *only* dysfunctional families. How can families, parents, not be flawed? We are human and imperfect; flawed in every other aspect of our humanity. How could we not be flawed in our parenthood? Add to that our motives for having children at all – deeply self-serving and narcissistic as they are – and we should not be surprised to discover that the damage to the ego of a parent at the birth of a disabled child, or on discovering that a child is disabled, inevitably has a profound effect on that child. We have children because we imagine they will be perfect and their perfection will reflect favourably on us. And then they're not perfect, and we never quite forgive them their imperfections.

In his account of the 40-odd years it took him to come to terms with the fact that he was for all practical purposes a blind person, Stephen Kuusisto (1998) describes feelings of shame, of a need to disassociate himself from his disability that is fairly directly attributable to parental attitudes:

> Raised to know I was blind but taught to disavow it, I grew bent over like the dry tinder grass. I could not stand up proudly, nor could I retreat. I reflected my mother's complex bravery and denial, and marched everywhere at dizzying speeds without a cane. I remained ashamed of my blind self, that blackened dolmen. The very words *blind* and *blindness* were scarcely to be spoken around me. I would see to this by my exemplary performance. My mother would avoid the word, relegating it to the province of cancer. (Kuusisto 1998: 7)

A telling proof seems to me to be my own complex response to the fact that my own child can see. She is grown-up now, but to this day my overriding emotional response when someone asks me whether my daughter is (like me) also blind, is not, as you would expect, gratitude, but pride – I feel smug, vindicated, triumphant.

In Harris and Wideman's (1988) article 'The Construction of Gender and Disability in Early Attachment' a similar point is made. Their catalogue of the emotions gleaned from accounts of parents with disabled children include 'love, grief, sadness, hatred...depression, hope...implacable despair and terror, a sense of shame and guilt' (Harris & Wideman 1988: 119). Parents, they report, 'speak of the first days and months of the disabled infant's life with a strong sense of duality: the fantasy of a non-disabled child alongside the actual infant' (Harris & Wideman 1988: 119).

In most cultures, the authors point out, the affirming, ego-strengthening rituals normally associated with the birth of a child are absent in the event of that child being disabled. If it is true that no one fantasises about having a disabled lover, it is even truer that no one yearns for a disabled child. It behoves us to remember in this context that the practice of exposing[3] disabled newborn infants is not something we can dismiss as belonging to some prehistoric, quasi-mythical past. How can the child fail to internalise this deep parental ambivalence – how can it *not* view itself as undesirable, unwelcome?

Given that both gender and disability are in large measure socially constructed, Harris and Wideman also raise the question of how disability functions in the process of gender development. In their view there is evidence that disabled persons are less sexually stereotyped. They go on to say:

> ...parents were often vague and vaguely uneasy as to the sexual or relational future of their children. From a feminist perspective, we might see the failure of the culture to leave its heavy, sex-typing brand on the disabled girl as liberation. The powerful, willed autonomy of many disabled activists writing and speaking of their experiences attests to a level of self-assertion and independence unusual for women. (Harris & Wideman 1988: 132)

In my own experience, outside the context of theory and ideology, the absence of 'sex-typing' gender expectations is felt by most congenitally disabled persons of my acquaintance as an exclusion, not as liberation.

Some of my own childhood memories serve to locate these reflections much more succinctly, it seems to me, than any amount of theoretical speculation. My brother, some three years older than me, inhabiting his teenage world so much more securely than I ever could, said to me, in a tone of bemused wonder, 'You know, sis, if you'd have been able to see, you would have been bloody attractive.'

An earlier memory: I am perhaps six and planning my future. I say to my mother: 'When I grow up I am going to have three children and I am going to call them…' My mother takes both my hands and utters a little pain-riddled laugh:

> No, Baby. You should be making different plans. You are so clever. You
> will be a famous teacher, or a musician. When you grow up you will not
> have babies, you will not get married. The kind of person you would
> want to marry, the kind of person you would deserve, would not marry
> a blind person.

Chances are I am conflating things my mother said to me at different times – but some of that was said that day when I was about six, and more of the same as I was growing up.

When later my mother is surprised at the person I have chosen to marry (he is only a very junior clerk, sending people their water accounts, and he is small and not very articulate and painfully shy), my mother says, 'But is this the kind of future you are comfortable with?' And I say, 'Well, at least he is prepared to marry me. You always said no one would want to marry me.' 'Oh,' my mother says, 'but I assumed you'd want to marry a doctor or a lawyer or some professional well-educated person.'[4]

It would be so easy to satirise this as bourgeois snobbery; the truth is that it was a perfectly valid assumption to have made, given the kind of person I was and the kind of environment I had grown up in. I was clever and ambitious, and in the 1960s and early 1970s this would have been the goal for a girl growing up almost anywhere: to marry someone who was educated at least as well as, if not better than, herself and who would assist her social and material aspirations in the world. Yes, I would rather have married someone with power, money and education, but I knew not to look in what would otherwise have been my natural husband market. I was blind and that route was not open to me. Another interviewee in Kaufman et al. (2003: 5) recalls:

> When I was in my twenties, I got engaged to a non-disabled guy. My family
> freaked because they couldn't understand what this guy saw in me and
> thought that whatever he saw in me wouldn't last. My family felt that being
> with me would be a novelty and eventually the novelty would wear off and he

would lose interest in me because how can someone like me be a good 'wife' to him…especially sexually?

We seem incapable as children growing up of *not* defining ourselves in opposition to our parents' wishes. How many feminists and gay women recount how they resisted their parents' ambitions for them as wives and mothers? I, on the other hand, became hell-bent on just one thing – to be someone's wife and someone's mother, no matter what. Also, and even more disastrously, I began early on to exploit what I discovered to be a sexual appeal which at some level may seem to have run counter to the general tenet of my argument, that is, that disabled people are almost by definition disqualified as desirable. It is impossible to decide just what proportion of the more or less meaningless sexual activity I indulged in had to do with a real appetite for sex as opposed to an all-consuming need for affirmation as a human being, for which sex seemed such a deceptive short cut. And to what extent was this promiscuity a reaction against precisely the absence of those gender expectations?

Disability and gender politics

For the purposes of this discussion I have for reasons of simplicity taken as my sexual dyad a man and a woman, by which I do not mean to imply that a broad spectrum of sexual preference or sexual orientation is not present in the section of the population which can be grouped extremely loosely under the term 'disabled'. What is beyond question is that issues around gender politics, power relations and psychosexual politics of disability become inevitably intertwined, producing the possibility of a noxious mix.

One brief anecdote may suffice to indicate the force field at the intersection of different kinds of marginalities: a blind friend who believed that for him the choice between a heterosexual and homosexual lifestyle might well have boiled down to a lifestyle choice, justified his decision as follows: 'Do you know why I elect not to be gay? Can't you just hear them saying to each other as they point you out: "Do you see that blind guy over there? He's gay!"' 'How many forms of exclusion can one man bear?' might be a way of glossing Bob Dylan's 1960s protest song.[5]

Fairy tales provide us with an interesting comment on disability and gender. Let us assume for a moment that for our purposes disability and disfigurement are interchangeable. It is true that not all disabilities are disfiguring, or indeed that all disfigured people are disabled. But in the arena of sexuality and sexual desirability, I would venture to say that the two states are interchangeable. Now could we conceive of a reversal of roles in, say, Beauty and the Beast, or the Frog Prince? In these stories a woman has to overcome her repugnance to something radically Other, and it is the essentially caring, nurturing aspect of her feminine nature that makes it possible.

I would contend that not much has changed in the early part of the twenty-first century. It is then also true that the dynamics in a relationship involving a man who is disabled and a woman who is not differ in important ways from the dynamics in relationships in which the converse is the case. This is evidenced by, among other things, the emergence of a subcategory of disability studies and feminism which champions the cause of disabled women, rather than of disabled people.

What does this say about our society? It says among other things that for all the strides made by the women's movements, many areas remain in which sexual stereotypes persist stubbornly. The explanations for this state of affairs are predictable and yet cannot for that reason be discounted. This is how a sighted social worker, married to a blind man, speculates on the well-documented phenomenon that many more disabled men find partners than do disabled women:

> Men demand perfection. Very often they abandon the mothers of their own disabled children. It takes a special man to look past what he or society sees as an imperfection. Women are forgiving, they are nurturers; they are the ones scurrying around doing all the work. If a man thinks he would have to do more than the average, he is likely not to buy into a relationship with someone who seems to him unlikely to be able to bear her full share, and part of his, of day to day chores. A man is looking for a housekeeper and a mistress. He is unlikely even to try and look for a basis on which to build a relationship, even if there is only an imagined problem – even if he does not know the person's actual capabilities. (Personal communication with social worker, September 1998)

It is as if this realm, where gender ideologies intersect with disability, refers to a deeper layer of response, a more primitive environment in which ideological changes are less readily effected. And indeed this trend will be more pronounced in direct proportion to the degree to which a particular culture is still determined by patriarchal structures. I have long since reconciled myself with the fact that my own rejection of my Afrikaans identity was in large measure precipitated by an intuition that in that community I would never sexually come into my own. It would now be nice to be able to claim that the decision was politically motivated, but the very moment at which I took it speaks for itself. I stopped speaking Afrikaans at school very shortly after my thirteenth birthday. What a costly set of trade-offs – trying for English, trying for sight. In the bad old days I used to muse cynically on the manifest parallels evident in the twin aspirations – trying for white, trying for sighted – finding a way of circumventing society's absolute exclusions – forced to sacrifice your identity on the altar of society's implacable 'no'.

The Fiddler's Leg, Ann Lingard's (1996) very readable novel, constitutes a remarkably subtle analysis of the feminine nurturing impulse referred to above.

The novel has as its protagonist Julian Kersland, a disabled violinist in his early thirties. He is not severely disabled, but walks with sticks and with some difficulty. He has in his favour good looks and a not inconsiderable musical talent. He is the leader of a relatively successful chamber orchestra. Three categories of women are drawn to him: the 'Kersland groupies', a band of older if not elderly desexualised women; a young medical student whose initial interest in him is prompted in good measure by curiosity; and Margaret, the middle-aged, childless wife of a successful professional whose interest in him starts from a feeling of 'needing to be useful' and only reveals its true bleak nature when she confronts the fact that Julian Kersland has an active, not to say boisterous, sex life which will never include her. She is ultimately not needed at all. She is useful but not necessary. There is all the difference in the world. This is how she reflects on her decision to clean his flat for him once she discovers that his regular cleaning lady has left him:

> Julian Kersland – that's what she was wanting to think about. Somewhere there was an answer to this restlessness. She had told Julian that she would ask among her friends about cleaning ladies. Why not help him more directly? Why not do it herself? Voluntary work, her own good cause. She exhaled sharply with excitement. Then immediately she doubted the wisdom of the idea. It wasn't quite the done thing, was it, for someone in her position to work as a cleaner? She tried to imagine herself instead of Julian cleaning the bath (and the lavatory? – oh, surely not!), dusting and washing up dirty coffee cups. She was much easier with the image of herself using the vacuum cleaner, bringing in small bunches of flowers or tasty casseroles, perhaps hanging up freshly ironed shirts to air (he had some rather smart shirts she seemed to remember). Also, if she were honest, was there not a rather pleasing intimacy about those scenes that made her feel that she would be useful, and a welcome part of the life of someone who obviously needed help? She was both excited and nervous about the idea. She would think about it again (especially, perhaps, about the bath and lavatory) and she knew she would enjoy bringing out the idea and examining it at odd moments. Perhaps, though, she would not discuss it with Iain [her husband] just yet. (Lingard 1996: 71)

We note the ready leap from the relatively impersonal prospect of 'dusting and washing up dirty coffee cups' to the 'pleasing intimacy' of fresh flowers and tasty casseroles. And indeed, as the story develops her need to see to his physical well-being is soon revealed for what it really was from the beginning: a desire to share in his emotional life, to be his confidante, all of which is shattered when she inadvertently discovers him being made love to.

There is little doubt that a similar novel about a disabled woman violinist is not likely to have been written by a man.[6] Julian is cynical about Margaret Gillespie from the start. He sees through her pretence at responding to his need to her own neediness. He muses sarcastically, in a free association about his would-be lover, the medical student, whom he has brought to a rehearsal:

> I can imagine what that randy fool with the viola thinks. She's my doctor actually, she takes care of me, services my body. Services – that's what my Good Worker offered me, didn't she? What a nasty slip. Your Freudian slip is showing Mrs Gillespie. Ooh, look at Isabel – medical Isabel isn't wearing a slip, just look at those long slim legs. (Lingard 1996: 108)

But what would constitute the rights of disabled people in this regard? It is possible to legislate that consenting adults with particular sexual preferences should be free to live these out, that they should not be discriminated against in terms of employment, their rights to enter into marriages (which will be respected by law), to adopt children, etc. It is one thing to insist on not being discriminated against on sexual grounds, but it is a very different thing to ask of the world not to discriminate against you sexually. Ultimately, we can only legislate public behaviour.

Certain marginalised groups have developed an ethic, an ideology. A Gay Pride march makes a statement, proclaims something. Can we conceive of a parallel gesture by disabled people? The difference in some sense is obvious. In the former it is the very issue of sexuality or sexual preference which is at stake. In the latter, the sense of sexual exclusion, of sexual unworthiness is a secondary issue, hardly to be legitimised. We can campaign for better employment opportunities, for having disability recognised as part of the strategy of affirmative action, but it seems to me a far cry from compelling society to change its sexual attitudes: 'Desire me or else!'

Human beings are almost by definition, it seems to me, beings inclined to discriminate; to say 'no' to some things and 'yes' to others. And as I have tried to show, disabled people often discriminate against each other. In this regard Shakespeare et al. make the point that 'disabled children were able to sort out who was most disabled, or who was least desirable because of their impairment and, on occasions, use this information to their advantage' (1996: 21). They quote one of their respondents as follows:

> ...at the age of eleven, a special school for boys where there was plenty of opportunity for sex and I had a lot of sex there with a lot of different boys. Looking back it was the best thing about boarding school. The most desirable boys were the haemophiliacs because they were closest to being non-disabled, almost god-like. The least desirable were those with muscular dystrophy, and I felt I was somewhere in the middle. (Shakespeare et al. 1996: 21)

Young people with disabilities in particular often define themselves strongly as not being 'like other disabled people'. They form groupings within a disability. Thus, for instance, I have noticed that those who acquire their disability later on in their lives, through trauma, disease or a progressive condition, draw distinctions between themselves and those whose disability is congenital. Trying to get a spontaneous response from the sighted wife of a blind man, I ask her without warning, 'Do you think making love to a blind person is different to making love to someone who can see?' She is taken aback by the question, but soon rallies her defences or more likely those of her blind husband: 'No, not at all. But you see, his sexual identity was formed before he lost his sight.' The implication, unintentional but clear, is that congenitally blind men may well fall short in this respect, that their sexual competence may well be affected by their blindness.

But I keep coming back to this. In the end what we are saying is not 'respect our right to be different, to want different things and to want people differently', but rather 'respect our right to want the same – to want you and to be wanted by you'. By this I do not mean that there is some abstract idealised thing that all disabled people want which comes under the heading of 'normal' – but that they want precisely what they would have wanted if they could walk, or see, or hear, if they had all their limbs. What they are saying ultimately is not 'leave us alone to get on with our lives', but precisely 'for god's sake don't leave us alone to get on with our lives'.

And yet along this road lie great dangers of oversimplification, of self-delusion. How many of us, proud, ambitious, thwarted, say, 'If only I could see, if only I could walk – I would have done...I would have been...' and we cannot afford to entertain the thought that maybe even so fate would have consigned us to the ranks of the lonely and the overlooked...

> those of us who knew the pain
> of valentines that never came
> whose name was never called
> when choosing sides for basketball
> who desperately remained at home
> inventing lovers on the phone
> those of us with ravaged faces
> lacking in the social graces...[7]

The truth is that in the sphere of erotic desire, there is little place for compassion, for moral debate about what individuals do or do not deserve. It is difficult to conceive of anyone attempting to launch a successful campaign for affirmative action in the arena of erotic desire; 'the heart wants what the heart wants,' said Woody Allen. But, I still hear a persistent voice saying, isn't that 'want' ultimately mediated through social representations?

Notes

1 I am deeply indebted to the work of René Girard, to an extent to which justice cannot be done in the context of this chapter. See *The Scapegoat* (1986) and Chapter 4 of *Things Hidden since the Foundation of the World* (1987), especially from page 120 onwards.

2 The play was extensively workshopped by Medoff with some deaf actors.

3 In many cultures there was a practice of placing newborn babies with defects away from the community, exposed to the elements to die.

4 I should add as an aside that in due course my husband came up trumps – and my mother is now as proud of him as if she had hand-picked him herself, but that is hardly the point.

5 'Blowin' in the Wind' by Bob Dylan on the album *The FreeWheelin' Bob Dylan*, released on 27 May 1963 by Columbia Records.

6 I wrote this last sentence before reading Vikram Seth's (1999) *An Equal Music*. The proliferation of deaf women as sexualised heroines in contemporary theatre, film and novel deserves closer scrutiny.

7 Lyrics from Janice Ian's 'At Seventeen' on her album *Between the Lines*, Columbia Records, 1975.

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8

Sexuality in later life

Helena B Thornton, Felix CV Potocnik and Jacqueline E Muller

I DON'T KNOW THAT I want it treated. I know it's an illness, but it's made me feel well. I've enjoyed it, I still enjoy it, I won't deny it. It's made me feel livelier, friskier, than I have in twenty years. It's been fun...I've had thoughts, I've had impulses, I won't tell you, which are – well, embarrassing and silly. It was like being a little tiddly, a little tipsy, at first, but if it goes any further...I guessed I had Cupid's, that's why I came to you. I don't want it to get worse, that would be awful; but I don't want it cured – that would be just as bad. I wasn't fully alive until the wrigglies got me. Do you think you could keep it just as it is? (Sacks 1985: 98)

At 90, Mrs K went to her doctor and told him she realised that she had 'Cupid's Disease'. This was the lay term for her correct self-diagnosis of neuro-syphilis. In the tertiary stage of this illness, patients may become disinhibited ('embarrassing' impulses) and, if the condition is left untreated, go on to develop dementia.

It is interesting how this extract covers many of the issues regarding sexuality in later life:

- It feeds into the myth that sexual interest by the elderly is a sign of illness.
- It shows that for Mrs K, her sexual thoughts and impulses had begun to decline, and she was aware of this.
- It shows that for this 90-year-old woman, the return of these sexual feelings was desirable and to be fought for (she did not want her 'symptoms' to be cured).
- It shows that for Mrs K, her experience and expression of her sexuality was part of being 'fully alive'.

This chapter explores these aspects in terms of how they relate to our sexuality in later life.

In the youth-worshipping western culture, the concepts of sex and of older people are often incompatible. We do not assume older people lose their lust for food or conversation (Starr & Weiner 1981), but it may seem normal to think that they lose

their desire for sex and sexual expression. Nonetheless, on closer inspection it appears that much of what is assumed about both sexuality and later life, and the concept of sexuality in later life, is often clouded by myth, misconception and prejudice.

The older adult or elderly (however defined) should be seen as a population in certain ways separate from younger and middle-aged adults. Ageing is associated with changes in societal role (e.g. being pensioned), changes in family role (often becoming grandparents), changes in bodily function (e.g. arthritis), having to cope with one's own attitudes to death and mortality, and possible increased disability and dependence. As people age, so they may begin to see themselves as 'old people', with different self-images and views about their own attractiveness.

Who are 'the elderly'?

Who are the elderly and when does one become old? Most researchers take pains to define the aged/elderly as 'older adults' (in case 'we' forget 'they' are adults), and in some circles 'geriatric' is no longer considered politically correct. In the same way, people once labelled as 'morons' were relabelled 'mentally retarded', then again relabelled 'mentally handicapped', then 'people with learning disabilities' or people who are 'intellectually challenged'. Relabelling is often an attempt to dissociate the negative connotations or stereotypes from the label, so making everyone aware of the discriminations.

Having decided on a label (for the purposes of this chapter, we shall use 'elderly'), the next tricky question is working out *who* qualifies. Some people in their sixties and seventies are offended by and dismissive of the term as applicable to them. Definitions of being elderly may be based on self-definition, popular culture and/or medical, psychological or legal applicability.

When I was young, I thought 50 was old. Now I think 70 – no! Eighty is old. I think that when you are so old that you have to ring a bell for someone to come and make your bed, then life is not worth living. (Mrs W, 89 years)[1]

When I was young, I thought 30 was old, but now that I am 83, I still don't believe I'm very old yet! (Mrs I, 83 years)

Sometimes the easiest way to define a category of people is to follow not self-identity, but rather how society legally defines people of a certain age. For instance, up until a certain age one is considered too young (legally) to vote, consent to sex, drive a car, consume alcohol, etc. And after a certain age, one is considered legally entitled to retire, receive a pension, receive discounted prices on travel and entertainment, etc. In some countries, this legal age of passage is 65 years and in others it is 60 years (or even younger). Some countries have different ages based on gender or available resources. In South Africa, women are of pensionable age at 60 years and men

when they are 65 years old. In the United Kingdom, one is defined as an older adult for social services at the age of 60, and for health services at the age of 65.

Although the international trend is to describe an elderly person as aged 65 years or older, lesser developed countries (including South Africa) include those over the age of 60 years (Mostert et al. 1997). In addition, 60 remains the cut-off age commonly used in research (e.g. Leiblum et al. 1994; Loehr et al. 1997), allowing for categorisation and comparison. This is done with the understanding that not all people over the age of 60 consider themselves old, and that some people below the age of 60 may already consider themselves as aged.

> When I was young, I thought 50 was old, and I still believe it. Once you hit 50, you start to become a child again. You can't marry after 50, because from there on it's downhill. You're in overtime. (Mr D, 67 years)

Changing demographics

As the average lifespan of people increases, more and more people can expect to be active into their eighties and nineties. (At the age of 80, President Mandela was not only the most famous South African politician, but also entering a new marriage.)

> I think it is a good thing [to remarry]. Just because you loved a person, doesn't mean you cannot love someone else again. Life has to go on. You can't stay a recluse after your spouse died. I know of a man of 90 that married a woman of 80 and it opened many doors for her. It was too beautiful to see! (Mrs W, 89 years)

> Leave [Mandela] in peace and let him have his bit of love! (Mrs I, 83 years)

On average, at least a quarter to a third of one's total lifespan may occur after the age of 60 years. For some, half their adult lifespan may be spent after the age of 60 years.

TABLE 1 *Stages of life*

Stages of life		Age ranges
Infancy and childhood	Infancy	Birth–15 months
	Toddler	15 months–2.5 years
	Pre-school	2.5–6 years
	Middle childhood	6–12 years
Adolescence	Early adolescence	11–14 years
	Middle adolescence	14–17 years
	Late adolescence	17–20 years

→

Stages of life		Age ranges
Adulthood	Early adulthood	20–40 years
	Middle adulthood	40–65 years
	Late adulthood	65+ years
Late adulthood/old age	Young old	65–74 years
	Old old	75+ years

Source: Kaplan & Sadock (1998: 18)

As can be seen from Table 1, there is no clear delineation between the stages of life, and factors such as gender, culture, race and life expectancy impact on when each phase is attained or passed. These factors also change over time.

The ageing of populations is a worldwide phenomenon. In 1995, some 370 million people (6.5 per cent of the world's population) were older than 65 years. This number is set to double by 2020, at which time 9 per cent of the world's population will be 65 years or older. And two-thirds of these elderly will be living in developing countries (Malmgren 2000: 19).

This creates a very different image of being *relatively elderly* compared to places where the average lifespan may be only 50 years or younger. In Ancient Greece, for example, the average lifespan was at times as little as 30 years (Croft 1982). This meant that at age 30 one was not only a senior citizen, but also fully sexually active and producing and rearing children (Croft 1982).

Another demographic variable within the older populations is that generally there are more women than men. In South Africa, almost half of all women aged 60 and over are widowed compared with only 12 per cent of elderly men (Kinsella & Ferreira 1997: 5). This numerical disparity means that lack of sex among the elderly is often due to lack of opportunity, rather than to lack of desire (Leiblum et al. 1994; Loehr et al. 1997).

> *Ek sal nooit iemand in my kamer toelaat nie. Die mense is baie jaloers onder mekaar en hier is altyd kompetisie vir aandag.* [I would never let someone into my room. People can be very jealous and there is always competition for attention here.] (Mrs R, 78 years)

In South Africa, gender, race and socio-economic class have had great influences on a person's expected lifespan. Life expectancy at birth is estimated at approximately 50.3 years for males and 53.9 years for females. Men over 60 can expect to live another 17 years and women over 60 another 21 years (Kinsella & Ferreira 1997: 3). However, when the figure is broken down by race, years of life expectancy differ for each race group (see Table 2). What is interesting is that should any person – irrespective of race – reach the age of 60 years, then the remaining life expectancy is very much the same.

TABLE 2 *Years of life expectancy at birth and age 60 (1997)*

Sex and race	At birth	At age 60
White male	70 years	17 years
White female	77 years	21 years
African male	52 years	15 years
African female	55 years	18 years
Coloured male	59 years	14 years
Coloured female	68 years	18 years
Indian male	65 years	15 years
Indian female	72 years	18 years

Source: Kinsella & Ferreira (1997: 3)

According to estimates in 2008, there are 3.5 million elderly people in South Africa (i.e. 7.2 per cent of the population) (STATS SA 2008: 8). The ethnic breakdown is shown in Table 3:

TABLE 3 *Ethnic breakdown of elderly people in South Africa*

	Number	%
African	2 243 900	63.96
Coloured	289 300	8.25
Indian	125 700	3.58
White	849 500	24.21

Source: STATS SA (2008)

Life expectancy is expected to rise due to reduced fertility rates and decreased mortality rates in the young, rather than to any marked extension in life expectancy. However, with the impact of AIDS, these trends may be affected: 'South African life expectancy is probably going to plunge from 64 to 37 years over the next 12 years of the AIDS epidemic' (United Nations Programme on HIV/AIDS & WHO 1999).

South Africa has the largest number of HIV infections in the world (UNAIDS 2007). By 2006, an estimated 5.4 million people in South Africa were living with HIV. This impacts directly on those elderly who are sexually active or who are sexually assaulted. In 2006, 4 per cent of men and 3.7 per cent of women with HIV were over 60. Indirectly, HIV/AIDS impacts as the elderly may again need to take on parental and economically active roles. By 2006, 1.5 million children under the age of 18 were maternal or double orphans (i.e. had lost a mother or both parents), and 66 per cent of these children had been orphaned as a result of HIV/AIDS.[2]

Paucity of data

Research into sexuality may target children, teenagers, homosexual people, single mothers, prostitutes and so on, but very seldom explores sexuality in the elderly – creating the myth that there is nothing to research. For instance, the Kinsey et al. (1948, 1953) reports on human sexual behaviour devoted only seven pages to sexuality in people aged 60 years or older. This 'invisibility' infiltrates all aspects of society: the Reconstruction and Development Programme (ANC 1994) aimed to address all areas of discrimination in South Africa, but devoted only three lines (out of 147 pages) to the elderly and their needs.

One of the most striking factors about writing a chapter on the elderly and sexuality is the lack of data available. Subject searches on library databases for aged/older adult/elderly/mature adult cross-referenced with sex/sexuality/sexual behaviour/intimacy, etc. generate minimal literature. More recently, journals targeting gender and sexuality issues are beginning to include the elderly as a population with rich and often unique issues to be expressed and explored. Titles such as 'Sexual Interest and Behaviour in Healthy 80- to 102-Year-Olds' (Bretschneider & McCoy 1988), 'Issues of Sexuality in Older Women' (Loehr et al. 1997) and 'Sexual Function in 1,202 Aging Males: Differentiating Aspects' (Bortz et al. 1999) are increasingly found in journal articles and challenge the misconception that sexuality in later life consists only of holding hands.

In some cases, lack of data does not reflect age bias on the part of the research, but a self-directed and self-selective age bias. In an investigation into male homosexuality in South Africa, only 6 per cent of the volunteer respondents were over the age of 50 years and only 2 per cent were over the age of 60 (Isaacs & McKendrick 1992). The researchers commented that nearly one-tenth of respondents 'missed' the age question in the questionnaire or avoided giving their age (similar to other studies on male homosexuality). They speculated that these omissions may have been from older respondents who 'in particular may have difficulties in accepting their age in contrast to younger people' (Isaacs & McKendrick 1992: 74). Thus, based on age, people may select themselves out of a study.

If the feeling is there

You can have sex at any age if the feeling is there. (Mr S, 75 years)

In 1948 and 1953, Kinsey, Pomeroy, Martin and Gebhard published the famous Kinsey reports on human sexual behaviour. In these reports, sexual activity among the elderly was considered steadily to decline with age. This comment is now considered to be a 'gross over-estimate' (Gibson 1992), and based on minimal

and non-representative data. Of the 12 000 subjects surveyed for the Kinsey et al. study, only 186 people were over the age of 60. Later studies, based on substantial populations of elderly people, showed significantly different results.

One of the few published longitudinal studies of sexual behaviour in later life was the Duke Longitudinal Study (Palmore 1970). Over 30 couples were followed up for a period of 15 years. Although this study showed a relatively steady decline in sexual interest, it also remarked that when the subjects reached their seventies and eighties, there was an increase in sexual interest. This result needs more investigation.

In 1981, *The Starr–Weiner Report on Sex and Sexuality in the Mature Years* was published. It surveyed 800 people between the ages of 60 and 91 years. In this survey, 35 per cent of the respondents were male, 65 per cent female, 48 per cent married, 37 per cent widowed and 71 per cent retired. The report found that

- there was a strong continuing interest in sex among the elderly (96 per cent of all the respondents, and 93 per cent of the respondents aged 80–91 years, said they 'liked sex');
- sex was considered important for both physical and mental well-being;
- sex was 'as good now' (35 per cent of respondents) or 'better' (32 per cent of respondents) than when they were younger;
- orgasm was an essential part of sex (63 per cent said 'very important' and a further 26 per cent said 'somewhat important');
- masturbation was acceptable;
- nudity with partners was enjoyed;
- their idealised lover was close to their own age.

Many of these finding were repeated in the research by Edward Brecher (1984). He surveyed 4 246 adults aged between 50 and 93 years. Seventy-five per cent of this sample were married, and of them 87 per cent considered themselves happy (very different from the myth that old people are bitter and depressed). He found that (especially) women's sexuality was less affected by ageing. 'Normal' women in their seventies and older were recognised to have significant sexual lives, both emotionally and physically. Many women mentioned how liberating menopause was, because they no longer had to fear unwanted pregnancy.

When sexual relationships did cease, it was often due to the death (36 per cent) or illness (12 per cent) of a spouse. Of the single/widowed/divorced women in the survey who still had sexual relationships, these tended to be with married men (40 per cent) or younger lovers (one-third).

Ek is nog baie romanties en sal hou van kerslig etes. Ek lees ook net romans. 'n Mens vergeet nie!...Dis te wonderlik om te beskryf! So verlief soos ek die eerste

maal was, so velief was ek die tweede en die derde maal! Ai, die liefde is so
kosbaar... [I am still very romantic and would like candlelit dinners. I only
read romance novels. One never forgets! It's too marvellous to describe! I was
so in love the first time, so in love the second and the third times! Oh, but
love is so precious...] (Mrs R, 78 years)

The Mulligan and Palguta (1991) study of 116 male residents of a nursing home found
that although sexual interest was significantly higher among those with partners,
those without partners said their sexual interest would have been higher if they had
a sexual partner. Those with a heterosexual sexual preference were strongly in favour
of vaginal intercourse, regardless of the presence or absence of a partner.

Some studies have found a marked age-related decline in sexual frequency.
Wang and Lin (1994) surveyed 17 047 Taiwanese women, aged 16 to 92 years. About
60 per cent of women over the age of 65 had no sexual activity. However, Wang
and Lin believed that culture played an important role in shaping sexual frequency.
They thus suggested that any interpretation of the decline in sexual frequency with
age must be taken with caution.

Another study targeting women was published by Leiblum et al. (1994), who
investigated 315 hypertensive women aged 60–80 years old in a randomised double-
blind clinical trial. Some of their findings were:

- Sexually active women tended to be younger (mean of 66.8 years versus
  69.3 years in the non-sexually active group) and tended to come from higher
  household incomes than the abstinent women.
- Subsequent analysis using age as a covariate suggested that variation in sexu-
  ality scores did not result from the age difference. Age was not significantly
  correlated with any of the influences on the level of sexual activity.
- Age was correlated with difficulty in becoming sexually aroused and with
  painful intercourse.
- Sexually abstinent women indicated that two major factors significantly
  affected their level of sexual activity during the prior month: their *partner's
  lack of sexual desire* and their partner's health.
- About one-third of sexually inactive women reported moderate or high
  sexual interest. This was also true among the women aged 70 or above.
- There was a positive association between feelings of well-being, vitality and
  sex-life satisfaction.

In 1988, Bretschneider and McCoy published their research on the sexual interest and
behaviour in 202 healthy 80- to 102-year-olds (there was a gender ratio of 2.5 women :
1 man in the retirement homes where this study was conducted). They found:

- Eighty-eight per cent of men and 71 per cent of women fantasised or daydreamed (at least once a year) about being close, affectionate and sexually intimate.
- For both men and women (mean age of 86.1 years) the most common sexual activity was touching and caressing without sexual intercourse (90 per cent of men and 77 per cent of women), followed by masturbation (72 per cent of men and 40 per cent of women), followed by sexual intercourse (62 per cent of men and 30 per cent of women). Of these activities, only touching and caressing showed a significant decline (in men only) from the eighties to the nineties.
- Past enjoyment of sex was significantly correlated with present frequency and enjoyment of caressing and of sexual intercourse.
- There were significant and substantial correlations between past and present frequency of sexual behaviours, suggesting that physical and social factors play an overriding role in this area.

More recently, Bortz et al. (1999) published their research on the assessment of sexual function in 1 202 ageing males (mean age was 73.8 years). They concluded:

- Although age consistently correlated with erectile dysfunction and decreased sexual activity, a substantial number of older men continued active sexual behaviour.
- Chronological age alone was an inadequate predictor of sexual function.
- Both health status and partner's perceived responsiveness were prominent modifiers of the age effect.
- In the absence of social isolation and health issues, many older men showed persistently active sexual lifestyles.

What is the 'truth' of sexuality in later life?

It is hard to define the 'truth' of sexuality in older life for two main reasons. The first is that research into this area has given rise to contradictory results: on the one hand sexual desire and activity steadily wanes; on the other hand it does not, or it does at first and then increases. Each of these findings can in turn legitimise or encourage certain beliefs about sexuality in later life, allowing myths and expectations to flourish. In turn, these myths can pathologise, patronise or pressurise older people who are being so categorised and labelled. While these labels may sometimes be liberating, they are more often experienced as oppressive, belittling and insensitive.

The second reason is due to the ambiguous and vague definitions of sexuality used in research. It is not clear at times whether sexuality refers to

fantasies or activity or desire or interest. Sexual activity may range from a light caress, to cuddling, to penetrative intercourse. If 'sex' refers to the latter, then how are oral sex, mutual masturbation and sexual activity between lesbian couples defined? Does 'sexually active' equally include individuals who masturbate once every year, or three times every day (Croft 1982)? There has been no standardisation between the various researchers concerning their definitions of sex, sexuality and sexual activity and, quite often, there are varying definitions for being 'elderly'.

It would seem that despite variant results, most researchers agree that sexual interest or desire and the capacity to enjoy sex are not lost in the elderly, although they may gradually decrease or require some form of adaptation (Bretschneider & McCoy 1988).

Myths and stereotypes

People often associate the elderly with 'decrepit', 'over the hill', 'a burden', 'forgetful' or 'senile'. Being old is often allied with suffering pain, taking pills and having arthritis or hanging skin and varicose veins. These stereotypes reflect prejudices and fears of ageing, feeling unattractive, becoming ill or disabled, or demented and/or dependent.

> [With old age] I became aware of my body ageing – especially my thick legs and excess skin hanging everywhere. My second husband and I never undressed in front of one another (very different in comparison to when I was young). My old body is ugly and I would never be naked in front of him. We would undress separately in the bathroom and have sex when it's dark. But I enjoyed sex more in my second marriage; I felt respected and loved. (Mrs G, 85 years)

> It's good to mix older and younger lesbians. When younger people get together more often with older lesbians and see that they're not doddering and so on, they'll be aware that there's not that much difference, and perhaps it will make it easier for them as they grow older. (Phillips & Rakusen 1989: 222)

In terms of sexuality, the elderly are often characterised into at least one of the following:

- There is an assumption that old people do not experience their sexuality any longer and do not think about sex, let alone engage in sexual activities or enjoy them. They are converted into 'neuter beings, objects, and thus perceived as lifeless, devoid of all common human feelings' (Starr & Weiner 1981: 3).

- Unmarried people have sex in the old-age home.

  > *Ja. Onse oumensies is mos maar stout kinders!* [Of course, we old folk are really naughty children!] (Mrs R, 78 years)

- They are dried-up old prunes, over the hill, bitter and angry.
- They are dirty old men who are somehow naughty, dirty, disgusting, mad and vile. Interest in sex is considered inappropriate.
- They are 'dried-up spinsters' or 'predatory lesbians' (Phillips & Rakusen 1989) – especially if older women are unattracted to men.
- It is dangerous for them to have sex (or detrimental to their health).
- Only senile, demented old people are still interested in sex.
- They are often viewed as sexless or childlike. Categorising them as benign, sweet, cute and 'Old Dears' results in the infantilisation and asexualising of the elderly.

Sexuality in the elderly is a 'dark continent' that most people, including physicians, prefer not to think about (psychologist quoted by Loehr et al. 1997: 451).

This is not atypical of the way other vulnerable groups are seen. Mentally handicapped people, for example, are often viewed as 'dangerous' and 'oversexed', or as 'sex-hungry nymphomaniacs', or as 'sweet childlike' adults who have no knowledge of or desire for sex.

> One girl came to me crying, blabbering her heart out because one of the guys put his hand in her panties. But he had asked [for permission] and she had said Yes! So I asked her: Why are you crying?...She was crying because he'd promised her sweets, and he hadn't given them to her![3]

Myths serve to perpetuate the pathologising, stigmatising and isolation of the elderly. They add to the distaste and fear people have for growing old, and the discrimination that the elderly often experience. In addition, the elderly may believe many of these myths themselves and so may unnecessarily change their behaviour.

> [You can have sex] up to your eighties. After that, it's unbecoming...I will never marry again. I am old now and had my days of being young...You can't wear short skirts; neither a suit with pants if you are fat. After 40 years it is time to stop being silly. (Mrs G, 85 years)

> [You get too old to have sex] When you get to your late forties, you should have respect for yourself. People don't really have sex after 50. You should calm yourself down...Also, an older person shouldn't have sex on their own. (Mr D, 67 years)

> I still have a very high libido, but feel guilty about it. I am very afraid the other residents will find out about it…*Hulle sal my lelik beskou as hulle weet.* [If they knew, they would think I was dirty.] (Mrs R, 78 years)

One woman found that as she turned 60 years old, she fell 'truly in love for the first time'. For her, all the feelings of being in love, the rush of infatuation and the dread and delight of anticipation were there to prove to herself that she was still alive and still vital. In this capacity, an active sexual life (through fantasy or behaviour or attitude) can be especially significant for a person's morale – it is an affirmation of life and a denial of death (Morley 1991).

Alternatively, as growing old is often associated with prostate cancer, breast cancer, impotence, lack of lubrication and increased risk of heart attack, some of the elderly may choose to withdraw from sexual activity out of fear of poor performance or health risks. In fact, a popular myth in stroke rehabilitation wards is that strokes are brought on by sex (i.e. sex is 'dangerous' in the elderly), and that further strokes may be prevented if sex is avoided too. This is not to say that some people do not experience sexual and/or cardiac difficulties that impact on sexual behaviour. However, as with younger people, sex therapy is usually able to circumnavigate or substitute expressions of sexuality in non-risky and satisfying ways, and employ aids to compensate for physical problems (Roe & May 1999). Increasingly, there are aids on the market that can assist people with sexual difficulties (e.g. Viagra was launched in South Africa in 1999 as a treatment for male impotence).

> I've heard people in the old-age home talk about Viagra…I think it is a good thing to use if you are really old and have a problem. I wouldn't mind if my husband used it. (Mrs G, 85 years)

> I've heard of Viagra, but I don't believe in things like that. Nature must go its way. (Mr S, 75 years)

> [Mr D has never heard of Viagra. After an explanation…] Something like that is not good and I will not even dream of using it. (Mr D, 67 years)

Most sex therapists agree that many sexual difficulties are more emotional than physical in nature, and this also applies to the elderly (Gibson 1992; Kaplan 1990; Leiblum et al. 1994). Kaplan (1990) assessed 400 patients with sexual complaints who were 50 years or older. She found that the problems were frequently due to a variety of cultural, intra-psychic and relationship stressors.

It is important not to ignore generational or cultural taboos and in so doing offend or literally sexually harass people (of any age) in trying to elicit their sexual attitudes and experiences.

> You must have respect for one another. Although my husband is blind, he
> still turns away when I get undressed. (Mrs E, 79 years)

Nonetheless, many health professionals are reluctant to discuss sex and sexuality
due to their own embarrassment or lack of knowledge (Roe & May 1999). This
reluctance reinforces the topic of sexuality in later life as a taboo, and many people
who may otherwise have benefited from their experiences being normalised, or
who require advice or sexual therapy, remain isolated or feel pathologised, criticised
or rejected. This is especially true when the elderly person is also a member of
a minority group which may already have their relationships invalidated and
disapproved of (Zacks et al. 1988).

  Therapists may justify their avoidance by saying it would be embarrassing
to the client or cruel to enquire about the sexual feelings and actions of the elderly.
This avoidance is due to the common myths that either there is nothing to enquire
about and so the questions are irrelevant (thus embarrassing), or else you will be
making them recall something they are no longer able to do (thus cruel). In contrast
to these myths, Loehr et al. found that most of their subjects (elderly women)
who 'grew up in a time when discussing intimate issues was not a societal norm…
dealt with the subject [of sex and sexuality] candidly, honestly, and with humour'
(1997: 456).

> I'm not embarrassed about talking about sex and one shouldn't be. Life is an
> open book: why be embarrassed? (Mrs W, 89 years)

Besides myths surrounding the elderly, there are many surrounding the concept
of sexuality. Some popular myths are that masturbation stunts growth, doing a
headstand after sex ensures pregnancy, women in miniskirts are asking to be raped,
and you cannot get HIV from educated, good-looking, healthy young (or old) adults.

> When I was in school our science teacher talked to us about [sex]…He said
> that adults have sex four or five times a month and more will drain the body.
> (Mr E, 74 years)

> I will never forget what my mother told me when I had my first
> menstruation: 'You are a big girl now, so behave yourself.' It made no sense.
> The first time I heard of sex was in…the dormitory. There were three sisters
> who claimed they were lesbian, as well as stories about homosexual men.
> This all came as a big shock and put me off sex. I wish someone had told me
> about the beautiful part of it. Sex seemed so dirty… (Mrs G, 85 years)

I was already married when I still thought a child got born through your navel! It is good they teach the children these days, especially because of dangers like AIDS. (Mrs I, 83 years)

Many people believe that the only expression of sexuality is sex (as opposed to sex being merely one expression of sexuality) and that the only part of sex which matters is orgasm (as opposed to foreplay or other sensual experiences, as well as the need for physical touch and intimacy).

There are different ways; it is with small things that you [show that you love someone]...It is not only with sex, but also lying together in bed; holding each other, talking. (Mrs W, 89 years)

[We had sex] up until two months prior to his death [last year]. But it wasn't always real sex; sometimes we would just 'talk sexy' and use words; sometimes you only cuddle. (Mrs G, 85 years)

It is important to add that myths can cut both ways. Common myths are that young people *must* love sex and think about it *all* the time, and be attracted to 'good-looking' (however that is defined) young people of the opposite sex (or young women may be attracted to older men but *never* the other way around). These myths may be oppressive and cause confused and difficult feelings for those youths who do not fit the stereotyped images. Equally, there is a danger that researchers wishing to challenge myths about older people being asexual may overstate or minimise research results showing a decline in sexual activity in later life (Croft 1982). This may in turn create another standard which people feel pressurised to live up to and be judged by (by themselves or others).

The myth that sexuality automatically assumes heterosexual penetrative intercourse and the myth that older people do not engage in it or do not have other expressions of sexuality throughout their lives, exacerbate stereotypes about sexuality in later life. Like all myths about sexuality, they feed into stereotypes which impact on people, regardless of their age. The elderly equally hold prejudices of their own.

[Mrs I has never heard the word 'homosexual'.] We didn't have people like that when I was young. If two men touched one another they were called 'moffies', but it didn't go further than that. (Mrs I, 83 years)

While the term 'older lesbian' covers a huge range of life experience, all of us to a certain extent share the same oppression. No longer young, we experience ageism from younger lesbians as well as from society as a whole. (Phillips & Rakusen 1989: 219)

> Alienation could arise from…inhospitality directed towards them by younger people; rejection and ostracism, for it is not uncommon for older people to be pejoratively referred to as 'old queens'…places older people at the periphery of the subculture. (Isaacs & McKendrick 1992: 74)

If one considers that sexuality is tied up with gender and gender identity, with sexual orientation, libido, sexual behaviour and sexual fantasies, appearance and clothing, feeling attractive or cared for or alive, and intimacy and relationships, then the very fabric of sexuality cannot be separated from the very existence of personality. Kaplan and Sadock (1998) write that personality and sexuality cannot be separated and thus sexuality remains an integral and important facet of every person until they die, irrespective of age. One does not stop having a personality (or sexuality) at the age of 60 or 65 or 105.

Ageism

'Ageism' is usually a term to denote prejudice based on a person's age. It can be against younger people too. However, mostly it is applied to older people (e.g. in terms of job applications, under-representation in popular media, etc.).

> I think you become a senior at 59 years, but in my eighties I still flew a plane, went to Sun City and gambled. I worked up to 65 – I was in charge of the linen at a big hotel – and was forced to retire because of the Labour Bureau Standards. I feel that was discrimination: I would have liked to go on working. (Mrs W, 89 years)

Ageism also serves to separate out 'them' from 'us'. It is true that there are many differences in attitude associated with age. In fact, most older people of today were born in the first third to the first half of this century, and were raised by parental figures who were strongly influenced by Victorian ethics (Gibson 1992).

> Younger adults of today grow up with the threat of HIV infection if they engage in casual sex – something their parents and grandparents did not have to deal with. For these reasons, there are differences based not only on age (e.g. level of responsibility in families) but also on generation. The people who are 80 years old today may be qualitatively very different from those who were 80 years old a century (or even a half-century) ago. It also means that people who are currently considered elderly grew up in South Africa under the apartheid legislation where the Immorality Act (No. 21 of 1950) criminalised interracial and homosexual relations, and at a time when there was a lack of access to contraception.

> I am old-fashioned…I want to be with my own group…But I believe that if two people love each other, they have a right to get married. There shouldn't be a law that it stands between them. (Mrs W, 89 years)

Soort soek soort [like seeks like] [The Immorality Act] was a good thing; there were no problems enforcing it. (Mr S, 75 years)

It is good to keep the races apart. If a new race was born, what will it be in years to come? People like this won't be accepted anywhere. (Mrs I, 83 years)

Today's young people...can plan when and how many children they want. Today it is the norm to have sex before marriage, even at a very young age. In my days, people got married in their twenties and then only had sex. A pregnancy outside marriage was equivalent to committing a crime. (Mrs W, 89 years)

People [my] age got married in their twenties. But [I remember that my] parents and grandparents got married at about 16 or 17. (Mr S, 75 years)

These days [younger people] are not solid anymore. They will marry half-naked without a trousseau. In general we were brought up more strictly than today's children...In the old days, if your spouse died, you stayed single thereafter...[The contraceptive pill] is good; I feel I had too many children, but felt as if I had no control over it. In the end, the children suffer. (Mrs G, 85 years)

Nobody in my family ever got divorced and these days it is a common thing... people are crude and will divorce after two or three months! (Mr D, 67 years)

It was a tough world 60 years back and you had to carry water in a pitcher for miles just to have a bath. The only way to get out of the house and be on your own was to get married. (Mrs I, 83 years)

In addition, the category of 'the elderly' is not homogeneous. Besides marked age differences within this single group, there are differences in the experiences of groups within this category (e.g. 'old' men versus 'old' women). Many people are discriminated against based on gender, race, class, religious belief and so on and these discriminations do not automatically cease as one becomes elderly. For instance, older women are more vulnerable than older men (e.g. because of lower incomes) and thus the elderly who are members of minority groups may be even more vulnerable (Harel et al. 1990). Under apartheid there were very disparate resources available to the elderly, dependent on their racial categorisation. The ability to have accumulated wealth in the apartheid years means the class differences among the elderly of today largely still reflect along racial lines. Racism, homophobia and sexism do not simply cease because a person has become older.

> Wives are young men's mistresses, companions for middle age and old men's nurses. (Sir Francis Bacon, quoted in Loehr et al. 1997: 451)

Myths and religious and cultural factors all entwine to create entrenched beliefs and attitudes about expected behaviours. The belief that sex is only for procreation, and nothing else, dictates some of the myths that are attached to sexually active, post-menopausal women. The same standards of judgement may be applied, to a lesser extent, to men, who are biologically able to father children into their eighties (almost half of men aged between 80 and 90 years display spermatozoa in ejaculate) (Croft 1982). Thus patriarchal attitudes toward sexuality (e.g. women have sex to have babies, and when they are no longer of child-bearing age they no longer need sex) have a direct impact in terms of later life. According to Bretschneider and McCoy (1988), there is a significant increase in the proportion of women having no sexual intercourse in their late fifties and early sixties – which may be related to menopause and the dramatic drop in hormone production. However, there is no further significant drop in the proportion of women engaged in sexual intercourse in their seventies, eighties or nineties.

Thus, although there is some biological basis for women's decline in sexual activity post-menopause, it does not justify the pervasive mythology that elderly women have no sexual desire. Some interpret this to mean that a relatively high level of sexual activity over the years sets the pattern in old age too ('use it or lose it') (Nilsson 1987).

People's adverse experiences in earlier life may also impact on their desire for intimacy in later life. When asked if she would want to marry, a 60-year-old African woman responded: 'Oh no! I don't want to have to look after someone again.' This person's attitude to marriage in later life had little to do with her desire for intimacy, and much to do with her desire to avoid the disparate responsibilities she felt it would engender.

> I never [want to marry again]. I don't want to work for a man again. (Mrs G, 73 years)

In addition, intimate care (e.g. catheters for incontinence) and the touching of genitalia are all tied up with sexuality and sexual expression: 'When do you stop being a nurse and become a husband?' (Roe & May 1999: 575).

Elderly abuse

Abuse of the elderly may be emotional, financial, physical *or sexual*. One 91-year-old woman (Mrs G) expressed her dislike for her 90-year-old neighbour. When in the lift at the old-age home, he would continually brush up against the female residents'

breasts. However, she did not feel she could complain because he was 'so old', and she did not feel it could qualify as sexual harassment. Nor did she feel that at her age she could really be the object of sexual attention, and she would feel silly implying it.

> We would tell our mother [then 94 years] that we were locking the doors to keep her safe – that there could be a rapist outside. She would laugh and say, 'Leave the door unlocked! I may be lucky.' (Mrs T, 60 years)

The elderly tend to be more vulnerable physically and financially, and more vulnerable in terms of housing and transport. McCartney and Severson (1997) reported a case of post-traumatic stress disorder in a severely demented 82-year-old woman. They suggest that even when a person has little cognitive capacity to remember an assault, they may have an emotional (limbic) memory and present with psychiatric symptoms. They highlighted the urgency for research into the area.

Many factors contribute to the occurrence of abuse. These could be personal characteristics (e.g. physical or mental impairment, increased dependency, poor ability to escape or retaliate, isolation), situational characteristics (e.g. caregivers who are alcoholic), environmental (e.g. crime, poverty) and/or cultural factors (Harel et al. 1990). When (as in South Africa) unemployment is high, a single old-age pension may be the sole income for an entire extended family.

> Sometimes a lady is still on her husband's pension and if she remarries she will lose it. Then there is nothing wrong with having a steady relationship and having sex with each other. Old people can't be expected to sit alone in their rooms all the time! (Mr E, 74 years, and Mrs E, 79 years)

> I told him: Don't marry me unless you really love me. Also don't marry me if you are feeling sorry for me. I am a poor woman, but independent. (Mrs G, 73 years)

Financial abuse of the aged is one of the most common forms of abuse in South Africa. If one considers that most perpetrators of abuse are family members (either grown children or spouses) who also provide considerable care, then one expects to find under-reporting due to shame, desire to protect the perpetrator, and fear that the alternative to family care may be a nursing home (Harel et al. 1990).

In 1998, 240 elderly people were interviewed in the Eastern Cape, KwaZulu-Natal and the Western Cape (80 interviews per province), and all the provinces highlighted the need to protect the elderly from abuse (often from 'our own children') (Joubert et al. 1998a, 1998b, 1998c). Although the issue of rape was mentioned (Joubert et al. 1998a), most reports of abuse were treated by the participants in a camouflaged way. Another reason for lack of available data on

sexual abuse of the elderly is that it is 'seldom viewed as rape albeit incest rape' (Keikelame & Ferreira 2000). Based on 33 interviews with older people in Xhosa-speaking communities, Keikelame and Ferreira (2000) found that examples of sexual abuse outnumbered all other types of abuse, and these examples were spontaneously given – not solicited.

> When you are a mother...left behind with children who are boys...he wants to sleep with you...and want that you must not talk about it...He does things as he pleases. (Keikelame & Ferreira 2000: 7)

If abuse occurs in the nursing home, fear of not being believed and retaliation may also result in under-reporting. Those elderly who have been institutionalised (assuming they live in a country which has the resources for 'old-age homes') are also at risk of abuse. Staff are often poorly trained and under-supported, and in frustration may become punitive to the clients in their care. Alternatively, the elderly may experience their care as superior, generous and warm. It is imperative that any institution caring for vulnerable people (whether the aged, young children, the ill or handicapped) be accountable for and aware of the possibility of abuse.

In terms of sexual behaviour, institutions for the elderly may assume that their clients do not need or want sex, and deny the opportunity for its expression or the expression of intimate relationships. At the other extreme, they may place the elderly with fellow-residents who may be overly forward or sexually threatening for people less able to protect themselves. It is a challenge to find a balance between protection on the one hand and, on the other, allowing for sexual self-expression.

Challenges

The changing gender roles following retirement and bereavement may bring on new sexual conflicts and challenges. Couples faced with confronting their retirement and with changing relationships may find that their expression of intimacy has changed or requires change.

Fear of being single or being left alone in later life is no less substantial than the fear of being left alone at any other time. If one is in a relationship, becoming old brings about the increased possibility of being left alone due to the death of a spouse or partner.

> For some single older lesbians who feel that there isn't much time left, a scary question is 'Can I ever find a lover?' It takes courage and initiative. If a lover is considerably younger, age difference can be an issue. Some women feel that wide age differences are inappropriate ('I should act my age' or 'I won't be able to keep up with her'); others feel that age doesn't matter. (Phillips & Rakusen 1989: 220)

It is not good to be alone; you put the light off at night and all you hear is your own breathing. (Mr K, 74 years)

I would like to marry again and have sex…but that is not the only reason. *Ek sal graag wil hê iemand wat saam met my wil tuinmaak; wat die ou blommetjies sal laat grooi, wat wil skoffel en spit en sal gaan stap met my.* [I want someone who will work with me in the garden and let the flowers grow, who will shovel and dig, and go for walks with me.] (Mrs R, 78 years)

In South Africa, if one reaches the age of 60, one can expect a woman to live at least three to five years longer than a man (Kinsella & Ferreira 1997). While for many people a partner may represent someone to care for or look after (especially if the partner is ill), a partner may also represent someone who is there for them should they require looking after.

You can [find love when you are older] but you are wasting your time. What if you get sick and frail – then she won't be prepared to look after you and walk out. (Mr D, 67 years)

Relationships may represent companionship, sexuality and safety, or they may bring unwelcome responsibility or distress or abuse. Although this is true for any age group, the possibilities of one or both partners becoming disabled and dependent increase with age. However, the latter are not always seen as reasons to avoid relationships.

How we got together was like a dream. God keeps the best for last. (Mr E, 74 years)

Seven years before, Mr E was living in the frail-care unit, where he had to be assisted with dressing himself and other daily tasks; he had been blind for 13 years from glaucoma. Mrs E was very active in the old-age home – he recalls always listening to her voice and thinking: 'She sounds like an angel.' Three weeks before they met, she had a vision where a man with a cane in his hand entered her room, surrounded by a blue light. He stood at the foot of her bed and smiled at her. One day Mr E asked the nurse to take him to the church service. Mrs E said the moment she saw him entering the room at the back, she recognised him as the man from her vision. She went over to talk to him and from the start they got along. They realised they both came from the same town and had even gone to the same school. Three days after they met, he asked her to marry him and she said yes. Seven weeks later they got married at the old-age home, which gave them a gel lubricant to use on their wedding night, but they felt it was too much effort and they had sex without it. They still (seven years later) have sex about once every four to six

months. They feel it is a natural thing to happen, 'so why fight it?' They sleep in the same bed and do everything together.

Conclusion: Still kicking!

In Bed

Discontinuous we lie
with an old cat asleep
between our backs...
We grow old, you and I
to be so equable, lying
back to cat and cat to back
(Alice Ryerson, quoted in Phillips & Rakusen 1989: 253)

Recent research tends to show that older people are interested in and can enjoy sexual activity within normal biological limitations into their eighties and nineties. Nonetheless, myths about one's sexuality in later life (or lack of it) flourish. These myths not only serve to isolate and discriminate against the elderly, but they often reflect one's own fear of ageing and discomfort with issues around mortality and sexuality.

For all of us who do not die 'young', there will be time enough to discover for ourselves what our own expression of sexuality in later life will be. If there is a desire for it, one would hope that the youth of tomorrow do not see us as sick, bitter, disgusting old people. If we hope to be viewed as 'normal', 'fully alive' people with the right to express and experience intimacy and our own sexuality in whatever ways it may or may not change, then we should look to our own attitudes now towards those people whom we already deem old.

Notes

1   Information was gathered by Dr Muller in 2000 through interviews with residents of various old-age homes in the Cape Town area, South Africa.
2   See data.unaids.org/pub/Report/2008/south_africa_2008_country_progress_report_en.pdf.
3   Interview on 23 February 1992 with the manager of a protective workshop for the mentally handicapped.

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PAYING THE PRICE

The violent reassertion of dominant racialised and heteropatriarchal hegemonies is the subject of this section. Underlying values around blackness and whiteness, femininities and masculinities continue to permeate the social regulation and exploitation of certain sexual subjectivities through structural and actual violence.

9

The weather watchers: Gender, violence and social control

Lillian Artz

Mostly we do this [tolerating abuse] for our safety. To protect us and then to protect our children. We are always working with what the mood is and this is because we need to keep out of trouble when we see it coming...and you can feel it coming like a storm. First the cloud, then the rain, then the storming thunder that bangs down on you. We are weather watchers [other group members find this amusing]. (Focus group member, Lawaaikamp)[1]

OVER THE PAST TWO decades feminist theory has developed a wide and progressively in-depth analysis of 'gender' and more specifically of 'sexualities' and their relation *to* gender (see for instance Fausto-Sterling 2001; Jackson & Jones 1998; Sharrock 1993; Weber 2001; Zack et al. 1998). Within this relatively short period of focused theoretical development on gender and sexuality, a profound interchange of competing debates and conflicting discourses surrounding the construction of these concepts, and their relation to one another, has emerged. An examination of these debates portrays formidable but fragmented pieces of a complex picture, leaving little evidence of a *core* thesis – or indeed antithesis – on the subject. Although this fragmentation does reflect the growth and diversification of (largely feminist) knowledges on sexualities, unlike other feminist debates the subject of 'gender and sexuality' appears to lack the theoretical coherence and even broad epistemological frameworks that guide other feminist treatises on gender. Indeed, many feminists would express disapproval at the suggestion that theories on gender and sexuality, being such fluid concepts, could even have core thematics or formal analytical strains.

More specifically, feminist – and other gender theories – have been marked by continuous battles over the definitions and arrangements of sexuality, the socially constructed nature of gender and the role of gender in shaping sexuality. Of course, gender and sexuality are not coherent objects of study and can be elusive and difficult to define. They are also concepts that are intimately connected with disciplinary practice and discourse (such as psychological, sociological or queer theories). However, even feminist attempts to create constructive alternatives to sexual essentialism – or sex as a 'natural force' that orders society – have done little to consolidate oppositional perspectives. Ruby Rich (1983) has suggested that the desire for a language of sexuality has led feminists into locations such as studies into pornography that are too narrow or overdetermined for a fruitful discussion.

Even the new wave of 'masculinities studies' emerging within social science literature has failed to unify feminist perspectives on sexuality. The domain of sexuality has become rife with its own internal politics, inequities and modes of oppression, making sex and sexuality an inherently political exercise (Rubin 1984).

This is, however, the nature of emerging feminist theories on gender. Reflection, articulation, discursive theorising and space for the maturity of theory are indeed critical to the feminist project. Naffine, although specifically referring to feminist legal theory, neatly captures the divergence and growth of feminist theory when she states:

> The method chosen by many feminists could also be called explicitly dialectal. Feminist [legal] theory has proceeded often by way of a series of tentative theses, to which other feminists (and other theorists) have posed antitheses, which have then resolved into tentative syntheses – which have provided the starting point for fresh theses. Feminist method has also been explicitly incremental. (2002: 80)

Feminism, however, has had a long, difficult and complicated relationship with sexuality. Rubin (1984: 300) believes that 'because sexuality is a nexus for the relationships between genders, much of the oppression of women is borne by, mediated through, and constituted within, sexuality'. As a consequence, cultural and radical feminists who have engaged with issues of patriarchy and the subjugation of women have tended to develop feminist discourses that have been either largely 'anti-sexual' or have failed adequately to distinguish gender from sexuality. There has also been a strong tendency to analyse sexuality, or constructions of sexuality, in relation to coercive and non-coercive ('normal' vs 'deviant') sexual activities: lesbianism, gender identity, rape, sex work and pornography. Flax (1987: 627) has argued that the lack of consensus surrounding issues such as what gender *is* – including the relationship between gender, sexuality and individual identity – as well as questions in relation to the utility of making gender distinctions, and indeed the consequences of not having them for the feminist goal of 'gender justice', reflect the 'complicated and controversial morass' of feminist theory on gender and sexuality.

At risk of drawing a new set of battle lines within the sexuality debates, and indeed perpetuating the coercion/non-coercion tendency identified above, this chapter will bring yet another mode of analysis into gender and sexuality into the feminist fold. With recognition of the diversity of theories on the construction, and indeed reconstruction, of gender and sexuality, it will specifically examine the role of violence against women in shaping, maintaining and restricting women's

sexuality. It will examine the role of the family, civil society, law and the criminal justice system in constructing women's sexuality through the use of social controls. These controls include the use, or the threat of use, of some form of physical or sexual violence, sexual intimidation as well as systematic methods to palliate the experiences of victims of gender-based violence.

I have chosen to understand sexuality as something that goes beyond organising society into categories of men and women and something that should not be (con)fused with gender. Within the specific context of the study of violence against women, perpetrated by men, sexuality goes further than the study of gender-based hierarchies to include issues surrounding the representation and self-expression of identity as well as the social and legal dimensions of 'woman' in South African society. It is a definition which attempts to speak to the constructing and shaping of women's sexuality through social practice, custom and law. The shaping of women's sexuality, their bodily integrity and freedom of 'woman-ness' are thus seen as socially constructed and controlled and not biologically determined like gender. This is not to say that gender, power and sexuality are not intimately connected with one another. Sexuality, in this sense, is the basis for social inequality between men and women and is a fundamental indicator of social control over women's sexuality.

In this chapter I opt for a particular analysis that draws on feminist theoretical work on women and the law called 'feminist jurisprudence'. Although this framework has strictly been used to analyse the role of law in shaping women's sexual identities and practices, its application is useful in providing an analytical platform from which one can view how the state, the law and society exercise power and nullify women and their experiences with violence. The theoretical position in this chapter is situated within a broader theoretical framework that views patriarchal systems of social control as the basis for shaping gender and sexuality.

Feminist jurisprudence exposes the state and the criminal justice system as systems which not only address men's needs but also contribute to and uphold the power of men. The feminist jurisprudence model also provides an analysis of how law and legal scholarship regulate women and silence feminist discourse. Feminist jurisprudence then

> signals the shift away from a concentration on law reform and 'adding women' into legal considerations to a concern with fundamental issues like legal logic, legal values, justice, neutrality and objectivity. Because it appears to offer the combination of theory and practice, and because it will be grounded in women's experience, the ideal of a feminist jurisprudence appears to be a way out of the impasse of liberal feminist theories of law reform. (Smart 1989: 66)

Feminist jurisprudence therefore not only seeks a better understanding of women and law, but seeks to develop a feminist position that combines theory with practice in a way that is meaningful to women. The analytical apparatus of feminist jurisprudence is at once political, epistemological and methodological. Like the feminist theory of knowledge, it is inextricable from the feminist critique of power (MacKinnon 1983).

My position of analysis will not try to obscure the heterogeneity of women in South Africa through the assumption that women constitute an ahistorical, homogeneous group (i.e. a false unity of women such as 'victims' of violence, sexual harassment, exploitation, oppression and so on). It does, however, presume a sociological universal, and that is sexual oppression – a structural feature of societies that remains relatively static over long periods of time. The analysis of gender, therefore, includes what Flax argues are 'distinctively feminist issues: the situation of women and the analysis of male domination' (1987: 623). The model is thus one that uses critical theory to emphasise the systemic inequalities of legal and social structures.

The theme of this chapter – gender, violence and social control – was first developed in the course of a field of study of violence against women in the Western Cape province (Artz 1999). Based on the life stories of 168 women from 15 rural communities in the southern Cape region of the province, the research set out to examine: (i) the nature and profile of gender-based violence in rural areas; (ii) the obstacles which prevent women from accessing justice in the face of violence; (iii) support mechanisms within rural communities for victims of gender-based violence; (iv) policing, justice and healthcare responses to women who experience violence; (v) the nature of secondary victimisation of women by relevant criminal justice departments as well as their own communities; (vi) the extent to which policy and legislation in relation to violence against women impact on rural women; (vii) gaps in the provision of services to rural areas; and (viii) other unique barriers to justice that rural women face.

The overall aim of the research was to construct an appropriate framework for an integrated analysis of law, gender-based violence and women's development. This challenge was based on the theoretical position that violence and oppression are embedded in social institutions, including within basic legal principles and within civil society. A gendered reality of crime, victimisation and crime control resonated throughout the research. The notion of 'violence as social control' has also resonated in my subsequent research and analysis on domestic violence (see Artz 2003a, 2003b, 2004, 2008; Artz & Smythe 2005, 2007; Parenzee et al. 2001) and will be drawn on in this analysis.

Gender, violence and the maintenance of social control

There are numerous legal and social controls that bind, regulate and manage the conduct of members of civil society. The purpose of these controls is to maintain the social order. Laws establish what is criminal, what is deviant, what is 'normal' and social contracts create and maintain relationships between people. This social ordering also creates stratifications along racial, gender, social and economic lines and produces specific social placements in society, which result in social hierarchies. Anything that goes outside of, or threatens, the existing social order (outside the boundaries of acceptable social behaviour or standards) is deemed 'punishable'. The use of punishment (violence) and methods of admonition (threats or sanctions) uphold the social order. Punishment not only tells us that there is a higher authority over our own agency, but also 'communicates meaning about power, authority, legitimacy, normality, personhood and social relations' (Vetten 2000: 66).

It will be argued here that violence against women is one way of maintaining social control. These social controls shape, maintain and restrict women's sexuality. Indeed, social differences between men create various constructions of masculinity and thus various forms of violence against women. Different social arrangements, particular times in history and different political contexts also produce a variety of masculinist behaviours which shape the use of violence against women in different societies. The use of violence as a method of social control can take many forms: rape, domestic violence, forced prostitution and sexual slavery, forced impregnation and pregnancy, pornography, female genital mutilation and femicide. These are all powerful techniques of social control, where the expression of gender and the construction of sexuality are defined by the social order. This order is 'organised into systems of power, which reward and encourage some individuals and activities, while punishing and suppressing others' (Rubin 1984: 309). These systems of power reproduce sexual essentialism by constructing value systems against which individuals are judged: male/female, masculine/feminine, good/bad, truth/falsehood and so on (Smart 1995).

The threat of physical or sexual violence, intimidation, harassment, and psychological or emotional abuses shapes women's movement, thinking and behaviour. Families, law and society 'sex' the female body (Smart 1995). Women's sexuality is exploited not only by direct assaults to their bodies, but by constructions that contour and navigate their sexuality. The 'sexed' woman negotiates her sexuality through socially stigmatised obstacles that judge her on the extent to which she 'deserves', provokes or can precipitate the attack against her. In essence,

a woman's body is fair game, unless she can prove that the violation against her was clearly forced and unwarranted. She must prove she was vulnerable – a genuine victim as constructed by the prevailing social order. Women's struggles against subordination are extremely revolutionary in that they threaten not only male dominance and privileges but the whole social order. A woman's ability to adapt, fight and survive in conditions where she is subjected to extreme bodily and psychological torture will only work against her. When women 'complain' about abuse, they break the 'subordination boundary'.

The social construction of the violence she experiences is also rooted in her role in the attack against her; the responsibility for the violation is now shared by both her and the perpetrator. Her very gender (sexual or feminine) incites the attack. Her experience of violence is then judged on the basis of her passivity, vulnerability, consent, impulsiveness, provocativeness and participation in the act. Those who are able to reconstruct her experience ignore the fact that women are unable to predict, and therefore unable to control, physical, psychological and sexual violation. This serves as a constant reminder that women are vulnerable and powerless over their physical and sexual integrity. For Stanko, it is women's vulnerability 'that makes women's sexuality and the ever present potential for sexual violation a material reality of women's lives, not just a psychological, attitudinal, or ideological one' (1985: 12).

The projection of a patriarchal image onto women – constructions of good or bad mothers, wives, daughters, sexual behaviours and so on – is maintained through violence and by silencing women who seek to go beyond these constructions through the threat of punishment: sexualised women provoke rape; undisciplined or inadequate wives and partners will be beaten; 'unfit' mothers will lose their children. Terror is used as a means of setting masculinist boundaries. Within this system of social control, women's bodies become 'guilty', 'provocative' and 'willing'. Women also tend to fall into two categories: those who simply provoke uncontrollable responses of men and those who are unfortunate enough to come across men who are simply uncontrollable. Explanations of women's experiences with male violence, then, are centred on the 'natural' or 'unnatural' expressions of male behaviour in response to women (Stanko 1985). Some responses are normal and others are aberrant or deviant. Women, however, are excluded from the project that defines what is threatening and what is acceptable social behaviour. The normative expectation of male violence is constructed and guided by men.

Subordination is thus learnt through the body (through the sexualisation and violation of women's bodies), which makes women subjects and objects of subordination. Stanko (1985: 9) has suggested:

> To be a woman – in most societies, in most eras – is to experience physical and/or sexual terrorism at the hands of men. Our everyday behaviour reflects

our precautions, the measures we take to protect ourselves. We are wary of going out at night, even in our own neighbourhoods. We are warned by men and other women not to trust strangers. But somehow they forget to warn us about men we know: our fathers, our acquaintances, our co-workers, our lovers, our teachers. Many men familiar to us also terrorise our everyday lives in our homes, our schools, our workplaces.

This phenomenon has been documented worldwide. Even at the beginning of the twenty-first century, millions of women are still kept as slaves, are used as objects in war, are sexually and physically mutilated and kept imprisoned and tortured within their own homes. The United Nations has referred to these abuses as a global epidemic that knows no geographical, cultural or linguistic boundaries. It has also been stated that 'women are the worst victims of war and hence the highest stakeholders of peace...who have to fight to protect even their own bodies from abuse...(and thus) are the ones who understand the full potential of what destruction means' (Heyzer 1995: 26).

Violence against women is still the most pervasive, yet least recognised – at least substantively – human rights abuse in South Africa. Every day, women are murdered, physically and sexually assaulted, threatened, and humiliated by their partners, within their own homes and communities. The social, cultural and political structures and institutions in countries like South Africa continue to openly support gender inequality, despite political rhetoric to the contrary. As Martin (1976) suggests, 'the economic and social structure of (our) present society depend[s] upon the degradation, subjugation, and exploitation of women' (quoted in Bersani & Chen 1988: 73). The World Bank report *Violence Against Women* extends this contention, maintaining that

> each society has mechanisms that legitimise, obscure, deny – and therefore perpetuate – violence. Even where a particular act of violence might be deplored, powerful social institutions – the state, families, normative systems that regulate gender relations – collude in maintaining the status quo. (Heise et al 1994: 1)

This statement is particularly meaningful in the South African context, where violence against women has been declared a pandemic in our society. Though it has received extensive attention within mainstream media and has resulted in important legal and policy reforms, resources and support systems to help and protect victims of gender-based violence are few and inadequately funded. More generally, women are victims of deeply held patriarchal norms that teach men to view women as possessions, where tradition and stereotypes repress women and where male domination is encouraged at an early age.

Religious doctrine and customary laws are established practices which, while receiving wide social acceptance, also negatively affect women's social development and freedom of sexual expression. According to McFadden (2001), tradition and ritual exclude women from certain sites and processes of power, and reinvent their identity, for the purpose of control. Patriarchal control of wealth and decision-making is sustained by inheritance systems and kinship structures, in which a woman's identity is often only established through a relationship with a man as his daughter or wife. Okereke (2006) has argued that issues ranging from inheritance of property to even symbolic gestures towards bride prices keep women in abusive relationships and further reinforce the inferior status of women. When social practices (cultural or otherwise) are gendered, they 'construct and maintain the notion that men and women are different and reinforce men's dominance in both a real (e.g. greater economic resources) and a symbolic fashion' (Anderson 1997: 658).

In South Africa, preservation of patriarchal power may have many culturally specific forms, but ultimately violence against women – or the threat thereof – is the prevailing form of social control. It keeps women off the streets at night, restricted at home and silenced. My research saw the grip of kinship and other social structures as only one component of the total complex of violence against women and social controls. The research illustrated a widely accepted sentiment by gender advocates that violence keeps women in conditions of poverty, and fear of poverty keeps women trapped in violent situations. For abused women, lack of economic access dictates their physical mobility and their access to education, recreation, as well as to each other. Economic abuse is a notable feature in the lives of women that I interviewed. The various forms of economic abuse reported by women in my research have included withholding money, requiring the victim to perform 'duties' (physical and sexual) before releasing money, stealing money earned by the victim, and throwing victims and their children (or threatening to) out of their homes.

> These women don't want programmes and psychological help; they want the violence to stop. Simple. They want enough money to care for their children, or to leave their husbands if it gets unbearable for them. Yes, tradition and culture is a major factor in stopping women from fighting back, but if they had the means, the financial means and the information to equip them to do something about it, the cultural factor would not be an issue. Of course it is now, because they have nothing else to turn to. They are economically powerless to do anything but follow their traditions. Tradition is the only support they have, if you want to call it support. They are hungry for information about their rights, but also need support from people like you and other agencies to take up their rights, without fear of losing everything… their homes, their families, their lives. It is about opening the door to education, job creation and self-reliance…to empower themselves. External

help is important, yes, but internally women need strength and opportunity. Only these options can help them. The other things [are] second best for them. (Community worker, Concordia)

The patriarchal society promotes economic and legal conditions that maintain gender-based violence (Margolin et al. 1988). For example, women have been kept economically dependent through an unequal division of labour and thus have difficulty gathering the financial resources necessary to leave their abusive partners. Also a product of being confined to primarily 'domestic' responsibilities, and denied legitimate access to educational and vocational pursuits, many women in South Africa have been kept relatively isolated. With isolation comes dependency, where women become paradoxically dependent on their abusive partners and are further removed from any resources which may empower them to leave violent situations.

From a feminist perspective, masculine power and privilege – or patriarchy – is the root cause of all forms of inequality. The gender order where men dominate women is a structural fact and the use or threat of violence maintains this status quo. Men are equipped physically and economically to perpetuate violence to maintain control. Violence, then, is the domain of the masculinist order in which violence against women is used by men to seize, restrict or dominate women's sexuality. This mode of sexual oppression is crucial to women's subordination. The result is a society which fosters laws and practices that both implicitly and explicitly condone violence against women, by dismissing the seriousness of gender-based violence in both political and public domains and only reluctantly intervening at the level of the provision of services.

Physical, spatial and intellectual controls are imposed on women at every level of South African society. Vulnerability is key to these controls. In their examination of vulnerability as social control, the Hunter College Women's Studies Collective (1983) argues that the spaces that women may or may not inhabit can be controlled by threats to women's sexual vulnerability. The physical threat of rape, for instance, 'serves as a warning to women to watch our behaviour, curtail our freedom of speech and movement, and conform to social expectations concerning our demeanour, actions, and use of public space' (1983: 4).

The threat of sexual violence has also been a prominent feature in the focus group discussions with rural women. Rape and the sexual molestation of children were seen as the biggest threat to women and girl children in the communities, not only because of the violation of women's physical and sexual integrity, but because rape often caused social isolation and harsh judgement of victims by families and community members. Death, critical injury, impregnation and sexually transmitted infections were seen as real risks, not just perceived risks after a sexual assault. The fear of rape, it was reported, made women feel vulnerable and restricted their

movements and associations within their communities. The restrictions imposed by the threat of sexual violence include conforming to social rules surrounding what constitutes 'appropriate female behaviour and dress', as well as avoiding 'rape hot spots'.

> The thing that we feel the most about is our safety. We are always aware of the potential of violence. We fear for our safety, but most of all the safety of our children. You cannot move around without always being aware, so we plan our lives around it. When you are working and you must work until 5 or 6 o'clock, you take the long way home – there are no short cuts. We are poor – and that is a problem – but I would rather be poor and have knowledge of my safety, than be rich and fear [for] our lives on a daily basis the way we do. This is no life. Knowing that you or your neighbour or family will be raped or hurt some other way is not the way God intended it. It takes my faith away. I have no faith in my people, in the police or our church to do anything about it. (Woman in the southern Cape)

When probed about the level of risk of rape[2] in their communities, rural women suggested that the risk was 'high' but was increased in certain circumstances:

> It depends. If you stay home at night, then there is a smaller chance of getting raped. If your husband is there or you are married, no one will come in at night and the chances are even less. If you are out at night, even with other people, your chances of being raped are good, especially around shebeens, where men have been drinking. (Community member, The Crags)

> You must never walk alone at night. You always need a man in your life to protect you. The other men in the community must know that he will fight for your life. (Community member, Rosemond, George)

> The young girls are most at risk. They walk around at all times of the day and sometimes with bad characters. Sometimes that even doesn't matter. They are targets for men of all ages in the community. They need to be educated about the dangers, but they are too free willed. (Community member, Concordia)

Within most of the communities that were researched in the 1999 rural study in the Western Cape, women feared for their personal safety after dark and viewed their homes as a place of safety. It transpired, however, that the home for these women is a refuge only in the sense that fear of 'stranger' attacks is decreased, but domestic violence adds a different dimension to the home as a sanctuary from violence. For many rural women the home is a hub of social and economic activity

that is frequently disrupted by the violence and alcohol abuse of their partners or other family members. The home then becomes a potentially dangerous place, but the choice between leaving the home after dark and staying at home and facing the violence often results in a kind 'involuntary confinement'. Fears of retaliation, community humiliation and being ostracised by family and friends were not uncommon elements of these disclosures. Discriminatory housing and property systems of the apartheid era, slow-moving new housing policies and complicated eviction processes also left women with little choice but to stay in their violent homes.

> Mostly we do this [tolerating abuse] for our safety. To protect us and then to protect our children. We are always working with what the mood is and this is because we need to keep out of trouble when we see it coming...and you can feel it coming like a storm. First the cloud, then the rain, then the storming thunder that bangs down on you. We are weather watchers [other group members find this amusing]. (Focus group member, Lawaaikamp)

One participant in the study described the sexual abuse that her sister experiences:

> What can she do if he comes home, drunk, kicking the door, the children and everything has gone mad? When she is sleeping, he turns up the music loud and come to her and makes her sleep with him. And she only wants to please her husband but she does not like it. He is very aggressive in their bed with her. She does not believe it's really rape when it is her husband. Neither does he. He says, 'You're my wife, I can do what I want to do.'

> Even if she says no, her husband gets cross and hits her and keeps doing what he wants to do. It is very painful, but she cannot scream because her children are there. That is why he turns on the music. But, she says her children know what is happening. She can hear them crying.

> She reports him to his family. His family says 'what's wrong with you that you don't want to please your husband' or 'what are we supposed to do...you must have sex with your husband'.

> Sometimes husbands listen but they mostly say it is nonsense and if the women do not like it, they must leave the house. What must we do? Go to the police? Even if you are raped by a stranger they don't believe you and now you must tell them your husband is raping you? They are just as bad as the husbands. They ridicule you too and tell you that you are full of shit and you are wasting their time. You can have scars on your face...bleeding...and the police will send you home to 'sort it out with him'. Rape by your husband is only real in the law. (Focus group member, Lawaaikamp)

In disclosing cases of sexual assault with the focus groups, in all but one case there was a feeling by the respondents of contributory guilt about the attack, a sort of suggestion that they could have prevented it and were thus consequently partially responsible for it. This was also true for the mother of a 10-year-old girl who had been raped:

> He was my boyfriend. I should have known he was that kind of man. He was so nice and generous and sometimes watched over [her] after she finished school. I trusted him. I don't know why I trusted a man like that. When I went to go pick my child up, I knew something was wrong, but my child did not want to speak about it. When we got home, I sat down to speak to my child in private, but my child could not sit down [she was in too much pain]. I took my daughter to the clinic and the nurse sister confirmed that she had been raped, though initially, for some reason, the nurse sister did not want to admit that the child had been raped. (Mother, Lawaaikamp)

In the cases of 'stranger' rape, women reported that the attackers instilled the fear of death by threatening to kill the victims by beating them to death, strangling them or threatening to use a weapon. In the remaining cases more subtle forms of intimidation were used, including threatening to retaliate if the victim reported the rape, threatening to attack the victim's social respectability, threatening to inform the victim's family of her suggestive or provocative behaviour or threatening to abduct the victim. All the attacks were attacks of opportunity (meaning not necessarily only assaults perpetrated by 'strangers') in which the victims were either sleeping, walking alone, intoxicated or in need of an 'escort' home, and in locations in which the rapist had little risk of being 'interrupted'. In all but one case (that of the 10-year-old), the use of rough, physical behaviour – such as forcibly removing the victim's clothing, restraining the victim and administering blows to the head, back, chest and stomach – was a tactic used by offenders to maintain power and debase and intimidate their victims. In most cases, the victims did not passively accept the attack but were cautious of their attacker's potential for violence:

> At first I tried to run away, but he caught me by the leg and dragged me back [with] my face in ground. I started kicking, but then he hit harder...the more I fought back the more violent he got. Then he said he would kill me and no one would even know. He said no one would ever believe me because I'm a [slut/whore]. I was out of breath so I couldn't scream...like in a dream when you try to scream and nothing comes out. We were so far away from the houses, no one would hear anyway. I just kept on thinking that I don't want to [fall] pregnant and I don't want to die. I covered my face...and head...but he said to stop it because he would not hit me there because if he did people might believe my story, so he punched me all over my stomach and breasts

until I stopped [fighting back]. I told him I would keep quiet if he did not kill me. (Victim, Sedgefield)

Young women who are sexually assaulted face additional difficulties with their families and schools after being assaulted. Schools, which are reluctant to deal with sexual assault and which see rape as a 'police issue', are another form of social control that shapes women's sexuality.

When young women are raped either on their way to school, or even at the school, the teachers are not very helpful. [The teachers] have made the girls feel ashamed of what happened. In one case the girl was pregnant from the rape and she was told to leave school. The boys at the school were not punished and she was. She was told that she was not good for marriage and that she could come back when 'she fixes her problem'. She was also told that if she did not lay a criminal charge, their 'hands were tied', but even when charges were laid the boys remained in school. When we asked the school why they were not suspending the boys they said they could not kick children out of school just because they had criminal records. (Research respondent, The Crags)

When young women are raped, it is a different story. Sometimes the person who raped her is her friend or someone in the family and she is too afraid to tell anyone. Maybe she was out too late or drinking or with people she should not have been with, so she is afraid of being blamed for being raped. (Focus group member, New Horizons)

The victim in this sense becomes the symbol of sexual impropriety. Her victim status implies her own misconduct and she is punished for this status. Whilst the offenders of these crimes are afforded their constitutional rights of freedom of movement and education, the victim's rights to these freedoms are curtailed. The perpetrator is innocent until the law proves he is guilty. The victim – who is seen as a bad influence on her peers and a 'poor candidate' for marriage as a result of being raped – is alienated from the systems and structures that are meant to protect her.

The ordering of women with social tools that control their movements and abridge their freedom, however, is not confined to public spaces and relations. For many women, the home is the most common site of cruelty and torture against them. Domestic violence has thus been referred to by various human rights activists as 'domestic terrorism' and 'domestic torture' (Bunch 1991; Marcus 1994). This new paradigm moves beyond the personal and cultural factors of gender-based violence and emphasises the fact that violence against women is fundamentally structural. It is, as Bunch explains, a result of the 'structural relationships of power, domination

and privilege between men and women in society' (1991: 7). Violence against women is therefore central to maintaining those political relations at home, at work and in all public spheres.

> Women *are* structured more frequently into positions which require them to respond to the needs of others and men *do* occupy positions where they control definitions of what social needs will routinely be met and how they will be met. Thus the invisibility of female activity and choices, and the elimination of female moral understandings of those choices, provides an ideological context whereby cultural understandings of the relation between self and other, autonomy and dependence, choice and need, are skewed and do not accurately reflect the asymmetry of gender relations. (Kellough 1990: 30)

Women and the law

The assertion of masculinity through violence is not limited only to social structures. Much like the restrictions of freedom and exposure to violence imposed on women through social and kinship structures, the South African criminal justice institutions sanction, foster and maintain violence against women through laws, practices and procedures.

The struggle to shift criminal justice responses to victims of gender-based violence has predominately been undertaken at the level of legal reform. An unintended consequence of improving the substantive rights and freedoms for women has been the resistance of the state institutions charged with rendering these rights. The treatment of victims of gender-based violence by police and the judiciary has illustrated how masculinist interpretations of these reforms have systemically and structurally limited these rights and freedoms. Carol Smart (1989) reminds us that men treat women as whom they see women being and the criminal justice process constructs who that is. She also argues that by focusing on legal remedies, we are legitimising a system which is maintained and controlled by men. These power relations within law and criminal justice are slow to change and we must see criminal justice and jurisprudence as a socially constructed reality.

Women's experience of violence is somehow subject to the articulation of consent by the system and the distortion of women's experiences with violence structures the legal and non-legal choices available to women. These choices begin and end with ideological (sexist) assumptions about the true nature of gender-based violence, women's rights to be free from violence and their relationship to one another. The right to legal remedies, therefore, has been regulated by the operational arms of the state, eroding the very principles the state developed to improve access and options to victims of gender-based violence. One can therefore only conclude that the interests

of women do not coincide with the interests of the state at all. Heidensohn maintains that our 'criminal law seems to operate at best on a series of dual assumptions about women some of which are sometimes lamentably confused...however women are defined in law, it is still of course men who do the defining' (1985: 39).

The distortion of women's experiences of violence by the criminal justice system shapes the legal choices they have. They experience systemic and structural opposition from their first point of entry into the criminal justice system – the police. There are several common features of policing gender-based violence in South Africa. The first is the response time of police in both domestic violence and sexual assault cases. While approximately three-quarters of the women interviewed in the rural study reported their matters to the police directly at their nearest charge office, others called the police to attend the scene of the incident. In these cases, just over 80 per cent of the women reported that the police would only attend to the scene hours later or the next day. Subsequent research (Parenzee et al. 2001) on the subject of police management of domestic violence cases, as well as interviews with members of the South African Police Services in this research, found that the police tend to 'reprioritise' domestic violence calls because of the lack of vehicles and personnel available to attend to domestic violence situations. The police maintain that because domestic violence in their jurisdiction is characteristically 'not so violent' to warrant sending vehicles out to the communities, that 'by the time they get to the scene everyone has made up', and that 'women drop charges anyway', attending domestic violence scenes is generally explained as 'not worth the effort' or the resources. These responses show how police undermine the violent and lethal nature of domestic violence as well as the probability that battered women can be severely injured or killed while waiting for police protection.

Other complaints by women have referred to the attitude of the police when attempting to report cases of domestic violence. Of those women who reported their cases to the police, 34 per cent were told to 'stop wasting their time'; 26 per cent were accused of somehow provoking the violence; 39 per cent were accused of lying or were treated with disbelief; 43 per cent were told that they could not lay charges because of a lack of evidence provided by the victims; and in 74 per cent of the cases, the police would not take victims' statements in their home language or no effort was made to co-opt another police member to assist women with their statements. Included in this category were women who stated that they were treated as though they were stupid because they could not explain their stories 'properly' in English or Afrikaans. The interviews also revealed that the police failed to provide women with information on procedures, did not update women on the progress of the investigations, put minimal time into investigations, did not include women in the investigations, and used very arbitrary discretion and criteria in deciding on whether the case was worth pursuing.

The vast majority of women (90 per cent) who report cases of domestic violence are not adequately informed about the criminal justice process (i.e. that they are entitled by law to lay a charge or to obtain a protection order, or both; what the nature and consequences of the charges or protection order are; the full complement of criminal justice protections; and the nature of the criminal trial). In more recent research, it has been found that although the quality of information imparted to victims is substantially better, the tendency of police not to explain legal options has been replaced with a pattern of sending women directly to the magistrates' courts for protection orders. This has the resultant effect of shifting responsibility for immediate intervention in domestic violence cases from the police to the overburdened courts (see Artz 2003a, 2008; Artz & Smythe 2005; Parenzee et al. 2001). Referring to the rural study, 70 per cent of the women who reported their cases to the police stated that they were required to wait lengthy periods at the charge office before they could obtain assistance, and 20 per cent reported that the police discouraged them from laying criminal charges unless they obtained a protection order. In some cases of domestic violence, but primarily in cases of sexual assault, 55 per cent of women were requested to 'find their attacker' before the police could arrest the perpetrator/s. Only a handful of women could recall being assisted by a female officer or in a private area away from the charge office, and no one seemed to be informed that they could make supplementary statements to their original one. The frustration of approaching the police in cases of domestic violence was expressed by a community member who stated:

> The police are not here to protect us. They just make sure that the community does not look disorganised. Women know that the police are a waste of time. They wait for hours for them to come, but more likely they wait until the next day. Sometimes we cannot even call the police because the coin-operated phones are always broken and the other phones [with the phone cards] are too expensive for women. So we walk to the station. They say to us 'now what's the problem'. So we tell them that our husbands are abusing us and they say 'now what do you want us to do about it' and we cannot answer because we don't know what they can do. They say 'get an interdict' but don't tell us how and where to go. There is always a problem if we ask them to go to the house. Either they don't have a vehicle or there is no one [available] to go or the radio isn't working. It is always something with them, so they don't have to think about it. (Victim of domestic violence)

The experiences of these women illustrate how forms of social control shift from a context of personal domination to structural domination. Kellough explains that there is a 'hegemonic assumption that if and when women are free from constraint and dependence on others, they will then become as self-sufficient as it is presumed

that men are – that is, free to act and choose without needing a response from others' (1990: 29).

The patriarchal practice of dominating women's experiences with their own bodies is reinforced by the state, which controls definitions of which needs will be met (i.e. protection of her body) and how they are met. Hierarchical relations, in this way, are continually maintained and created.

For instance, in domestic violence situations, a woman's life is about (re)constructing her essence and her nature to avoid violence – she becomes what the abuser wants to see. She is, as one community described, a 'weather watcher' preparing for the storm: planning, sheltering, rebuilding and protecting the world around her. The abuser's boundaries and expectations (or weather patterns), however, are unpredictable and constantly shifting, and thus the victim continually reconstitutes her being to satisfy him and to avoid violent assaults against herself. Her body and her mind become subject to extreme social control. The law continues this control by judging whether she is a 'good' or a 'bad' victim. The transformation – in a race to secure safety and protection – begins again. It is the 'system' that now requires her to redefine her being.

West (1988) argues that mainstream jurisprudence is 'masculine' because jurisprudence is about the relationship between human beings and the laws we have, and the laws we have are masculine in terms of their intended beneficiary and in authorship. It is a masculine construct, disguised as neutral legalistic constructs, but revealed in process and procedure, adjudication and legislation unreflective of women's reality of justice, life and law. Women's reality of the criminal justice system, then, remains systematically concealed from the criminal justice process.

Recent legal remedies available to women, such as the much acclaimed Domestic Violence Act (DVA) (No. 116 of 1998), have almost strengthened the discretionary powers of the judicial system by including screening provisions such as the need to establish an 'element of violence', 'undue hardship' and 'imminent harm'. Despite the comprehensive definition of domestic violence, perpetrators of domestic violence are still not criminally charged with domestic violence, as there is no legal 'charge' referred to as such. Instead, they are charged with assault[3] or assault GBH.[4] The lack of criminal definition of domestic violence underplays the lethal and pervasive nature of domestic violence and sends the message that violence within the home is not criminal or punishable. While the 'positive duties' of the police and prosecutors are set out in the DVA and are useful mechanisms to ensure that criminal justice officials are performing their duties in relation to legislation, these efforts need to be balanced against a system which is maintained and delivered by individuals who are still provided with a large margin of discretionary powers. Some have argued that legal reform thus has only symbolic value, as the practical implementation and treatment of women remains the same.

Agents of the state can continue to institutionalise and reinforce mainstream assumptions about gender-based violence and maintain the illusory line between the 'good' and the 'bad' victim.

The current legal framework (the DVA for instance) provides women with a 'choice' – to get a protection order, to lay criminal charges or both. The systemic responses to women (i.e. by the police or the courts), however, regulate and control their access to these choices. For instance, women in South Africa now have a 'legal' right not to be abused and a constitutional right to be free from all forms of violence. The criminal justice system sets limits on women's rights by making choices for them by establishing whether charges are 'worth' being laid or whether they 'deserve' a protection order (good victim/bad victim). The legislation leaves much up to police and judicial discretion, including the interpretation of whether a woman is in 'imminent harm', is suffering 'undue hardship' or whether it can be established that a 'real' threat of further violence was made against her. The original 'right' to be protected and to be free from violence gradually erodes for the victim of gender-based violence. The criminal justice system retains the power of choice and defines for women when or if their constitutionally guaranteed rights will be fulfilled. The patriarchal relation to the state is thus reinforced, from traditional dependence on husbands or partners to a new benevolent dependency on the state.

Ideologies of female sexuality not only shape law, they shape the way it is enforced. Police discretion has played a primary role in determining the validity and seriousness of crimes of domestic violence, and in this sense police become the gatekeepers to the criminal justice system. These wide discretionary powers in establishing whether an incident is criminal or illegal are based on both their interpretation of the law and traditional responses to domestic violence. This is also reflected in what the police perceive as acts which occur 'naturally' in domestic situations. The cultural meanings of police work are clearly based on notions of masculinity and male behaviour, reinforcing the ideology of the masculine understanding of what constitutes a serious crime, which in and of itself presents a significant barrier to accessing justice (Stanko 1985). These responses are exacerbated by the uncomplicated categories of what defines 'assault' and 'assault with intention to do grievous bodily harm', which effectively adjusts the unique and pervasive nature of domestic violence to fit into these categories.

Men create the categories of 'legitimacy' for women. This is particularly true of the criminal justice system's responses to women's experiences with violence. A woman's story of abuse is chopped up into legal categories and procedures. Her experience is 'organised' for her – to fit the 'facts' required to secure an arrest, a conviction or protection (through a protection order) from the state. Anything that appears 'inconsistent' (i.e. previous sexual history or previous inconsistent

statements in rape cases) erodes her legal position as a victim of a violent crime. Through this process of 'elimination', the burden of proof that a crime was committed slowly shifts onto the victim. Each layer that is peeled away from a woman's experience of violence results in an erosion of her 'worthiness' as a good victim (or good woman) in the eyes of the criminal justice system. Women describe their experiences as state witnesses in court:

> He [the defence] asked me questions that I didn't understand what it had to do with him beating me and threatening to kill me and my children. He asked if I was a good mother and if I was a drinker. Then he asked whether I worked and how I took care of my husband. 'What does that matter?' I thought to myself. But I could not say that because I did not want to get in a mess with the judge. I felt like the criminal and my husband was a victim... the prosecutor just sat there and let him do it. He didn't care. (Victim, Knysna)

> The court is difficult. They have so many people waiting at the court and they push you through and you don't get to tell the whole story. When your husband is standing there, you become very careful about what you say to the judge. It is also difficult because you don't know what to do and who is who. They also let other people sit in at the court and it is very embarrassing telling your side of the story in front of other people so you don't say much, you only count on what is in the papers. (Victim, George)

The 'truth' of a woman's story has very little to do with justice within our system. Her story is translated into legal categories, sifted through legal procedure and finally distilled in the courtroom – if the matter even gets that far. Her experiences are deemed immaterial, disqualified and discarded on the basis of relevant legal discourse. Her experience with violence is qualified and reconstructed in terms of legal categories and (masculinist) discourses such as intention, consent, unlawfulness and indecency. This legal discourse establishes who is rape-able or beatable.

> Her story is reconstructed into a standard form of sexual fantasy or even pornography in which she becomes the slut who turns men on and indicates her availability through every fibre of her clothing and demeanour. The only difference between the rape story and the standard fantasy is that in the former she complains. With this turn of events her story is then transcribed into another account which has considerable currency. She becomes the spiteful, avenging harpie. She is no longer just the slut, but she takes on the mantle of the 'woman scorned'. (Smart 1995: 83)

Conclusion

There are numerous theories in largely psychological literature regarding *why* people exert personal control over others, but it is widely accepted that engaging in direct violence is an effort to gain some sense of control over one's environment and that the violent attempt to control others 'is most likely to occur when the perpetrator perceives some threat of challenge to his control over others' (Umberson et al. 1998: 444; see also Dutton 1988). Within intimate relationships, Johnson refers to this as 'patriarchal violence' or 'patriarchal terrorism' and defines it as a 'general intent to control one's partner' (1995: 291) designed to 'produce both fear and injury' (2005: 1128). Violence – and sometimes, most effectively, the threat of violence – is used to control current or future behaviour, to deter victims of intimate violence from repeating certain behaviours or to produce compliance (Felson & Messner 2000). Compliance to threats depends on a number of things: the coercive power of the person making the threat, the likelihood of that threat being carried through, the possibility of a pre-existing relationship, the (coercive) strength or influence of that relationship and the existence and availability of social and institutional mechanisms to support people in need of protection from violence. This theory is easily applicable in community contexts and women's movements within them. When both individual- and community-level controls (fear of violence) that regulate women's movement and behaviour are combined with institutional systems that also regulate the extent to which men's domination over women should or can be maintained, the idea that women's bodies are the object of social control is not an unrealistic analysis. The question for the feminist project, however, is to what extent we continue relying on these institutional systems to correct this position. Ironically, the law and criminal justice reform process has been an integral part of the feminist movement in South Africa to secure the protection of women from violence. Despite criticisms of the law and the criminal justice system, few feminists and feminist organisations have relinquished the law and the criminal justice system as a site for social transformation to emancipate (or at least provide options for) women experiencing gender-based violence. We know that 'feminist justice' will not be articulated through the law, that the law will not serve to neutralise the obvious unequal power relations between men and women and may not even curb the use of force by men on women. A few questions do remain for the feminist project in addressing gender, law and sexuality: Can we simultaneously acknowledge the inherently subjugative disposition of the law *and* argue for the reconstruction of practices within it? Is law a subversive site that undermines and controls women and their sexual identities and freedoms? Is it as rebellious and uncompromising as the patriarchal analysis suggests? Or is it a site to challenge the social and legal understanding of women's experiences with violence, and to ensure that these experiences are embodied within law and criminal justice practice? The

continuously shifting interrogation of what the law means to women and how we should use the law – if at all – in the protection of women from gender-based violence, as well as opinions as to where feminist activists should position themselves in relation to the legal system, will remain as diverse as feminism is itself.

Notes

1 This quote was taken from a study on access to justice for rural women conducted by the author, in conjunction with the Black Sash in 1999. The study was based on focus group discussions with women in 15 rural communities as well as one-on-one interviews with rural women (see Artz 1999).

2 The women understood rape as forcible sexual intercourse without a woman's consent, but there was some doubt by some of the participants whether this form of violation within a marital situation can constitute a crime. Further probing, however, revealed that sexual assault is indeed a common feature of domestic violence cases.

3 Assault consists of unlawfully and intentionally (a) applying force, directly or indirectly, to the person or another, or (b) threatening another with immediate personal violence in circumstances which lead the threatened person to believe that the other intends and has the power to carry out the threat. Assault includes the application of force as well as the *threat* to apply force (i.e. the threats of violence). 'Ordinary assault' is different from assault GBH and is also known as common assault.

4 Assault GBH is a 'qualified' form of assault. It is a separate substantive form of assault and not merely an aggravated form of assault. This means that while common assault sets out the requirements (a) and (b) in note 4, assault GBH has an extra requirement and that is the *intent* to do grievous bodily harm.

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Nurturing the sexuality of disabled girls: The challenges of parenting for mothers

Washeila Sait, Theresa Lorenzo, Melissa Steyn and Mikki van Zyl

DISABILITY AND SEXUALITY ARE issues that do not easily come together in the minds of most people, leading to many myths around sexuality and disability, inter alia that disabled people are asexual and cannot sustain sexual relationships and that they are childlike and need to be protected from harm (Deepak 2002). It is also a difficult topic to discuss, even for persons with disabilities. There are many different ways in which sexualities are shaped, but there is a differentiation in the manner in which sexualities are shaped for disabled and non-disabled people, and particularly in the way that sexualities are experienced. Though disabled children, like non-disabled children, grow aware of their sexuality through personal erotic experiences, peer groups, community and media, their activities are usually more closely regulated and supervised than those of non-disabled children and, more than for most children, their sexual behaviours are discouraged (Naudé 2001).

This chapter speaks to the challenges that mothers face in nurturing the sexual development of their disabled young daughters. It speaks specifically to how they deal with their parenting roles in the face of their daughters' awareness and expression of sexuality, of educating the girls on menstruation issues, and the reproductive health choices made on behalf of the girls. In trying to gain some understanding of how the sexualities of disabled girls are nurtured, as well as insight into the level of awareness and information that young disabled girls have about sexuality, a small-scale study of eight households with disabled daughters was undertaken.

Introducing the participants

The study was conducted in 2005 in Kimberley, the provincial capital of the Northern Cape, the least populated of South Africa's nine provinces. The eight mothers and daughters who participated in the study come from two different population groups (coloured and African), and live in poor townships in Kimberley.

The disabled girls were between 14 and 25 years old at the time of the study, and most of them have varying degrees of intellectual disabilities; one girl has a physical disability. Five of them were attending the same special school, and one girl attended a mainstream school. Two of the girls did not attend school, one because she was over age and the other because she was a volunteer at a centre for disabled children. Two of the girls in the group are rape survivors; one of them is a young mother who became pregnant as a result of rape.

The participants in this study were identified through Disabled Children Action Group (DICAG) structures of the Northern Cape, with the support and assistance of both the national office in Cape Town and the provincial Northern Cape office. The research methodology was an explorative qualitative one, which recorded the stories of the young disabled girls' lived experiences, and those of their mothers as experts in rearing disabled children. Washeila Sait conducted the research and held focus group discussions and unstructured interviews with the respondents.

Living in the Northern Cape

The general living conditions in the Northern Cape are fraught with poverty and unemployment. The situation is further exacerbated by high rates of crime within the community. The unemployment rate in this province was given as 26.1 per cent in the Labour Force Survey[1] and 33.4 per cent in the 2001 census, the second lowest in the country after the Western Cape (STATS SA 2001: 51). The unemployment rate was highest among the African and coloured populations, being about 3 per cent higher for coloured females than males, and 7 per cent (Labour Force Survey) to 14 per cent (2001 census) higher for African females than males. Of the eight households represented in the study, only three indicated that there were household members who were employed. The majority of the households depended on income from the social security grants of their daughters.[2] Poverty and disability are mutually reinforcing: the links between race and poverty and between disability and poverty are many, as are the links between gender and poverty. Therefore, a disabled black girl in South Africa is less likely to be able to get an education and more likely to be sexually abused than her male peers (Emmett 2006).

The Northern Cape also has almost one and a half times the murder and rape crime rate per capita (194 as against 119 per 100 000) in South Africa, and the highest reported levels of child abuse and child rape in the country (Louw & Shaw 1997). At the time of the 2001 census taking the Northern Cape represented the lowest rate of crime reported, at 2.9 per cent countrywide, but was still highest for rape and assault and rated second for theft and burglary. Most of the crimes at the time of the census were reported to be within the Diamond Fields police area, which includes Kimberley (STATS SA 2003).

Poverty is a major issue for the communities in which these households are located, and survival is concomitantly difficult for the households of participants in this study. Dependency on the care dependency or disability grants for the upkeep of the family means that most of the parents are unable to provide for their daughters in the manner that they would like to. The mothers were not always able to pay school fees or buy fashionable clothing for their daughters. For some of the girls it was important to look and feel good as part of the overall expression of their self-identity and to be acceptable to their friends and peers. Poverty therefore further impacts on the girls' capacity for expressing their sexualities in these aspects of their lives (Peet & Peet 2000). The societal ills born of impoverishment are alcohol abuse, drug or substance abuse and rape. The Northern Cape has some of the highest rates of crime-related alcohol abuse (Louw & Shaw 1997). The mothers further indicated that they witness the abuse of drugs and other substances on a daily basis.

Poor socio-economic living conditions have a specific impact on the living conditions and nutritional needs of disabled people, which in turn influence the overall development of the girls. Not only do these living conditions affect the establishment of disabled people's self-identity within the framework of psychosocial development (Hallum 1995), but they also impact on their needs for protection and participation (Max-Neef 1991). One significant impact of poverty is the manner in which disabled people's sexualities are shaped due to a lack of opportunities to gain information, ability to become aware of their sexuality, or opportunities to express their sexuality through social participation and interaction. Their sexualities are stifled by living conditions framed by many limitations – such as being overprotected for their safety, and silences around the discussion of healthy expressions of sexuality. This greatly impoverishes the lives of disabled people, their carers and, in this instance, the mothers of the young disabled girls.

Expressing sexuality

The experiences of disabled people in the development and expression of sexuality are revealed as perpetual struggles for acceptance as sexual beings by the self as well as others (Davies 2000; Shuttleworth et al. 2002; Watermeyer 2006). Numerous authors show how society tends to dismiss sexuality as a fundamentally important factor in the lives of disabled people (Galvin 2003; Shakespeare et al. 1996), to the point where any healthy expression of sexuality may be perceived as deviant (see Finger 1992). The lack of recognition that sexuality is an integral part of everyone's being has resulted in silences around disabled people's sexuality, which contributes to an air of mystification or, at worst, prurience, about it.

In South Africa, sexual behaviour and expression is taboo where young disabled people – especially girls – are concerned; their sexuality is deemed to be in need of regulation into invisibility on the basis of their being young, disabled and female. Because their sexualities are stigmatised and driven under cover, the risk of sexual abuse is increased (Higson-Smith et al. 2004; Marks 1999). The lack of information available to young disabled people about issues of sexuality not only negates their right to being acknowledged as sexual beings and expressing their sexuality, it also makes them vulnerable (Fitzmaurice 2002) because they are left unable effectively to negotiate the challenges and opportunities encountered during their transition from adolescence to adulthood and through their life's journeys (Clark & Lillie 2000). In South Africa, intellectually impaired girls and women are two to three times more likely to suffer sexual abuse than their non-disabled peers (Emmett 2006: 213).

Sexual development

Haroian (2000) describes the ideal path to sexual development as starting at birth with intimate and loving care leading to the progressive development of sexuality from infancy to adulthood. The acceptance and love with which an infant is received at birth, the tenderness and love with which they are nurtured as babies, and the quality of care provided during infancy all lead to the child's ability to trust and to eventually display tenderness and affection to others. The progressive development of the infant from the toddler stage through to young childhood allows for the exploration of self and body; first steps to discovering their own bodies and those of others through play, and learning and exploring the rules of the social environment. Through playing, children build confidence in themselves and develop a sense of self, learning through their mistakes and corrections. This process is the start of the development and building of positive self-esteem. In this process children learn gender normative rules for social engagement – and daughters learn what it is to be a young woman in their community.

Disabled children experience the development of their sexuality very differently. From infancy the notion of disabled people being asexual is reinforced with close supervision by parents and limited interaction with peers. Throughout their lives disabled children's sexuality is negated and suppressed.

Disabled children have sexual curiosity and sexual feelings. Despite the conspiracy of silence, they need basic sexual knowledge and information regarding how they can be sexual, given their specific limitations. As adolescents, they need opportunities to experience their sexual response cycle, to learn what their individual sexual limitations and abilities are and perhaps, more importantly, how to negotiate for sex with a partner. (Haroian 2000)

The difference between physical and mental disabilities also impacts differently on a child's sexuality. Children with the former might not conform to society's ideals of physical desirability or 'beauty', while the latter run the risk of being physically acceptable, but unable to use discernment in their judgements about sexual situations. All children need clear and unambiguous information about positive sex and sexuality and how to behave with confidence.

Stigma

Throughout most of the world's cultures disability is stigmatised, and giving birth to a disabled child is often seen as a disgrace. Traditions which interpret the birth of a disabled child as 'the anger of gods, or the ancestors, or the embodiment of sin in the family or of sin itself' still abound (Disabled People's International 1997). There is abundant research which shows that parents – especially mothers – feel guilt about having a disabled child, sometimes taking the blame for the impairment on themselves (Williams 2001). The stigma against disability pervades families and communities, and even service providers and medical professionals add to the feelings of guilt by their attitudes towards the child and its parents. This often results in the isolation and segregation of the disabled child (Office of the Deputy President 1997), and can cause jealousies and tensions with other siblings in the household.

The development path for most disabled youth is very different from that of non-disabled youth in general. During their formative years, disabled children experience a separateness from others and usually undergo clinical care and support other than being loved. As a result of sensing this 'distance' and focus on her body as different, the child grows up to dislike her body (Burkett 1996; Wendell 1996). Disabled people become an unseen component of society, and this invisibility not only perpetuates and reinforces stereotypical beliefs about disability, but also determines and presets the level of their exclusion from development and social exposure (Bjarnason 2003). Social exclusion increases as the young child gets older and, when seen, disabled people are pathologised into visibility (McKenzie & Müller 2006). This is the result of continuous perceptions and emphasis of differences between non-disabled and disabled children. Kane (2004) suggests that as many as 60 per cent of children with attention deficit disorders suffer from peer rejection and that children in general reject their disabled peers once differences between them are apparent.

Most disabled young children then seek out friends who are much younger than themselves, because younger children are less aware of the impairment and more accepting of diversity. As the cycle repeats itself, disabled children become more careful in their choice of friends and those with whom they interact, thus providing the growing disabled young child with less opportunity for developing

social skills. Findings from the United Kingdom (Morris 2001) and the United States (Khan 1994) indicate that disabled children cannot further their experiences and skills as much as their non-disabled peers, and therefore disabled people remain marginalised in the arena of social development (Gay 2004). Few societies recognise the need for supportive mechanisms that could enable the realisation of disabled people's potential for full participation, self-determination and acceptance. South Africa is fairly advanced on the level of policy in attempting to integrate disabled people into society.[3]

In the United Kingdom, Shakespeare et al. (1996) reveal the level of self-doubt and distress experienced by disabled people through exclusion and invisibility, and indicate how levels of acceptance, both by self and others, need to change to engage with debates of disability and sexuality. In South Africa, Watermeyer (2006) speaks eloquently about the psychodynamics of Othering when non-disabled people confront people with disabilities. Over and above the need for the recognition of their sexuality and right to sexual expression, within the African context Ratzka (2002) indicates how important personal independence is for healthy sexual expression. He indicates that a disabled person's level of personal control over his or her life is of great significance for sexual liberation. Young women in particular face huge challenges of acceptance and autonomy.

Images of desirability

Part of our acceptance into society is rated by our physique, particularly if we want to 'qualify' as sexual beings (Burkett 1996). Most disabled women bear the brunt of such scrutiny in terms of sexuality: '[l]ooking towards the cultural images of disabled women for a base of positive sexual imagery is confining. In nearly all images, disabled women are presented as asexual beings' (O'Toole 2002: 3). Therefore young disabled women have a particularly tough time projecting themselves as sexual beings:

> Because we have been taught to view disability as a defect, the woman with a disability is regarded as damaged goods...not seen as desirable or not capable of having sexual desires and lustful needs and wants...should not indulge in sexual activity because we are not seen as 100 percent 'pure', 'normal' women who are traditionally regarded as receivers of sexual fulfilment, usually by men. (Majiet 1996: 78)

This places young disabled women in a situation where they have to contend with multiple stereotypes: being female, being disabled and that of how culture regards the role of women. Froschl et al. describe two of these stereotypes that young disabled girls and women have to contend with: 'The "passive, dependent" female and the "helpless and dependent" person with a disability. As a result, they often

get a double dose of assistance that can lead to a kind of dependence called *learned helplessness*' (1990: 3, original emphasis).

In the South African context, young disabled women also have to contend with issues of race and their specific cultural backgrounds. Black disabled women experience few opportunities for socio-economic participation (Office of the Deputy President 1997). A young disabled woman may have less chance of obtaining a life partner than a young disabled man, because of the cultural perceptions that they are not 'marriageable' (Disability Awareness in Action 1997). Cultural images of disabled women become the focal point in terms of their ability to establish themselves as individual sexual beings within society (O'Toole 2002). Referring to the north/south divide, Rajah (1991) indicates that for disabled women in the southern hemisphere life is particularly challenging in the areas of being accepted and discovering their sexuality. She further indicates that the more visible the disability, the more likely the label of asexuality. Iglesias et al. (1998) describe clearly the discrimination that disabled women experience in terms of marriage and family in the northern context and confirm the statements made by Rajah (1991).

Childbearing

In South Africa, disabled women who used reproductive services spoke about stigmatisation and discrimination (Mgwili & Watermeyer 2006). Service providers asked rude and invasive questions about their sexual relationships, and the decision-making autonomy of women with intellectual impairments was undermined. The experience and expression of one's sexuality is an important component for any person to experience a good quality of life.

The isolation and marginalisation that disabled women experience is reflected in popular culture in the South African context (McDougall 2006). Disabled women are perceived to have no role in society and are treated as such (Groce 2004b). Not being seen as having a role to play within society has a negative effect on the self-esteem of disabled women, causing a low level of self-confidence in their overall abilities, dreams and aspirations. A positive self-image is an integral part of identity, which in turn is an integral part of sexuality (Kupper et al. 1992). Lack of self-esteem as a contributing factor to a positive sexual identity is a profound barrier to social sexual development (O'Toole 2002) and the acceptance of the self as a sexual being. The psychosocial dilemmas experienced by most disabled women demonstrate the level to which confidence and assertiveness are being undermined (Nosek et al. 2003).

The physical maturation of young disabled girls into young disabled women, which is accompanied by the emergence of their sexuality, is frequently the cause for increased vigilance and protectiveness by parents, who often treat the young disabled woman as if she were asexual or still a child (Froschl et al. 1990).

Thus social development and opportunities for social interaction are limited. Washeila Sait's work in the disability sector revealed that because of the challenges experienced by disabled young people – in particular young girls and women – they often find themselves victims of trauma in various ways and at various stages of their lives (Policy Project 2001; Sait 2003).

Writers in the field of disability and sexuality – such as Wade (2002), Melberg Schwier and Hingsburger (2000) and Haroian (2000) – address the issues of vulnerable groups, such as intellectually disabled youth, and the struggles that they encounter as vulnerable people in exercising their right to sexual expression, and the low self-esteem they experience (Watermeyer 2006). The more severe the disabilities that people experience, the more excluded they are from social life, and the more they are 'protected' against any form or expression of sexuality. Persons with a lesser form of disability are far more likely to have opportunities to learn about sexuality through social interaction.

Disabled young girls and women are categorised as vulnerable groupings within the disability rights movement and sectors, in both developed and developing countries (Groce 2003, 2004a). The particular traumatic experiences that they encounter, such as coerced or forced sterilisation (Mgwili & Watermeyer 2006; Pfeiffer 1994), the use of birth control medications in early life (Mgwili & Watermeyer 2006), rape and sexual abuse, and unwanted pregnancies attest to their vulnerability and have a direct bearing on their expression of sexuality. On the other hand, where young disabled girls and women seek to express their sexuality and to fulfil their womanhood through childbearing or engaging in relationships, these expressions are questioned or denied. From the reproductive health services system they often experience very negative attitudes towards their requests for assistance (Pfeiffer et al. 2003).

> What is striking, quite simply, is the degree to which staff members in the study, although working at a reproductive health setting, were not ready to engage with the sexuality of physically disabled women. Instead, an anxiously fervent, denying, invalidating, critical, patronising, pitying or shaming set of responses was in evidence, underscoring an experience, within the users, of their participation in reproduction being regarded as illegitimate. (Mgwili & Watermeyer 2006: 271)

Disability as identity

A disabled person is positioned in discourse as a 'marked body'. In westocentric cultures there is a history of erasure of difference, and humans are valued according to economies of the body. The manner in which people are 'embodied' in discourse will simultaneously be a locus of power and will influence how people 'marked' in a particular way are regulated (Soudien & Baxen 2006). People

with 'disabled' bodies are positioned in hierarchies of marginalisation and social exclusion. Braided over and into this general position of being 'marked' is the slippage of pathologised sexualities.

Placing 'disabled' people outside the mainstream leads to misconceptions about disabled people and sexualities, and influences the way the intersections between disabilities/sexualities are understood and integrated at the broader community level (Ingstad & Whyte 1995; Swartz & Watermeyer 2006). The outcomes are significantly unequal power relations that impact on and affect social behaviours between disabled and non-disabled people (Thomas 2004). In most instances these expectations of 'disability' as Other become inhibiting factors to accepting difference, and perpetuate the many forms of discrimination that disabled people experience (Taylor et al. 1997). The impact of exclusion from mainstream opportunities such as education and socialisation undermines the confidence and assertiveness of people born with disabilities as opposed to those who become disabled in later adult life. The invisibility of disabled people that exclusion creates therefore affirms the notion that '[d]isability is a social identity, and not a consequence of physical changes' (Shakespeare et al. 1996: 57).

The sexuality of disabled people is a cornerstone of self-esteem (Watermeyer 2006) and consequently an important facet – both for individuals and society at large – of mainstreaming issues of disability in a country proud of its diversity. The social controls and regulation over disabled people in their social interactions and sexuality become matters of human rights. For young disabled girls it implies positive rights in access to information about their sexualities. The strong tradition of cultural silences around speaking to young people about sexuality lest they are encouraged to 'do it' has slowly been whittled away in the face of the HIV/AIDS pandemic (Swartz et al. 2006). But with disabled youth, who are perceived as perpetual children and perpetually dependent, these taboos have not disappeared (Collins 2001).

A young adolescent woman with intellectual disabilities may be quite 'normal' in physical and sexual development, and may be selected as a potential sex partner by a peer or an adult. Impaired mental function may, however, disallow good judgement in sexual situations. Their own sexual desire, coupled with this lack of discrimination, makes these young women easy targets for sexual exploitation. The mentally disabled young adult needs explicit sex education; reinforced, plainly stated rules about socio-sexual conduct; adequate supervision; and effective birth control at the appropriate age. Disabled young women need safe places where they may have successful and safe experiences of sexuality.

The Northern Cape Office on the Status of Persons with Disabilities (OSPD 2003) argues that lack of access to sexuality education, the refusal of parents to

accept sexuality as part of the growing disabled child, and the isolated manner in which young disabled people live all contribute to negative attitudes towards disabled people and the dismissal of their sexual identity. The dismissal of disabled people as sexual beings therefore not only relates to the impairment experienced, but also to the cultural norms and standards about issues of sexuality and disability that we have set for ourselves as a South African society.

The challenges of parenting

The parenting challenges for most of the biological mothers had their beginnings in ill health prior to and after the birth of their daughters. It was experiences such as these that influenced the manner in which the mothers would interact with their daughters in later life:

> When I was pregnant I experienced many problems with my teeth… my stomach was very small. I could not eat properly…the pain went right through my ears…when the child was born, she was very small. (Mother M1)

> And they told me…when I raise the child, I need to remember to give the child water…the water would keep the child clean. The shunt will not get blocked. If the child does not drink water, the shunt will get blocked, and when the shunt gets blocked, then the child's head will grow bigger. This really scared me. (Mother C1)

The foster-care mothers and familial guardians could not inform on the birth history and conditions of pregnancy that the biological mothers of their daughters experienced, but they indicated the background context of the girls:

> T was born prematurely; her late mother was staying in the same house with me…her mother was drinking very much. And during pregnancy she used to fall a lot…by the time she was born, she was very small. For years she [the mother] was drinking very, very bad and my brother took her to the social worker. (Mother P)

These experiences of ill health prior to birth, problems experienced after the birth, and poor health management during pregnancy impacted on how the girls were received and later cared for (Melberg Schwier & Hingsburger 2000). Most of the biological mothers who experienced problems with the impairment of the girls after their birth were not counselled: only two mothers reported that they received counselling.

Sexuality awareness and expression

The understandings of sexuality that the mothers possess are mainly in the context of the sexual act itself. The mothers have not really begun to address issues of sexuality with their daughters, partly because of their limited understanding and lack of training to do this, and also because of the specific living contexts in which they find themselves. In addition to this, the mothers perceive that due to their daughter's impairment, she would not understand issues of sexuality:

> But my child, I can take him [her][4] as a girl, and I can sit him [her] down and explain. But if I tell him [her], he [she] will not understand. (Mother C1)

The living context of the mothers and the girls had a strong influence on the manner in which the mothers felt they needed to deal with the issue of sexuality of their developing girls. As one mother indicated:

> I will tell him [her], come, let me show you what goes on, he [she] will lie there on the bed, then I say to him [her], do you see this thing, this is the thing that causes girl children to be hurt. Then I show him [her] what a man has got, a man has such a thing and so on and so on. It happens like this, and this and this. And then I show him [her], see, if you lie like this and have such a big man on top of you, how will you feel? And you are so small, no, he [she] will see it, you see? Now, now you will get the answer from the child, like a parent, you ask him [her]. Now it is sore. Look, just take him [her] to the bed, throw him [her] on, it is of course a big bed, place him [her] there and just play rough, it is of course hurting, it is not nice, now what about if it is inside. Now look, these are the things, these are the tests that I have done before with my child. Because why, sometimes, as we are going out like now, to workshops and so on, you have to tell him [her] already. (Mother C1)

It was evident that this mother prepared her daughter in the event that something untoward might happen to her, rather than teaching her about issues of sexuality. It was also clear that this mother had no understanding of what constitutes sexuality in the broader sense, as explained by Ratzka (2002) or Melberg Schwier and Hingsburger (2000). The majority of the mothers acknowledged their ignorance of sexuality and some felt that (because they understood it to be the sexual act itself) their daughters should not be informed, as it would do more harm than good.

The mothers did, however, refer to other issues of health and hygiene, and the grooming of their daughters:

> She is going to be 19 years; I wash her myself. She just stands up straight; I have to wash everything about her, and even her teeth I must brush. I do everything for her...If I pour water in the basin, then I tell her, 'M, wash

yourself because I am also tired. Wash, wash yourself.' No, she will just pour the water in and then she wash alongside her nose. Then I tell her, 'No man, the whole face,' no, she will only do that. If you give her clothes to her and tell her put on your pantie, she takes her one leg or both in the same leg of the pantie. Then I tell her, 'Oh God, no!' The little one, then I tell him, 'Dear, get in the bath and show her how to wash.' Then I tell him, 'Show her now how to wash.' Now, they then get in. Now, she will stand just like that and watch how the other one washes himself...Now, when she sees the dirt around the edge of the water once they get started, now she will never get back in then. If I come back then I see that they are done. Now, she jumps out of the bath without drying her off and she will go and put on her clothes. (Mother M1)

Many of the girls are still bed-wetting. This has become a great concern to the mothers, since their daughters are getting older and it becomes extremely difficult to manage their hygiene. Some of the mothers resorted to medication to control the bed-wetting:

The social workers did not know what to do with R. This was because of the problem that R was giving, the problem of bed-wetting, up until now she is still doing it. It is only the tablets that help her every now and then when it flares up again. But, as soon as the tablets are finished, then the seasons [bed-wetting] start again. (Mother MS)

Grooming posed another challenge to most of the parents. Some of the mothers indicated that their daughters were totally unaware and apparently disinterested in grooming and their appearance, which are important factors in expressing one's sexuality. The mothers indicated that they often had to beg their daughters to get dressed or change their clothes, or they had to ask them not to change as much as they did on any given day. One mother explains:

And when it comes to clothes, she does not worry; she is not someone that cares about her looks or to straighten herself out. No, she wants nothing to do with those things. Even if she can wear a dress that is skew, she does not worry whether the dress is long or short, or whether the pants are right or wrong. Now, maybe I have dressed her in a certain dress, and when she comes from school...when she comes and see that that dress is not there, no, she will walk around in her pantie, or butt naked around the house looking for that dress. Then I have to go and take out the dress, and maybe the dress is dirty...she wants it...she does not care, this part is at the back [back to front] no, she just puts it on...and now and then when she comes from the toilet she does not care whether the pants is right or wrong. Then you have to say, 'Hey M, that dress is not right,' and then she gets a fright, and then she thinks that maybe you want to frighten her and she gets frightened. (Mother MK)

Most of the mothers had physically to step in and help with grooming procedures, and took full control of daily self-care routines like dressing and feeding their daughters throughout their development. The girls were never trained to do these activities for themselves when they were younger, and they were allowed only minimal space to do them by themselves as they got older. The need to take full control of such daily living activities stems from the mothers' attitudes that the girls are not 'right'. It could therefore be possible that the disinterest in hygiene and grooming as expressed by some of the girls had much to do with the lack of training when they were younger. This earlier structuring of dependency on their mother was never broken, based both on the mothers' perceptions of their daughters' (in)abilities, as well as possibly on the girls' own 'learned helplessness'.

As the girls got older, the continuous task of ensuring that they were always hygienically clean and groomed became an increasingly tiresome and challenging task for the mothers. The mothers' expectations now that the girls are older appear to be that they need to do these practical basic things by themselves, in the absence of having had the opportunity to do so when they were younger. Melberg Schwier and Hingsburger remark:

> We believe it is important to integrate the physical, emotional and social aspects of sexuality into what people are taught. People also need to understand attitudes and values and learn practical skills in order to respond in different situations. (2000: 32)

Contrary to some of the difficulties experienced, some mothers also indicated their awareness of their daughters' need for expression of their sexuality:

> She always wants to be smart, she wants to look spick and span and then she wants to go play...She will brush that hair just so. I do not know how many times she puts Vaseline on her lips, and she just wants to look pretty... Because, once she has finished dressing herself, then I see her go and stand at the gate. I always see that she has a smile and everything, when the boys come to talk to her. And if you ask her, 'Oh, do you have a boyfriend?' and things like that, then he [she] smiles, then he [she] laughs and runs into the house, and it looks then as if she just wants to look prettier. (Mother P)

These expressions of sexuality by the girls, together with the physical maturity of their bodies, create other fears and frustrations for the mothers, coupled with the tension of what to allow and what not to allow. Ghai (2001) indicated that these are some of the inner tensions that parents experience once their daughters get older. Shue and Flores (2002), in their discussions on the specific barriers to freedom of exploration and expression of sexuality in persons with brain injury, state that the manner of support offered to disabled youth in this regard is important, as is the

necessity for the parents to review what their own predisposed expectations are of their growing disabled children. They say:

> If the individual was injured as a child or adolescent, there may be increased discomfort from the family of the person regarding support of sexual expression and exploration. That is, parents may continue to perceive the individual as 'eternally a child' and to feel that either sexuality is not an issue or it should not be 'encouraged' for fear that it will lead to further frustration for someone who is not expected to ever have a partner. Thus, another barrier can be the expectations and support from people close to the individual. (Shue & Flores 2002)

Overall, the mothers expressed that they dearly wanted their children to be appropriately informed about issues of sexuality, but that they experienced constraints:

> We do not get that chance to sit down like now talking to our children, teaching them, those hours, we can't give them. We are just going to talk a little, and we are just going to act and say you should not do that, you must do this, you must do that...we benefit a lot at DICAG...they only come certain months, you see. They come those certain months you see, maybe once a year, and after we have met with them once a year, then we have to wait until next year. And in the meantime we have children here that need that opportunity...they need to get somebody to train us and so on, so that those people must go to the day-care centres, to the adults there, and try to teach them so that they can teach those children and show them what to do. (Mother C1)

This acknowledgement of their own inability to inform their girls appropriately about sexuality issues is also an acknowledgement and indication that the mothers are fully aware of their daughters' developing sexuality, but are at a loss for proper direction on what to do and how to go about teaching them.

Reproductive health of the girls

The necessity to start teaching young disabled girls about issues of menstruation at an early age (Melberg Schwier & Hingsburger 2000) is borne out in this study. Having an early start to information and training, Melberg Schwier and Hingsburger argue, lessens the anxieties about menstruation that so many girls in general experience, but even more so for girls with an intellectual disability. Most of the mothers in this study did not engage with their daughters in trying to make them understand what menstruation is all about and teaching them how to manage it. Instead, the mothers made decisions to use medical interventions, including

medication for birth control in the form of injections, sterilisation procedures and, in some cases, complete hysterectomies to lessen the problems of unwanted children.

Educating the girls on menstruation

The intensity of the mothers' challenges around reproductive health came to the fore when the mothers spoke about the problems they encountered when the girls started to menstruate. Issues of communication about menstruation, its management and trying to make the girls understand what was happening were all struggles that occupied the mothers. One of the girls started to menstruate early on in her life, at the age of nine. The nature of her intellectual impairment is such that, although she has some understanding, she struggles to follow the hygiene requirements. As a result, the mother finds herself in situations that are very difficult. She explains:

> Yes, it looks to me that she actually wants to ask me, but it look like it is difficult for her to ask me…'Now what is happening, what is this thing, why do I have to get this thing every time?' Now, when she is sick, no, she just keeps quiet. You will just see at times, when maybe she goes to sit, or when it starts to smell, and the menstruation is very strong. She has it twice a month. And it is a very, very lot. I wash for five days[5]…now the little one [sibling]…now and then I do not see that she has her period, now she plays with the little ones and they play outside. Then I hear the little one say, 'Mamma, there is blood on M's pantie.' Oh God, then I know it is that time of the month again and then I have to call her. Then she is stubborn too, because then she does not come when I call her because she knows that she will be wearing the black pantie. Then I just have to beg her, but she remains stubborn. That child gives a person stress, oh my! (Mother MK)

The struggles of dealing with menstruation management in this case were very profound. The fact that some of the girls did not clearly understand what was happening to their bodies, given the level of intellectual impairment, caused a strain to most of the mothers:

> When she was menstruating, sometimes she can be so strange, and now if she menstruates, she does not tell me in the morning that she is menstruating, she just puts her pantie on and then she goes off to school. And then, when she gets to school, then they see that she has been bleeding. (Mother J)

> Sometimes when she gets her period, she just takes the stuff [sanitary pads]. Then she says to her father come and help here. And then her father helps and then he tells me come and help! (Mother M2)

Some of the parents said that they have initiated education about dealing with menstruation. They tried to teach the girls through examples and demonstrations. This becomes a strenuous task, because the mothers have to repeat it time and again. They have to give detailed explanations for each action to enable the girls to understand:

> 'You must wash yourself,' and I gave her one of my pads, 'here is a pad and put it on. Every time, you do not flush it through the toilet, because the toilet will block. Every time that it is dirty, just call me and I will show you.' I know that he [she] will place it in a plastic bag and I know how I am going to work with it. That is all; 'You rinse it well so that it does not show. You must not let the boys at home know by any chance that a girl inside the house is menstruating.' (Mother P)

Another mother had the support and assistance of her eldest daughter:

> Oh, I had a very difficult time until her eldest sister came to the rescue. So she told her, 'You must never let mamma struggle so. You must see to it that you do not do this again. When you have your periods, you need to close yourself up. You must not sit down roughly; you must not do that'...Now he [she] knows about the pads. He [she] says, 'Hey, I am looking for my pads, I need them.' When he [she] goes to school, I must put one inside the bag and wrap it in plastic. When she comes from school, the one that is dirty, then she takes it out and he [she] will put in another one, whether it is the other way around or whether it is placed in skew as long as it is in, and then he [she] comes and tell me that it is in...until he [she] got used to it. No, now she knows...so it is mainly that kind of work, because now she is a bit older and it looks like she does understand a bit just so, just so. (Mother C1)

Unwanted pregnancies

The mothers cited various reasons as to why they resorted to medical intervention measures to manage their girls' menstruation. These intervention mechanisms were done with the support of the personnel (teachers) at the special school, which the children attended, and on the advice of social workers:

> But now, there at school, they receive the injection. Yes, the girls there at school...for the menstruation, because everything...for family planning...because they are not right. The others are careless you know. Now the nurses saw that they can hide it [menstruation] for three months. Now after three months then it [menstruation] comes back again and then they give them injections again, every month. They have their clinic cards, which they received, at school. (Mother MS)

Another mother agreed that her daughter should have a hysterectomy:

> I just felt that it is not good for things to go on like this, and lately, the day after tomorrow when I am no more, what is going to happen to her because she is the only girl that I have, and then there are the two boys. Now, my mother-in-law has died, and my own mother has died, and now there is no grandmother to take care of her. So I thought, Ag let them remove it [the womb]. Yes, because that time they were...it looked like most of the disabled girls, they did it [hysterectomy] then...when she was at school still, they had removed her womb...they [teachers] said later on these children will get children and then we will not know whose child it is and then the day after tomorrow when we are no more, then we will not know what is to become of the children. (Mother J)

It is evident that the motivations for using medical interventions (and some are of a drastic nature) are not strictly for the purpose of menstruation management, but primarily for the prevention of pregnancy. The reasoning here is similar to that in earlier centuries and, until recently, in the western world, where disabled women experienced discrimination and gross violation of their reproductive health rights. Pfeiffer (1994) indicates that these enforced controls and discriminatory measures against disabled women within the American context were born out of the fear of a few individuals. The measures were supported, adopted and maintained by American society at large, who feared that disabled women would give birth to more disabled children. Involuntary sterilisation was seen, as it is today within the practices that are still enforced in our own country, to be the most effective method to prevent people with disabilities from having their own children and marrying. However, the son of one of the young disabled girls in this study enjoys good health.

Therefore, in our study 'menstruation management' through medical interventions has more to do with prevention of pregnancies. For most of the mothers, it seems that sexuality is linked to sexual intercourse and childbearing. Birth control becomes uppermost in their minds as soon as their daughters start to menstruate. Washeila sensed that most of the parents believe that interventions of this nature could also reduce sexual activity (Melberg Schwier & Hingsburger 2000). The majority of these well-meaning mothers also thought that it would reduce their daughters' vulnerability to sexual abuse. Whilst the mothers took decisions on behalf of their girls in terms of their reproductive health rights, the girls spoke about their dreams of getting married and having children:

> I want to be a mother and have my own home and have children and be married. (R)

> I want to get married someday because I want to have a big family and I want to be a responsible mother. (V)

This indicates that the girls wanted to have 'normal' gender identities. Most of these girls were not aware that they had been sterilised, or that they could not get pregnant because of contraception. This puts the nature of informed consent for medical procedures on the table.[6] On the one hand, the mothers argue that the girls are not mentally capable of understanding issues of sexuality, or what menstruation is about (having babies), yet on the other hand they assert that the professionals concerned with the hysterectomy or birth control procedures informed the girls:

> At school they told them. Because if they remove her womb they needed to tell her what they are going to do and why they were doing it...they [professionals] told her so that she does not menstruate any more...'because, if you menstruate, the possibility is there that you could have a baby, and if you have a baby, what will you do with the child?' She always says that she does not want a child because she does not know. (Mother J)

When the mothers communicate with their daughters about sexuality, they limit it to information that is aimed both at preventing pregnancies and discouraging the girls from entering into relationships with the opposite sex. They do this by instilling a fear of pregnancy, in the hopes of minimising risk and harm. Whilst most mothers would discourage all their daughters from sexual interactions when they start to menstruate, they were more severe with their disabled daughters and put more pressure on them to abstain. For the girls, the information confuses them and has an impact on their self-image. Instead of allowing the girls to develop a sense of dignity and pride in their young womanhood, instilling fears of pregnancy was uppermost in their mothers' minds. The mothers translated these fears into protecting and controlling the girls inside and outside the home.

Protection

The mothers were deeply concerned about the well-being of their daughters, and put in place a variety of protective measures in the home environment and outside to ensure the safety of their children and that they did not come to harm.

Inside the home

The strict measures parents implement are a result of deep fears that their daughters may be hurt. The mothers were deeply distrustful of anyone they thought could possibly be dangerous to their daughters. This distrust was aimed not only

at the community, but also directed inward to the home environment. One of the main reasons for this overwhelming need for strict protection measures stems from the crime-ridden context in which they live. The burden of protection places an enormous amount of stress on the parents:

> I could not go anywhere without that child. If I had to go out, to church, I could not leave her alone at home at night. My husband is at home, I have a son at home, and my son is 23 years of age...You know he is a very soft person. He will help, he talks a lot, he protects a lot, and the little ones also talk. But I do not trust him, you can't trust. I do not trust them [husband and son] at all. If I go, I have to make sure that I take them[7] to my little sister if I have to take the train, or I take them with me. I take them along; I do not leave them behind. Because they are girls...More so when it comes to my own husband, I do not trust anything, because when the man is at home, that's when the things are happening...A person cannot come off the street and then to rape the child in your home. It is the one who takes care of him [her] every day, he sees that and then he gets these devilish thoughts and then he mounts this small child. You see; look at all the babies that are being raped. Now that is the thing, I don't trust anybody with my child, with my girls. (Mother MS)

The mistrust displayed here towards the male members of the household is also based on the acute awareness of the mothers that the girlish bodies of their daughters have evolved into those of young women. This transformation of the physical body has created additional stress so that the mothers feel they need to be more vigilant and protective of their daughters. This vigilance and protectiveness stems from the fear that the girls might awaken unwanted attention and interest in the opposite sex that would cause more harm than good. This principle of keeping an ever watchful eye on their daughters in the presence of male family members in the 'safety' of the home environment is also directed towards the known threatening environment out in the community.

The stress of ensuring that the girls are safe and protected all the time places a strain on the family relationships within the home. There was a lot of mistrust coming from the mothers towards their husbands and sons, which creates a barrier for the development of interpersonal relationships between fathers and daughters, as well as between the girls and their brothers:

> Sometimes, as we are going out like now, to workshops and so on, you have to tell him [her] already. It does not mean that I do not trust my children, but I cannot trust them because they are male children. Look, my child, you can trust him, but the devil is so strong, they [sons] can use that child [with

intellectual impairment], such things. Now the one thing that I always do, he [she] has to be sure, he [she] must be able to take care of himself [herself]… you must always keep him [her] busy, like in the yard. And then I teach him [her] the code of the phone, and I show him [her] he [she] just needs to do so and so [use of the telephone] if he [she] feels a bit scared, you see? (Mother C1)

Threat of rape

In an environment where sexual abuse and rape occur daily, the mothers indicated that they are forced to plan for and undertake extreme measures to ensure the safety and preserve the innocent lives of their young girls. They have therefore made conscious decisions about the protection measures that they have to apply should their daughters' safety be compromised. They indicated that they have diligently taught their daughters what steps to take in the event of being raped.

There are male children that court, and there are others that hurt your child, they want to stab him [her] with the knife. Now, tell the child if he [she] gets accosted by someone like that, he [she] must just give in, he [she] must say take the condom then. If he [she] gives the condom let him get on with her with the condom, so that he does not kill her. Many of our children gets killed, they get killed and hurt because of that thing [rape]. Because they fight with the child, and he does not want to understand anything, and she does not want to understand anything. Now this one starts to kill him [her], stab him [her] with the knife, they do that with roughness. Now if he [she] sees he [she] can't, there is no chance, then he [she] just has to take out the condom and choose. Now if he uses that then it is right. You see, he will let him [her] go, and you will be happy. He will get on with your child, finish, and your child will still be alive. And then the AIDS are also not there, you see. This is the only way that you can help your girl child. (Mother MS)

It was clear that the mothers found themselves in a catch-22 situation: they needed to weigh up their options – which was the better of these two evils – the rape or the possible killing of their child, or the possibility that the child might contract HIV through rape, but still live. The trauma alone of having to make such decisions has a severe impact on the psychological health of the mothers.

I did say…if the sickness has not been inside your home, then you will not feel the pain. If it comes to your house at first, then you will feel that pain. (Mother P)

In this context, some of the mothers gave their daughters condoms and told them what to do in case of being raped.

Looking after disabled daughters

The challenges that disability presents within the family clearly left the mothers unprepared. They struggled immensely with understanding the disability and impairment that came with it, and were torn when deciding how to divide their parenting skills between a disabled child and any non-disabled children.

The perception of their daughters' inabilities and their dependence created a situation where the lives of the mothers and their daughters became so interlinked that it became difficult for the mothers to extricate themselves from it. This perception spurred the need for increased protection, which further compounded the experience of disability for the girls. As a result, the development potential of the girls was suppressed, and contributed to the challenges experienced by the mothers with the coping and managing abilities of the girls as they grew older.

Kaplan (1996) holds that people move through different phases of their life as they develop, for example, dependence (childhood), independence (adolescence and young adulthood), and interdependence (adulthood). It is quite evident that the mothers viewed their relationship of care for their daughters as important (Barnes 2001). They feared that if their daughters reached a stage of increased independence, or if they were to become too self-reliant, the mothers might find themselves without a role to play or would lose the sense of being needed. This would impact on their identities and roles as mothers. It is clear that most of the girls, despite their age range, have not been able to move on from one development phase to the other as a steady progression from childhood towards individuality and adulthood. Given this understanding, it appears that most of the girls are caught within the dependent phase of development. The reason for this may be that the mothers did not allow enough space for the girls to prove their abilities and to assert their individuality and identity.

It is also evident that this situation became extremely challenging for the mothers as the girls grew older – it was clear by their expressions of deep frustration and desperation towards the perceived 'dependence' of their daughters, which challenged the mothers' parenting abilities. Kaplan suggests that 'dependence implies a certain homogeneity and "oneness" ' (1996: 21). Within this study, the mothers have created a situation of 'oneness' that embodies mother and daughter. This embodiment of 'oneness' is what makes it difficult for the girls to be viewed as individuals and independent sexual beings by others or themselves. The interconnectedness of mother and daughter appears to be based on two factors: the need to keep the status quo of perpetual child (Marks 1999), and the fear of the mothers that they might lose their role of being needed. It seemed as if the girls are forced into a state of dependency by this embodiment of 'oneness' and therefore their status of perpetual child is maintained. Keeping the status quo of

perpetual child means that issues of sexuality do not have to extend to areas of relationship building with the opposite sex. It also means that the mothers can keep their girls protected. The result of this embodiment of 'oneness' creates devastating impoverishment (Max-Neef 1991; Peet & Peet 2000) for both mother and daughter, and self-imposed 'jail sentences' (Melberg Schwier & Hingsburger 2000) for the mothers. These particular tensions between impoverishment and self-confinement undermined any potential for the development of a self-identity that also expresses sexual being.

Many mothers might relate negative stories about boys to their daughters when they start to menstruate as a means to ensure that they do not engage in sexual activities that might result in pregnancy. However, such girls would still be allowed some opportunities for socialisation as a means to develop social skills and relationships. In this instance, the bombardment of negative messages to these young disabled girls did not appear to relate to the general precautions that mothers give their non-disabled girls. The mothers therefore concentrated on information that centred on the sexual act itself as a means to ward off the possible rape and sexual abuse of their daughters. The information was also aimed at preventing pregnancy and discouraging relationship building with the opposite sex. In so doing, the mothers instilled a sense of fear within the girls towards boys, in the belief that it would help to minimise risk and harm. Yet again this indicates how greatly the girls' ability to understand the dangers that they are confronted with is undermined. The girls, in contrast, indicated quite a good understanding of the dangers within the community and their perception of what boys within their neighbourhood were like. It appears more as if the mothers fear their disabled young daughters might engage in sexual activities that would result in more impaired offspring, and therefore would increase the burden of parenting and provision under conditions of poverty.

Melberg Schwier and Hingsburger (2000) propose that mothers in the western world are equally concerned with unwanted pregnancies in their young disabled daughters, hence the measures of birth control interventions. In this study, the mothers, with the influential support of educators and health service providers, opted for the same intervention measures. Yet these mothers are far more burdened and challenged than westernised, middle-class mothers and therefore any addition to the household would only further compromise the low standard of living for the families. The levels of struggle in situations such as these are clearly demonstrated by the family whose young disabled daughter became pregnant as a result of rape. Yet the way in which pregnancy prevention takes place is disconcerting, especially as it in no way lessens the probabilities for sexual abuse or rape. Rather, it seems as if such interventions make rape and sexual abuse far easier as they can go undetected for quite a while, as was the case with one of the girls.

It appears as if the mothers believed that negative messages about sexuality would provide protection against sexual abuse, rape or unwanted pregnancies. But what the mothers fail to understand is that such negative messages contribute to the development and absorption of low self-esteem and an asexual identity by the girls (O'Toole 2002).

It is clear that educators further encourage a false sense of security and safety in advocating ways of dealing with unwanted pregnancy. Their limited awareness about issues of sexuality is apparent in the type of sexuality education provided. For instance, the educators where most of the girls were at school were more concerned with denying the girls' sexuality and preventing pregnancy by 'keeping them busy', rather than with educating the girls appropriately on issues of sexuality. It seems as if avoiding sexuality education stems from the negative perception that the girls are intellectually disabled and therefore not able to comprehend such information. This further compounds the contradictions that the girls experience and must be very confusing for them. Wade (2002) indicates that superficial sexuality education for disabled children at school hardly prepares them for adulthood.

The avoidance of proper sexuality education and information demonstrates the contradiction that surrounds the girls. For example, the parents feel assured that the girls are informed about the intervention methods for menstruation that are about to be used. Yet, at the same time, they do not believe that the girls are capable of absorbing information about sexuality development. This is similar to the situation in Indian society, described by Ghai (2001), that the failure to acknowledge the need for sexual expression by disabled youth has led to suppression of their potential in all spheres of life. But, extending beyond that, suppression of potential in all spheres of life only serves to indicate additional burdens that mothers encounter in raising their young disabled daughters.

Conclusion

Challenging living conditions bring about limitations in young disabled people's expression of sexuality awareness. The negative environment and poor socio-economic living conditions further impede their access to and opportunities for information, sexuality awareness and expression. Such conditions limit discussions between mothers and daughters about their expressions of sexuality. Lack of information and training on the part of the mothers is a further constraint to generating these discussions and assisting the development of positive self-identities in their daughters. That the mothers within this study have managed thus far is admirable, but we cannot imagine how they will continue to do so in the face

of the growing needs of the maturing girls, and the new challenges that they bring every day for which the mothers are clearly unprepared. Shaping and nurturing the sexuality of developing young disabled girls will remain a complex issue to deal with for most mothers in the absence of appropriate supportive mechanisms.

Notes

1   The Labour Force Survey figures were inserted for comparison in the 2001 census report.

2   Though these grants should technically be used only for the disabled person, they support households which have no other form of income (for the tensions in the social security system, see Swartz and Schneider 2006).

3   South Africa's *Integrated National Disability Strategy* is the policy blueprint for addressing disability in South Africa. Mainstream structures such as the Office on the Status of Disabled Persons are charged with its implementation. See Howell et al. (2006) for a history of the disability movement in South Africa.

4   In indigenous South African languages there is no gender differentiation in the use of pronouns; the reference is merely to a person. Therefore, when speaking a language like English, which makes the distinction, genderised pronouns are often used arbitrarily.

5   This mother was clearly at a loss on how to interact and engage with her daughter. I observed that she was very tired and found it difficult to deal with her daughter's menstruation.

6   The laws in South Africa allow for people with mental disabilities to be sterilised with the consent of their parents or guardians (Sterilisation Act 44 of 1998).

7   The mother is fostering two girls, of whom only one is disabled. She has been instructed by the social services system to ensure that the girls are protected at all times, even within the home, and she follows these instructions to the letter.

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A decent place? Space and morality in a former 'poor white' suburb

Annika Teppo

IN POST-APARTHEID SOUTH AFRICA, those labelled 'poor whites' occupy a lowly position in the society's moral rankings. Their status is largely defined by the historically produced social and spatial structures that surround them. This chapter aims to illustrate how being a South African White[1] – an identity usually regarded as a privilege rather than a burden – can also be very limiting, because it becomes a serious social impediment if not carried out or lived properly according to the mainstream White society's bodily and spatial rules. This applies not only to those who traditionally transgress those rules, such as prostitutes, but also to those who live in ways that otherwise disregard the social conceptions of space.

The chapter is based on my ethnographic fieldwork in the suburb of Ruyterwacht (until 1981 known as Epping Garden Village) in Cape Town between 1997 and 2001, and on my doctoral thesis, which examined the construction of the category White in this suburb across a period of more than seven decades, using extensive archival data (Teppo 2004).

For a long time, the existence of poor whites was a touchy subject in South Africa. During apartheid, they became increasingly seen as useless and opportunistic. It was not known that in their designated suburbs, they were also subject to draconian, racially motivated bodily control. In fact, White South Africans often described the measures to which they subjected poor whites as positive and necessary. The fact that the upliftment of poor whites was a thoroughly racialised and rather grim process has lately also been discussed in international academic arenas (see Willoughby-Herard 2007). So far, this has not done much good to the local reputation of poor whites. After the end of apartheid, their economic position not only changed considerably for the worse, but they and their suburbs remain stigmatised. As Gary Wray McDonogh (2004) has pointed out, locating immorality in concrete spaces allows others to differentiate themselves as virtuous according to where they live and how they behave. Consequently, the ideas attached to spaces and

virtues reinforce each other, but also divide social worlds between those who have virtue and those who don't (McDonogh 2004).

The spaces created for poor whites are of great importance when we examine their social position and the way that society considers their bodies. During apartheid, the use of space was central for social control, and to date urban space is still heavily contested in South Africa. Henri Lefebvre's (1991) notion that space is a social product, and that each society produces spaces suited to its own reproduction, is therefore an important point of departure for this chapter. Production of space can be used as a conceptual tool in order to understand the present position of those regarded as poor whites. I start this exercise by examining the spatial and historical background against which the lives of those defined as poor whites were set and reconstructed.

Creating places for rehabilitation

In the 1930s, several suburbs were established to help solve the 'poor white problem'. According to the Carnegie Commission, half of South African Whites were poor, a majority of these being Afrikaners (Malherbe 1932). In addition, lower-class Whites – especially those in urban areas – were regarded as racially degenerate as well as threatening to the ruling elite as a class. Being a poor white was considered a pathology, an unhealthy and unnatural state of being. Churches and welfare organisations as well as English- and Afrikaans-speaking intellectuals were all keen to deal with the problem, particularly in the 1930s and 1940s. Actions taken to uplift poor whites soon became a symbol of national unity and the reconstruction of the Afrikaner *volk* (nation),[2] which had been scattered, impoverished and traumatised by the Second Anglo–Boer War[3] (1899–1902). In these new suburbs, poor whites were offered a 'proper' environment where they could be taught how to be hard-working and respectable good whites. The social pathologies of poverty, racial mixing and ignorance were to be scientifically healed in these areas.

Being White meant being superior and 'civilised'; consequently White bodies had to be superior and civilised too. The correct use of the body and the reform of poor whites' bodily behaviour were thus essential if attempts to cure these 'degenerates' were to succeed. Only when full control was attained over their bodies, could their souls be reformed as well. To keep the White society safe, they had to be turned into self-disciplined citizens who kept regular working hours and had a sexual morality that would inhibit them from fornicating with 'non-Whites'. To attain this, money was important, although even the most liberal social engineers of that time agreed that material support alone would be insufficient to drag poor whites out of their degraded state and 'inferior mentality' if they did not internalise the 'right values' (Malherbe 1932: xvii–xviii).

Epping Garden Village (a suburb in the north-west of Cape Town) was established as a poor white area by a Cape Town housing company, the Citizens' Housing League, in 1938.[4] With the help of professors of sociology and social work from the universities of Stellenbosch and Cape Town, criteria were defined according to which the company would hand-pick the tenants for the first 700 houses. The most promising and respectable families would not only receive houses to rent at reasonable rates, but also subsidies and education to strengthen their economic position. Consequently, the first residents were primarily working-class Whites, particularly railway workers and their families.

Epping Garden Village's spatial planning and layout were specifically created for the purpose of reproducing a rigid social order and racial identity. In addition, buffer zones, fences and industrial areas isolated the area from the surrounding Coloured area, Elsie's River. Racial ideology was therefore a concrete presence in the area's development. The ideal was the European middle-class's suburban lifestyle – a beneficial combination of rural calm and urban economic opportunities, modelled on the garden cities of Europe. The Housing League even sent its officials to study model cities in England, Germany and Sweden.

The professionals – social workers, medical doctors, *dominees* (ministers in the Dutch Reformed churches) and teachers – located in the area planned the public spaces in the suburb so that people's lives could be constantly observed. The streets were vast and open, but there were only two vehicle entry points into the suburb. No car could enter or leave the suburb unnoticed. Every house had a garden, which was regarded as having economic, aesthetic and psychological value.

The houses were built to match the suburb's general purpose. They were not only shelters to guard poor whites against poverty and keep them dry and clean, but carefully constructed stages for proper White lives. The houses needed to be large enough to suit White families. The standards determined by the Housing League dictated that every family member would have their own bed in a bedroom and there were to be no more than three children per bedroom. Children of opposite sexes had to have separate bedrooms after the age of seven. Parents, too, had to have a separate bedroom. This strictly defined use of space would help prevent potentially dangerous moral situations.

Despite these precautions, the suburb had already acquired a reputation as a dubious place by the 1950s. Contemporary examples of the still benign, but increasingly judgemental, middle-class attitude towards poor whites can be found in John W Yates-Benyon's works. He was a social worker in Epping Garden Village and the author of two autobiographical books, *The Weak and the Wicked* (1959) and *The Sad and the Sinful* (1964). In these books, he humorously describes the colourful life on the housing estate he called 'the Village', often also morally judging or passing on lessons from his subjects' lives. The following excerpt describes one

resident who turned out to be a prostitute and whom he single-handedly trapped and evicted from Epping Garden Village:

> Most of the Village women who seized the many opportunities of a little clandestine adventure were content to keep their amours on a strictly amateur level. Not so Mrs Jones, who had a brilliant, but not entirely new idea, of turning her small £4 15s. 6d a month cottage into a thriving brothel... Mrs Jones strenuously denied that anything untoward was taking place in her home. She seemed deeply hurt at my questions, and assured me that she was a lady of impeccable virtue. (Yates-Benyon 1959: 168–169)

The author was not, however, satisfied with this explanation, and spent several nights in a row in his car keeping track of the male visitors. He consequently attained sufficient moral ammunition to expel Mrs Jones.

From poor whites to pure Whites

The professionals carefully reworked the residents' morals. The right bodily behaviour, right attitude, right way of presenting oneself inside and out was needed before an apprentice White could graduate to the ranks of the middle class. In addition, this bodily training was gendered.

The male body was supposed to be a hard-working, disciplined body. A man's arch-sin was to be deemed work-shy. The female body was seen differently. It was supposed to be a chaste, lactating mother-body, domestic and self-sacrificing. Thus upliftment also meant living under the pressure of constant surveillance.

> Then, we had order. They could come in any time, see through your house and see that it was orderly. (Augusta, a long-term resident of the suburb)

Proper White men were to work hard and women were to become *volksmoeders* (mothers of the nation). As Vincent (2000) points out, the romanticised category of *volksmoeder* was appealing, particularly to those women whose position in society was ambiguous (see also Du Toit 2003). Afrikaner mothers were to be the sentinels of their *volk*'s honour. Theirs was the mission of reproducing the purity, and thus the organic unity, of the White race. They supervised the cleanliness of their own bodies, as well as that of their families and houses. The burden of educating the new generations of good whites rested on their shoulders.

However, many of the Village residents also had strong ties with Coloured communities.[5] Especially in the Western Cape, many people classified as Coloured managed to pass for White through the poor white areas.[6] Rumours in this regard could only add to middle-class fears of poor whites being more vulnerable to racial mixing. For example, the local ACVVs (*Afrikaanse Christelike Vroue Verenigings*

[Afrikaans Christian Women's Associations]) were very concerned about these issues (Du Toit 1992). It is also illustrative of the eugenically inclined moral atmosphere of the 1930s and 1940s that apartheid ideologues such as Geoffrey Cronje saw the ideal of an uncontaminated White race against the backdrop of the *mengelmoes* (hodgepodge or mishmash) of the threatening, degenerated, mixed-race crowds (Coetzee 1991).

While apartheid managed to provide ample legislation[7] to separate the perceived races, this was deemed insufficient to keep poor whites safe. They needed to internalise the seeking of respectability and distinction from Others.

We all had to be so white, white, white. (Jacoba, a long-term resident of the suburb)

The poor white female body was perceived as the most vulnerable element and an entrance point to the White race. Consequently, bodily control was most strongly directed towards the women. Those families who wanted to ascend socially knew that their success was partly dependent on the good behaviour of their daughters.

We girls were not allowed to go to movies by ourselves, our father always had to come with us. We were not allowed to wear trousers. My father would go crazy if he would see trousers on us. I hated him then but now I am grateful to my father. He is the reason I am what I am today. (Ronel, 50, grew up in Epping)

This gendered control of bodies often took spatial forms. During my fieldwork in Ruyterwacht, the ideal of women 'staying at home' often surfaced. This meant that women should not be seen alone on the street, but should stay inside their meticulously clean homes. A woman on the street was a bad woman. Her home was her honour – that was her space and place.

Gardens became public displays of commitment to rehabilitation. There, men could demonstrate their commitment to working hard, and women could reveal their aesthetic competence. Because there were no fences, each household's level of respectability could be assessed from the street. Yates-Benyon wrote, 'I learned that an experienced Company social worker could often judge the standard of living of any householder by a mere passing assessment of the state of his garden...' (1959: 160).

The professionals monitored the inhabitants' hygiene and aimed to prevent illegitimate sexual liaisons, interfering with every detail of their personal lives. Inhabitants' behaviour, moral and physical cleanliness, use of space and contacts with people of colour were incessantly regulated and corrected by the authorities. For example, Coloured women hired as domestic help were not allowed to stay in the suburb overnight, while middle-class people had live-in maids. Yet the

professionals went to great lengths to help people whom they saw as being in real need of upliftment. However, the more support a family accepted from the Housing League, the less privacy it had.

In the first decades of Epping Garden Village, this social engineering led to people's lives being modified and rebuilt into something new. Thousands of poor whites were able to make the transition to middle-class citizenship, thus becoming 'real' Whites. The most successful ones were those residents who managed to leave the area by buying a house in a middle-class housing scheme such as Thornton. Here they forgot their past in a poor white area as soon as possible. During my fieldwork, I was told many stories of 'successful' citizens who would never acknowledge that they had family living in Ruyterwacht.

In other words, in order to be respectable, an apprentice White needed to find a suitable place where proper bodily behaviour, and thus commitment to being a good white, could be demonstrated. Leaving a poor white suburb behind was therefore the ultimate triumph of White respectability. The need to fortify the boundaries of racially fragile and ethnically divided South African whiteness produced these spaces of morality. But the boundaries of whiteness became stigmatised as they also represented a danger of racial infiltration, and were close to the margins where Others – all the unwanted things and people – were pushed.

Games of honour, games of whiteness

In the 1960s, two major developments affected life in Epping Garden Village. Firstly, the standard of living in South Africa escalated. This meant that poor white areas were no longer needed to the extent that they had been before, as the number of economically disadvantaged Whites was decreasing. Secondly, those who arrived in the suburb were no longer hand-picked and overtly respectable: the housing company also had to take in those White applicants who had problems other than mere poverty.[8] Consequently, being a poor white became a stigma. The remaining original residents, the 'elite' of the poor whites, coexisted rather uncomfortably with the newcomers.

At the same time, the rehabilitation methods grew harsher. The professionals, who had previously been the residents' guardian angels, became more like their keepers. If tenants were misfits, for example 'immoral characters' or work-shy, a social worker or a *dominee* had a word with them. If this did not help, they were institutionalised in a work colony. There were also other consequences, such as having their children taken into foster care.

In Epping Garden Village, the population was now more heterogeneous than ever, and people started turning against one another. The control imposed upon the residents produced double standards. Everyone did his or her best to look

as virtuous as possible. It was a game played between the residents and the social workers. In their everyday lives, many residents were able to manipulate the area's social networks to their own ends. An important way of playing the game of a good white was by presenting proper bodily and spatial behaviour. During my fieldwork, I found plenty of evidence that the people had been playing these games with the professionals for decades.

> I always got what I wanted from the welfare. When people asked me how that was possible, I told them I had a clean record. I knew how to play the game. (Augusta, a long-term resident)

I often heard the expression 'clean record' in my interviews, as if the area were a prison or an asylum – a panopticon where one had to earn one's spurs and project the right image. A 'clean record' meant that the resident did not give the company any trouble. There were to be no fights with the neighbours, no drinking or drugs. He or she attended church services, and toiled hard in the house and in the garden. The resident saved money, made plans and looked for a chance to climb the social ladder. In short, the resident proved him- or herself a good white.

Middle-class aspirations and identification even affected the ways in which some of the residents presented themselves to me. Performances of virtue were commonplace. The residents emphasised that despite living in a poor white area, they were clean and well-dressed: although they were poor, they were still honourable.

> I am poor, but because I am poor it is not to say I must be dirty and filthy... God or Mandela or factories give us cleaning things, and I have one pantie, one dress, one pair of shoes, but they are clean! (Tannie V, 62 years)

Residents recast the humiliation of personal poverty by being honourable and turning the control to their own advantage using all the means at their disposal. Many of the residents' memories, therefore, understandably emphasised the past's positive side. People rarely discussed the way they were treated. House searches, bodily control and moral pressure were mentioned as a normal part of the deal. Respectability had to be earned. Yet, the residents were doing things that good whites should never do.

> When I started working here, this was just like a quiet little village from upcountry, only that it was in the middle of the city. It was a nice picture, nice and peaceful picture. However, after dark it was as if some evil came out. People started drinking, beating their wives and abusing their children sexually. But you wouldn't have known, hadn't you been working with these things. (Sarie, a social worker in the area in the 1980s)

Perhaps they were not really White

During my fieldwork I came across the middle-class concept of the poor whites being impure, 'almost Coloured'. This ambiguity had to be wiped out by imposing rigid, authoritarian ideals on the residents' bodily behaviour. In the privacy of their homes, this pressure merged with the older ideals of a patriarchal, colonial society. Home was the haven where men could claim their superior White masculinity in a manner that their culture, and their role in it, required.

This was in contrast to the constant performances of morality in public spaces, where everyone had a strictly defined part in the game of whiteness that everybody had to learn. During my fieldwork, the senior women in the community still emphasised that they did not like to go out and that they liked to 'mind their own business', thus exhibiting social distance and propriety. For women, proper spatial and bodily disposition were particularly important and cost-free ways of showing a high moral standard.

During the last years of apartheid, there were remarkable differences in the residents' income levels and family structures. This accelerated the games of whiteness within the area, as the most respectable residents always tried to stay a notch above the rest. Competition could be fierce, and sometimes the residents turned against one another.

When you grew up in Ruyterwacht, you learned not to trust anyone.
(Adri, 52, grew up in the area)

Endgame

Towards the end of apartheid, the methods of upliftment turned considerably softer. After 1990, the old lines of class and race began transforming, and Ruyterwacht changed significantly in several respects. The colour bar was abolished and, with it, the official requirement to be White – the uniformity and boundaries of whiteness no longer exist. This has caused many changes in the residents' lives at both a spatial level and in respect of morality.

As a result of the withdrawal of state subsidies for Whites, the Citizens' Housing League (now called Communicare) started selling the houses to the tenants at the beginning of the 1990s. The residents were given one last opportunity as Whites: they were given a chance to buy their houses very cheaply. Many of them did, and later sold their houses to middle-class Coloured families.[9] In the 1996 census, 19 per cent of the residents defined themselves as Coloured. In 2000, an estimated 40 per cent of the residents were Coloured.

Some Whites have moved out of the area to Goodwood, a lower middle-class environment; others live in caravans and shacks behind their old houses. Some

have moved to caravan parks or to the Coloured and African areas of the Cape Flats. For the poorest of the Whites who stayed on in the area, the changes have been bad news. They have slid further down the social scale and face an increasing struggle for resources and social benefits.

In general, the Coloured people in Ruyterwacht are better educated and materially better off than the Whites. Most of them are from young families[10] for whom Ruyterwacht is just a stepping stone in their social aspirations. As a result of this shift, the Whites need alternative strategies, one of which is to ally with their Coloured neighbours, for they cannot afford the kind of isolation that affluent middle-class Whites enjoy in their privately guarded suburbs.

After the 1994 election, the state no longer had money for poor whites. These developments have led to new alliances and tensions in the area, as the Whites face the fact that their Coloured neighbours are better suited to the role of a good white than they are. Throughout the 1990s, the housing company's influence in the suburb diminished and the control disappeared. There is no interest in upliftment, nor are there resources available.

In 1995, Ruyterwacht became internationally infamous when the residents protested raucously against African children being brought in from the overcrowded township of Khayelitsha to a previously empty local school. The protests caused the residents of Ruyterwacht to suffer a huge moral loss, as they were branded as *the* racists of the 'new' South Africa. The newspapers were only too happy to publish pictures of overweight poor white women raising their fists against African children. The suburb's reputation plummeted even lower.

Post-apartheid, poor whites have come to epitomise everything that is or was wrong with South African Whites. Both in literature and in popular urban legends, they are considered degenerates and serve to symbolise the decadence and social injustice of the apartheid era (see Van Niekerk 1994).

> We are sitting at the dinner table with my friends in Stellenbosch. Schalk entertains us by telling an anecdote. He swears it is true, and it happened to a friend of a friend, who had been out one Saturday night, drinking away and partying with his friends. At a bar he met this incredibly beautiful girl. Not much was said, they just went to his place and made passionate love the whole night. In the morning he woke up and heard the girl moan: *'wa' is my koene'* (*waar is my skoene* [where are my shoes]) in a childish Afrikaans. She clearly had a serious speech impediment, and was also mentally retarded. Only then, Schalk laughs, this guy realises that the girl was 'this retarded poor white' from a nearby institution. Schalk leans towards me: 'You know, some of them can really be sexually hyperactive.' A month later I hear the same story at a different dinner party. Again, my host swears this happened to a friend of a friend. (Author's field diary 12 June 2001)

The following narrative of a Ruyterwacht family illustrates the ways respectability, bodily disposition and space intersperse in the suburb, and the obstacles that those labelled as poor whites have to conquer in order to become good whites in today's South Africa.

This space is no longer fit for a White person

David wants to go to university.[11] He brings home good reports, but that will not help him much, for his mother does not have the money to send him. Since his parents' divorce, he and his brother and mother have lived in one room in his grandmother Nerine's house in Ruyterwacht.

David is 18, an open-faced, pleasant fellow who completely lacks the sulky mannerisms typical of teenagers. He has no time for an existential crisis or for fighting with his mother, Janine. He knows that soon he and his brother Willem will look after her, for she is not very good at looking after herself.

After completing matric, he wants to get a job so that he can study part-time. His grandmother, a certified accountant, has helped him to type applications. He has applied for jobs at Stuttafords, Holiday Inn and Pick 'n Pay. He also wants to start a course at the University of South Africa.[12] This is a practical approach to tertiary study, as it will allow him to work as well.

Janine used to have a house in Ruyterwacht but she gave it up when she moved to another town, believing she would easily get a new one on her return. When she moved back, she was told that there was a five-year waiting list. Janine wants to move out of her mother's house and get her own place again, but she has been unable to find a job. During my fieldwork, the only job she had was making decorations for soap packages for Woolworths at seven cents a frill. Recently, she applied for a job as a cleaning-woman, but they could not promise her anything.

Janine is very dark for a White person and during my fieldwork I became convinced that someone in her family had only recently 'passed for a White'. It could be Janine's mother, Nerine, who at 58 is an energetic and attractive woman who is utterly dissatisfied with her daughter. Nerine, who holds several qualifications, is also attempting to enter the job market again, as the money from her husband's income that she thought would keep them comfortably is not enough for them all. The family tell me that they keep hearing that they are 'too White' for the jobs for which they are applying. Ironically, their sought-after whiteness has turned against them, as they report a real feeling of being disadvantaged as Whites in present-day South Africa. While this is very typical for the post-apartheid discourse of 'White talk', which emphasises the White victimhood described by Steyn and Foster (2007), the family feels real and considerable distress and worry over their situation.

Luckily, Nerine's son Kobus has a job as a plumber, but he earns very little. Since his divorce he has lived in their backyard in a Wendy house that his father constructed for him. Kobus's two daughters, Minnie and Marie, visit them almost every weekend. The overcrowding has led to tensions and Kobus wants to move out, but somehow he is stuck in the backyard. Nerine is not very happy with this either, for Kobus wants to move in with his girlfriend. Riaana is a sullen, quiet single mother who also lives in the area and has very low-class friends, according to Nerine, who is upset:

That woman is not good; she drags my son down with her. (Nerine)

Nerine and her husband represent the White elite in Ruyterwacht. They have always owned their house, which they bought in the 1970s. This middle-class family was brought in as part of the Housing League's social development plan, which aimed to bring in people who would stabilise the area's class position and act as role models for the residents. Nerine has never needed welfare. She has life skills, education, a computer and some expensive furniture in her home. In other words, according to the typical logic South Africans use when categorising Whites, Nerine is not a poor white, which she is quick to point out. But, her children are about to be.

The insecurity that binds this family together and tears it apart becomes evident as Nerine talks about her life. This was not the way she planned it, or the way she thought it would turn out. She and her husband Koos have their retirement to worry about, and now she feels that their children and grandchildren are eating away at their savings. But, as she cannot allow her offspring to slide further down socially, she must pay. She feels that being White is no longer an asset but has become a burden for her.

Nerine's children have never really left the suburb behind. Previously, her children and grandchildren would have been helped out of the backyard shack and crowded rooms, and given decent homes and jobs that would have provided enough money to live on. Today, the parents' house in Ruyterwacht is still the most stable place Nerine's children know. It is also the most respectable place they have ever lived in, or are ever likely to live in.

What happens when respectability is lost?

During apartheid, poor whites became so stigmatised that many White South Africans still dread the thought of being perceived or classified as one. In middle-class discourses and representations, poor whites have been given entirely different mindsets than the middle class. Within the category White, they are the Other to which the fantasies and images of wild, degenerate sexuality are being projected.

Yet, proper bodily behaviour can only partly rid one of the stigma of being a poor white. In Ruyterwacht, many White residents are in fact what middle-class South Africans consider as very proper. However, they still live in a traditionally poor white space, and this connection weighs more in the social hierarchies than their bodily disposition. Thus, this chapter concurs with Lefebvre's (1991) notion that socially defined spaces command social bodies. In other words, even for a 'respectable' poor white, the only definite way to shed the stigma of being a poor white is to move into a middle-class space. The maxim still seems to be 'you are where you live'.

Unfortunately for many, to live the life of a good white is increasingly expensive in today's South Africa. For example, a house in a former Coloured or African area is still considerably cheaper than one in a White suburb. And dependants, too, have to be kept above an adequate economic and social level. It is not wise to give up – once a White person sinks below a certain level, they can only expect to be tarnished and morally devalued by their whiteness. It is still written in the urban moral geography of South Africa that a White person who runs a household in a middle-class White area is not easily labelled as a poor white, even if they were to engage in bodily behaviour that is not considered very apt for a good white. Conversely, an otherwise upstanding person living in a former poor white area is not very highly regarded, and a White living in a Wendy house or a backyard shack in such an area has lost the game completely.

In these cases, the tension between the socially dictated conceptions and ideas of space and the way the space is practised has grown too large.[13] Consequently, those who cause this tension must be placed outside the boundaries of the category White or, as Mary Douglas would put it, they have become anomalous to their social category and hence must be expelled from it (Douglas 1966).

The way South Africans still spatially conceptualise poor whites is a case in point: Whites living in marginal places are seen as morally underdeveloped and *less White* as a consequence of their inability or unwillingness to live according to the bodily and spatial practices and representations seen as belonging to Whites. In addition, their existence elevates the moral value of those Whites who are perceived as being located more aptly. Poor whites also serve as a warning to the middle class: 'This is what happens if you do not respect the spatial boundaries of a good white. Do not cross them, and always live with other middle-class Whites in a decent place.'

Roles, categories and rules of a good white and a poor white are but spatially reproduced racial representations and stereotypes that, in the end, serve no one. Their existence can only delay reconciliation in South Africa and the desegregation of its urban spaces. All South Africans, irrespective of their colour, look down on poor whites. It will remain difficult for the people from different social groups and

communities to meet eye to eye, or live together, if everyone is placed in a hierarchy in which some are seen to possess more moral weight than others. It is high time to start looking at a White identity as something that has many different levels and shades. It is time to finally cut off the associations between wealth, pigmentation and respectability.

Notes

1   I use a capital W in White and C in Coloured when I refer to these as South African categories or concepts. I have omitted quote marks around the terms 'poor white' and 'good white' and will only use the term 'poor white' in its specific South African context. My intention is not to naturalise 'whites' as a racial group, any more than 'coloureds' are, and I wholeheartedly acknowledge the artificiality of all racial terms. They are, however, widely used concepts in South African everyday parole. For more on this subject, my PHD thesis is available at http://ethesis.helsinki.fi/.

2   See for example Groenewald (1987), Dubow (1995), Freund (1992) and Parnell (1992).

3   Now commonly also referred to as the South African War.

4   See Citizens' Housing League (CHL) board minutes 1934–1936, Social Welfare Committee (SWC) resolutions, minutes and reports 1935–1986. Communicare's Private Archives.

5   Half (52 per cent) of Epping Garden Village's first residents had moved in from racially mixed areas such as Elsie's River, Maitland, Woodstock and Observatory (CHL, SWC: Minutes and Reports 1942).

6   On passing for White, see Watson (1970).

7   The Prohibition of Mixed Marriages Act (No. 55 of 1949) and the Immorality Amendment Act (No. 21 of 1950) were designed to hinder all intimate mixed-race relationships.

8   In other words, 'deserving' Coloureds could no longer slip into the suburb due to the stricter application of the racial laws and the new laws in this regard.

9   Some of the sales were bankruptcy sales, but some people simply wanted to move to 'more White' areas, or make a profit, and this was the chance they had so long been waiting for.

10   In the 1996 census, 86 per cent of the Coloured population of Ruyterwacht was under 45 years old, whereas 65 per cent of the white population was under 45 years. Almost 33 per cent of the children under four years were Coloured, while the proportion of White children was on the decrease (STATS SA 1996).

11   David is not the real name of an actual person. Like the other people who have authentic-sounding names in this chapter, he is a combination of details from several real-life histories gathered during my fieldwork. Various fragments of these life histories are used to illustrate the actual events recounted here.

12   The University of South Africa is a distance education institution.

13   This division is inspired by Henri Lefebvre's (1991) celebrated spatial conceptualisation, which points out how the differences between the representations of space and spatial practices produce and define the social spaces.

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12

Less is (M)orr: Après le déluge (or rather: more or less...): An essay about and conversation with Margaret Orr

Joan Hambidge and Margaret Orr

I   We enter the labyrinth

MARGARET ORR BECAME A contentious person after she lodged an official complaint against a former member of council at UNISA.[1] The complaint of sexual harassment[2] dragged on for over four years and was finally settled out of court against Motimele.[3] Orr is a former professor of English and currently the Director of the Centre for Learning, Teaching and Development at the University of the Witwatersrand (WITS).

This chapter is a conversation with a feminist working at a university and a person who has recently published a ground-breaking study with others: *Buttons and Breakfasts* (Orr et al. 2006). The study analyses the complex position of women at universities, women with and *sans* power. The author of this chapter also works at a university as a professor and manager (Director of the School of Languages and Literatures at the University of Cape Town [UCT]) and engaged with *Buttons and Breakfasts* from the perspective of giving (a) voice to those without a voice. (The reader is provided with a review in section VI.) Questions are raised on power and womanhood; women and management. The chapter is written in a circle based on certain assumptions, emails and theoretical stances. It is written against patriarchal discourse with a beginning/middle/end – the reader is constantly referred to other texts to enable her to enter the labyrinth.[4]

II

Frequently, the relationship between the writer and the subject being written about (here called 'the written subject') is reduced to someone having, as opposed to not having, a voice. Because of this, the written subject often gets upset about the way in which she/he has been portrayed. Orr is not the written subject in this chapter,

because her voice is also heard and because the role between writer/written subject, interviewer/interviewed subject modulates continually. Besides, the writer informed the 'written subject' of this text and submitted it to her for approval.

The writer saves their entire email correspondence (commencing on 24 April and concluding on 21 August 2006), which deals in detail with being a woman, management roles, texts and poetry, under the file name 'Morr'.

(The conversations begin when Orr asks Hambidge for a reader's report on her book, to which Hambidge agrees.)

On two occasions, there is a sudden silence because of work pressures, but the conversations resume and they talk of relevant theorists like Jane Gallop, well-known feminist and psychoanalyst, who was accused of sexual harassment by two female students. Gallop (1997), a heterosexual woman, wrote an interesting text about this process that inevitably problematises and disturbs easy oppositions such as the belief that women are always at the mercy of the patriarchy.

They also talk about poetry and Orr offers insightful comments to the author, who is currently working on a collection of English poems entitled *Adulteries*.

Re:	Two poems
Date:	Wed, 19 Jul 2006 14:42:36 +0200
From:	Margaret Orr <Margaret.Orr@wits.ac.za>
To:	<Ham@HUMANITIES.uct.ac.za>

Like the poems and look forward to Judaskus.

One thing your 'dinner' poem is silent about (but perhaps the second one addresses) is the tussle over alcohol – how much wine will we order, and who is trying to get whom drunk and raucous. And as relationships wane, and distances grow and resentments brood, the injured or withdrawing party will ostentatiously drink Kombucha, or put a delicate hand over the top of her wineglass to halt any refills. Fuck you, my dear, you're not going to woo me into tipsy libidinousness.

Interesting to try and write in a language other than one's 'heart language' (I don't like the term 'mother tongue'...it makes it sound like one's father communicated only in grunts). It is a far more self-conscious exercise, and the words have a taste and savour that is quite different. I am a different self in Afrikaans than I am in English – d'you feel that too?

From: "Margaret Orr" <Margaret.Orr@wits.ac.za>
To: <Ham@HUMANITIES.uct.ac.za>

Or whining and dining?

Subject: Whining and dining
Date: Wed, 19 Jul 2006 16:07:22 +0200
From: "Prof. Joan Hambidge" <Ham@HUMANITIES.uct.ac.za>
Organization: University of Cape Town
To: Margaret Orr <Margaret.Orr@wits.ac.za>
References: Whining and dining

après M.O.

You've ordered a starter
I am on the bitters
reading the menu from cover
to cover ('Waar was jy gisteraand?')
in Restaurant Bastille and you
order a glass of house red (pour moi) and white (pour toi)...
('You say potato, I say pottatta').
I 'je veux' and 'merci beaucoup'
to the displaced Congolese waiter
– dressed in faux-French –
('Ek weet nie meer nie')
for another blanc de blanc and vin rouge
avec a break-up dinner of coq au vin.
('Hoe het ons hier beland?')
Your lipstick smears a belated kiss
on your glass
('Un autre s'il vous plaît!')
but your left hand avec wedding band
caresses the glass
with a kiss mark
once upon a time
meant pour moi!

Joan Hambidge

Date: Thu, 20 Jul 2006 16:00:14 +0200
From: "Prof. Joan Hambidge" <Ham@HUMANITIES.uct.ac.za>
Organization: University of Cape Town
To: Margaret Orr <Margaret.Orr@wits.ac.za>
References: Confession

I am unreliable
me luv
I will not be around
when we are old and sad
in Huis Herfsblaar
bewend van die ouderdom.
I would have moved on
to greener pastures (or death)
flirting with a new girlfriend,
and after her, more and more and more…
expecting 'true love'
so let's remain true friends
pu pu pu perhaps
I'm polymorph perverse!

Joan Hambidge

Subject: RE: The Rain in Spain stays mainly on the plain
Date: Thu, 20 Jul 2006 16:20:04 +0200
From: "Margaret Orr" <Margaret.Orr@wits.ac.za>
To: <Ham@HUMANITIES.uct.ac.za>

I like the brutal honesty of your poem. I too feel that the 'let's grow old together' is an entirely gruesome prospect. I have taken a leaf from Ursula Le Guin's novel The Left Hand of Darkness *(have you read it?). Highly recommended. About an alternative world where there is basically one, neutral, gender. People come into 'heat' every so often, but cannot predict whether they'll come into heat as the impregnating or impregnated gender. Which has all kinds of interesting sociological implications. Anyway. They don't 'marry' but commit to a contract – this can be for any period of time, and there are serious consequences for breaking the contract before its termination date, but at the end of the contracted period couples separate quite happily and nonchalantly, or re-contract if they wish…*

III

Now I start rummaging through *Buttons and Breakfasts* to get to the bottom of things. Who is Margaret Orr? Or: will the real Margaret Orr please stand up? I read one of the articles written by her...

> **Iron Ore**
> *Margaret Orr*
>
> What do you have to do to be a warrior? Sometimes it's really simple. You have to speak. Speak out into a silence. Speak when no one wants to listen. Speak when what you are going to say will be unwelcome; will be misheard; will expose you utterly to ridicule, to calumny, to anger, to public shame, to misunderstanding. Speak when the price of speaking is unimaginably high, but the price of silence is even higher.
>
> You are an ordinary woman. A bit of an introvert. You like books, gardening, movies. You love your kids, you do your best to love your husband, you often don't feel quite grown-up enough to be doing the superwoman stuff of being a professor, running a home, managing birthday parties, your team, sibling squabbles and ag[e]ing, ailing parents. You like to be liked. You like to see yourself as a peacemaker, gentle, caring, sympathetic, a voice of reason and sensitive compromise in heated meetings. You think you're a nice person. You believe you're pretty much a 'good girl'.
>
> And then suddenly you find yourself having blundered into a zone where it's really dumb to have brought your vagina to work. (Orr, Rorich & Dowling 2006: 43)

In addition, I consider an article-cum-interview-cum-interior monologue in the *Sunday Times*,[5] published after the UNISA debacle, in 2002.

At the time, I taught a course, Gender and Media, at UCT. I deconstruct the Orr case with my students. Intense debates flare up; the students take part actively: read and argue via Camille Paglia and Jane Gallop.

The article in the *Sunday Times* is a kind of duet in which the married couple describes their experience of the case against Motimele and tell to what extent it took them to dark sides of sexual politics. The search for answers in this brilliant dialogue, almost like Julia Kristeva and her husband Philippe Sollers's conversations, shifts to this realisation: there are no final answers. We keep on searching, delving. The article leads me to a relevant metaphor: these different texts open trapdoors...

Ambiguity.

Power.

Race polarisation.

All of this I tell my students. And how the roles of the accused and the accuser switch continuously because all of this gets played out on a university plane that exists, per definition, in a simulated world.

What is sexual harassment?

When someone uses his power/position to abuse someone else in a sexual relationship.

I play devil's advocate.

Suppose Margaret Orr was a (pink) man, Motimele a (green) woman – what would have happened?

And should we believe Jane Gallop who claimed that she was accused because she had sexualised the lecture space? In her *Feminist Accused of Sexual Harassment,* she points to the inability of colleagues to deal with her distinctive approach.

Orr admits to taking her femininity to work; but still, it remains her right to decide whether or not she wants to have a consensual relationship with the Other, if we were to involve Lacan. Why shouldn't she look attractive and why did she have to wear boots to work when the charge was lodged?

We read the story of Little Red Riding Hood who didn't listen to her mother's advice. Orr's father warned her when she was little that men's thoughts are soiled by sex ('Men's minds are sewers'...).

I refer them (my students) to Freud's Dora case when Freud sniffed out her ambivalence and problematic relationship with the father.

I notice a copy of *Die Judaskus* in a student's bag.

'We are studying your book as part of a prose course with Professor Van der Merwe...was this how it really happened?'

'Margaret Orr was at the mercy of the university's interpretation of the incident,' the lecturer explains, 'and she had no control over the furore that it brought about. You could also ask yourself whether or not she really had the support of feminists, or did she enter a space where her conduct was questioned by colleagues?'

The lecturer coughs.

'Besides, everybody probably expected her to carry on with her life as if nothing had happened.' The lecturer recalls her encounter; the loneliness that followed the accusation and how she tried to write poems about it:

Body paint
No one knows the secret
    of your lips on my mouth
my hand harassing the soft hairs
    on your back and gorgeous bum

the colour of your nipples upright aroused
        under my tongue or that you shut
your eyes when you come
        up for air in a delicious session
of body paint
        last night
Until I broke the seal, spilled our
        intimate rainbow colours
all over the floor
        of this betraying poem.

Modern love
You entice me – showing your scars
from previous affairs or flings.
Snap.
I entice you – flicking my marks
from former entanglements
or one-night stands.

We meet regularly.
I decode your eyes
like a weather forecast:
they change from blue to black.
I watch your hands
their slow movements like dancers
I watch your mouth
the softness of a deceitful mouth…

I miss the softness
Missing it mostly at night
when we suddenly – without warning –
stop comparing scars
evade contact.

Gone to use it as currency
in a new pursuit:
Ah, the emblems of True Love.

Verbal commitment

There is a climate for commitment,
changes like rain on a winter morning:
sunlight to misty, dark clouds.
But we both know the weather forecast
Of 'love' (over-defined, romanticized
and cheapened) called climate-for-commitment:
lazy afternoons in discreet hide-aways;
tea-for-two in chic restaurants;
dinners by candlelight
amidst other commitments.

There is a climate for commitment
sans unpredicted predictabilities:
meeting-passion-boredom-farewell...
I'd rather define you in a sealed envelope,
in a landscape of caring;
in a cat's cradle of intellectual *jouissance;*
in a body of writing –
so read this poem,
and rewrite me.

Love as cocktail

    A MOVEABLE FEAST

    A FLAMING ORGASM

    SEX ON THE BEACH

    SCREW DRIVER

    LOVE ME OR LEAVE ME

    A WOMAN'S REVENGE

Her ultimate counterpart, the lecturer realises, is Orr. They stand on opposite
sides of a charge and bear the exact same effects: of being at the mercy of scandal,
insinuation, emotional anguish – both react by writing texts about the experience.

Your silences

I don't hear from you anymore.
You don't have my phone number
or street address. Only a box number
and of course, email
in which I made myself heard.
You responded, often
in long responses, discourses
packed with intertexts,
subtexts
and hypertexts
on the noisy highway of the internet.
Suddenly Silence.
And I have to decode your silences

almost like the white in a poem
or white noise. The fullness of nothing
packed to the brim
with (   ).
Ne me quitte pas,
ne me quitte pas and I read silliness
in your silence
and my waiting on you.

Years later she receives a request from Margaret Orr via email:

Subject:	Presumptuous Request
Date:	Wed, 29 Mar 2006 16:29:54 +0200
From:	"Margaret Orr" <orrm@cltd.wits.ac.za>
To:	<ham@humanities.uct.ac.za>

Dear Joan –
We crossed paths (but not swords!) at UNISA many years ago, and I have a rather presumptuous request to make –
I am based at Wits, in charge of staff training and development. We have over the past few years been running a donor-funded project called the WonderWoman programme aimed at personal empowerment for academic women (and at subversion of the institutional culture). Arising out of that, we have put together a very eclectic and highly quirky collection of academic women's writing about life in academe to be published by Wits University Press this year. (Extract from the preface below.)

The big ask is whether you would at all be available and/or interested in reading a pre-publication draft and giving us some comments. The ms is 134 pages and a light read. Deadline would be early June.

I'm sure you get badgered by this kind of thing often, and will completely understand if you do not have the time and inclination to engage. But would love to have your take on the collection.

Regards
Margaret Orr

She immediately agrees and finds a book that presents so many nuances regarding the position of women in academia.

IV

My questions to Margaret Orr do not need to be answered directly; she may even refuse to respond to certain pertinent ones. I draft a few questions, which I send via email. With the indication that I write in Afrikaans, she in English:[6]

1. The well-known theorist Jane Gallop's book *Feminist Accused of Sexual Harassment* brings pertinent questions about issues of power in universities to the fore – do you think that women within the patriarchal set-up of a university often huddle together unconsciously? I'm thinking of the African Gender Institute at UCT that often isolate themselves from other gender perspectives.

2. Your book brings interesting perspectives about different types of feminism to the fore – is it still more difficult for young women academics to be successful?

3. Do women in positions of power think differently to men? Or is it that women occupy neutral, aggressive positions as a counter act?

4. How do you feel about Susan Sontag, who never wrote about any feminist issues but still produced important work?

5. Who is your favourite woman writer?

6. Women bosses are often terrible bullies or closet men – one thinks of Thatcher. Must it be like this?

7. Is it true that women in academia often stab each other in the back (quickly wiping clean the blades) and undermine each other to score points with the patriarchy in the end?

8. Your father was a Presbyterian minister. How did (or didn't) this fact influence your view of spirituality?

V

Reaction to my questions:

Never mind Sontag and Gallop and Paglia and all. Let's get sentimental.

At the moment, on the pinboard in my office, I have a collection of prints of lush romantic paintings which are weaving themselves together in a collage of thoughts about women and women's leadership.

There's Lady Godiva, frail, naked, vulnerable. A huge horse, muscled, glossy, primal, gorgeously dressed in scarlet and gold. She's riding for a great cause, protesting the taxes imposed on the poor of the village of Coventry by her husband. But to do so she has to make herself utterly naked. (Someone get this woman a blanket!) She looks like a child, she clearly doesn't 'do' gym. She doesn't even look as if she's very accustomed to riding a horse. But at least she *had* a horse, and a cause.

Then there's Lady Macbeth. Towering bitch goddess, lifting a crown to her head. Robed in poisonous green, blood-red lips, a steely stare. Like Lady Godiva, she is saddled with a useless husband. ('Infirm of purpose! Give me the daggers,' she rails. Probably he was infirm elsewhere, too. Cf. Condoleezza Rice, commenting on George Bush.) A power feminist driven mad by it, and dying of it in the end.

FIGURE 1 *Lady Godiva (John Collier, 1898)*

FIGURE 2 *Lady Macbeth (John Singer Sargent, 1889)*

FIGURE 3 *Condoleezza Rice*

FIGURE 4 *Lady of Shallot (John Waterhouse, 1888)*

And what about the Lady of Shallot, living her life in a tower, weaving a tapestry, viewing life only through reflections in a mirror. Isolated, embargoed. A room of her own, indeed, but she is cursed and may never leave it. And then what happens? Sir Lancelot tirra-lirra-ing beside the river, that's what. And desperate for love, for real life ('I am half sick of shadows' Tennyson has her say), to be part of the world, to be fucked (over?), she abandons her tower, enters the real world, floats down to Camelot in a barge. She looks more than half-sick, she looks overwhelmed by existential nausea, her frail right hand still grasping the chain that kept her anchored, and now is to be let go. Of course, she dies. For being a woman who wanted too much, or wanted the wrong things.

In the long run they were all dead, as we will be. But in the meantime, how will we live?

Still, she answers a few of the questions perceptively:

5.   Who is your favourite woman writer?

An odd question, because for many years I refused to read anything *but* women writers. I had decided that I hated reading men. Their version of reality didn't fit. Reading male writers was like trying to walk with my shoes reversed, wearing them on the wrong feet. A subtle discomfort, bordering on the unpleasant, and, really, why do that?

My father used to say in frustration and bewilderment that he really didn't like reading women's writing, because 'nothing happens'. I suppose it depends on how you define 'happens'. At that stage I found men's writing too exterior, too penetrative. I didn't enjoy the sense of barging across the landscape of events, moving in heavy boots from one plot station to the next, the women like props in the scenery, to be fucked, or resented, or otherwise rearranged in positionalities that served the story and serviced the protagonist. Perhaps I was just reading the wrong men.

But my favourite writer (regardless of gender) is Margaret Atwood. She combines fantasy and social realism, myth and parody, poetry and pastiche, and employs postmodernist devices to unsettle the certainties of traditional realism. Something for all the versions of me! *Oryx and Crake* (2003) made me quite breathless with admiration and adventure and excitement. *Cat's Eye* (1989) was shattering in capturing for me, then for the first time, the ugliness and rawness of growing-up-girlhood, and the treachery and fear embodied in the sisterhood of women. In her poem 'Helen of Troy does Countertop Dancing' she says, 'I understand floods and earthquakes, and the urge to step on ants,' and it is that unflinching and startling honesty that makes her compulsive reading for me.

Subject:	Monday
Date:	Mon, 21 Aug 2006 07:34:35 +0200
From:	"Margaret Orr" <Margaret.Orr@wits.ac.za>
To:	<Ham@HUMANITIES.uct.ac.za>

Dear Joan ~

Thanks for all the emails. I had a productive break with my team crunching through a strategic planning exercise, but it was fairly exhausting and tended to bring creative writing processes to a bit of a grinding halt.

Your book is shattering – the painful, raw intensity of it sucks one in as a reader to an almost unbearable extent. And yes, there were many echoes for me. I also did a lot of travelling over some of my time of trial, and endured the lonely dislocation of hotel and foreign streets, with obsessive, Byzantine dreams and nightmares every night – and the waiting for and anticipation of the hearing, and the feeling of being publicly naked and exposed to other people's interpretations.

In many ways, though, I think your experience was much worse than mine. The sense of betrayed anguish, the bewilderment of love turned into treachery – at least I didn't have that, and I don't know how you dealt with it, how you survived.

On a more intellectual level, I found your approach to writing the experience interesting. It resists the neat narrativisation and explication of character that I have yearned for in trying to make sense of my experience. There is, for instance, little sense of what was going on (for heaven's sake!) in the mind and heart of your accuser – and the frustration for the reader in being trapped in the exquisite pain and bewilderment of the 'accused' is thus all the more acute, and therefore all the more powerful in replicating the loneliness and anguish of the experience.

Margaret

FIGURE 5 *If all women were scientists, who would take care of buttons and breakfasts?*

If all the ladies *should **know*** about spectroscopes and cathode rays, who will attend to the *buttons and breakfasts?*
— *asked of Wellesly astronomy professor Sarah Whiting by a male colleague in the 1880's*

Discussion of *Buttons and Breakfasts*:

The position of women academics remains a slippery area. Women in South Africa did not receive home subsidies and male academics were paid more until about the mid-eighties. Thanks to criticism from women in academia, women became active participants. In the senate room of UCT dangles a sign saying that 88 per cent of all full professors are male.

Under the guidance of Margaret Orr, Mary Rorich and Finuala Dowling, a WonderWoman book appeared: *Buttons and Breakfasts*.

The title refers to the famous (infamous) question put to astronomy professor Sarah Whiting: if all women were scientists, who would take care of buttons and breakfasts?

It is 2006. You find professors, deans, vice-rectors and even a chancellor who are women, but do the curricula and thought processes at universities reflect the influence and presence of women? Or are women in positions of power often females who think and talk like men?

Buttons and Breakfasts examines these issues concerning positions of power, remuneration, sexual harassment and its effect on a woman's life and academic career, the woman as scientist, and so forth.

Gender always activates race, class and identity. And here I think 'Mrs Livingstone, I Presume', written by Professor Livingstone, is one of the most important essays. The reference to the conversation between Livingstone and Stanley not only activates imperialism on all levels, but this punchy piece expresses the transformation of a woman from Miss to Mrs to Doctor/Professor.

She may end up in the wrong hospital ward or Virgin Active may not know how to classify her! And if someone phones, he immediately thinks the Dr refers to her male spouse. Another seminal article is 'Iron Ore':

> What do you have to do to be a warrior? Sometimes it's really simple. You have to speak. Speak out into a silence. Speak when no one wants to listen. Speak when what you are going to say will be unwelcome; will be misheard; will expose you utterly to ridicule, to calumny, to anger, to public shame, to misunderstanding. Speak when the price of speaking is unimaginably high, but the price of silence is even higher.

Here Orr, who was working at WITS at the time, tells of her descent into hell at UNISA after accusing a senior male member of the board of sexual harassment. Although she finally won the case, it came at a price: she left UNISA for WITS – for many complex reasons, but also for two simple reasons: lack of support, and uncomfortableness after the events. Her marriage disintegrated and in the piece she recalls the emotional impact of the charge.

The process threatened her physically, questioned her professional integrity, put her morality under the spotlight and, especially, her job was at risk.

However, by seeing the process through to the end she moved from being voiceless to having a voice. And this, according to me, can be taken as the *Buttons and Breakfasts* refrain. Women who were once silent now get voices by noting down their work, by doing research and by fighting and surviving the male domain of academia.

This is why Mary Rorich's short piece, 'Julia's Women', hits you in the guts. In it, an auditioning black student suffers because of economic realities. Black women are still in most need of being heard. Everybody lives off the grandmother's pension – and if they can manage to support Julia, her voice can change everything.

It is also relevant to examine the battle within the 'sisterhood' – something which Margaret Orr touches on: woman-to-woman interactions are complex and paradoxical and women in management are often huge bullies!

It is an important text that reaches beyond the WITS domain and addresses the position of all women in academia. Brenda Keen's 'Selection Panel' hits the nail on its head: how to treat the woman academic who is also a mother?

What about the fear she experiences about the baby that must be cared for? Questions put to her during a promotions process are brilliantly used to analyse the indifference and the knife being stuck into all the soft spots. Her feelings of uselessness and being without self are wonderfully analysed, like Leah Gilbert who plays with the 'lost in translation' idiom.

This is an important collection and belongs on the shelf of every gender theorist and specialist. It contains many more essays and pieces that are relevant, inciting, gripping and deconstructive.

VII

Dear Joan –

I had a sudden AHA! when I was reading your essay (partly in response to your comment about the writer and the written, partly thinking back on your comment that you and I have connected because we've both been to hell and back, almost as mirror images of an identical experience).

Attached is an extract from a report on me (as the 'victim') by Lisa Vetten (Gender Coordinator at the Centre for the Study of Violence and Reconciliation – asked to do an expert witness report as part of the High Court case against Motimele). She offered me the concept of 'spoiled identity' as a trope for my experience. (The classic definition is that 'spoiled identity' refers to the loss of ego integrity to self-derogation and to a lessened sense of control resulting from being labelled or cast as a 'deviant' or as 'different'. This idea was originally expounded by Erving Goffman in his 1963 book Stigma.*)*

It has been a significant, belated insight for me, in communicating with you, that the so-called 'perpetrator' of sexual harassment also suffers the shattering of their identity, and must wrestle, as much as the 'victim' does, with a reconstitution and a redefinition of self. Interestingly, the theorists comment that among the ways that a person with a spoiled identity can try to restore her or his image is to provide an account, a verbal explanation of the behaviour that 'disrupted the social order' and contaminated their sense of self. And this is so clearly what you and I have tried to do, and continue to do.

As Miller says in The End of Innocence: Reconsidering Our Concepts of Victimhood,[7] *trauma survivors – be they Vietnam veterans, Cambodians, Holocaust survivors, sexually victimised women, or firefighters who escaped from the World Trade Center – never become people to whom trauma didn't happen. But the ripples that flow outward from every traumatic event don't have to sink us, define us or assign us a single identity. 'Victim', I want to tell them, describes a specific moment in time, not permanent self-definition.*

Maybe this is stuff you already knew. Maybe you have worked through it all. Thank you for helping me to know it, and work through it, and see it from other perspectives.

Margaret

Joan Hambidge
August 2006

Margaret

As you can see, it is a postmodern text: the reader must collect the threads herself. The threads are truly Ariadne-like. If you were to consult Greek mythology, Ariadne gave Theseus a thread/piece of string in order for him to find his way back out of the labyrinth after defeating the monster...

> *He got out, yes, and – despite her love for him – left her in the end.*
> *And why did he have to defeat the monster?*
> *Because each year Minos gave the monster seven young women and seven young men. Theseus offered to fight the monster (minotaur).*

JH
12.8.06

RE: Endnote 2

Joan Hambidge: *Die Judaskus*
Chris van der Merwe

(http://www.litnet.co.za/leeskringe/, accessed on 21 August 2006)

Joan Hambidge, poet, critic and academic, surprised the literary world with the publication of her first serious novel, *Die Judaskus*, in 1998. This postmodern text is one of the most interesting Afrikaans literary works of this decade and will be read after it and possibly even after postmodernism.

The novel links up with reports in the papers about an alleged case of sexual harassment before the publication of the book. Readers who followed the story will notice many parallels (and differences) between the reported events and the portrayal of these events in *Die Judaskus*. According to the text, the novel was written to gain clarity and to interpret events three years after a very painful incident during which a student accused a lecturer of sexual harassment.

Central to the novel is the complex relationship between text and 'reality'; between history and fiction. The reader already finds indications of the complexity of this relationship in the warning signs at the beginning of the book. The novel starts off with a letter to a publisher by the author; apparently an 'actual' text is used – but the letter is addressed to 'Pegasus-uitgewers', not Kagiso (the actual publishers of *Die Judaskus*), and signed not JH, but HL (this might be in connection with 'Heil die Leser'). The manuscript is entitled *Die Affaire* and not *Die Judaskus* and the letter writer warns explicitly that all events have been fictionalised.

The response from the publisher complicates matters more – the publisher's letter is signed CS; similarly, the book is dedicated to CS – the borders between text and history fade. Later it becomes known that *Die Affaire* might have been the initial title of the book. Thus, right from the beginning, the reader is warned not to draw easy borders between 'fiction' and 'reality'. *Die Judaskus* becomes a textbook illustration of '*die postmodernistiese problematisering van teksgrense*' [the postmodern problematisation of borders between texts] (p. 3) and the doubtful ability of language to represent 'reality' (pp. 58–59).

Within this postmodern framework you notice a strong intertextual structure – linking up with Derrida's view of the postponement of meaning during text interpretation; a movement from text to text without reaching a pause where the interpretation of 'reality' and 'text' becomes closed. Often we see Hambidge the theorist in action – the author of books on psychoanalysis and postmodernism, who links theories by Barthes, Freud, Lacan and Eco to the practice of living and writing. Sometimes she refers to recent news, for example about Hugh Grant – but these references are still determined not by 'what happened', but by the textual structure of the news report. Van Wyk Louw's *Tristia* features prominently, a book which, according to the text, had been discussed in class (once again a complex connection between text and experience), and movies the two of them saw together are mentioned. The student's formal complaint against the lecturer is quoted repeatedly, which then forms the basis for the lecturer's defence. Literary theory, literary text, film, news reportage, complaint and defence, love history – all are woven into a tight and complex network of textual experience.

The title refers to the story (text!) of Judas's betrayal of Jesus – the (initial) suggestion is that the writer–lecturer had been, like Jesus, betrayed by a Judas, a suggestion strengthened by the reference to the committee of enquiry as the 'Sanhedrin' (p. 38). The reference implies that the writer has been wrongly accused; later on this theme of guilt and betrayal is explored in a complex way. Guilt and innocence become imprecise: '*ons posisies word voortdurend omgeruil van verraaier na verraai wees*' [our positions constantly reversed] (p. 90), the lecturer writes. One of the mentioned possibilities is that the relationship was caused by the author's secret search for creative stimuli, so that the search for text determined the relationship that became text. This leads to the next question: to what extent is the creative person motivated by fate (pp. 133–134)?

The text consists of four parts. The first part, which commences with the correspondence with the publisher, divulges the central aspects of the relationship history and develops in thirteen parts – thirteen being tied to the unhappy relationship. Part two, which has a stronger narrative and a clear fictional narrator, tells of her childhood and exposes harsh parallels between childhood and adulthood. Part three deals especially with a journey after the events in order to gain some

perspective. It takes the form of a travel journal with apparently little fictionalisation – 'reality' pushes through as it happens. The fourth part deals with the creation of a novel based on the events and is a kind of logical end. The ending refers you to the beginning (the letters), by which the whole history gets caught up in a circle within the text. To conclude, a number of loose notes are given that couldn't have fitted in well elsewhere in the structure, just as aspects of the painful experience could never be fitted into a coherent pattern.

Fundamental life patterns are revealed in the writer–lecturer: still the hopeless longing for absolute love (p. 98), but also the discomfort with the moments of contentment; the self-destructiveness (the 'hell-bent on destruction'), the addiction to saying goodbye and to the pain of loss (p. 132). This specific case is broadened to general themes of the transience of people and relationships, the loneliness of the outsider, the pain of loss, purification through pain, and healing brought on by the creative process.

As is expected, the story is characterised by elements of the biography and autobiography, by letters, diary entries and journals – genres which all point to the close connection to 'reality'. There is not a linear plot, with a beginning, middle and end, and no chronological development; rather, it moves in circles, which often return to the same matters, in new variations, driven to deal with the past – almost like a descent into Dante's concentric circles of hell.

Despite the seeming haphazardness, the work as a whole forms a delicately planned structure. The novel is more than a crafted construction; through the texts the reader becomes aware of an intense pain that lies behind the words. *Die Judaskus* is a novel that remains with you for a long time.

RE: Endnote 5

Scenes from the sex wars

(*Sunday Times* 18 August 2002, accessed at http://www.sundaytimes.co.za)

The UNISA harassment case took us to the dark heart of sexual politics, write wife and husband Margaret Orr and Leon de Kock

> Men know they are sexual exiles. They wander the earth seeking satisfaction, craving and despising, never content. There is nothing in that anguished motion for women to envy. (Camille Paglia)

SINCE the beginning, our relationship – the union of two sometimes incompatible souls – has been fortified by conversation. A long and inconclusive roll of dialogue unspooling itself down the years, sometimes bitter, sometimes libidinal, often speculative, but always committed to an overriding ideal: insight.

Not that we imagine we ever fully achieve it. But that's the whole point. As perpetual students, we believe that language only ever takes one to the tantalising brink, the exhilarating edge of a kind of luminescence, a crack in the threshold, beyond which perhaps lie the ever-receding and multiply refracted lightstreams of sheer shocking truth.

Few things are ever only what they appear to be. There are layers upon layers upon layers. Once you believe this, once you refuse to settle for the complacent anecdote, the easy explanation, the flip putdown or the capsule commentary, you are doomed to what we sometimes realise is a kind of conversational 'evisceration'. But there is no alternative: it is an addiction.

So what do two insight junkies do when their conversational reverie is shattered by a sexual harassment trauma followed by a 31-month battle to be heard and find closure?

They talk. Endlessly. Weekends and long nights. Hours on the cold stoep in the Highveld winter, smoking the cigarettes they are disgusted with themselves for having succumbed to after 12 nicotine-free years. Unpacking and unravelling and deconstructing scripts about sexuality; conducting intense debates about power, principles and crusades; about the nature of karma; about the heart of darkness in themselves and others; about how men and women see each other, speak to each other, mutilate each other's individuality; about themselves and each other and a moral universe and a life turned inside out.

Men's minds are sewers, Margaret's father warned her darkly when she was a teenager. And at Pretoria High School for Girls, Margaret's experience mirrored that of American writer Naomi Wolf, who describes being socialised into a script that 'depicted [girls] as civilised, rational beings compared with the boys, who were so deranged by their sex drive that it was up to us to fight them off'.

The implicit message was that if a cross-gender interaction went out of control, blame would be consigned to the girl's inability to exert a sufficiently civilising influence – and she would swiftly be located on the far end of a good girl/bad girl dichotomy.

At about the same time, on the other end of Gauteng's grimy axis, Leon was learning, at a co-ed morass called Mayfair High School (then led by a headmaster known as 'Bonehead' and now mercifully defunct) that, among boys, gender relations were captured in a simple question: 'Did you grip her?'

Leon's exploits in the sex game were most often less than gripping, but the damage had been done: by the time he connected with Margaret in the mid-1980s, seeking to be a New Age Man, his psyche was grappling with a quite predictable split.

Again, Wolf captures it. Writing about 'that post-feminist erotic polarisation in "sensitive" men', she says that 'the stereotypes for men attentive to feminism were two: Eunuch, or Beast'.

We wanted to refuse these stereotypes in ourselves. We wanted to reject both the Madonna–Whore as well as the Eunuch–Beast versions of sexuality.

Intuitively, we were looking for the more ennobling of the alternatives contained in the New York Task Force Report on Sexual Harassment in Federal Government: 'Power can be used wisely and fairly, or it can be used abusively. The same is true for sexual behaviour and expression, which can be used to give pleasure, to show love and to create intimacy and joy, but can also be used abusively to bully, threaten, intimidate, control, degrade, demean or coerce.'

We tried to talk a new language in which sexuality was liberated from knee-jerk reactions, and we often succeeded, but we also sometimes unwittingly enacted the less happy scripts of our childhood.

We were walking that familiar marriage tightrope, our knowledge of the drop offset by the excitement of the walk. And we continued talking, in sickness and in health, for better, for worse...

We were professional academics who believed that if you worked harder and smarter than average, it was legitimate to be ambitious. We wanted professorships, so we published, conferenced, gave our best to students, wrote books and sat in endless committees.

We were looking after our bodies, doing things like gym and yoga, and trying to learn enlightened life skills; we were far from perfect and we kept on setting higher standards for ourselves, just so we wouldn't get complacent.

Then it all went bust.

The story is now well known, the stuff of headlines. But its becoming known was never something we could rely on. For most of the process since Margaret lodged a complaint of sexual harassment against the chairman of UNISA's council, advocate McCaps Motimele, we have been bound to procedural confidentiality.

On one hand, we were – and still are – apprehensive of making defamatory public comments, and we were especially fearful about the potential for racial polarisation.

In a tertiary sector struggling to correct its demographics – a process Margaret is on record for supporting via her votes in council for the first two black deans at UNISA – white voices raised against the self-declared leaders of transformation have understandably become suspect.

And indeed, once the matter was made public, the other side immediately cast it in a racial–political mould. At a UNISA demonstration, a poster proclaimed that the 'white racist bitch' was 'using her womanhood to derail transformation'. In other words, she was the white bait of a supposedly retrograde and change-averse trade union.

In a classical ideological about-face, the complaint was dismissed by the defendant and his supporters, in the media and elsewhere, as an attempt to get rid of a champion of transformation – a dirty little racist plot.

On the other hand, we knew what we knew. And we were beginning to learn the price one pays for publicly challenging an ascendant, hegemonic political order. The gap that we perceived between the rightness of that order – the rightness of true democratic virtue – and its corruption by the actions we were complaining about was ignored by our transformation-minded council at UNISA.

In addition, even a procedurally fair consideration of the possibility of an abuse of power was rendered impotent. Margaret's role at the university, where she had earlier been seconded to a high-profile performance management project, was undercut by suspicion, irresolution and downright prurience.

UNISA's official attempts to resolve the matter can at best be described as constipated, and the vacuum of institutional silence and the consequent ambiguity about her status that followed over a period of months, then years, became a breeding ground for personal despair.

Then there was the personal toll. The litany of physical and psychosomatic ills. More ominously, the sense of a generic male Beast had reasserted itself in the mythology of our marriage.

We found ourselves forced back into an awareness of the New York Task Force Report's less ennobling version of sexuality: suddenly we were all too aware of the abusive and bullying extreme – the gloved hand of coercion and humiliation – and we felt exiled from the joyful and intimate. The event and its psychic ramifications wreaked havoc with our already fragile calibrations of sexual consent and power.

Under such circumstances, it is easy to start believing that it was a mistake in the first place to have been so stupid, so deluded, to have thought you could make a complaint against people in authority and get anything in return except a huge kick in the teeth.

In typical academic response to ambiguity, we started to read and do research on the implications of sexual harassment in terms of institutional effect and personal loss:

- Only 10–15 per cent of women respond assertively to or report sexual harassment;
- Fifty per cent of women who filed sexual harassment complaints in California were fired, and 25 per cent resigned due to the stresses of the complaints procedure or the harassment itself;
- Ninety to 95 per cent of sexually harassed women suffer some debilitating stress reaction, including anxiety, depression, headaches, sleep disorders, weight loss or gain, nausea, lowered self-esteem and sexual dysfunction;
- Victims pay all the intangible emotional costs inflicted by anger, humiliation, frustration, withdrawal, dysfunction in family life or other damage that can be sexual harassment's aftermath; and

- None of the victims interviewed by the New York Task Force was 'made whole' by going to court.

How did we ever think that we could buck the trend?

We read the reassuring and insightful Wolf, but also the famously acerbic Camille Paglia, who dismisses the scenario of 'male rapaciousness and brutality and female victimage' and asserts: 'We cannot have this, these white middle-class girls coming out of pampered homes, expecting to do whatever they want. They don't understand what's going on, that there's a sexual content to their behaviour, that maybe there's a subliminal sexuality, a provocativeness in their behaviour.'

Such comments played into Margaret's darkest apprehensions – that her naivety, stupidity and possibly inadequate professional *gravitas* had made her easy and obvious prey.

But whatever our apprehensions and doubts, having committed ourselves to the course of speaking out, having defied the profound and shaming silence that most survivors of sexual assault inhabit, we had very little choice but to continue on a highway with fewer and fewer off-ramps.

And over the nine months that the Bam Commission (appointed by the UNISA council to investigate the matter) took to reach its oxymoronic conclusion that it was unable to reach a conclusion, the weeks of mediation, the months preparing for the Commission for Conciliation, Mediation and Arbitration case, and then the court cases, we did the only thing we knew how to do – we tried to make meaning and shape out of an experience that seemed increasingly chaotic, messy, ugly and pointless.

There was also often the curious sense of the couple stumbling through this experience with us on the other side of our looking-glass – Motimele and his wife.

One of the more disconcerting suggestions raised in the course of the Bam Commission's fumbling attempts to resolve the issue was that, as it was a 'family matter', we should meet the Motimeles over dinner and try to sort things out in a social way.

The suggestion struck us as profoundly inappropriate – we thought it might make an intriguing one-act play but we couldn't envision it achieving much resolution. This was not a matter of patriarchal-property violation, to be resolved over wine, whisky and expensive food in a Sandton restaurant.

Public interest was involved – and the 'family' that needed to look to the manner in which power and property was being distributed, by whom and by what means, was UNISA.

But our awareness of the other nuclear family involved reinforced our speculation and wonderings and questioning about what it is that drives men, how

men and women negotiate the compromised spaces between them, what bargains they strike and what costs both pay.

We are left, finally, with questions rather than answers – the stuff of more conversation, no doubt. But our most empowering discovery has been that in a transformed South Africa it is possible to resist compelling scripts of tyranny and subjection, both from within and from without.

First, the voices of people designated as 'white' are not necessarily delegitimated simply by historical guilt; anyone can and should make a stand against what they perceive as a cynical and damaging abuse of power, despite the cost in time, health and serenity.

Second, we are learning a new language of comradeship despite our location on different sides of the gender struggle, and despite the many histories of our past. There are other paths to walk, and we mean to find them.

Orr and De Kock were both professors of English at UNISA when Orr laid the charge of sexual harassment against Motimele. Orr is now director of the Centre for Learning, Teaching, and Development at WITS University. De Kock is still at UNISA.

RE: *Buttons and Breakfasts*

Women academics let off steam to crack the ceiling
Shanthini Naidoo

(*Sunday Times* 6 August 2006, accessed at http://www.sundaytimes.co.za)

'You are an ordinary woman. A bit of an introvert. You like books, gardening, movies. You love your kids, you do your best to love your husband, you often don't feel quite grown-up enough to be doing the superwoman stuff of being a professor, running a home, managing birthday parties, your team, sibling squabbles and ageing, ailing parents. You like to be liked. You like to see yourself as a peacemaker, gentle, caring, sympathetic, a voice of reason and sensitive compromise in heated meetings. You think you're a nice person. You believe you're pretty much a "good girl".

'And then suddenly you find yourself having blundered into a zone where it's really dumb to have brought your vagina to work.

'In 1999 I arrived on the council of UNISA. The youngest member apart from the student representatives. One of a handful of women in a room full of men. In the high-backed chair at the head of the room, the only seat fitted with a microphone, was the chairperson of council – urbane, authoritative, in a bespoke shirt with monogrammed cuffs, his yellow Lamborghini with its vanity plate in the plum parking place below the council chamber windows. Skirted in pale leaf-green, surrounded by a wisp of Angel perfume (it was far too expensive to wear every day, but it accompanied me to council meetings to give me confidence), I must have looked like easy prey. And the chairperson homed in on me' (excerpt from Margaret Orr's article 'Iron Ore').

PROFESSOR Margaret Orr has written for the first time how she was 'groped and pawed' and had a 'whisky-flavoured tongue thrust into [her] mouth'.

The face behind the headline-grabbing case of sexual harassment brought against her then superior, the University of South Africa's chairman of council, McCaps Motimele, Orr has teamed up with other academics to write about their struggles as career women.

In 1999 Orr's battle to be heard began. She lost a job and a marriage, was enveloped in a media frenzy, and even student marchers proclaimed her a racist and anti-transformation.

She describes in the book: 'Toyi-toying on the steps of UNISA, they waved posters saying "Margaret, give us a kiss"; "Margaret Orr is a white racist bitch"; "Professor Orr is a slut".'

She was forced to resign from UNISA and resume her career at the University of the Witwatersrand.

Now she has put her version of events down in *Buttons and Breakfasts*, in which women at WITS detail their triumphs and failures. Included in the list of writers are Dr Susan Chemaly, a senior lecturer in pharmaceutical chemistry; Dr Moyra Keane, an academic development adviser in the Teaching and Learning Centre in the Faculty of Science; Orr's sister, Dr Wendy Orr, a medical doctor and now a consultant at WITS; and Dr Norma M Nongauza-Tsotsi, dentist and researcher at the School of Public Health.

In an interview with the *Sunday Times*, Orr said: 'It's my turn to speak and be heard. There was a lot of publicity at the time but all of those were other people's interpretations. I am trying to make it more real, rather than a stereotypical story [of sexual harassment].

'I was presented as a hero of the feminist cause, and it was quite disconcerting being portrayed that way. The book shows a nuanced version of how it feels just as a woman.'

When she joined WITS and started to pick up the pieces of her life, Orr decided to make the most of the experience which very nearly crippled her career.

She began a campaign to empower the women academics of WITS who were hitting glass ceilings so hard they had permanent scars in their psyche.

'At senior lecturer level 60 per cent are women, and of the professors 15 per cent. Something happens in between that stops women from advancing – and that is not just with universities,' she said.

Orr started workshops aimed at teaching women to stand up and take their place in the academic hierarchy. The 'WonderWoman' weekend lessons usually ended in discussions of their personal experiences, in which they found profound similarities despite their different life situations – their gender the common ground.

From sauna-based discussion sessions during a year of weekend workshops came a book that will be launched on Wednesday, national Women's Day.

'By 2004, we had taken four groups of women through the programme, and the pressure of the unwritten narratives became irresistible,' said Orr.

'We would sit around in the steam room or over dinner telling stories, and they were just so fabulous we thought we had to write it down, for women in general,' she said.

The women shared their struggles with low self-esteem, feelings that they would never be successful, juggling marriages and children and 'the pompousness of the male environment'.

The book's title, explained Orr, comes from an old quotation, which badly needed updating: 'If all the ladies should know about spectroscopes and cathode rays, who will attend to the buttons and breakfasts?' It was asked of Wellesley astronomy professor Sarah Whiting by a male colleague in the 1880s.

Edited by Orr, with WITS professor Mary Rorich and poet Finuala Dowling, the book offers cautionary and inspirational tales for 'young career women, and startling insights for men who wonder what women are really thinking'.

Orr calls the book a struggle document.

In the preface, she writes: 'This is a book about the struggle of a young girl to become a professor; the struggle to balance a life of possibilities with hard choices and frenetic multi-tasking; the struggle to keep a sense of meaning and direction and – critically – a sense of humour in the journey to and into and through academe.

'There are journeys here from dusty township to dental school, from dropout to doctorate. There are testimonies of careers kept aloft through sexual harassment cases, pregnancies, cancer, marital break-up and personal despair.'

Orr said readers would recognise themselves in the tales.

'We discovered that women don't take work as seriously as men because there is so much for them to do. But we saw also that those who are successful didn't have a recipe for success; they had to work very hard. We wanted to point out that it's not easy, but it can be done,' she said.

and Another

The Silent Treatment

By Naomi Wolf

1 March 2004

(Accessed at http://www.newyorkmetro.com/nymetro/news/features/n_9932/)

She was a Yale senior. He was the superstar professor she'd hoped to impress – until he put his hand on her thigh. Two decades later, she's speaking out. But her alma mater still isn't listening. A story of sex, secrets, and Ivy League denial.

Twenty years on, I am handing over a secret to its rightful owner. I can't bear to carry it around anymore.

In the late fall of 1983, Professor Harold Bloom did something banal, human, and destructive: he put his hand on a student's inner thigh – a student whom he was tasked with teaching and grading. The student was me, a 20-year-old senior at Yale. Here is why I am telling this story now: I began, nearly a year ago, to try – privately – to start a conversation with my alma mater that would reassure me that steps had been taken in the ensuing years to ensure that unwanted sexual advances of this sort weren't still occurring. I expected Yale to be responsive. After nine months and many calls and emails, I was shocked to conclude that the atmosphere of collusion that had helped to keep me quiet twenty years ago was still intact – as secretive as a Masonic lodge.

How did this all begin? For years now, Yale has been contacting me: Would I come speak at a celebration of women at Yale? Would I be in a film about Jewish graduates? Would I be interviewed for the alumni magazine?

I have usually declined, for a reason that I explain to my (mostly female) college audiences: the institution is not accountable when it comes to the equality of women. I explain that I was the object of an unwanted sexual advance from a professor at Yale – and that his advances seemed to be part of an open secret. I tell them that I had believed that many Yale decision-makers had known about his relations with students, and nothing I was aware of had happened to stop it.

Where is the professor now? they ask. He is still there, I explain: famous, productive, revered. I describe what the transgression did to me – devastated my sense of being valuable to Yale as a student, rather than as a pawn of powerful men.

Then, heartbreakingly, a young woman will ask: 'Did you tell?'

I answer her honestly: 'No. I did nothing.'

'Have you never named the guy, all these years on?'

'No,' I answer. 'Never.'

'But,' she will ask hesitantly, 'don't you have an obligation to protect other women students who might be targets now?'

'Yes,' I answer. 'I do have that obligation. I have not lived up to it. I have not been brave enough.' And then there is always, among those young, hopeful women, a long, sad silence.

After such speeches, a young woman will come up to me – in Texas, in Indiana, in Chicago – in tears: 'My music professor is harassing me,' she'll say. 'I tried to tell the grievance board, but they told me it is my word against his, and that there is no point in pursuing it. I know I won't get a job if I do anything about it. My lit professor made a pass at me; he is grading my senior thesis. My female adviser basically told me to drop it if I want to graduate; to switch classes; to start all over with another subject. My lab instructor keeps putting his hands on my body, and his mentor is on the grievance committee. I can't sleep. What should I do?'

I am ashamed of what I tell them: that they should indeed worry about making an accusation because what they fear is likely to come true. Not one of the women I have heard from had an outcome that was not worse for her than silence. One, I recall, was drummed out of the school by peer pressure. Many faced bureaucratic stonewalling. Some women said they lost their academic status as golden girls overnight; grants dried up; letters of recommendation were no longer forthcoming. No one was met with a coherent process that was not weighted against them. Usually, the key decision-makers in the college or university – especially if it was a private university – joined forces to, in effect, collude with the faculty member accused; to protect not him necessarily but the reputation of the university, and to keep information from surfacing in a way that could protect other women. The goal seemed to be not to provide a balanced forum, but damage control.

Finally, last summer, I could no longer bear my own collusive silence. Yale had reached out to me once again. The Office of Development had assigned an alumna to cultivate me: she sent a flattering letter inviting me to join a group of women to raise money for Yale.

I wrote my own letter back to Charles Pagnam, vice-president of development. I could not join such an effort because I had been sexually encroached upon at Yale twenty years ago, I explained. The professor involved was still a very visible presence on campus. I wrote that I did not know what steps Yale had taken to protect students, and I wanted to know about the effectiveness of the grievance procedures now. I asked for a private meeting. I heard nothing.

Weeks later, I called Pagnam, told my story to his staff, and re-sent the letter. Again, no response. More waiting. I called the dean of Yale College, Richard Brodhead. He took my call right away. I told him I was calling because I was sexually encroached upon twenty years ago by someone on his faculty, and I wanted to set up a confidential meeting to address it. I wanted to be sure, I said, that Yale's grievance procedures are now strong.

Brodhead seemed to know who I was talking about. He implied the man in question was not well. 'I don't think you understand why I am calling,' I said. 'I don't want to bring a lawsuit against Yale or Harold Bloom. I don't want the meeting, or this experience, to be public. I simply need to know that the institution is accountable.'

'I'll get back to you,' he said. He didn't.

After months of silence, I called Pagnam again, determined to reach him. I was starting to feel like Glenn Close in *Fatal Attraction*. One assistant responded brightly: 'You should try the Women's Studies Program!'

It was now about six months since I had first sought a response from Yale. To my amazement, I was facing a blank wall.

I was also in a state of spiritual discomfort. Keeping bad secrets hurts. Is a one-time sexual encroachment by Harold Bloom, two decades ago, a major secret or a minor one? Minor, when it comes to a practical effect on my life; I have obviously survived. This is the argument often made against accusers in sexual harassment cases: *Look, no big deal, you're fine.* My career was fine; my soul was not fine. I had an obligation to protect others from which I had run away.

Every Yom Kippur, Jewish tradition requires a strict spiritual inventory. You aren't supposed to just sit around feeling guilty, but to take action in the real world to set things right. We pray, '*Ashamnu. Bagadnu.* We have acted shamefully...behaved wickedly.' The sin of omission is as serious as the sin of commission.

Every year, I wonder about the young women who might have suffered because I was too scared to tell the truth to the people whose job it is to make sure the institution is clean. I am not at peace when the sun sets and the Book of Life is sealed: I always see that soft spot of complicity.

All interpretations are based on texts, email conversations and reality.

Joan Hambidge, UCT
April–August 2006

Acknowledgements

p 252 'Scenes from the sex wars' reprinted with permission from *Sunday Times Insight*

p 257 'Women academics let off steam to crack the ceiling' reprinted with permission from *Sunday Times*

p 260 'The Silent Treatment' reprinted with permission from the author

Notes

1   University of South Africa, one of the largest distance education universities in the world, and the largest university in South Africa.

2   For a striking inversion of the order, read Joan Hambidge's *Die Judaskus* (1998), in which the writer goes through a similar, but inverted, process. I refer readers to my essay about Susan Sontag (15 April 2004), in which different aspects are interwoven: essay, story, fantasy, reality (available at www.litnet.co.za, accessed on 5 August 2006).

3   In August 2002 McCaps Motimele paid Margaret Orr R150 000 plus legal costs in an out-of-court settlement. At the time Motimele was the council chairperson of UNISA.

4   Jane Gallop's *Feminist Accused of Sexual Harassment* (1997) is an important landmark text, like Joan Hambidge's *Die Judaskus* (1998).

5   Scenes from the sex wars, *Sunday Times* 18 August 2002.

6   The original Afrikaans texts have been translated into English by the author for the purposes of this chapter.

7   See http://www/psychotherapynetworker.org/endofinnocence.htp.

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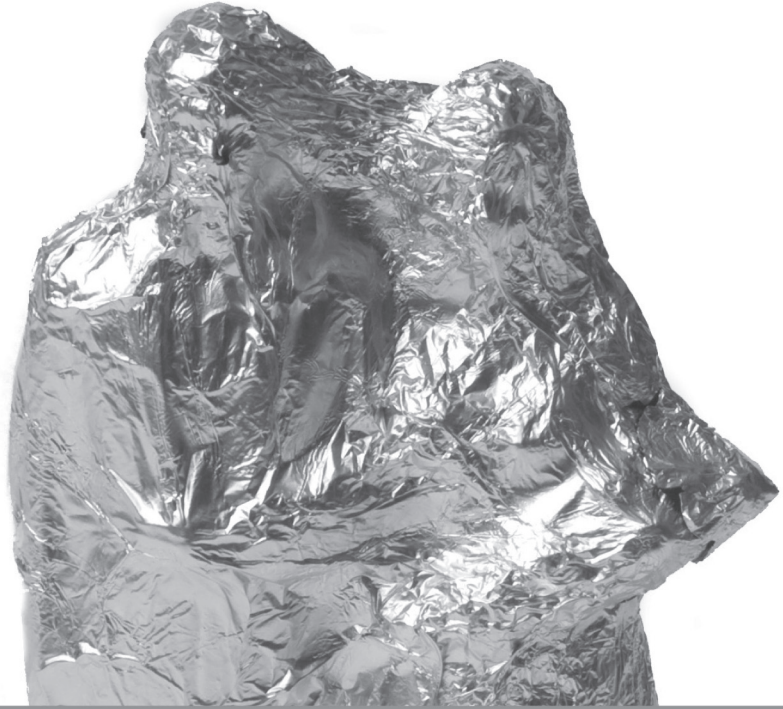
HOLDING ONTO THE PRIZE

Holding the centre involves hard discursive work, and involves ongoing maintenance of practices which (re)energise dominant hegemonies. Discourses under challenge need to be reworked, recoded and sometimes even renamed in order for privileged positionalities to be (re)secured.

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Heterosex among young South Africans: Research reflections

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WHILE SOUTH AFRICAN RESEARCH on sexuality has been relatively marginalised historically, there has been a definite growth in interest over the last two decades. The intensification of a focus on sexuality, particularly that of 'at-risk' (for sexually transmitted infections or unwanted pregnancies) and young people, has much to do with the imperative to address HIV/AIDS and the increased public awareness of issues of gender, gender-based violence and women's oppression in our context. It is evident that heterosexual sexuality (heterosex) is enmeshed with dominant constructions of gendered identities and practices, as well as with gender power relations, coercion and violence. As a consequence, there is now widespread agreement that addressing HIV/AIDS, for example, necessarily involves larger scale and deeper interventions at the level of gender and male–female negotiation of heterosex.

This chapter presents the key findings of a qualitative discourse analytic study carried out with students at the University of the Western Cape in the late 1990s. The discussion of the study constitutes a very broad sweep of the central findings together with some of the voices of participants, presented through the lens of their contributions to debates about theory and practice towards gender transformation, particularly within the realm of heterosexual negotiation.

Research on heterosexuality in local context

Since the explosion of concern over the rapid spread of HIV infection in the early 1980s, the focus on sexuality by social scientists globally has stimulated a proliferation of research on sexual practices. For many, the AIDS pandemic has been viewed as facilitating the realisation of 'the essential and extremely problematic nature of sex and sexuality' (McFadden 1992: 158) and it has been widely claimed and illustrated that gender relations play a crucial role in the spread of HIV (see for example Abdool Karim 1998, 2005; Amaro 1995; Du Guerny & Sjoberg 1993; Holland, Ramazanoglu & Scott 1990; McFadden 1992; Patton 1993; Salt et al. 1995;

Seidel 1993; Weiss et al. 1996). It has also been shown that South African women who are in male-dominated or abusive relationships are at higher risk than other women of contracting HIV/AIDS (Dunkle et al. 2004; Garcia-Moreno & Watts 2000; Kalichman et al. 2005; Van der Straten et al. 1998). While the gaze internationally was briefly on gay sexuality, it has always been more than evident that heterosexual transmission is the primary mode of infection within the sub-Saharan context and that women and young people are disproportionately infected and affected by HIV/AIDS (Harrison 2005; Shisana et al. 2005). The most recently published national prevalence survey (Shisana et al. 2005) shows that 5 per cent more South African women and girls (13.3 per cent) are living with HIV/AIDS than boys and men (8.2 per cent).[1]

South Africa has followed the global trend of prioritising research which will inform behavioural intervention in unsafe sexual practices, and there has been a proliferation of research on (hetero)sexuality over the last decade. As illustrated internationally, the intersection of economic context, cultural prescriptions and gender power inequalities in the negotiation of heterosex has been widely demonstrated; in particular, the articulation of gender with age, class and culture positions young, poor women as especially vulnerable to HIV infection and sexual abuse (Harrison et al. 2001; NPPHCN 1995; Simbayi et al. 1999; Strebel 1993; Varga & Makubalo 1996). The colonial heritage of poverty, war and physical dislocation (such as migrant labour systems) has been found to further mediate women's ability to protect themselves from HIV infection (see for example Campbell 2001; Campbell et al. 1998; Hunt 1989).

The central role that cultural practices of gender power inequality play in the transmission of HIV continues to emerge in a wide range of local studies which illustrate how gender power relations are played out in the negotiation of heterosex. Studies have highlighted key aspects of this context of non-negotiation for women, including male power in control and decision-making in relationships, lack of communication between men and women in heterosexual negotiation, men's resistance to 'safe sex' practices and the use of violence or the threat of violence in reproducing unequal sexual practices (Shefer et al. 2000; Strebel 1993; Varga & Makubalo 1996; Wood & Foster 1995). A focus on condom use in particular has drawn attention to the problematic dynamics of heterosexual negotiation, highlighting male power, women's inability to assert their needs, and the way in which men's sexuality is privileged in decisions regarding condoms (Abdool Karim et al. 1992; Bremridge 2000; Lesch 2000; MacPhail & Campbell 2001; Strebel 1993; Varga & Makubalo 1996; Wood & Foster 1995). The failure of cognitive models of intervention is illustrative of the emergent argument around the complex and largely irrational contexts in which the operation of gendered power in the negotiation of heterosex takes place (Ingham et al. 1992; Kahn 2008). There is also

a growing body of local work that points to the lack of a positive discourse on female sexuality that is believed to play a key role in the challenges to the negotiation of safe and equitable sexual practices (Kahn 2008; Lesch 2000; Lesch & Kruger 2004; Miles 1992; Shefer 1999, 2003).

Violence and coercion as a pervasive thread in the fabric of heterosex, linked with the power relations of gender, age and class, is documented widely internationally (for example Gavey 1993; Jackson 2001) and local research among adolescents and children reveals that their sexual experiences are similarly bound up with normative abusive practices (Buga et al. 1996; NPPHCN 1995; Richter 1996; Varga & Makubalo 1996; Wood & Jewkes 1998; Wood et al. 1996). It is not only overt violence that is commonplace in young people's sexual relationships; rather, more subtle forms of coercion and pressure appear to be indigenous in heterosexual relationships. In the literature on sexual negotiation, discourses of love and romance play a significant role in the reproduction of sexual coercion. This appears to be particularly salient for females who speak of 'giving in' to male pressure for sex because of 'love', commitment and fear of loss of the relationship (Varga & Makubalo 1996; Wood et al. 1996). In these studies, females' constructions of their sexuality as responsive to and in service of male sexuality emerge very strongly. While young women appear to be aware of power inequalities and double standards within discourses of love and sexuality, it is maintained that there is little space for resistance given peer pressure and male violence (Wood et al. 1996). A number of South African studies also highlight the widespread nature of coercive sexuality or unprotected sexuality linked to economic factors such as poverty, financial dependence and job security (for example Jewkes & Abrahams 2000; Vetten & Dladla 2000). Transactional sex, outside of dire economic need but in response to consumerist pressures for females, has also been shown to play a role in unsafe sexual practices (Leclerc-Madlala 2004). Also noted is anecdotal evidence that men are seeking younger women to have sex with in order to avoid sexually transmitted illnesses – this too may be contributing to coercive sexual practices (Simbayi et al. 1999). Similarly, the rape of young girls and babies, which some years ago was viewed in the media as resulting from the apparently widely accepted belief that sex with virgins is a way of curing or protecting against HIV/AIDS (loveLife 2000; Vetten & Bhana 2001), highlights the complex intersection of issues of gender and age in coercive, unsafe sexual practices.

In conclusion, an overview of current local research findings highlights continued practices of unequal and coercive heterosex, together with the reproduction of traditional gendered identities and practices within heterosexual relations. This literature predominantly paints a picture of young women as powerless victims and young men as powerful perpetrators. Disappointingly, it appears that feminist and human rights challenges to hegemonic heterosexual

practices and dominant versions of gender identity have had little impact on the identities and practices of young people in South Africa. On the other hand, some have pointed out the way in which current research on HIV/AIDS may inadvertently be serving to reproduce a rigid, deterministic picture of the traditional constructions of femininity as passive, and women as inevitable victims, with men as active and always powerful perpetrators and heterosexuality as an inherently problematic institution (see for example Shefer 2003). Arguably, there is little work highlighting resistances, alternative discourses and contradictions in dominant discourses on heterosexual practices.

A discourse analytic study on heterosexual negotiation

Our study was framed within the context of contemporary research findings and argued that an adequate understanding of coercive sexual practices and the barriers to safe sexual practices necessarily needs to incorporate an exploration of how men and women perform their sexualities and negotiate heterosex. Within this framework, a discourse analytic study was carried out utilising qualitative data from the transcripts of 17 focus groups (a total sample of 133 participants), some of which were single-sex groups and some with both male and female participants. Participants were drawn from the population of third-year psychology students at the University of the Western Cape. They were predominantly 'young' (mean age of 25.4 years, or 23 years if excluding the part-time participants who are generally chronologically older), all black (in apartheid terms 'coloured' and 'African'), and represented a diversity of language speakers. Participants also carried out a free-association exercise in which they were asked to write about 'the first thought that comes to mind when thinking about sexuality with the opposite sex'.

Ethical and political issues in respect of this research were thoroughly considered. Anonymity and confidentiality were assured and the researchers were aware of and sensitive to the political issues and debates related to representing the experiences of participants. The debate about representation and power relations in research has been more than evident in the history of feminist research in South Africa (see for example Fouche 1993; Funani 1992; Gouws 1993; Sunde & Bozalek 1993; Thompson 1992). In this respect the primary researcher was intensely aware of her own identity as a white, middle-class, English-speaking, urban, older woman representing the experiences of black, predominantly young men and women, many of working-class, rural backgrounds and whose first language is not English. Furthermore, the position of power as a lecturer, reading students' voices through a particular ideological perspective and from a particular social location, was evident. While we carry a deep concern and ambivalence about such 'representation', the importance of conducting the research, given the imperatives outlined earlier, was

also acknowledged. Fortunately, a discourse analysis allows and even encourages an acknowledgement of the location and reflexivity of the researcher in the analysis of the texts. While discomfort and tension can arguably never be avoided in self-reflective qualitative research, it is important to be vigilantly self-critical in the analysis and presentation of the results and ever aware of the presence of such dynamics in the research process.

This chapter cannot hope to cover the full body of findings of the study, but an attempt to discuss the key themes, together with illustrative voices of participants, is made. The findings are predominantly presented within the context of reflecting on what these mean for the continued theorising of heterosex in South Africa as well as for educational and other interventions.

The entrenchment of difference

Gender and sexuality have been the very last domains to have their natural, biologised status called into question. For all of us, essentialism was our first way of thinking about sexuality and still remains the hegemonic one in contemporary societies (Vance 1989).

Throughout the study and within all the bodies of text utilised, the discourse of difference in which men and women are assumed to be inevitably and seamlessly Other to each other underlies much of the way in which participants constructed meaning of both their gendered subjectivities and the negotiation of heterosex. Mirroring modernist accounts of gender and sexuality, this discourse prescribes, regulates and reproduces sexed, gendered and sexualised subjectivity within the constraints of the binarisms of masculinity/femininity and the rigid heterosexist matrix of relationships between sex, gender and sexuality (Butler 1990a, 1990b). It is the pervasive truism of the essential (whether biological, cultural or social) differences between men and women that is most commonly used to explain and legitimate the way in which heterosex is negotiated or not negotiated. Within the focus groups the notion of inherent and immutable differences between men and women was used to explain and legitimate the problematic ways in which they negotiate heterosex, and emerged particularly through the male sexual-drive discourse, identified initially by Hollway (1989), in which men are viewed as driven by an urgent, uncontrollable sexuality. Women, on the other hand, are focused on love and relation and view sex as enmeshed with love relationships, a discourse which men frequently use to manipulate women into having sex with them. The words of one woman participant encapsulate the binarism:

> I think it also comes into, um, what sex is for women and what it is for men. Like I think that women have more of a, um, you know to sleep with somebody, for us, it is like more of a deep commitment, I think. It is not something that you would just like...go out and do, and especially it has to be

someone like your boyfriend. If it is not your boyfriend, then, you know, you are reluctant. And guys...it is not like that. I mean she doesn't have to be his girlfriend for him to sleep with her. (Women group, 11)[2]

In contrast, when asked what she thinks sex means for women, she replied:
> I mean...I think it is like more of a, it's something...maybe it's a bit naive to think that way, it is something like, it's beautiful and it's togetherness and it's emotional and everything. But for men it is more of, okay, when he wants it he seems very excited and fine. For a woman it is more than that. (Women group, 11)

Men similarly reproduce the binarism and the essentialism and determinism of biology (or, in other cases, of the social) in their talk on male and female sexualities:
> You can have sex with someone you love, but sex and love have nothing to do with each other beyond that...that's what I believe in. And I also say...I am a guy. I have biological needs. I need...to be satisfied. If a woman comes walking past here now, and just by the look of [her] she arouses me and I want to be satisfied by her, then I'll go for her...I'll go for her...to satisfy me. Now I don't really love her [laughs]. Now I don't say I'm going to get it. And maybe, in order to get it, I might have to pretend that 'oh I love you'... (Men group, 15)

In this respect, sexuality gets framed as a male domain which men control and set the terms for, and into which women must be inducted and guided. The difference discourse is explained and rationalised by a range of other discourses, such as those drawing on social psychology (notions of socialisation and modelling), culture and tradition (discussed below), and what we term a 'men are from Mars, women are from Venus' discourse, referring to the popular understandings of men and women as ultimately Other, inhabiting totally different psychological worlds and essentially unable to communicate with or trust each other. Here are some examples of how these are articulated:
> I think the problem of sexual relationships is a societal problem...The time to stop this should come from both sexes...maybe it should start on the ground...and the way our children are socialised now... (Man, mixed group, 6)

> I think it also involves culture and society...Men are supposed to initiate, I'm not saying it's right but...according to the demands of society and culture...it is expected of me to do all the initiating and dominate the situation. (Man, mixed group, 4)

> ...if we look at society there will always be mistrust...in the society...between the opposite sexes...maybe individually it can be achieved but I don't think we will ever trust each other...maybe if you do trust your lady in a way, there will always be people next to you that will say, 'Haa [no], you don't trust... you should never trust a woman. You can love a woman, but never trust her.' (Man, mixed group, 5)

Challenging the discourse of difference ultimately challenges the core of modern societies' deep assumptions of the binarism of masculinity and femininity, and of the dualism of sexuality/gender. This is a massive task given that it implies challenging not only the binarism between masculinity and femininity but the dualism of homo-/heterosexual as well, and the prescriptive relationships between sex, gender and sexuality. The notion of multiple and fluid sexes, genders and sexualities is tantamount to treason in the South African context which, it may be argued, is still highly heterosexist and homophobic (Cock 2003; Gevisser & Cameron 1994; Krouse & Berman 1993; Murray & Roscoe 1998; Potgieter 1997; Van Zyl & Steyn 2005).

Of course, shifting the discourse on difference – that is, calling into question the notions of sexual difference, and masculine and feminine subjectivity – requires reconstructing our entire reality. It requires the dismantling not only of the binarism of male–female, but also of the consequent heterosexualisation of subjectivities and relations which structures social reality, for 'to live in society is to live in heterosexuality' (Wittig 1989: 244). Imagining a reality outside of the hierarchical binarism of sex and outside of hegemonic phallocentric heterosexuality is then a challenge 'to the whole of our "world" ' (Silverman 1992: 1).

Heterosexuality as enmeshed with violence and coercion

In this study there were precious few representations of positive experiences within heterosex, especially for women. The powerful association of heterosex as bound up with violence and coercion was particularly evident. For example, in the free-association exercise the vast majority of responses reflected on negative experiences of heterosex: 22 per cent spoke of experiences of violence and coercion; 21 per cent reflected issues around the relationship between heterosex and male power; 4 per cent were about a negative or traumatic first sexual experience; and only 6 per cent spoke about issues of enjoyment and pleasure (the other responses related to issues such as HIV/AIDS, contraception and pregnancy, moralistic and religious discourses, sex as love and relation, and the importance of choice).

Students in the focus groups also frequently shared their own and others' experiences of date rape, marital rape and battering. The frequent occurrence of talk about violence in students' accounts reflects the pervasiveness of violence against

women in local contexts, as well as a heightened awareness among participants about such issues. Many of the examples given in the focus groups illustrate the way in which violence or the threat of violence is used as a means of regulating women's sexual behaviour. It is not therefore only out of normative concerns (prescriptions for women to be loyal to their partners) but also out of fear of punishment that women reproduce their constrained sexuality within the 'double standards'. Here are some illustrative voices:

> [talking about different sexual roles, very softly] Yes...most of the time the roles between two sexes do differ...because the man sometimes do[es] dominate and have violent sex. So women have to submit to that... (Man, mixed group, 3)

> Sometimes it happens without a woman's consent...you know...And that is rape itself...But because of the way...we have been socialised...if you get in a relationship with a man and then if he sleeps with you...I mean without your consent...He did not rape you...So most of the time it happens like that. (Woman, mixed group, 6)

> [following discussion on women's difficulties with insisting on condoms] It also brings in the issue of abuse. Maybe they've got abusive partners. If they can't do what their partner wants...then they get beaten up afterwards. (Women group, 11)

These findings are illuminative of the feminist critique of male regulation over women's behaviours, for women are 'virtually in a constant state of awareness about the ever-presence of men's power over women's physical and sexual autonomy' (Stanko 1985: 19). In this study, too, a discourse on violence as interwoven with notions of 'love' in relationships is articulated as an explanation for why women tolerate violence and avoid challenging men in their relationships, as has been documented in other local studies (Wood & Jewkes 1998; Wood et al. 1996).

The multiple examples of associations of 'normal' heterosex with violence and coercion present in the texts appear to be representative of South African women's experiences of heterosex, given the many accounts of sexual violence in local studies of sexuality elaborated earlier. They also echo the dominant trend in feminist literature to construct heterosex as equivalent to male power, inherently lacking negotiation and equity and always potentially coercive. Feminists have argued for the extension of the contemporary recognition of 'difference' to heterosexuality (Smart 1996) and the importance of speaking of heterosexual experiences which are based on equality (Hollway 1995, 1996). Similarly, within this local context, it is arguably important to develop a discourse which is not

only critical of dominant modes of heterosex and heterosexual relations, but also acknowledges differences and variation within heterosexual practices, and the possibility of positive, enjoyable heterosexual relationships which resist hegemonic masculinity, femininity and heterosexuality. On the other hand, it remains a priority to challenge violent and coercive practices within 'normal' heterosexual relationships and to acknowledge the role such practices and the threat of them play in disempowering women more broadly, as well as in the negotiation of positive and safer sex practices.

The lack of a positive discourse on women's sexuality and desires

In the focus group texts, an overwhelming silence was the lack of a positive discourse on women's sexuality and desires, which reflects the findings of other studies (Holland et al. 1991; Holland et al. 1996; Kahn 2008; Kippax et al. 1990; Lesch 2000; Wood & Foster 1995). The construction of sexuality as a male domain, with relationship and love as women's arena, serves to constrain the expression of female sexuality and desire. Women spoke of the difficulties with articulating their desire, male punishment for doing so and, when they did admit to sexual desire, they tended to problematise it or construct it as 'dangerous'. For example:

> Even though women know they have the right to speak up, I am not comfortable with it…They [men] find it so easy to do it…because of the way it has been socialised…I know in my experience it is the opposite…It is not very easy to talk about it…It is just not part of me. (Woman, mixed group, 2)

> [following discussion about why women don't challenge male-centred heterosex] He would think of you as a wild person…if you suggest or tell him that you are not satisfied…then he will think you're wild, a nymphet… (Woman, mixed group, 9)

> F6:[3] [follows discussion on women's difficulties with initiating sexuality] But men sometimes know that…they know their partners, so he can judge [from] her eyes, that now she is in need of something…because we are shy to speak even if we know that…I can say we are in danger because you are in that mood…
> Interviewer: Why does it feel *in danger*?
> [giggles from women]
> F6: Because you are in a mood and you want someone to relieve that [unclear]. (Mixed group, 7)

Furthermore, there were only four instances throughout the 17 focus groups where women acknowledged enjoying or desiring sex or orgasmic pleasure, and in most

cases there was a great deal of discomfort in the group when they did so. Also, it was predominantly older and/or married women who felt they could articulate such desires, as in these examples:

> And then there is this other issue, the issue of the climax. If one reaches climax, he doesn't bother whether the partner has reached her climax...
> You know [laughter from group] and really that is very crucial in a sexual relationship. Okay I am talking about this because, well, I'm married, and I think this is very crucial. Sex should be enjoyed by both parties, not just one person. Not after five minutes, somebody has been inside of you, then he's done and you are miles and miles away from reaching the climax...that is wrong [much laughter from group]. I mean, it should be a dual thing. (Woman, mixed group, 1)

> F4: ...They don't care whether the woman is satisfied or not...[laughter from women]...as long as they are satisfied themselves...
> Interviewer: And do you think that women are able to challenge that?
> [long pause]
> F1: You can challenge him by telling him that he is making you a sex object, because you are not enjoying anything, he's the one getting something from it...
> F6: But if you did tell him he is going to leave you...he is going to find another woman... (Mixed group, 7)

> Sometimes you wash yourself...You are longing for your husband. He is going to come, and you put on that sexy nightdress of yours...And then he will just come and just sleep and look the other way. (Women group, 13)

While these voices of resistance to androcentric sexuality are important, their marginality and their emergence within a realm of problematic heterosex highlight the lack of a positive discourse on women's sexuality. Given the argument made both locally and internationally that such a discourse is central in challenging women's lack of negotiation, which leads to unsafe, dangerous (hetero)sexual practices, attaining such a discourse for women is a significant goal (Holland, Ramazanoglu, Scott et al. 1990; Hollway 1995, 1996; Kippax et al. 1990; Lesch 2000; Segal 1994; Shefer & Foster 2001; Shefer & Strebel 2001). It is argued that an acknowledgement of women's sexual desires will shift the power balance and create new and different ways of being sexual that will destabilise the contemporary male-centred and male-defined domain of heterosex. A language of female sexual agency and desire is not the same as 'the permissive discourse' coined by Hollway (1989) to speak of the post-'sexual revolution' challenge to monogamy, which if anything may

have added to women's lack of power in the negotiation of heterosex by pressuring them to be sexually active without consideration of the power differences and double standards in the construction of masculinity and femininity. A positive discourse on women's sexuality is therefore also linked to women's broader empowerment and to the challenge to gender inequalities and the very construction of essentialised sexed, gendered and sexualised differences (discussed earlier). Thus '[w]hen young women manage the negotiation of sexual encounters safely it is because they are managing their own lives' (Holland et al. 1991: 25). Importantly, there is also a growing concern about the way in which responses to HIV/AIDS (in particular moralistic discourses) have negatively impacted on the possibilities for a positive discourse and practices of female sexuality (McFadden 2003).

While there have been many calls for a positive discourse on women's sexuality and the decentring of male-centred heterosex, this study also highlights the importance of an alternative voice on male sexuality and desires. Throughout the texts, there was a lack of a positive discourse on men's desires for non-sexual intimacy, their vulnerability, and their experience of a lack of sexual desire. The pressures on men to repeat the construction of hydraulic male sexuality and the punishments for failure were evident in the study.

In respect of educational interventions, the deconstruction of contemporary hegemonic male sexuality is an important focus. Challenges to the early and continuously repeated construction of masculinity as realised through (hetero)sex need to take place through educational programmes and in the development and unsilencing of alternative discourses on masculine subjectivities. Alternative discourses on masculine sexualities and desires will also facilitate the space for 'new' discourses on women's sexual desires, and vice versa. Kaja Silverman, referring in her study of 'deviant' masculinities to an articulation of alternative male subjectivities which resist conventional masculine subjectivity, maintains that there are significant 'gains implicit for the female subject in the "denormalization" of male subjectivity – gains which extend beyond the bedroom to the far reaches of our "world" ' (1992: 388–389). Silverman points out how conventional masculinity is predicated upon the denial of femininity. 'Deviant' masculinities, on the other hand, 'absent themselves from the line of paternal succession, and…in one way or another occupy the domain of femininity, which constitutes a way of saying "no" to power' (Silverman 1992: 389). Thus a large-scale restructuring of male subjectivity would impact on the construction of female sexualised subjectivities while also calling into question hegemonic heterosexuality and gender. It seems, then, an urgent task in the local South African context to continue the work of opening up spaces for the development or articulation of alternative discourses on masculine subjectivity, as well as for the proliferation of alternative masculinities and male sexualities themselves. In this respect it is encouraging to note the growing field of critical men's studies in

this country (see for example *Agenda* 1998; *Journal of Southern African Studies* 1998; Morrell 2001; Morrell & Ouzgane 2005; Richter & Morrell 2005; Shefer et al. 2007).

Resistance, subversion and voices of change

Throughout the analyses of the texts, subversive and resistant voices were also evident, challenging hegemonic heterosexual subjectivities and relationships and calling for change. The presence of voices of resistance is important in deconstructing the predominant picture emerging from local studies of male power and female vulnerability, and facilitates a shift away from constructing women as 'victim' only. In the focus groups, a critique of male power and women's subordination within heterosexual relationships emerges as a central discourse within students' discussions of heterosex. Here are some of these voices:

F3: You know what I find so strange about men, they always look for good girls...But they don't do good...They sleep around, but they always want the good girls. Always...the guy will say I want to marry a good girl, a perfect girl, a respectable girl...But they do the bad things [ja, ja from the women].
M2: If you were a guy...would you go to a bitch...and tell that one that you wanted to marry her?
F5: What about sleeping with that bitch? Because you do that...You sleep with that bitch and you sleep with that other one. But you're still looking for a good girl...and what do you do? You transfer disease to this good girl. (Mixed group, 5)

It happens when a man proposes sex and maybe a lady is not interested, and then...he will force you to engage in sexual activity...whereas you don't feel like it. So I think the fact that we live...in that...that patriarchal society, the male-dominated society...is putting us in difficulties. I mean even in our, our sexual relationship. (Woman, mixed group, 3)

Notably, some of the resistances that emerged in the focus groups were also frequently diffused by other participants, particularly through pathologising and Othering discourses. For example, when one woman participant spoke about 'some women' also having sex without love, given the strong dominant discourse that women are orientated towards love, another participant subverted her response by drawing attention to the relationship between sex without love and child abuse.

There were also clear discourses of change emerging in the focus groups. For example, there was evidence of a liberal feminist discourse which spoke of the importance of better communication and negotiation between men and women. From both men and women there was a particularly strong call for women

to become more assertive in expressing their needs and in challenging male behaviour. Some examples include:

> I think firstly the relationship must be mutual. Both partners must be equal and then they must discuss things and come to an agreement. You must not only allow the man to dominate...You must both be dominant. (Woman, mixed group, 7)

> I think that negotiations play a very important role. Just to sit down and tell your partner what you like from her, what you don't like from her...then in reverse she will do that. Then you will be quite happy, you will be quite a happy family...And even if she wants to have sex with you, she mustn't be afraid to tell you...Gone are those days, that you were saying males are dominating, we must meet one another halfway...So they must try and stand up as females. They have got the right to say... (Man, mixed group, 3)

> M3: I think women should exercise their [rights]...you must have your say in a relationship...It is just that I hate people who are playing games...For instance... in terms of contraceptives and things like the relationship breaking up – you should also have your say...Let it be heard that you don't agree...
> F3: I think that women should stop keeping quiet if they are dissatisfied in their relationships...They should tell their partners. (Mixed group, 6)

Admittedly there are problems with some of these discourses, in particular the way in which they utilise a 'blame the woman repertoire' (Gough 1998) and frequently rely on liberal humanist notions of change with a denial of structural power inequalities (Miles 1992). Nonetheless, there is clear evidence of the use of critical discourses, such as the discourse of male power which draws on a feminist analysis of patriarchal power to challenge women's lack of negotiation in heterosex and sexual violence. By positioning themselves in relation to discourses of change, no matter how problematic, and utilising critical discourses of hegemonic heterosexual practice, participants suggest the possibility of change in their own lives and in their local contexts.

In reflecting on the possibility of change, a number of trajectories are mapped out in post-structuralist works, which are of significance in the present study. Much of the discourse analytic work speaks of the centrality of contradiction in facilitating change. Hollway (1984, 1989) speaks of 'new' discourses, such as a feminist discourse, challenging 'old' discourse through the contradictions that emerge for subjectivities. Similarly, given that the reproduction of sexual/gender difference relies on a complementary relationship between male and female subject positions, 'contradictions in each person's wants of the other' will provide 'ground

for an interruption of its reproduction' (Hollway 1984: 259–260). According to this notion of change, there are grounds for arguing that there are multiple sites for change among these participants, who are clearly locating themselves within contradictory discourses which must be making some impact on their heterosexual practices and relations.

Discourse analysts have also highlighted the significance of gaps and silences, inherent in discourse, in the conceptualisation of change (Bhavnani 1990; Parker 1992; Strebel 1993). Silences and marginal voices may provide possibilities for resistance to dominant discourses. Thus change may also come through the development of 'new' discourses within these spaces of silence that offer a challenge to and necessarily destabilise the dominant discourses. As discussed, major areas of silence – places of potential change – in this study include the development of positive discourses on women's sexuality and desires; alternative discourses on male sexuality and heterosexuality which resist hegemonic male power and androcentrism in heterosex; and discourses on gender, sex and sexuality which resist the homophobic, heterosexist hegemonic order to recognise and respect multiple options for sexual subjectivity and relations. A growing body of local literature in critical men's studies, mentioned earlier, is exposing the complex, often contradictory discourses and contexts framing and constraining masculinities, as well as areas of vulnerability, resistance and potential for change in the way in which men and boys are experiencing their masculinity and sexuality (see for example Lindegger & Maxwell 2007; Mfecane et al. 2005; Morrell 2007; Pattman 2007; Ratele et al. 2007; Walker 2005).

In reflecting on interventions in the light of these notions of change, a focus could be on highlighting the contradictory discourses and silences that are evident in popular culture and among participants of the intervention programme. Bringing these to consciousness and exploring their conflictual effects may facilitate wider options for participants.

Local vs global meanings of heterosex
It is significant that many of the findings of this study, carried out in a local South African context, reflect the findings of studies carried out elsewhere – in Britain, the United States, other countries in Africa, South America, Central America and Asia. There is not a huge amount that emerges from this study that differentiates it from findings of other contemporary studies using similar methodologies and with a similar focus. Given the postmodern emphasis on locality, for both understanding and intervention, it was important to theorise the commonalities that emerged in this and other South African studies with findings from other countries.

One area of identifiable difference is that, in comparing this study with research in 'first world' countries, there appeared to be more adherence to

traditional versions of masculinity and femininity and less dominance of the feminist resistance to male power in the present study. This needs to be viewed within the history of the country and the national democratic struggle against apartheid, in which discourses on gender equality were fairly marginalised. Historically, patriarchal culture is deeply embedded in South African communities, across lines of class and 'race', and it is only more recently, following the 1994 elections, that the struggle against gender inequality has been popularised and legitimated. While women were active in the struggle against apartheid and there was some organisation around gender issues, given the intensity of class and colour oppression in South Africa, feminist discourses were and arguably remain fairly marginal, especially given historical derogatory connotations of feminism as foreign, western and white (Klugman 1993; Levett & Kottler 1997; Shefer et al. 1999). On the other hand, one would have expected more reflection of South African political changes and a stronger voice drawing on discourses of equality, given the national context of transformation, human rights and equality.

Ironically, it is mainly within the discourses of culture – a central discourse that emerged in the focus group discussions and which centres on the use of notions of 'culture' and 'tradition' in explaining (and ultimately legitimating and rationalising) gender inequalities in heterosex – that one experiences South African 'flavour'. This discourse has been highlighted in a number of South African studies (cf. Ramphele 1989; Shefer 2002; Shefer et al. 1999; Strebel 1993) and studies in other parts of Africa and 'third world' countries (for example Du Guerny & Sjoberg 1993; Salt et al. 1995; Schoepf 1988, 1992; WHO 1995). This discourse is articulated by participants as follows:

> But in these days, we should take into account the cultural background of people. I think the culture would influence the relationships in certain part[s] of South Africa. In certain cultures, it is wrong for the lady to initiate the sexual relationship, men are supposed to initiate. That in a way breaks the cooperation in the relationship... (Man, mixed group, 8)

> Another thing...It is very difficult, I am talking about me, I am from the rural areas of Transkei, then we went to PE [Port Elizabeth], so I am a Xhosa by birth so you can see that I have been influenced by my culture. To my culture it is very difficult to eat a sweet with a paper on [laughter]. (Man, mixed group, 3)

> ...our cultures are not the same – because in my culture, you can't tell that man 'right, you can do this and you do this'. He is going to tell you that 'I am the boss of the house' so if you don't listen to him you must go out... (Women group, 13)

It is interesting that discourses of culture do not emerge in studies in 'first world' countries, in spite of the fact that the discourses that emerge are obviously 'cultural' ones. The discourse on cultures in countries and cultures that have been historically Othered and marginalised may therefore be understood as part of that Othering process itself. For example, the majority of times that the terms 'culture' and 'tradition' are used in this study, they refer to African culture. 'Culture' becomes conflated with African culture, so that other (coloured, white, etc.) 'cultural' experiences of heterosex are explained in different terms, and not within the culture discourses. There is of course the sticky question that perhaps some cultures are more rigid than others in respect of sexual difference and power relations. Certainly this appears to be the belief of these South African participants and it is a significant part of the discourse on culture. This proposition is, however, problematic in the light of the postmodern understanding of the shifting, fluid nature of culture and the lack of unitary, seamless, ahistorical cultural practices or cultural groupings.

Looking at the similarities, on the other hand, it is not that surprising that there is much overlap in the findings of this study and those of other international studies. In spite of geographical differences and the multiplicity of contextual differences that go with that, there is also the context of globalisation and the commonality of temporal location. Furthermore, while there are similarities in discourses, there are also multiple illustrations of local languages and stories.

The debate about difference in local contexts and global commonalities mirrors a far broader debate within feminism and other oppositional theories/ practices. In this context it raises questions about strategies for struggle against hierarchical, exclusionary, oppressive practices related to heterosexuality, which take on particular local meanings and yet still appear to have much in common with experiences globally. While there is clearly a tension here and a danger of reverting to 'the old pretensions' of universality (Phillips 1992: 27), there is also significance in the linking of the multiple forms of gender oppression. In terms of making strategic interventions locally or globally, there are moments when it is important to highlight the commonalities, to make alliances, while at the same time recognising the partial, momentary nature of such an alliance.

Certainly it may be argued that in South Africa there are gains to be made in the struggle against sexual and gender inequalities, through negotiating alliances within the country and globally. Such alliances, however, need always to remember, recognise and confront the 'incommensurable realities' of different subjectivities across 'race', culture, language and other lines of social identity, and acknowledge the fragile basis of a 'unified' struggle (Ang 1997).

Another dilemma inherent in current debates about difference that emerges in thinking about strategies for change is the question of how to speak of difference

without reconstructing essentialised, unitary categories of difference. This tension is inherent in any struggles against oppression which simultaneously rely on underlining difference in order to struggle for change, while challenging the very construction of such difference. Vance points out this tension within feminism, which she maintains holds 'two somewhat contradictory goals, that of critiquing the gender system, and that of defending and advancing women's unique interests within a male-dominated system' (1989: 29).

Within the challenge to sexual difference, there are significant reasons for affirming difference as part of the challenge to hierarchical difference. Cornell (1997: 54) insists that 'one cannot simply neutralise dichotomies', for repudiating the feminine will merely result in the reproduction of the feminine (and women) as 'the degraded other that no person would want to be'. This highlights the importance of reconstructing a positive, valued femininity (which, Cornell adds, obviously will be 'determined, discussed, and contested only within the specifics of any historical struggle' [1997: 54]) and, in this case, female sexuality and desires, as a central part of the challenge to hegemonic heterosexual negotiation – and indeed shifting the very gender/sexual dichotomy itself. The tension will remain, but an awareness of the tension may act to safeguard against the compulsion (rooted in history) to universalise, essentialise and repeat the 'naturalised' binary opposites of traditional masculinity and femininity.

Concluding thoughts

There is a way of reading the findings of this study and other empirical data about heterosex emerging in the South African context that leaves one overwhelmed at the seemingly insurmountable task ahead. There are at the same time more hopeful readings which take cognisance of the active, challenging agencies of participants, of the contradictions, resistances and gaps in their discourses that allude to a potential for and a process of change that is already in the making.

This ambivalent space, contrary to normative expectations, is a productive and valuable one, for it both inspires and mediates the way forward. It may be argued that at this particular conjuncture of spatial, temporal, political and socio-psychological South African history there is a window of opportunity to make changes in women's (and men's) lives, some of which have already begun. Studies on local heterosex are powerfully illustrating the centrality of confronting the dominant mode of heterosexual negotiation and the underlying gender/sexual order of things as part of the change process. The proliferation of research and intervention in the area of sexuality, spurred on primarily by the need to halt HIV infection and gender/sexual violence, signifies an important moment in the broader challenge to gender oppression and violence, which should be utilised

as productively and critically as possible in our local struggles towards gender equality.

Notes

1 The latest survey is currently in progress.
2 Transcription convention: (Women group, 11) – the first part describes the group in terms of whether it was a single-sex group or included both men and women; the number is a coding system to differentiate the different groups.
3 Transcription convention: F1, M1 – participants are differentiated according to gender (F or M) and given a number to indicate different speakers. This more neutral means of coding was felt to be more appropriate than pseudonyms, given the vast number of groups and participants.

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14

Apartheid, anti-apartheid and post-apartheid sexualities

Kopano Ratele

THERE WAS UNDER APARTHEID a discernible racial constitution of sexualities, a configuration that provoked different forms of protest from those opposed to, among other things, the criminalisation of the act of love-making across the racial divides by the apartheid order's laws on sexuality.

The racial coding of sexualities which we were formally saddled with until the mid-1980s (that is to say, the politico-legislative framework within which those who are now called South Africans – an identification frame which will be given due attention later in the chapter – were permitted to express their sexualities) must, however, be located within a longer history. The race shape of apartheid sexualities, and thus of anti-apartheid and post-apartheid sexualities, redraws a colonial configuration of sexualities of the government of the Union of South Africa (and, of course, most likely an even longer historical configuration, discussion of which is left for another time).

In spite of a progressive legal order and a democratic political dispensation in the post-apartheid society, sexual subjects, which worried apartheid politics and society considerably, continue to trouble the present order. Although the laws that were enacted to regulate sexual intercourse between (those now called) African and (those now called) white were repealed nearly 20 years ago,[1] the argument made here is that many Africans and whites still appear to be troubled by the repressive legacies of apartheid laws and hence continue to live out the sexual identities, desires, fears and relationships that apartheid fathers sought to cultivate on this land.

Racist and anti-racist Acts in bed

Among South Africans there is much acknowledgement that the laws put on the books by the Nationalist Party government from about 1948 were, in the words of the former president of the African National Congress and first president of post-apartheid South Africa, Nelson Mandela, 'fascist' and 'insane' (Mandela 1994).

In less fervent terms, apartheid laws were discriminatory, by which it is meant they were supposed to produce negative results for African people and favourable consequences for white people (see for example De la Rey & Duncan 2003). One such discriminatory law was the ironically named Abolition of Passes and Co-ordination of Documents Act (No. 67 of 1952), better known as the Natives Act.[2] It was referred to by those who hated apartheid as the Pass law. The Act criminalised the free movement of natives and made urbanity – a key site for the expression of a modern Self – difficult for African people by making urban places whites-only living spaces. In the final analysis, the laws of apartheid intended to carnalise racist prejudice, to transmit prejudice into, as it were, the respiratory, reproductive and neurological systems of individual Africans and whites, given that racist discrimination can be defined as those practices that trail and materialise prejudice – that is, discrimination (behaviours by individuals, policies or institutions) makes manifest prejudice (often defined as attitudes), and as such apartheid was the *structural manifestation* of racially hostile attitudes.

However, with the Natives Act in mind, a Bantu Pass is not a sexual pass.[3] To find their way into the beds of women and men, the Pass laws and other discriminatory laws of apartheid required the process of racist sexualisation (see Brown 1993; Grosz & Probyn 1995; Haug 1987) – about which more is said later – to make a material difference.

In order to appreciate how this process occurs, that is, how prejudice informs the constitution of sexualities, consider the two texts that follow. They are in a kind of dialogue with one another – not polite interchange but they are talking to one another anyway. The dialogue happens over a long stretch of time, a period of nearly five decades.

The first text is from 1927, left for South Africans by the legislators of the Union:[4]

6. ACT – To prohibit illicit carnal intercourse between Europeans and natives and other acts in relation thereto.

7. BE IT ENACTED by the King's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:

1. Any European male who has illicit carnal intercourse with a native female, and any native male who has illicit carnal intercourse with a European female, in circumstances which do not amount to rape, an attempt to commit rape, indecent assault, or a contravention of section *two* or *four* of the Girls' and Mentally Defective Women's Protection Act, 1916 (Act No. 3 of 1916) shall be guilty of an offence and liable on conviction to imprisonment for a period not exceeding five years.

2. Any native female who permits any European male to have illicit carnal intercourse with her and any European female who permits any

native male to have illicit carnal intercourse with her shall be guilty of an offence and liable on conviction to imprisonment for a period not exceeding four years.

3.   Any person who procures any native female for the purpose of her having illicit carnal intercourse with any European male or who procures any European female for the purpose of her having illicit carnal intercourse with any native male, or in any way assists in bringing about such intercourse shall be guilty of an offence and liable on conviction to imprisonment for a period not exceeding five years.

4.   Any owner or occupier of any premises who knowingly permits the use of such premises for the purpose of any offence against any provision of this Act shall be guilty of an offence and liable on conviction to imprisonment for a period not exceeding five years.

7.   In this Act the expression 'illicit carnal intercourse' means carnal intercourse other than between husband and wife and the expression 'native' means any member of any aboriginal race or tribe of Africa.

The second text is taken from a play published in 1974 by well-known South African dramatist Athol Fugard (1974: 101–103):

> WOMAN. Ugly feet. The soles have got hard patches. My legs are bandy. Good calf muscles...probably got them riding to school on my bicycle up a very steep hill each day. Skin around my knees is just starting to get a little slack. I enjoy making the muscles in my thighs move. Hair is very mousy... very sparse...I think the area around my waist is quite nice. Few soft and feminine contours around my hips. My hips are slacker than I would like them to be. My neck is unattractive. My face is quite interesting but can be very plain sometimes. Lines around my mouth are starting to worry me. Hair causes me concern. I think it's going off. Ashamed of my hands. Nail polish has come off in patches. Skin looks very old.
>
> I think there is a lot of me in my hands somehow.
>
> My favourite colour is blue.
>
> My favourite flower is...
>
> > You say you have no experience of men. That you were a virgin, yet you took the initiative. What would you have done if Philander had rejected you?

Hated him.

> Would the fact that a coloured man had rejected you have humiliated you more than if a white man had done so?

By the time it happened his colour did not mean anything to me any more.

> Did you encourage Philander?

Yes.

> Why?

I wanted him.

> Would you say that you encouraged him against his will?

No. I think that he felt almost as strongly about me as I did about him.

> Did it occur to you that he might have accepted a physical relationship with you out of respect for your feelings?

Yes. It did occur to me sometimes.

> You are older than Philander?

Yes.

> By how many years?

Six.

> Do you think it possible that Philander thought you provided him with an easy opportunity to have intercourse with a white woman? Because as a coloured man the law forbids it.

No.

> What makes you so sure?

He was a man who had too strong a feeling of responsibility towards his family to take that chance for that reason.

The Immorality Act referred to in the first extract was passed by the Parliament of the Union of South Africa in 1927. Among other reasons, it is important because it was one of the first Acts to be amended by white nationalists when they came to power. The aim of the immorality law – as can be seen in the Fugard extract – was to bar physical love between (those formerly known as) Europeans or whites on the one hand, and (those formerly known as) non-Europeans, natives, blacks or non-whites on the other. There is a psycho-political philosophy that motivates thinking about immorality – at this point and in its subsequent legal incarnations – that needs underlining. Whilst an immoral deed 'is almost invariably a sexual act, predominantly defined in terms of sexual content' (Hawkes 1996: 5), there is a peculiarly South African idea of immorality. Immorality in the history of South Africa is not only about unacceptable extramarital sexual affairs, since the idea of immorality in this context pays very close attention to race relations. Hence, under colonial and apartheid South Africa, immorality also suggested the inhibition of certain behaviours, behaviours which were given racial content and which in the end meant that a so-named European or native person needed to learn to inhibit certain behaviours which the leaders of their race found unacceptable. In other words, sexuality comes to discipline race identification and, similarly, race classification comes to shape sexual relations.

Turning to the extract from Fugard's one-act play *Statements Made After an Arrest under the Immorality Act*,[5] it is self-evident that it was a creative anti-colonial and anti-apartheid act provoked by these Acts. Indeed, Fugard wrote in the Introduction to the published play that *Statements* was inspired by his 'image of six police photographs of a White woman and Coloured man caught in the act of lovemaking' (1974: np).

This is the politico-legal *mise en scène* in which, at a particular point in their history, those now called South Africans were caught, and in which they developed their sexual desires and acted out their sexual roles. In adjusting themselves to or struggling against these apartheid Acts and creative anti-apartheid actions, these actions and Acts came to shape South Africans' psychological lives and social relations. More pointedly, these legislative and literary undertakings shaped what individuals would come to lust after and love, hate and flee from, what they did for sexual intercourse, with whom, under what conditions.

What South Africans favour or fear sexually is still largely determined by the history of race in their society. The fascist discriminatory legacies and the race names we come to be known by – native, white, black, coloured, Indian, European, African – continue to warp the 'normal' course of individual sexual development

and expression.[6] Thus racist sexualisation applies to both apartheid and post-apartheid South Africa. Before dealing with racist sexualisation, though, let us deal some more with the historical sexual disputes of the legislator and the dramatist.

Uninvited legislators and dramatists

Earlier I said that the texts by the legislator and the dramatist are in dialogue with each other – a dialogue that happened over a few generations. What the politician on the one hand and the writer on the other were in dispute about was a matter of grave concern, and remains so. What concerned both was, at the surface of things, what is to be considered acceptable but, vitally, not necessarily pleasurable, sexual intercourse. Even at this level the dispute contributes to shaping who we were and what we have become, how we are seen, identified and governed; it implicates us as it is a discussion that arises out of and helps – in concert with all the other conversations that happen at this level – to shape our country's fraught histories and the future of difference and identity. In fact, in this contest the playwright and anyone else who thought otherwise would for a long time be on the losing side, for the politicians had given their thoughts and, as importantly, their fears, legal force. Anyone who believed and behaved differently from the lawmakers in South Africa from the 1950s until the mid-1980s, when the law was repealed, had to change their minds, keep quiet, learn to hide, quit the country or be jailed.

That the dispute is textual is a crucial fact. Texts shape how one is constituted and how one constitutes oneself sexually and racially; and a text is always in conversation with other texts, a conversation usually involving a contest. Surely the law is the prime example of a text which shapes our sexual and racial identities? That the two texts (the prohibitive statute by the legislator and the story by the dramatist) have each other as their addressees is also significant. This means that the fact that the play was a response to the effects of the legislation is crucial to keep in mind when considering the play: there is, obviously, no anti-apartheid and post-apartheid sexuality without apartheid sexuality. Furthermore, it is important to understand the notion of the legislator to mean not one person but to be primarily defined by the overt or covert aim of a text or discourse; the legislator is essentially anyone who makes the rules.

Not just the Act, then, but the play as well, constitutes part of our inheritance as South Africans. What both the lawmakers and the playwright said shape the contested legacy of how we come to construct our bodily practices, sexual lives and racial identifications. What the play and the Act are in contest about has formed part of the languages, strategies and repertoires which we employ to make sense of who we believe we are. Both the writer and the legislator have shaped and intervened in what we have become. They have involved themselves in our lives, without

invitation – in how we relate to ourselves, to one another, and thus in our struggles with inequalities, identification and differentiation.

Faking the immorality funk

Whilst the Immorality Act would be amended several times under the apartheid government, the subsequent changes did not deviate much from the initial purposes of the law. The first amendments to the Act came two years after the ascendance to power of the National Party in 1948. The Act of 1950 was itself to be amended several times, in 1957, 1967 and 1969, and rescinded in 1985.

Considerable political changes took place between 1927 and 1950 in South Africa, yet very little of substance as far as race relations between Europeans/whites and natives/non-Europeans/Bantus/blacks/Africans were concerned. In fact, it could be argued that the lot of natives took a turn for the worse. Nevertheless, two significant amendments were introduced in the immorality laws.

The first significant change introduced by the 1950 Act was the replacement of the term 'natives'. From then on, natives were no longer to be regarded as natives but rather as 'non-Europeans'.

The second change that the nationalist Afrikaner lawmakers brought to the colonial project had to do with the 'defence of charge', that is, what kind of arguments a male or female charged under the Immorality Amendment Act could marshal in court in order to avoid a guilty verdict:

> 2*bis.* It shall be a sufficient defence to any charge under section *one* or section *two* if it is proved to the satisfaction of the court or jury before whom the charge is brought that the person so charged at the time of the commission of the offence had reasonable cause to believe that the person with whom he or she committed the offence was a European if the person so charged is a European, or a non-European if the person so charged is a non-European.[7]

In short, what these amendments do is firm up the racial discrimination begun by the colonial governments. However, attention ought to be drawn to the process used to bolster the fascism and insanity Mandela (1994) spoke of. Part of the process was to emphasise the distinctiveness of members of one race group from another, a distinctiveness which included the race names persons come to be known by. This constant repackaging (since there were others before and later) of those who might now be known as South Africans is in fact a ubiquitous part of the psycho-political arsenal of power used, in this case by the white Parliaments of the Union and the Republic, to order the lives of their subjects. As such, this change of names – the identifying names of Europeans, whites, natives, coloureds, blacks, Africans,

Indians/Asians or, as we have come to be named, South Africans – and the new 'defence of charge' amendment would keep changing.

If a European desired a native and the feeling was reciprocated, a way to avoid apartheid sexual harassment would therefore be to learn to conceal their designs or to leave the country. Another was to try to change their race names, if possible, to fake being coloured if one was European in order to fool the immorality police.

To ask an important if rather modernist question about the Self, though: is it worth it for a person to 'pass' as something else for sexual pleasure? And to ask a romanticist nationalist one, what is it worth to lose a bit of oneself for love? Though they are made possible by the pre-1994 politico-legal context, these questions seem to indicate the direction for sexuality in post-1994 South Africa.

Nightmare excursion to a freer Self

For some answers one should return to the play by Fugard. The moment referred to in the extract follows the statement by Detective Sergeant J du Preez (the policeman who made the arrest). The playwright intended the statement to be 'dictated' and read, alternately, to the audience. Following the character Du Preez's dictation and reading of the statement, Fugard gives direction to the effect that the arrest is to be enacted, or rather re-enacted, with the scene rendered like a petrifying reverie. 'These "flash sequences",' writes Fugard, 'are nightmare excursions into the split second of exposure and must be approached as sub-text rather than reality' (1974: 96). Before that line, the stage is supposed to be in darkness, and the police sergeant should have exited:

> [A sequence of camera flashes in the darkness exposes the man and the woman tearing apart from their embrace; the man then scrambling for his trousers, finding them, and trying to put them on; the woman, naked, crawling around on the floor, looking for the man. As she finds him, and tries to hide behind his back, the flashes stop and torches are shone on them. The woman scrambles away, finds the blanket, and covers herself. The torches are relentless, but we never see anything of the men behind them.]
> (Fugard 1974: 96)

Following this direction, the man, who is a coloured school principal, is shown to be not that manly, as it were. The torches are on him and he is talking to them, while at the same time trying to hide his penis. His actions are that of a coward, his words promise never to 'do it again' (Fugard 1974: 96). Between the terror he is subjected to and his fright, and the effort to muster some dignity to put on his pants and failing to do so, his actions become nightmare-like. Fugard then writes:

[Blinking back at the torch with terror he tries to get into his trousers without exposing himself. He can't manage it. The operation becomes a nightmare. For a few seconds the woman watches him with vacant horror. Then she scrambles forward and, using her blanket, tries to shield him while she talks compulsively to the torches. Her first words are almost incoherent babble. As she moves around, the torches follow her. Finding himself in darkness, the man gets slowly to his feet, retrieves his hat, and then tries – carefully and quietly – to get away.] (1974: 96)

What is left from this stage of the play is *not* a nervous, servile performance of colouredness – 'Water, Miesies. Please, Miesies...water' (Fugard 1974: 99) – but a man who discovers himself. In contrast to the amusing, desperate, coloured male school principal caught with his pants down, the *immoral coloured male school principal* (a less than fully individuated member of the groups he belongs to) arrives at an emptier but possibly more moral and self-understanding Philander (more fully a person with choices before him). Although he is jailed and loses parts of himself, the man does get to a freer Self.

And so with the woman. She is more than white, and at the same time less than white. In fact, it could be said Fugard wants the audience to find a different way of seeing from the way dictated by apartheid legislators, beyond whiteness. The woman is thus shown to be decisive, strong-willed. When the 'camera flashes and torches' are turned to her, now alone and naked, she is 'studying herself quietly, privately' (Fugard 1974: 101). She too has lost a little bit of herself but, as she says, 'in her there is a little bit' of the unacceptable lover.

Slack skin, hips, hair and the national interest

It is important once again to note that power (including governmental, religious, scientific, educational, cultural and economic authorities) will always seek to intervene, directly or indirectly, in the public lives of those whom it has its eyes on, whom it governs, leads, instructs, taxes or sell things to. Interventions take the form of forcing people to carry Passes, to abstain from sexual intercourse if they are not married to each other, or to be identified as European or native. It bears reiterating that politicians and government functionaries, imams and priests, teachers, chiefs and kings, researchers, and chief executive officers are interested in different parts of their publics. Somewhat less appreciated, though, is the fact that power's interest is not restricted to the visible, outward life of its subjects or markets. In the end, in modern society the aim of power is directed at producing and managing much of the Self, including its desires, doubts and weaknesses.

However, it is not only official power – political, economic or religious office-bearers – which seeks to mould our sexual interiors (fantasies, secrets, indiscretions) as well as our sexual interactions with others. Television presenters, comedians, salespeople, film directors and producers, sports show hosts, marketers, novelists, designers, scientists and poets also seek to influence our desires, dreams and ways of feeling about ourselves and others. As do individuals close to us – our mothers, uncles, grandparents, siblings, children, aunts and fathers; they seek to affect the way we live our lives, as we do their lives.

Concerns and contests around race difference and identity, and sexual difference and identity, are one set of reasons lawmakers and playwrights often get more involved in the public lives of those they govern or instruct. When the politician and the dramatist become increasingly concerned with the group identities of and the differences between their subjects, constituencies, readers or audiences, they also tend to get more preoccupied with other experiences they might have, that is, not just with their public experiences – their social, political, cultural, religious and economic lives (see for example Weeks 1994). The spread of HIV/AIDS has, for example, led to many states the world over giving closer attention, to differing degrees and in their different ways, to the sexual knowledge, behaviours and practices of their subjects and citizens. States have not simply attended to the disease by deploying their resources to studying it, disseminating information about its transmission so that people can protect themselves, providing treatment and trying to find a vaccine. They have to know what individuals do, who they do it with, how they do it and how many times. In other words, they want public disclosures and testing, but also confession and psychotherapeutic work. They induce people to police themselves and each other. They give rewards and negatively reinforce individuals to be their own managers.

That might not be seen as much of a problem, for the threat HIV/AIDS poses to the survival of a nation is no doubt serious. What is a problem is that this disquiet about the health of populations gets tied into race, gender or other group economies. The problem is that the anxieties of a state over the sexual lifestyles of the population get overlaid on racial, ethnic, national and other group segregation and belongingness issues that the state is often troubled by (issues which are in turn usually interconnected with one another). Anxious concerns around sexualities also get raised on economic, moral and cultural scaffoldings – again, these realities are not easily disentangled from the issues of segregation and belonging. In fact, it is important that these areas (of the economy, morality and culture, and race, ethnicity and nation) are viewed as interwoven when sexual matters are considered, including sexually transmitted conditions such as HIV/AIDS. More generally, though, this interwovenness of different areas of socio-economic and political life appears to

be especially the case when dealing with interventions and contests around the Self, personhood, private lives and intimacy.

It is therefore crucial to recognise that the Acts against interracial extramarital coupling were not only about the legalities of the sexual act. Besides the fact that there is never a simple Act – parliamentary debates, public comment, committee discussions, policing, legal interpretations and sentencing, and constitutional court decisions are all part of law-making – these Acts should be perceived as having had social and moral dimensions: stipulations around what it *ought to* mean to be a sexual person and what a Self in the nation in 1950 (and subsequently) was. The Immorality Act played a part in constituting masculinities and femininities, and so relations between males and females. At the same time, then, it was part of the materials we were given to make personhood in our country.

What has been said about the Immorality Acts applies to *Statements*. The play was not merely a fictional text but at once a material political statement. Fugard was out to help refigure a society and a culture, to make of us different men and women. *Statements* imagines a certain disavowed future, envisioning a different social–psychological world and intimacy.

Social, psychological and sexual relations, identities and differences, and of course sexual morality, were thus part of the complex of reasons that drove the National Party government's heightened preoccupation with the private, sexual and corporeal features of South Africans, which in turn provoked anti-apartheid thinkers like Fugard to respond. For nearly half a century the rulers in South Africa were very officious about the personal and intimate experiences of those they governed, in addition to their public and political activities. This inspired writers and other anti-racist social actors to subvert the ruling discourse, including by offering a different view of personal relations.

However, it would be disingenuous to assume that singling out the National Party implies that there was no interest in private experiences prior to 1948: the immorality legislation quoted was, as said, an amendment of the Union of South Africa Immorality Act of 1927 and previous laws of the colonial administration. Neither is it the case that such keen curiosity about the intimate experiences of the populace was unknown elsewhere in the world. Nor can we say that this is not the case presently in post-apartheid South Africa or in other countries on the continent and elsewhere.

What it means is that perhaps more than ever before this concern with people's interior lives and their close relationships seems to have turned into an obsessive national interest. It was written into laws, codes of organisations, syllabi and stories. Hair, facial features, buttocks, penises and vaginas, overtly and otherwise, fascinated the lawmakers. South African social scientists and other

experts were equally captivated. Medical doctors, psychiatrists, psychologists, sociologists, theologians and other scholars were at hand to offer their services in the erection of the apartheid structure itself and the original classification of bodies and the race relations scheme (see Butchart 1998; Nicholas & Cooper 1990).

The Nationalists' interest had to do with the fact that sexual intercourse and certain parts of bodies were considered to be central to the project of separate racial development. What sexual intercourse was or was not, what bodies were and what they were not, what individuals could and could not do with their penises and vaginas (and surely with their need for physical love) was believed to hold the key to solving the problem of the races. Bodies and their parts were considered to harbour, or were represented as possessing, deep meanings about difference and identity. Skin and hair were thought to cover a deeper and more substantial truth about human nature which needed to be revealed and governed closely.

Yet in *Statements* it was not the woman's cares about how ugly or pretty this or that part of her body was, nor the pleasure she took in the 'soft and feminine contours around [her] hips' (Fugard 1974: 101), that were thought to be the key to the true nature of humans. What obsessed the white rulers was principally whether that 'slack skin around the knees' was European/white, and whether that skin deigned to rub itself against native/coloured/black skin.

The future of apartheid and anti-apartheid sexualities

When one speaks of apartheid or post-apartheid sexualities, one is clearly called to account for more than sexualities. Prefixing 'sexualities' with 'apartheid' implies that one must show what, for instance, being polyracial in one's desires meant under apartheid; or what being racist in the choice of sexual object might mean under the current democratic dispensation. It means one has to account for the racial aspects of sexualities, the powers and anxieties of a raced identity. It means to remember to note the powerful differences sexuality installs in the racial drama of South Africa.

Discriminatory Acts of apartheid, such as the Immorality Amendment Act, and anti-apartheid acts such as the one-act play *Statements* by Fugard are the materials out of which a Pass becomes a sexual pass or, obversely, a white skin achieves sexual currency. The 'alchemical' process which makes this possible is, as stated, racist sexualisation, which constitutes the preferences of a black individual for black female fetishists, a white male for white gays, or an Indian for lighter-skin Indian swingers. We should then step back and introduce the idea of how bodies are fetishised by race regimes, how racialisation estranges, objectifies the Self and relations, and reifies names.

Racist sexualisation

Racist sexualisation is not confined to the sexualised racial prejudice and discrimination legalised under the policy of apartheid. The divisive laws on sexual relations under apartheid were a re-materialisation and firming of prejudice and discrimination developed in colonial society. This is observable from the fact that the Immorality Act of 1950 was an amendment of the 1927 Act. Racist sexualisation therefore points to both the past and the future. It precedes the advent of apartheid by centuries, gets incorporated and elaborated within the institutions of the apartheid state, and does not stop with the revocation of apartheid laws.

A fuller appreciation of racist sexualisation needs to take into account not just sexualisation but also skin fetishisation, objectification and racialisation. According to Krafft-Ebing, fetishism refers to that condition where an individual – usually but not exclusively male – associates lust with (the idea of) certain parts of another individual or with certain articles of clothing (Krafft-Ebing & Hartwich 1959). In Freudian terms, it refers to those cases 'in which the "normal" sexual object is replaced by another which bears some relation to it but is entirely unsuited to serve the "normal" sexual aim' (Freud 2001: 153). Skin fetishisation thus refers to the manner in which skin colour in particular or racial features more generally get sexual salience, where a person associates sexual pleasure with the racial characteristics of another person and so warps the course of commonly accepted sexual intimacy.

Skin fetishisation makes little sense without a consideration of objectification, for fetishistic love turns a person into a part of herself or himself. Hence, the route which the embodiment of racial names like European or native, white or black, coloured or African travels is one of objectification, where the woman or man is turned into a thing, a label, a body without a psyche.

In the heated debates that are never far below the skin in South African political life, it bears repeating that physicality, being pinkish-skinned or coffee-skinned, and race are not the same thing. Although a person's body and his or her race are closely related, they are not the same; their convergence occurs through what is called racialisation.

Which brings us to sexualisation. The lanes that the sexing of bodies and their parts follow tend to pass by this network of activities and discourses that are referred to as sexualisation. Sexualisation is taken to cover a network and variety of tendencies, strategies and languages that have effects on the bodies of females and males, their differences, adornment, appearance, colour, origins and relations to one another. Given the legal histories referred to and the violent politics of difference and identity, especially the extent of control over black and white interrelations and the interest in all parts of black bodies and lives, it seems reasonable to assume that there is a great deal in apartheid that opens up to sexualisation defined thus.

Sexualisation in the way employed here goes beyond sexing, beyond the attribution of sexual roles or identities, and beyond what is referred to as sexual socialisation (see Brown 1993; Schiebinger 2000; Spanier 1975). In fact, it is crucial to view sexualisation as not restricted to sex, or merely sexual intercourse between individuals.

What I have in mind when talking of sexualisation is similar to the marriage of feminism, critical race theory and postcolonialism – sexuality and race are things we do to and with ourselves and to others, that is, they are about *production* and not mere description (see Grosz & Probyn 1995). It is from this vantage point that one gets to define racist sexualisation as an ensemble of discursive practices with sexuality as their motor. These are practices aimed at the making and management of racialised bodies at the point where race gets confronted with desire, a discursive territory where physical being, racial practice and intimate life congregate and individuals or societies have to deal with their entanglement.

Racist sexualisation is a living, dynamic socio-economic and political text; an incomplete system, never to be finished, racist sexualisation is perpetually built on and improved, attacked and stormed; it gets restored but then it will be broken into; it is then redesigned but others will protest against it. While it is not totally open, it is never closed. It is a narrative about power that a group of people from different places with differing positions contribute to and others undermine. So it is a governing mechanism, but also one that is available for use to challenge governments. It is harnessed in the making of oppressive laws as it is in the making of progressive ones. It is present in efforts to change the laws, be they about land or property, franchise or proper relations between father and child, and not just those on the interpersonal relations between males and females. Thus, as part of this network of material discursive practices, one of the things we come to learn about is what power means in everyday life, but also what difference and identity are.

Conclusion: Past apartheid names

This chapter attempted to draw critical attention to the names 'African', 'coloured', 'South African', 'white' and 'black'. One intention was to signal without too much elaboration the fact that such names – and others like 'European', 'native', 'Indian', 'Cape Malay' – used in the South African politico-legislative lexicon are no mere aesthetic additions in the engineering of the structures of race discrimination. An instance of their enduring vitality and ability to concentrate debate was the recent row around the Native Club.[8] Another case is provided by the ongoing debates (or rather resentment and misuse) about 'designated groups' as defined in employment equity and economic empowerment policies. Of greater importance, on the basis of the last elaboration of sexualisation, is that racialisation is related to

sexualities. That is to say, racial life and the identities and names that result from and underpin this life are deeply implicated in sexual life. Without an unconscious or conscious bow to race, many South Africans appear to be unable to talk of their own sexualities.

This chapter also tried to show that there existed a difference between the way sexualities were thought of by apartheid legislators and those who upheld or supported separate racial worlds on the one hand and, on the other, those who were opposed to the laws of racial segregation. The argument was extended to show that there is a difference in the way sexualities are thought of in post-1994 South Africa as opposed to the way sexualities were thought of in the pre-1994 period. The major difference continues to lie not in racial classification, encapsulated in laws such as the Immorality Acts of the Union era and the National Party government era, but in its legacies and the difficulty experienced by many South Africans in forgoing their racial identity.

The chapter also sought to show that despite a progressive constitutional dispensation and a state that supports racial reconciliation, South Africans in the post-apartheid legal order may still be troubled by the sexual fear and ignorance and, very likely, racism which was cultivated by apartheid politics. Although the laws that were enacted to regulate sexual intercourse between those now called black and those now called white were repealed over 20 years ago, many people who identify themselves as African, like many who identify themselves as white or coloured or Indian, appear to be troubled by the legacies of apartheid laws, primarily because they continue to live out their lives and see themselves and others as of a particular race.

Notes

1   Republic of South Africa, Prohibition of Mixed Marriages Amendment Act, No. 72 of 1985, Statutes of the Republic of South Africa, Pretoria.

2   Union of South Africa, Natives (Abolition of Passes and Co-ordination of Documents) Act, No. 67 of 1952, Statutes of the Union of South Africa, Pretoria.

3   'Pass' is the collective term for a reference book or for identification documents the Natives Act forced natives, Bantus or blacks to carry on their persons all the time and to produce whenever an official of the state so demanded.

4   Union of South Africa, Immorality Act, No. 5 of 1927, Statutes of the Union of South Africa, Cape Town.

5   Fugard's play was published nearly 50 years after the enactment of the 1927 Immorality Act and 24 years after the Immorality Amendment Act (No. 21 of 1950).

6   'Normal' sexual development and expression in this case might mean the maturation and practice of sexuality in a non-racist world, that is, a world where a man need not have been native/black to have acceptable carnal intercourse with a native/black woman, if he

desired women, or a woman need not have been European/white to have intercourse with a European/white man, if she desired men.

7   Union of South Africa, Immorality Amendment Act, No. 21 of 1950, Statutes of the Republic of South Africa, Pretoria.

8   According to Titus Mafolo, one of the persons closely associated with it, the Native Club 'aims to mobilise South Africans to ensure that the ideas, philosophies, values and knowledge that propel society in a particular direction reflect the indigenous identity of our people' (*Umrabulo* 26 August 2006; available at http://www.anc.org.za/ancdocs/pubs/umrabulo/umrabulo26/umrabulo.html). Early in its life, the Club was mired in controversy for being funded by taxpayers' money, and for being racially exclusivist and unnecessary in a democratic society.

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'Astride a dangerous dividing line': A discourse analysis of preschool teachers' talk about childhood sexuality

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ARE PRESCHOOL CHILDREN SEXUAL? How can adults tell? And what should we do about it – if anything at all? Childhood sexuality is often not easily discussed or researched in contemporary western contexts (Plummer 1991; Potgieter & Fredman 1997; Stainton Rogers & Stainton Rogers 1992), or in Other contexts (Levett & Kottler 1997). It tends to evoke strong feelings in adults, from calls to protect its purity, to liberate its passion or to restrain its rampant outbursts (Plummer 1991). These contrasting ways of speaking could be labelled as pieces of discourses which actively (re)produce 'reality' (Parker 1992).

This chapter explores some of the ways a group of preschool teachers in Cape Town constructed children's sexuality and adult responses to it. As a central metaphor for the analysis, I use Foucault's complex description of the positioning of childhood sexuality: 'astride a dangerous dividing line' (1976: 104). I will argue that this unstable and potentially hazardous positioning both creates and is created by multiple strategies for teachers and other caretakers to 'take charge'.

South African academics and stakeholders have been largely silent about childhood sexualities (Potgieter & Fredman 1997). Apartheid censored sexuality research and education, but even in the current era of transformation there remains a narrow focus on sexual dangers (abuse, AIDS, sexually transmitted diseases, teenage pregnancies) rather than on the way sexual discourses infuse children's wider experiences. The attention given to problems related to sexual *intercourse* also puts preschool children's sexuality in the background.

The Children's Charter of South Africa (1992)[1] includes children's rights to sexual education. But a review conducted for the National Progressive Primary Health Care Network found that most sex education programmes are targeted at adolescents, and could identify only one programme in South Africa affecting preschoolers (Rapholo et al. 1995). In addition, *Molo Songolo*, a magazine for youth, ran a series on sexuality education in 1997, but only addressed children of 10 years

and older. It seems that in spite of the increasing prominence of 'children's rights' discourses, preschool children's sexuality remains either largely invisible or is problematised.[2]

Methodology

To create a text for this analysis, I facilitated a focus group discussion with eight preschool teachers. The discussion was hinged on vignettes and questions about childhood sexuality, and was transcribed into a written text. The participants in the focus group were all women and their ages ranged from 23 to 53. Five are African and three coloured. The African women speak isiXhosa as their first language, while the coloured women consider both English and Afrikaans to be their first languages. Half the participants live in urbanised communities in Cape Town, while the other half live in semi-rural communities on the periphery of Cape Town. Two participants reached matric, one Standard 9 (Grade 11) and the rest Standard 8 (Grade 10). At the time of the focus group, all the teachers were participating in an Advanced Preschool Training Programme through a non-governmental organisation. While I did not assess income, the participants' status as preschool teachers and their geographical locations suggest that they ranged from working class to lower middle class. All of the women in the group were mothers.

These 'facts' place me in numerous relationships of difference and power, and some of sameness. I am female, younger than some participants and have a white 'racialised' identity. I am English-speaking, urban and middle class; I have a postgraduate education, no preschool teaching experience and no children of my own.[3]

Analysis: Multiple constructions, multiple strategies

Foucault (1976: 104) refers to 'a pedagogisation of children's sex' as one of the four important 'strategic unities' which have formed the mechanisms of knowledge and power around sexuality in the west since the eighteenth century:

> ...a double assertion that practically all children indulge in or are prone to indulge in sexual activity; and that, being unwarranted, at the same time 'natural' and 'contrary to nature', this sexual activity posed physical and moral, individual and collective dangers; children were defined as 'preliminary' sexual beings, on this side of sex, yet within it, astride a dangerous dividing line. Parents, families, educators, doctors, and eventually psychologists would have to take charge, in a continuous way, of this precious and perilous, dangerous and endangered sexual potential. (Foucault 1976: 104)

Resonances between this condensed passage and the transcript of the preschool teachers' talk are striking. In this analysis, I trace two interdependent themes in the teachers' talk: firstly, the multiple, complex and unstable constructions of preschool children's sexualities; and secondly, the multiple strategies for 'taking charge' which attempt to police the 'dangerous dividing line'.[4] Through the analysis I make use of Plummer's (1991) description of three primary modern constructions of childhood sexuality: the corruption model (children as asexual; sexuality as 'danger'), the liberation model (children as sexual; sexuality as 'pleasure') and the repression model (children as sexual; sexuality as 'danger').

Multiple interpretations of childhood sexualities

'Nice' and 'natural' discourses

The 'dangerous dividing line' can be understood at many levels in the text of teachers' talk. One important division is between 'nice' and 'nasty' behaviour. The construction of 'niceness' reflects the need to see children's sexuality as essentially sweet, good, bland, innocently natural – possibly not 'sexual' at all. Perhaps these idealised constructions are an attempt to preserve the myth of an idyllic childhood (Ennew 1986) or a quality of childlikeness; or to ward off the threat of corruption (Plummer 1991); or to keep the boundaries between adulthood and childhood in place (Burman 1995).

While I am not using quantitative research methods, it is worth noting that constructions of 'nice' (a)sexuality in the whole transcript were few, marginal and tended to stem from only one participant. The identity of the 'nice' children and their 'nice' (a)sexuality is highlighted by the much more common constructions of 'not-nice', 'deviant' or 'dirty-minded' children (who appear in later extracts). However, even the purity of the 'nice' identity is fragile, surrounded by taboos and constantly on the edge of becoming something else, as in my reading of the following extract:

> And also the...the children, what I've experienced from the children of today, I would say, they are more open and more, um, mature about these things because now like a...a week ago, the two children in the centre there by us they found two ladybirds, on top of one another. And they said, 'Come see, come see, teacher, come see!' And I asked, 'What's wrong?' They said, 'The ladybirds are mating, they are mating!?' [laughter] I asked, 'Yes, what...what is mating?' And they said, 'They mate and then they have a baby. The lady ladybird is going to have a baby!' [laughter] I say, 'Oh, that's...that's nice, that's very interesting.' And then they say, 'Yes!' Um...um the one girl says that...that people also mate, and then the mommy has a baby. And then the other girl says, 'No, people don't mate, they make love!' [laughter] Because this is something that they...that they hear and it's things that's perhaps discussed with them at home. (Extract A, teacher U)

'Niceness' is maintained through a range of mechanisms, perhaps most powerfully through a separation between the children and sex, for the children are passive observers and commentators; they themselves are not engaged in overtly sexual activity. Therefore, although they are talking about sex, they seem essentially asexual or innocent. This image is enhanced by the presence of the ladybirds. Ladybirds have charming, harmless associations, unlike many other insects. The ladybirds' mating rituals are also framed within a 'nature' discourse, which turns them into a safe, 'natural' object for observation. Alongside the nature discourse, a procreational discourse ('mating') upholds the norm of adult, heterosexual, genital sex, and stands in opposition to other kinds of sexual encounters or sex for pleasure. The idea of procreation also allows the talk to slip comfortably into what humans – at least human mommies and daddies – do. By the end of this piece of text, we are also aware that it is *girl* children talking, which fits with the picture of good, passive, ladylike chatter.

In this passage, the girls are constructed as empty vessels, as in Plummer's (1991) corruption model. They seem, at least initially, not yet corrupted. The girls are following the desirable, 'nice' path of gradually absorbing appropriate knowledge within the careful supervisory environments of home and school. They are then rewarded with being labelled 'open' and 'mature'; *this* kind of communication is positively valued. The implicit contrast is with 'closed', 'immature' children – possibly *boys* – who are perhaps more raucous, active, 'naughty' or secretive. However, the purity of this construction is disrupted in the last few lines when another girl proclaims that people 'make love' instead of mating. This is a complex shift, which breaks from the normalised, naturalised view of procreational sex, and breaks a silence of children speaking about their parents' sexuality. In addition, it is a *girl* who takes this active stance. It seems difficult for the participants to explore this in words, and the complexity of their response is perhaps reflected in their loud, ambiguous laughter. On rereading this passage again and again, I was suddenly reminded that the ladybird is not so innocuous after all, for in the nursery rhyme the ladybird is a mother whose children are endangered by a fire.

The following extract contains a construction of 'nice' masculine sexuality. In contrast to the asexual, passive girl, the boy child is 'allowed' to be sexual, and even to name his own feelings as 'nice':

U:	I feel that, sorry, I feel that each and every person, each and every child is born with that natural instinct within himself. I mean like...like my son doesn't sleep in the same room with me. But when he goes to the bathroom, many a times you, I find him touching himself and...and then I ask him, 'Why do you do that?' And he says, 'It's nice.'

W:	Yes...

U: You know? It's natural. It's not something that they...that they see, just
            seeing somebody do, it just comes naturally. (Extract B)

The mother's responses to her son's sexuality are ambivalent. On the one hand,
his sexuality is naturalised: he is born with an already formed baggage of feelings
and urges, called 'instinct'. But on the other hand, his mother has to keep a close
eye on him when he 'goes to the bathroom' and check on his motivations for
touching himself. This suggests his 'natural instinct' may also be regarded as
potentially hazardous. The child explains that he feels 'nice' – perhaps a word
that he has learnt from his mother and which he uses to protect himself from
her scrutiny or disapproval. But asking why he does 'it' could reflect his mother's
unspoken concerns. Perhaps: is someone else touching him? Is he going to turn
into a pervert? Are his genitals infected? Mother quickly takes us back into the safe
territory of 'natural' and 'nice' by professing that her child is not exposed to 'seeing
somebody do' it.

Therefore, as with the girls, a subtle threat seems to hang around the boy's
'niceness', albeit constituted differently. In Foucault's (1976) terms, this is the
'precious' and 'endangered' part of the 'dividing line'. Here the boy's 'touching
himself' is viewed ambiguously; elsewhere in the text, masturbation incites panic
and is pathologised. Even in this positive or neutral rendition of masturbation,
taboos are subtly manifested in vague language (as in 'touching *himself*', 'do *that*',
'*it's* natural') (Levett & Kottler 1997).

The 'dangerous dividing line' could also be interpreted as the crossing point
between innocence and awareness. This tension is explored in the next section.

'Innocent' or 'knowing' discourses?

W: But whenever there – it's the two years children, they are innocently
            doing it, in front of you. And you can know...just notice that there is
            someone that they have seen doing this. But the older ones, four five
            years...
U: They know...
W: ...they are hiding from us.
J   (interviewer): Ah, so there's a difference with the ages.
U: Oh yes there is, definitely. Because a two-year-old child will...will
            unknowingly just sit even on your lap even and...and...and...
W: And do it...
U: And start fondling himself and...and not even think anything of it. But
            the older child, the four-year-old, the five-year-old child, they do it, in
            a...in a um...they hide themselves. They try to hide themselves from

you. Because they know with…within themselves. Because perhaps it's because you have discussed it with them already. So they know within themselves that this is not for a child to do. Or they see at home also, this is only the way mommy and daddy should behave or how adults should behave so they know that because it's the…the…the…the instinct of… of sexuality is natural within the child, they know [whispering] 'I mustn't do it in front of my mommy', so they hide. (Extract C)

On one side of the 'dangerous dividing line' is the unselfconscious, unknowingly masturbating toddler, and on the other side is the secretive, knowingly sexual older child. How is this line transgressed? Firstly, by knowledge. The essential innocence of the two-year-old de-sexualises his (*sic*) masturbation. His asexual fondling is still in the realm of the 'nice' and 'natural'. But as soon as children start to 'know within themselves', they enter a new territory in which their sexuality or potential sexuality is disallowed and pathologised.

Secondly, and related, children cross the line when they hide. It is the act of adult observation which confers innocence on the two-year-old. In this extract, the children's secrecy can be constructed as both a mark of guilt and a sign of agency.

Thirdly, the 'dangerous dividing line' can be transgressed with age. Here the speakers draw on pervasive developmental discourses which construct normality. It is normal (if not completely acceptable) for a two-year-old to masturbate openly; it is completely unacceptable and abnormal for a four-year-old to do so.

Gendered discourses are threaded through the whole text of preschool teachers' talk. In Extract C, it was suggested that the actively masturbating child was male; in the next extract, the *male sex drive discourse* (Hollway 1983) is used even more explicitly:

Sometimes if you are not uh…if…if…if they are sleeping and you leave them alone there, when you ca…you came…come…back again you will see the boy. She[5] [He] is…she [he] is coming…she [he] is coming from the girl's mattress. Sometimes you will see the boy, sleeping with the girl. But when you come in she [he] just [claps to show disappearing act] go right to his place. I don't know why [laughter] she [he] knows that she [he] mustn't be there [laughter]. But because you are not there, she [he]…there is something that there is something that she [he] wants to do [to]…that girl. Now you…you…you are in now, and she [he] knows that you mustn't do that…[laughter]. (Extract D, teacher Y)

The active subject in this text is a male child. It is the boy who catches the teacher's eye, the boy who has journeyed across from his place to the girl's mattress and then runs back again in a flash, and the boy who is the subject of the verb who 'sleeps

with' her. He is the 'master' of this social interaction (Walkerdine 1988, in Burman 1995). The girl has something 'done to' her and her responses and feelings are absent from the text. If he is 'knowing' and she the 'innocent', then the 'dangerous dividing line' between innocence and knowledge is also gendered here.

But this construction does not make the girl 'safe'. Her passive innocence makes her vulnerable and even attractive to dangerous, predatory, male sexuality (Kitzinger 1990). Nor does it condemn the boy child entirely. The participants' laughter may contain a hint of admiration for the wily boy who gets what he wants. In addition, the male sex drive discourse constructs him as 'unable to help himself'. It then becomes the (female) teachers' job to protect the girls and control the boys, casting a net of surveillance over all the children.

The need for adult supervision perhaps also arises out of the uncertainty of what the children are actually doing. The 'something' that the boy wants to do is unknown and the word 'sleeping' blurs both the innocence of the resting children and the adult euphemism for sex. This suggests that taboos and silences are closely related to supervisory discourses, which are discussed further later in the chapter.

'Deviant', 'dirty' and 'dangerous' discourses

T: You know sometimes, um, when these things happen a girl and a boy like playing, this is a play. But then the other child, they see it in a different way. Like I'll see now this story maybe in the way I see it now. You see where they will say, 'Oh, teacher that one is old-fashioned' or 'that one is old-fashioned'. That immediately comes to their minds. If they see something like this. Even if it's a play. You see, so children of today, they see everything around them, and now the – the mind just go to that. That's the only thing their minds go to. But sometimes if it's a nice play, for them where the teacher will interact, the teacher plays with them like that then it's ok, but if they play alone, and something like this happens, that's the first thing that comes to their mind. You see, that those are making old-fashioned, or things like that. And then they'll come and complain. It's like they're complaining.

J: What do you mean by 'making old-fashioned'?

T: Like...

S: They *ougat*! [raucous laughter]. (Extract E)

These children are astride a 'dangerous dividing line' between deviance and normality. A division has been set up between the 'innocent' child who just 'plays' and the 'other child' who 'sees' the sexual content of the play. This fixing of difference leads us to believe that there inevitably *is* such a 'deviant' child – probably

in *any* playground – whose imagination is rife with sexual thoughts. The impulsive, driven nature of this child's thoughts is underlined in at least four different places: the child's mind is 'immediately', 'just', 'only' and 'first' flooded with them. Halfway through T's speech, the singular 'deviant' child switches to the plural 'children of today', implying the loss of a whole previous, innocent era of childhood. In this construction, all today's children are dangerously close to deviance. It would have been interesting to explore further with participants their explanations for this, which might have included exposure to sexual scenes on TV, increased sex education at school or more overcrowded conditions at home. In this extract, while the teacher's presence appears to ward off sexual thoughts in an almost magical way and make things 'ok', there is an overall sense of danger, a 'dangerous' space.

Although these 'dirty-minded' children seem to have little control over their thoughts, some agency is suggested. For these children are so sharp-eyed that they notice and process events before other children and adults; they may even actively create a different reality out of the 'nice' play, which disrupts the peace and innocence of the playground. But, paradoxically, these children also take on a kind of self-supervisory role on behalf of the adult teachers, when they 'complain'. It is as if they are appealing to the adult authorities to restore normality.

The last line of this extract plays with sexual taboo in a very local context. While the term 'old-fashioned' probably refers to kissing and holding hands, *'ougat'* implies more flirtatiousness and may even allude to sexual intercourse. 'Old-fashioned' is also more polite than *'ougat'*. Both words are commonly used in Afrikaans-speaking communities in the Western Cape, especially in lower socio-economic areas (pers. comm. Charmaine Smith[6]). Among many possible interpretations, the speakers may have been shielding me (or themselves?) from the cruder *'ougat'* up to that point. The highly ambiguous nature of the word might express the participants' own feelings of enjoyment, titillation or embarrassment. *Ougat*, with which they were clearly familiar, and the loud burst of laughter broke a silence and a reticence about what the children actually do. But it could also be interpreted as part of a dominant, disparaging construction of childhood sexuality which brands children's practices as 'dirty'.

In the above extracts, ideas about perversion are fairly muted. In contrast, the following extract creates a macabre picture in which the ultimate punishment for masturbation is infertility:

> When you…you let your child being…uh touching himself every time, he must try to leave it like that and re-…resist it, whether it's…it's the form of him uh…masturbation. Because sometimes when that masturbation after that doing that thing. After mastu – he can take a nail…a nail and just pushes it in because there is that ma-…masturbation uh…instinct that's carrying on in his body. And sometimes takes…uh matches to put it in it. And

we did have a child like that in...in our preschool. But he didn't do it in our school but has done it at home. And the father was, the mother has gone to work and the father brings the child to school and said and tell...told us, and we didn't even like to look at that. And I say, you must take this child to the doctor, because this is dangerous. If there is something that he has put it in, sometimes it's bleeding inside or sometimes there's something that's broken in there. So you must take him to the doctor and the doctor would see what's going on. Sometimes this...this child will just do this and you give him...them other medicine to cure him and that will make him not to have children, af-...when he's old. Then you wouldn't know that it's because you didn't take him to the doctor... (Extract F, teacher W)

Here, the pendulum has swung right over to the 'danger' pole of the pleasure/danger polarity (Plummer 1991); the 'dangerous dividing line' has been crossed. In fact, this construction of a child's activity is closer to sickness than sexuality. As an object of discourse, masturbation takes on an addictive quality, analogous to dependence on drugs or ritual violence. This text evokes a mounting panic by harnessing the horror of self-mutilation, parental helplessness, the incompetence of non-medical ('indigenous'?) healers and the threat of infertility. Weeks (1985) argues that the last two centuries have been marked by a series of moral 'panics' around sexuality, including childhood sexuality, prostitution and homosexuality. He suggests that current 'panics' are likely to be framed within a disease discourse, most obviously related to HIV/AIDS. Conversely, Stainton Rogers and Stainton Rogers (1992) argue that modernist discourses around the larger project of bio-social hygiene homed in on the dangers of masturbation. While the content of this extract may be a step removed from HIV/AIDS, it is clearly exploiting the threat of a dangerous disease.

This is a specifically masculine form of masturbation (there is an example of more passive outcomes of feminine masturbation in Extract O). In this case, the male sex drive has a particularly punitive consequence in that it is implied that touching himself will not only lead to physical pain and possibly disgrace, but also infertility. The linking of masturbation and infertility could be interpreted as an extremely negative scripting of values (Plummer 1991), especially because male fertility is highly privileged in African urban and rural contexts.

A point was reached in the discussion where the teachers felt unable to help directly and had to defer to medical expertise. Perhaps they drew on medical discourse here because of the way 'sexuality' was discussed in their training course under the heading 'Health and nutrition', together with topics like 'Infectious diseases' and 'Cleanliness, healthcare and safety'. In the context of our discussion, where the western medical model may have been perceived to be dominant,

participants may also have felt it appropriate to dismiss alternative healing systems ('other medicine').

In conclusion to this section, these extracts of preschool teachers' talk contain multiple, often contradictory versions of the 'truth' about childhood sexuality. If these truths are seen as interrelated, together they situate children's sexuality 'astride a dangerous dividing line'. Closely associated are discourses which attempt to manage or police it. Foucault (1976) calls this 'a continuous way', in which adult caretakers and professionals 'take charge' of children's lives.

Multiple strategies for 'taking charge'

The teachers' subjectivities as monitors, managers and police are partly created by the way our discussion was set up as an exchange between educated adults. The teachers are likely to have felt accountable for 'knowing' what they are supposed to do, and letting me know that they know. Furthermore, the fact that I asked questions like 'What should the teacher do, if anything, in this situation?' is likely to produce a range of positive responses. In this text, there was little hesitation in assuming that there were many things that teachers could or needed to *do*, from anticipating problems, to intervening in various ways, to involving other caretakers. In this section of the analysis, I explore some of the teachers' discourses on how to respond to childhood sexuality.

'Anticipating' and 'observing' discourses

The teacher in Extract A immediately asked 'What's wrong?' when the children called her to 'come see'. An important set of discourses of 'anticipation' and 'observation' arises from the need to 'take charge'. As objects of discourse, the children are actively *expected* to enter 'dangerous' sexual or potentially sexual territory, although the exact nature of their activities is usually unclear. Therefore, children's behaviour is often framed as already or potentially suspicious. Within the 'anticipating' and 'observing' discourses, great pressure is applied to the preschool teachers to become the vigilant watchers and protectors of the children. In the following extract, preschool teachers are exhorted to take on an 'attitude':

> Like yes...like W said there must be an attitude like the teacher must go for and just she must just look what they do in the make-believe area maybe and go to them and...and if she sees that something really going to happen serious maybe then she must call them and they can sit and talk to them. Right?... (Extract G, teacher T)

This argument assumes that each teacher requires an internal alarm system, perpetually switched on but only activated by the sight of 'something really going to

happen serious'. The teacher must also constantly scan the environment. If scanning is the required activity, this implies that the signs of childish disorder are visually detectable and that the difference between 'play' and 'serious' is readily discernible. The 'make-believe area', an area of the preschool less structured than other areas, is constructed as particularly prone to problems and requiring a special kind of supervision. Here, children playing with different roles and identities may also threaten a transgression of boundaries, for example, gender or sexual orientation.

In this passage, the children are also required to make a physical break from their previous activities and engage in an act of communication with their adult teachers (talk). Within the discussion, a significant tension emerged between at least two different ways of talking to the children. Using the teachers' terms, these are labelled the 'shouting' and 'talking nicely' discourses.

'Shouting' or 'talking nicely' discourses?

The 'shouting' discourse is a traditional, authoritarian approach to perceived misbehaviour, which flattens any possibility of improper exploration. The 'talking nicely' discourse is a more liberal, politically correct approach. While 'shouting' may be likened to a fascist police force, 'talking nicely' is like the kindly bobby in an English village who knows everyone's business and makes sure they behave through subtle checks and threats. They are therefore both regulatory, but 'talking nicely' also asks the children to regulate themselves. In the focus group discussion, speakers shifted between the two different caretaking discourses, depending on context. The politically correct approach was often ascribed to 'the course' in which the participants were engaged. Here is an example:

Y: We used to *say to* our children, 'You mustn't go to the girl and <u>sleep with</u> the girl. What <u>you want to</u> that girl. You must keep in your place [shrieking laughter] not to that girl.' We used to say so. But in the course they say, 'You mustn't *shout* the children. You must *talk to them nicely*, and *not shout* about <u>visiting</u> to the girl. You must just *leave her to visit* that day and *observe* what are they <u>what are they going to do.</u>'

U: And also um...um I think what we...what...what we supposed to do is *direct them into anoth-...in another way.* Like for example the story says that they covered themselves with a blanket. You could perhaps as a teacher say, 'No, leave the blanket aside, you don't need to cover yourself with the blanket', or something like that. Because that would also *restrict* them from...from <u>doing whatever they want to do</u> [laughter], you know? And um, also like perhaps like...like maybe if... like if you are there *monitoring* them they won't go <u>as far as</u>...<u>as</u>...<u>as</u> <u>um</u>...<u>what has happened already</u> [laughter] but <u>um</u>...<u>um how can I say</u>

um? You could also *explain* to them, that...that there's <u>certain things</u> that's only meant for adults to do. And...and children are not...are *not allowed* to do <u>that</u> because of certain – conditions or...or whatever. I mean that is what we were taught in the lesson. (Extract H)

Taboos around naming (see underlined words in the extract) make it extremely difficult to know exactly what the children are doing. Body parts, movements, points of contact between bodies, and intentions are all obscured. This has been striking in previous extracts, including the 'something...serious' in Extract G. Again, as in Extract D where the little boy wanted 'to do' something to the girl, it is clear that taboos bolster regulatory discourses. The fog around what is actually happening creates confusion, suspense and apprehension: who knows what sort of monster might emerge from under the blanket? This ambiguous construction justifies forbidding children from having private, secret worlds, away from adult observation. The teachers' positions of scrutiny and control (see italics in Extract H) become necessary, invisible and acceptable.

The context of this fragment of talk suggests that it is a boy who visits the girl. The first speaker therefore draws on the familiar gendered discourse in which the boy child is actively, rampantly sexual and the girl is passive (Burman 1995). However, the second speaker does not discriminate between boys and girls, suggesting that the girl children may also be out of control. These constructions call for subtly gendered responses from the teachers. Taking a step beyond the text, the boys may be repressed but excused because 'they can't help it', while the unfeminine, unsuitably sexual girls may evoke derogatory discourses referring to promiscuity or prostitution.

What is alluded to under the blanket could be the behaviour of sex-crazed teenagers or adults; yet the children are also repositioned as non-adults, as cannot-be-adults: 'children are not allowed to do that'. Another paradox may be unravelled alongside this one: the children are at once wily, sophisticated and agentic in hiding their sexualised behaviour from the adults, yet they are also positioned as basically naive and ignorant, needing to be initiated into proper behaviour and the proper distinctions between children and adults.

The 'talking nicely' discourse is not uniform but adaptable and potentially involves various strategies. First, it suggests that rather than instantly quelling, it is necessary to take time to observe carefully – to collect evidence before sentencing. Or, alternatively, the teacher could intrude, interfere, interrupt, divert or expose so that the children's sexual play is neutralised in some way. Thirdly, the quiet monitoring presence of the teacher is itself enough to prevent wild outbreaks. Fourthly, soothing and rational explanations may be given, which on closer inspection are rather unconvincing. There is also an unstated device of shaming

(discussed in relation to another extract below) in the stripping (removal of the blanket) and watching and lecturing.

In practice, these strategies are complicated and possibly embarrassing for teachers to carry out. How do teachers spell out what is allowed without passing on illicit information? In the end there may be a fall-back on quite an authoritarian stance – 'you can't do that' – in the guise of a more understanding, less punitive discourse:

T: …You can you imitate mommy and daddy but this is not – but in a – not those serious – I mean you see you know what I mean.
U: Or you could perhaps say that that kind of action is only meant for mommy and daddy.
T: Yes. Yes. You understand, so that they can understand, ja.
U: Direct them into a, in another way of playing. (Extract I)

In the following extract, the teachers position themselves within the liberal, permissive 'talking nicely' discourse. The parents, whom it is implied come from rather backward communities that need to be enlightened, are the subjects of the 'shouting' discourse:

U: In the communities that, that we have – in the communities that we have taught in, like parents will come to you as a teacher and say, 'This child keeps touching himself, I don't know why he does it!' You know? So it's, to…to…to them it's…to them it's something ugly, something a child must not do, you know? And if you explain to them, perhaps how to go about it, they but, 'No you can't do that! You can't tell the child it's ok to do that!' You know? It's…it's a norm for them to…
T: Like a…like a habit that their hands just want to go down there. I mean what we can maybe explain to that child is that, if you see your uh…child is doing this all the time, and explain to them, 'Right, you can do it, but step aside, um stand aside so that other children don't see it maybe.' Or as you grew up if it goes like that…that the habit is still in him, then he mustn't let the child…the other people don't see him. I mean, go aside and…and whatever his desires is then…then he can let it out. You see so, maybe we can do that [laughing]. (Extract J)

Parents and teachers are called on to network together, to act as co-monitors and protectors of the 'endangered' or 'dangerous' children. However, the school environment and teachers' expertise are given superior status here. The teachers have the skills of 'how to go about it' and the parents lack these skills. Standing out in relief against such ignorant parents, teachers can reposition themselves as enlightened. Yet the second speaker bursts into and interrupts this rational, enlightened discourse and

returns to the familiar construction of the addictively masturbating boy. She finds a compromise between the 'shouting' and 'talking nicely' discourses, in which the child has permission to masturbate but is barely tolerated, perhaps even stigmatised. In fact, this unfortunate boy with 'the habit...still in him' must learn to police himself.

Policing works at multiple levels. Reading the whole text, it becomes apparent that at times the teachers feel governed by a higher authority, another set of 'teachers', in the form of 'the course' and 'the lessons' that they are learning. Thus children's sexuality is also policed through the monitoring and lecturing of their teachers, which is internalised into a form of self-monitoring. Yet the authority of 'the course' is also subverted when the teachers let slip in other parts of the text that they cannot allow the children to 'do those things':

W: What she's saying is that they say they...did say they...they did say there were children which are born with the feeling. Uh...uh and then we must let the children to do what – [laughter].

U: I don't know.

J: And what do you think of that? Do you agree?

X: Ja, we...we disagree with that.

?:   We disagree.

U: Ja but...

X: We said we can't allow children to do that. But the teachers said we must allow the children to do those things.

T: The rubbing.

X: Mm...mm.

J: So what do you think you should do?

X: I...I dunno [very soft]. (Extract K)

Although the preschool teachers are revealing their allegiance to authoritarian, 'conservative' discourses here, their opposition to the 'talking nicely' approach could be read as resistance – resistance to an imposed, prescriptive, perhaps confusing political correctness. The politically incorrect view is repressed in the context of their course. This perspective becomes even more possible when we notice that X is speaking. X speaks very few times in the text; here, anomalously, she appears to silence the voluble U, who was often an advocate for 'talking nicely'. At another point, U simply 'can't recall' how the course urges the teachers to treat children who act out 'sexually'. This amnesia, the disagreement in Extract K, and the shifting back and forth between 'shouting' and 'talking nicely' suggests that the teachers cannot fully invest in either discourse. In addition, the context of the focus group itself may have hindered the expression of politically incorrect views, as in X's hesitancy in the last line.

'Silencing–shaming' discourse

The 'silencing–shaming' discourse is often not directly acknowledged as a way of speaking to children, but is implicit in interactions between adults and children as, for example, in this complex, emotionally charged and power-laden interaction between a mother and her children:

> Basically what I have done is that if I've found myself in a situation like this, I mean I've even experienced it at home, and we've got three boys and… and one girl. And with my son going through that stage now, um…just um two days ago ja, they were bath…they were all in the bath together. And I came in and they were also touching one another. And I…and I let them – I stood – I came into the bathroom and they all looked at me. And I just stood there. And I say, 'Come, let's wash finish because I want to talk to you when you finished.' And then when they done, got them out of the bathroom, and I asked them, 'So why did you all look at me like that when I came into the bathroom?' And they go, 'Cos we were naughty.' 'What were you doing that was naughty?' You know? But then they couldn't tell me what they were doing. But they knew within themselves that they were not supposed to do that. (Extract L, teacher U)

The bath becomes another potentially 'dangerous' space when unsupervised, like the make-believe area at the preschool. And if it contains a mix of both genders and siblings, the hazards of heterosexual, homosexual and incestuous activity are all possible, although this cannot be stated explicitly by mother or children.

The son is trapped between contradictory constructions of being both 'naturally' exploratory ('going through that stage now') and unnaturally precocious ('they knew within themselves that they were not supposed to do that'). He is also embroiled in the silencing taboos in which the meaning of 'that stage' and the nature of the 'touching one another' is not spelt out. Furthermore, he is silenced and shamed by the mother's attribution of guilt onto him. The meaning of shame is shaped by culture (Ennew 1986); therefore the nuances of this experience would have to be explored further with this family.

I have read this extract as a repressive 'shaming' process. An alternative reading is that the children are agentic and playful, purposely keeping quiet as a way of negotiating their own space within an adult discourse. Both readings are possible.

'Reporting' and 'instructing' discourses

Another way that the problems related to children's sexuality are managed is from the subject position of 'expert–teacher' in relation to the ignorant children and

caregivers. This was already apparent in Extract J where the parents were positioned as short-sighted and reacting from ignorant panic, and the teachers as more tolerant and politically correct. To take this a step further, teachers are also encouraged in the 'reporting' and 'instructing' discourses to be alert to possible problem behaviour originating at home, and then to feed back information and advice to the parents.

In the following extract, the participants are talking about the possible damaging effects of children sleeping in the same room as their parents and then observing and imitating sexual intercourse. European children tended to be removed from parental bedrooms by the eighteenth century (Aries 1962, in Luke 1990), as part of 'innumerable institutional devices and discursive strategies' governing their psychosocial development (Foucault 1976: 30). However, many poor South African dwellings consist of only one or two rooms. The youngest children often permanently share their parents' bedrooms or may graduate to another communal room with older siblings when they have passed preschool age. One of the participants also referred to this arrangement as part of African culture, suggesting that she sees it not merely as a result of poverty. A specific discourse arose for monitoring problems caused by children sharing their parents' rooms:

W: They must be observed. If there is any play like that they must be observed because if some are, sometimes it's uh X's daughter, and uh X is sleeping with the daughter…daughter in his room. And sometimes they are babies…sometimes you think he…she is sleeping, but not sleeping. And she is seeing everything that you do, as in the night. And then, in the critch [crèche] they are coming out with those things. And what we used to do to the parents, then we just say: 'Your daughter is old now, and she is trying to know whatever you doing. So you should try to take her to the other room with the others. Because she is doing this and this and this and this and this.'

?: Just like my daughter, my daughter is six years old, and I sleep with her with her father. She said to me, 'Mommy I saw a big beast!' [laughter] That was me and her father. I was so shocked. I couldn't ask her. (Extract M)

The first speaker creates omniscient teachers with all-seeing eyes who can pick up the child's problematic behaviour (although it is unclear exactly what 'those things' or 'this and this' are) and who are able to trace this behaviour to the child's too mature witnessing of parental sexual intercourse. It is taken for granted that teachers' responsibility to their pupils' well-being extends even into the child's sleeping space at home and, furthermore, it is their duty to correctly instruct the parents.

However, the next speaker shifts into a parental subject position – in contrast to the expert, resourceful teacher – and seems helpless and perhaps embarrassed to deal with her child's frank fantasy. This is quite a brave revelation, resisting the mantle of expertise and the responsibility of action. It was perhaps safer to address these embarrassing moments through the distant, mediated position of teacher.

At times children's sexuality is seen as strange, alien, outside normal practice (like the self-mutilating child in Extract F or the 'dirty-minded' children on the playground in Extract E). In other places, sexuality is enveloped, albeit precariously, in a normalising developmental discourse – for example when the teachers are discussing school readiness, including motor, personality, intellectual, emotional and sexual development in the child. The teachers have to monitor appropriate development and make official reports:

> So that is what they going write in...maybe in their report. Observation. And you do tell them and say this...these two play like this in the observ-... um make-believe area, and things like that. It is very important to write it down, so that they can, if that...if any parent comes and asks how's my child is doing and what they do for the day and then you can explain to them. So the parent can see what the children are doing at the school. (Extract N, teacher T)

The ideas about strange and normal sexual behaviour are complementary ways of preserving boundaries and creating identity, and give rise to a heavy obligation on the part of teachers to monitor and report to parents.

Appealing to other discourses

A further discursive strategy used for coping with unwanted or inexplicable sexualised signs in the children is to draw on other, related discourses. This can have various effects – for example, transmuting the 'sexual' into something else which is more easily managed. In the final extract, it becomes possible to explain why a little girl masturbates in terms of a sexual abuse, medical or health problem:

W:	And even in...in the girl's place there are sometimes parents that they take...that their children are were...were...were...uh [pause].
?:	Abused.
?:	Abused.
W:	Uh. But the doctors when you...you take the child to the doctor. And the doctor said the child sometimes has got an infection.
T:	An infection ja that's it [mumbles].
W:	And just pushes in his finger. That it goes in and it...it...it's nice for her when he's just going in. And not knowing that it's making a hole.

And then when you ask where the child takes the uh...the infection, they say, sometimes when you...when it's a girl, they say you must make it sure that you don't take the nappy from...

U: From the back to the front. (Extract O)

The participants had been discussing boys with the 'habit' and 'desire' inside themselves to masturbate (see Extract J). But the idea of the girl child masturbating was rejected by evoking the hugely powerful contemporary baggage attached to notions of sexual abuse. There were no references to sexual abuse in any of the vignettes, but two other participants knew exactly what W was hesitating over. Stainton Rogers and Stainton Rogers (1992) argue that current discourses in the west tend to place all childhood sexual encounters under the umbrella of 'sexual abuse', with profound implications for the way the 'problem' is viewed or treated. In this text, this argument is salient for girl children but not for boys.

I have been highlighting how childhood sexuality is fraught with taboos, but discourses of sexual abuse are also saturated with stigma and taboo (Levett 1995) – evidenced perhaps by W's inability to say 'abuse' out loud (see Extract O). These may, however, be an easier, more familiar 'repertoire' of discourses to draw on than those referring to childhood sexuality per se. Discourses on sexual abuse provide access to a familiar set of consequences: the girl is damaged and needs medical treatment. However, the reference to physical (the 'hole') rather than emotional damage suggests that this speaker has not taken on western discourses wholesale (see Levett & Kottler 1997 for a discussion of this possibility).

Whether she has been abused or infected, the remedy for female masturbation is to be found in the doctor's consulting rooms. It is unclear whether W is talking about the doctor or abuser or even the girl herself pushing his/her finger into the girl's vagina, but this construction of pleasure is highly gendered. The boy masturbates compulsively; she feels 'nice' passively when she is abused, medically examined, or from an itchy infection. When the problem of masturbation is reduced to nappy tactics, then the sexualised girl child becomes an 'innocent' infant.

Conclusion

This chapter opened by posing three questions: Are preschool children sexual? How can adults tell? And what should we do about it – if anything at all? In conclusion, I want to consider partial 'answers' to these questions, suggested by the dominant discourses of preschool teachers explored in this chapter. Are preschool children sexual? There is no straightforward answer: younger children and some girl children were constructed as fairly 'asexual'; older children and boy children tended to be accorded 'sexual instincts'. The nature of this sexuality was highly

contested, however: from 'nice' and 'natural' to 'deviant' and 'dangerous'. Ironically, many participants equated 'sexuality' with 'puberty' at the end of the focus group discussion, as if to erase previous commentary.

Which leads to: How can adults tell? We are left in no doubt that teachers 'know' when children are being 'sexual'. But this chapter suggested that the teachers' 'knowledge' is often a necessary construction, enabling them to manage threatening, often confusing situations. On the one hand, the discourses on 'taking charge' create the idea that the 'dangerous dividing line' is visible – we know when it is transgressed, for example, when children try to hide their masturbating or sex play; when children imitate mommies and daddies 'too seriously'; or when children injure themselves. But on the other hand, what do these words really mean? These discourses are so permeated with taboos – regions of silence, vagueness, absence – that the object of 'childhood sexuality' is often obscured and difficult to delineate.

Finally: What should adults do about it – if anything at all? I have argued that discourses of 'childhood sexuality' summon up a host of complementary strategies for 'taking charge'. Teachers are persuaded and coerced to 'take charge'; children are 'taken charge' of. This is not individual 'fault' or 'intention'; this text reflects and constructs this social reality for us. As long as childhood sexuality is predominantly regarded as obscure, unstable, potentially dangerous or endangered, adults will be drawn into 'doing things' about it. However, the ways of 'taking charge' are also contested: by children who 'hide', by teachers who 'disagree' with imposed solutions, and by laughter.

In closing, there are no single, neat answers to these questions. The act of asking them suggests that childhood sexuality is a legitimate and challenging research topic, one that can be explored in many other ways which might suggest many other partial answers.

Notes

1   Unpublished document, Somerset West, Cape Town.
2   See the literature review in my master's thesis (Van der Riet 1999) for a more detailed discussion of how childhood sexuality tends to be ignored and problematised in mainstream as well as more progressive literature.
3   See Van der Riet (1999) for a discussion about power relationships in this research and how these might affect issues of interpretation.
4   Van der Riet (1999) extends this analysis by reflecting on the effects of these discourses on teachers' and children's subjectivities, as well as critically reflecting on my own analysis.
5   The confusion of pronouns is probably because pronouns are not gendered in the speaker's first language, isiXhosa.
6   Charmaine Smith, clinical psychologist, face-to-face interview, 2 March 1999.

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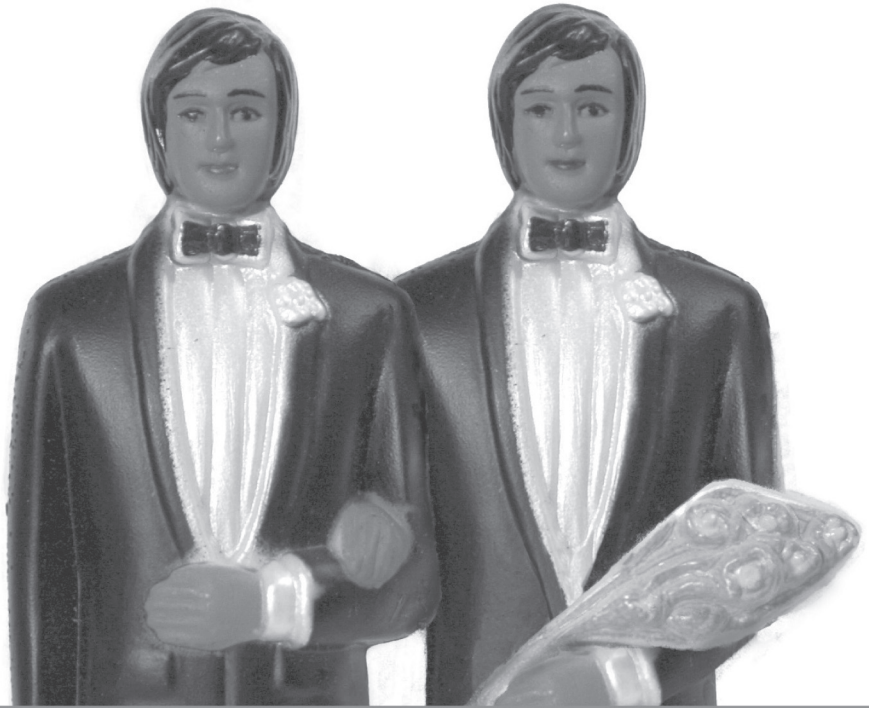
QUE(E)RYING THE CONTRACT

The final three chapters focus on sexual rights. By interrogating marginalised sexualities and the manner in which they have been written into or omitted from the Constitution and its articulation through the legal framework, the authors in this section highlight the relationship between the post-apartheid state and its citizens.

16

Criminalising the act of sex: Attitudes to adult commercial sex work in South Africa

Jillian Gardner

PRESENTLY A RANGE OF both national and local laws criminalises sex work[1] and related activities such as brothel-keeping in South Africa. The primary piece of legislation criminalising sex work is the Sexual Offences Act (No. 23 of 1957). Despite the industry's criminal status, sex work has proliferated in South Africa over the last decade. Street-based sex workers are visible on major roads of every South African city, mainstream magazines feature articles on the sex industry, and newspapers generate income through advertising the services of sex workers.[2]

Sex work raises complex moral and social questions – is it a form of slavery, a product of male domination over women or a valid aspect of human sexuality? This chapter does not seek to answer those questions. Instead it considers the attitudes and responses towards sex work in South Africa. While it is acknowledged that issues of child abuse are worthy of extensive consideration, this chapter focuses on adults involved in the sex work industry. Men, women and transgender persons are involved in the industry and in most instances the provider is a woman and the buyer a man.[3] Although much of what is discussed here is also relevant to male sex workers, the main focus is on females.

Historically, legal measures against sex work were as a result of public health considerations. The South African Constitution contains a Bill of Rights which guarantees all citizens fundamental human rights. Over the years, sex work has been subject to much debate and dominant attitudes and responses have arguably been discriminatory. The South African Law Commission (SALC)[4] is currently investigating the question of law reform in South Africa. In 2002, they released an issue paper on adult sex work. No recommendations for legislative change were made in the document and in the interim period the constitutional validity of the criminalisation of sex work was challenged in the Constitutional Court.

Main debates around sex work

The reasons generally advanced for criminalising sex work include the following: (i) because it is immoral; (ii) to prevent crime; (iii) to prevent public nuisances; (iv) to prevent sexually transmitted infections (STIs); and (v) because it is conducive to violent abuse of sex workers. The main debates on the subject relate to the definition and nature of sex work as well as the reasons for doing sex work.

A typical argument against legal recognition of sex work is that it weakens the moral fabric of society and threatens the foundation of society – the family unit. The argument that sex work is immoral is linked to the early Christian Church view that sex should take place only within the ambit of a lawful marriage, and then only for purposes of procreation. It is also based on the belief that it is wrong to engage one's body purely for commercial purposes by providing another with sexual gratification. It has also been argued that sex work should be abolished on the grounds that it contributes to the spread of STIs, fosters crime and leads to neighbourhood decay. Public nuisance resulting from sex work is also often cited as a reason for the criminalisation of sex work and police often cite complaints from residents as the main motivating factor for arresting street-based sex workers. Sex work is also seen as undesirable because of its association with organised crime and drug trafficking. Linked to the debate on how sex work should be defined is the question of whether sex work is a form of work or exploitation.

Proponents of the 'sex work as work' perspective typically argue that sex workers should have the same rights as other (legal) workers, even if the choice to do sex work may be one exercised within a limited range of options. On the other end of the spectrum is the view that sees sex work as inherently exploitative, with domination and violence as inherent features of the industry. In this view, sex work per se constitutes violence even though the worker consents to the sexual act and gets paid for it.

Sex work, disease and the law

South Africa has a long history of sex work. Prior to 1866, apart from some legislation to control disorderly conduct in public, the authorities did little to interfere with the practice of sex work, and there appeared to be no public outcries against sex work. Sex work was seen as inevitable; a necessary evil to satisfy male desire. Pressure for the legislature to take action came from the British. In 1866, the colonisers threatened to withdraw troops from Cape Town after more than 13 per cent of their troops were hospitalised for STIs. In 1868 the Cape government

passed the first Contagious Diseases Act (No. 25), which was derived directly from British law and legitimised a system whereby sex workers were required to undergo compulsory health checks for STIs. This Act was repealed in 1872 and it was only after district surgeons reported that STIs were reaching epidemic proportions that a second Act, the Contagious Diseases Prevention Act (No. 39), was passed in 1885. The Act was divided into two parts and gave the district surgeons authority to place anyone who had an STI, whether male or female, under medical treatment. Part 1 provided for the registration and regulation of sex workers and Part 2 was intended to deal with syphilis in the rural areas. The Act made no provision for the removal of a sex worker's name from the register and the definition of a 'common prostitute' was vague. According to Freed (1949), a 'common prostitute' was described as maladjusted, an unbalanced personality and a menace to society. Included in the category of 'common prostitute' were also 'latent' homosexuals, women who 'cheat' on their husbands and 'gold diggers'.

Prior to the unionisation of South Africa in 1910, control and treatment of people who had STIs was regulated by different legislation in each province. The Union of South Africa developed national legislation through the enactment of the first Union Public Health Act (No. 36) in 1919 which, among other things, repealed the Contagious Diseases Act and sought to provide accessible medical services and education for all citizens. In terms of the Act, anyone who suffered from or who suspected that they may be suffering from an STI was required to consult with a doctor and undergo treatment until they were no longer infectious. Failure to do so was declared a crime.

In 1957, the Public Health Act was repealed by the Immorality Act (No. 23). One of the main amendments to the Immorality Act was the proscription of the practice of sex work as a crime through the inclusion of section 20(1)(aA) in 1988. Prior to this, sex work per se was not criminalised, although related activities such as brothel-keeping were. The amended version of the Act, currently still in effect but now called the Sexual Offences Act (No. 23 of 1957), continues to criminalise numerous aspects of the sex work industry, including living off the proceeds of sex work, brothel-keeping and procurement. Section 20(1)(aA) of the Act provides that 'any person who has unlawful carnal intercourse or commits an act of indecency with any other person for reward, commits an offence'. In law, a sex worker can therefore be defined as a person who has unlawful carnal intercourse with another for reward. The expression 'unlawful carnal intercourse' as used in the Act means 'carnal intercourse otherwise than between husband and wife'. The Act does not specify exactly what is meant by 'reward' for purposes of the offence, but it has generally been understood to refer to financial reward.

Post-apartheid developments related to sex work

With the advent of democracy in South Africa, the Sex Worker Education and Advocacy Taskforce (SWEAT) was established in response to the need to address HIV/AIDS issues and human rights abuses experienced by individuals working as sex workers. At the time it was reported that the national ministers of safety and security and health supported the decriminalisation of sex work and a South African Police Services spokesperson was quoted as saying that

> the police services have begun to prioritise. We have come to realise that arresting prostitutes, for example, does not solve the problem. It seems far more important for us to concentrate on the enormous drug problem. So we act only on complaint. If someone is minding their own business and not disturbing anyone, we'll let them be. (*Mail & Guardian* 23 December 1994[5])

A year later, the Centre for Applied Legal Studies at the University of the Witwatersrand, at the request of the South African Department of Health, investigated possible strategies for regulating sex work which culminated in the drafting of a Bill that sought to legalise sex work. In 1996, the Gauteng Cabinet Committee on Safety and Security and Quality of Life mandated the Gauteng Ministry of Safety and Security to draft a policy document on sex work. The document recommended that sex work be decriminalised (Ministry of Safety and Security 1997). In the same year, a national network of organisations, including SWEAT, Lawyers for Human Rights and other interested individuals working towards law reform in the sex work industry, was established. A lack of funding, however, resulted in the subsequent demise of the Decriminalisation of Sex Work Network.

In 1997, at its fiftieth National Conference in Mafikeng, the African National Congress expressed support in its draft resolutions for the Gauteng proposals for the decriminalisation of sex work,[6] and South Africa presented its first country report to the United Nations Committee on the Elimination of Discrimination Against Women,[7] noting that the current criminalisation of sex work may violate the human rights of sex workers.[8] In 1998, it was reported that the Commission on Gender Equality (CGE)[9] had kicked off a campaign to decriminalise sex work (*Mail & Guardian* 23 October 1998[10]), and in 2000 the Women's Legal Centre (WLC) and SWEAT hosted a conference in Cape Town, looking at the legal aspects of sex work. The Deputy Minister of Justice was a keynote speaker at the conference and in her address noted that the issues to be addressed in the SALC's investigation into adult sex work included protecting sex workers from violence, exploitation and coercion, and affording them the rights enshrined in the Bill of Rights contained in the Constitution of South Africa (WLC 2000). In the same year, the Ministry of Health

visited The Ranch, a well-known brothel in Gauteng, which apparently formed part of 'the department's initiative to have the adult commercial sex work industry decriminalised and regulated' (*The Star* 21 September 2000[11]). Subsequent to the visit, the Director-General was quoted as saying, 'We believe that the sex industry in South Africa is alive and thriving, and we need to engage role-players in that field so that we can protect the health of the women involved' (*The Star* 23 September 2003[12]).

In 2001, the Reproductive Health and HIV Research Unit hosted a national conference in Gauteng focusing on the health aspects of sex work. During the conference, a group of local and international sex workers attending the proceedings issued a statement highlighting some of their concerns and needs. These included the following: 'We need more specific information about legislation and decriminalisation...We need a safe environment, free of police...We need an end to police harassment.'[13]

The following year, the SALC released a much awaited issue paper focusing on adult sex work. The paper did not make any specific recommendations for how sex work should be regulated. Rather, it sought to provide insight into the three broad legal models for regulating sex work. Following the release of the issue paper, SWEAT embarked on a series of workshops with sex workers to elicit and ensure their input into the law reform process. At the first national meeting of sex workers, nine independent submissions from sex worker groups around South Africa were generated and forwarded to the SALC. An excerpt from these submissions includes:

> We feel that AIDS is a killing disease. It is the responsibility of individuals to protect themselves [from HIV infection]...We don't think that there should be laws to control sex workers from spreading HIV/AIDS, because they end up suppressing us...Health facilities should be accessible, and health care providers should be educated to provide a service rather than to intimidate us...Fees for sexual services should be standardised...Prostitution should be decriminalised because it is not a crime...All regulations implemented should have [as] their guiding principle the Bill of Human Rights.
> (SWEAT 2002)

In 2003, a national movement of sex workers, called Sisonke, was launched at another national meeting on sex work, hosted by SWEAT, the WLC and the University of the Western Cape's Gender Rights Project in Cape Town. The mission of Sisonke is 'to unite sex workers to improve [their] living and working conditions and to fight for equal access to rights'.[14]

The constitutional validity of the criminalisation of sex work and related activities was challenged in 2004 in *Jordan and Others v The State*.[15] In 1996, a policeman entered a brothel in disguise, paid money and received a pelvic massage.

The 'sting' operation led to the arrest and conviction in the magistrate's court of the owner, the receptionist and the sex worker at the brothel, for contravening sections 2 and 3 of the Sexual Offences Act – brothel-keeping – and section 20(1)(aA) – the performance of sexual or indecent acts for reward. They appealed against their convictions and argued that these sections are unconstitutional and violate their rights to dignity, economic activity, freedom and personal security, privacy and equality. The high court dismissed the appeals against brothel-keeping but found section 20(1)(aA) to be unconstitutional because it discriminates unfairly between the sex worker and the client. The high court held the provision to be 'discriminatory' because

> in principle there is no difference between a prostitute who receives money for her favours and her sister who receives, for rendering a similar service, a benefit or reward of a different kind, such as paid-for weekend, a free holiday, board and lodging for a shorter or longer period, a night at the opera, or any other form of *quid pro quo*.[16]

The owner and receptionist appealed to the Constitutional Court, which also had to confirm the finding of the high court, namely that section 20(1)(aA) amounted to unfair discrimination. The Constitutional Court applied the Interim Constitution which was in force at the time of the arrest. In confirming the original convictions, the court unanimously held sections 2 and 3 prohibiting brothel-keeping to be constitutional. The court was, however, divided on the issue of the constitutional validity of section 20(1)(aA). Of the 11 judges who heard the case, six found that the section did not constitute unfair discrimination against women, because it sought to criminalise the actions of both male and female sex workers, and because the client was already liable for prosecution under the common law or the provisions of a discredited apartheid statute, the Riotous Assemblies Act (No. 17 of 1956).[17] The majority also stated that the sex worker was engaged in the business of commercial sex and that one of the ways of curbing commercial sex was to strike at the merchant by means of criminal sanction, and that the differentiation between dealer and customer was a common distinction that was made in a number of statutes and 'if the public sees the recipient of the reward as being "more to blame" than the client and conviction carries a greater stigma on the "prostitute" for that reason, that is a social attitude and not the result of the law'.[18] The minority judgment, however, acknowledged that section 20(1)(aA) differentiated between sex workers and clients, maintaining that 'the differential impact between sex worker and client is...directly linked to a pattern of gender disadvantage which our Constitution is committed to eradicating'.[19]

The challenge based on equality thus failed and the court further held that section 20(1)(aA) did not infringe the rights of sex workers to dignity and economic

activity and that even if the provision limited the right to privacy, such limitation was justifiable in terms of the Constitution. The judges stated that while sexual intercourse in exchange for money fell within the private realm, the claims to privacy were reduced by the commercial nature of sex work and infringement of the right to privacy was justified.[20] The court also felt that by engaging in conduct which is prohibited, sex workers open themselves up for violation of their human rights to dignity and freedom of the person. The court remarked that these rights are not violated since the sex worker 'makes herself liable for arrest and imprisonment by violating the law' and that the diminished dignity of sex workers 'arises from the character of prostitution itself'.[21] The court did not address the question of the constitutionality of the continued criminalisation of sex work and argued that it was not within the realm of the court, but rather a matter for the legislature, to decide on the most effective policy option for sex work.[22]

Why laws criminalising sex work should change

The current definition of sex work is problematic because many individuals who sell sex do not see themselves as sex workers in the legal sense and numerous individuals who fall within the scope of the law are excluded from penal sanctions.[23] These include individuals who engage in outside-of-marriage sex, as well as individuals who engage in sexual relations with others in exchange for benefits such as food, clothing, accommodation and any other recompense. Outside the realm of the law are also those individuals who engage in extramarital affairs. Adultery and homosexuality, for example, are no longer considered crimes in South Africa, and it is common for individuals to engage in sexual relations outside of marriage. It is therefore reasonable to conclude that sexual morality is selectively enforced in South Africa.

The primary motivating factor influencing people's decisions to do sex work in South Africa is related to economic considerations. In the absence of meaningful income-generating opportunities, sex work offers people the opportunity to 'make a living'. The officially illegal status in South Africa also means that the sex work industry remains part of South Africa's growing black economy. The jobs created in this economy are therefore not counted as jobs.

In all industries, conditions are most dangerous where workers are relatively powerless and there is no effective regulation or control over employers. There are currently no standards that govern the sex work industry and brothel-based sex workers often complain about unfair working conditions and labour practices. Since sex work is viewed as a crime and not a legitimate form of work, sex workers are not afforded the protection and benefits offered to other employees.[24] In 2000 SWEAT and the WLC supported a group of sex workers whose human rights were infringed upon by the owner of the agency where they worked. A court order was granted

which interdicted and restrained the owner from, among other things, preventing the workers from freely entering and exiting the premises they occupied or controlled, when they wished; forcing and/or arranging HIV or similar tests for any workers without their prior written consent; communicating, whether directly or indirectly, to any worker's parents or relatives the fact that she was working as a sex worker; levying fines against workers and/or appropriating workers' money and/or making deductions from monies held by the owner on the workers' behalf without their prior written consent; and assaulting and/or threatening to assault workers.[25]

As a consequence of their criminalised status, social stigmatisation and the fact that they are by and large female, sex workers remain particularly vulnerable to all crimes of violence against women. Between 1995 and 1996, a serial killer murdered 19 sex workers in Cape Town; towards the end of 1999, a sex worker was killed when a man threw her over the railings at a beach in Cape Town; while in 2003 a group of male sex workers and the brothel owner were murdered by two men. In 2000, SWEAT and the WLC supported a group of street-based sex workers in obtaining an interdict against, *inter alia*, three police officials who were assaulting and harassing them. The court order sought to restrain the officials from assaulting, harassing, threatening or molesting them. The matter was also referred to the Independent Complaints Directorate (ICD),[26] which recommended that the officials face internal disciplinary charges as well as criminal charges, including rape, assault, *crimen injuria* and corruption.[27] This is possibly why Leggett cautions that 'vice enforcement is a very dangerous business. If you want to keep drugs and prostitution illegal, you have to watch the people in charge of enforcement very carefully' (2001: 155).

It is currently very difficult to achieve successful prosecution under the Sexual Offences Act. The globalisation of the sex industry and modern technologies such as the internet and cellular phones have made it harder to police the industry. Current policing of sex work drains away scarce resources from more effective HIV prevention, treatment and care programmes. Technikon South Africa's Institute for Human Rights and Criminal Studies claims that

- at a minimum, it costs the police close to R14 million a year to prosecute sex workers;
- police action against sex workers is inconsistent;
- most cases against sex workers are dropped after coming to court, wasting valuable court time; and
- sex work is more heavily policed than serious violent crime.[28]

Scrapping the laws against sex work will free up police resources which could be better spent fighting serious violent crime. A change in the laws criminalising sex

work will not only enable the extraction of revenue from an industry which goes largely untapped, but also afford those involved in the sex work industry access to labour rights. Public nuisance manifestations can be controlled through existing laws and regulations which are not dependent on the criminalisation of sex work. The rationale that sex work generates crime is empirically not verified, and there are currently no statistics which show the number of crimes that have been committed as a result of sex work. There is also insufficient information on whether drugs are leading people to do sex work or whether sex work causes people to use drugs. In any event, it is not entirely clear how having answers to these questions will clear up the debate on sex work. In spite of criminalisation, South Africa experiences high levels of violence and substance abuse. These are issues not only for sex workers but for society as a whole. Why sex workers should be singled out for punishment is not acceptable.

HIV is the most recent issue in a long history of recurring moral and practical questions and conflicts raised around sex work. The reality of AIDS as an STI has strongly influenced perceptions of and responses to AIDS. Strategic health interventions around HIV have labelled sex workers a high-risk or core group – a primary bridge population through which HIV is spread to the general population. In this view it seems that AIDS is seen to be caused not by a virus but by the actions of certain groups of people. While it is acknowledged that interventions aimed at changing behaviour have a great role to play in preventing the transmission of HIV, and that sex workers may have relatively more sexual encounters than individuals not doing sex work, it is also true that condoms, if used properly and consistently, provide the best protection against infection and that individuals do not always control their exposure to risk.[29]

Given that sex workers are mostly women, they in fact are at increased risk of getting infected with HIV compared to their male sexual partners. There are no reliable data about the prevalence of HIV among sex workers in South Africa and even where data are available they are often not compared to rates of infection in the broader community where sex workers live and/or work. This has much to do with the hidden nature of the industry and difficulties related to the definition of sex work. Rather than talk of high-risk and low-risk groups, we should be talking about high- and lower-risk sexual acts. The exchange of sex for money does not spread HIV; unprotected sex with an infected person is what leads to infection. Many of the women who sell sex also have personal partners, and time and time again research has shown that while sex workers may use condoms with the clients, this is not the case with their personal partners, who generally refuse to use condoms. Why then is it often assumed that HIV-positive sex workers got infected in the course of their work?

Conclusion

Sex work poses difficult questions. On its own it is hardly the most pressing form of 'crime' confronting South Africa. The authorities may be correct in pointing to its extensions into child prostitution and drug dealing, which constitute a clear reason for the need for vigilant control. But is the criminal law the best means to deal with sex work? Over the past years, sex work has received considerable attention and the topic remains an emotive one, with opinions on the issue generally polarised. Those who advocate for law reform, and in particular the decriminalisation of sex work, do not necessarily do so because they think it's a wonderful institution, nor because they believe in a 'free-for-all'. The individuals and organisations that have direct experience working with industry role-players are in a good position to testify to the effects of criminalisation on the lives of individuals working as sex workers. Researchers (Leggett 2001; Pauw & Brener 1997a, 1997b) and activists (Alexander 2001; De Villiers 2001) have also noted the negative impact of criminalisation on the lives of sex workers and HIV-prevention programmes.

Legal reform may appear self-evident, but it is the degree to which policy and lawmakers – and society at large – are willing to confront their own prejudices about what is permissible sexual behaviour and what is not that will determine the future legal and social status of sex work in South Africa.[30] It is unfortunate that the judges in the *Jordan* case didn't consider the constitutionality of the criminalisation of sex work. Rather than interrogate the efficacy and reasonableness of criminalisation, the judges worked from the premise that sex work is indeed a crime, and that the violation of the human rights of sex workers was a consequence of engaging in a prohibited activity and not a result of criminalisation.

The question whether sex between consenting adults should continue to remain criminal should be a matter of balancing the social benefits resulting from criminalisation against the social, human and financial costs of invoking criminal sanction. Seen in this light, it should not be hard to conceive why the laws against sex work should change. Criminalisation has not achieved its desired end of suppressing sex work, nor has it prevented the spread of STIs, including HIV.

Notes

1 The term 'sex work' is used rather than 'prostitution' because it is the term preferred by sex workers, but also because the label 'prostitute' has negative connotations.

2 I am grateful for suggestions, comments and contributions from Clayton Gardner (ex-SWEAT outreach worker), Myrtle Adams (ex-SWEAT volunteer) and Anita Kleinsmidt.

3 This arrangement is not exclusive as homosexual and male sex workers also exist.

4 SALC is a statutory advisory body whose aim is the renewal and improvement of the law of South Africa on a continuous basis.

5   Gevisser M, 'The new SA has a different position on everything'.

6   It is alleged that in their Draft Conference Resolutions (on file with the South African Law Commission), the African National Congress resolved that the state should take appropriate measures to remove all legislation that made sex work a criminal offence and ensure that sex workers have regular and confidential access to public health services. The ANC Women's League, in its charter titled 'The Women's Charter for Effective Equality' (retrieved from http://www.anc.org.za/ancdocs/policy/womchart.htm on 18 August 2008), states that the resolution to decriminalise sex work was approved at their National Conference on 27 February 1994.

7   The UN Committee is tasked with overseeing the implementation of the Convention on the Elimination of All Forms of Discrimination Against Women, of which South Africa is a signatory.

8   See Article 6 of South Africa's Initial Country Report. Available at http://www.womensnet.org.za/hr/1cedaw19.htm. Accessed on 18 August 2008.

9   The Constitution sets out the functions and powers of the CGE. These include reviewing existing and upcoming legislation from a gender perspective and monitoring and evaluating the policies and practices of government, the private sector and other organisations to ensure that they promote and protect gender equality.

10 Haffajee F & Amupadhi T, 'Sex industry is on the rise'. It has also been said that the CGE produced a brief position paper supporting the decriminalisation of sex work.

11 Health reporter, 'Brothel-probing minister wants sex work legal'.

12 Altenroxel L, 'Back at the Ranch, health officials talk sex'.

13 Unpublished statement ('Sex Workers Speak Out') from sex workers associated with the Mothusimpilo Project, High Transmissions Area Project, Port Elizabeth, SWEAT, Danzine, Coyote, and AIM. South African Conference on Sex Work: The Health Issues, Johannesburg, 19–20 February 2001.

14 More information about the group is available at www.sweat.org.za.

15 2002 (6) SA 642 (CC).

16 *Jordan and Others v The State* 2002 (1) SACR 17 at 21f-g; 2001 (10) BCLR 1055 (T) at 1058D–E.

17 *Jordan* paras 15–19.

18 *Jordan* para. 16.

19 *Jordan* para. 60.

20 *Jordan* paras 82–84.

21 *Jordan* paras 74–75.

22 *Jordan* para. 94.

23 Leggett (1998) notes that less 'traditional' forms of sex work are practised in rural and township areas.

24 This was one of the findings from the needs assessment conducted by SWEAT (see Zetler 1999).

25 *Jansen and SWEAT v Petersen and 2 Others*, available at www.wlce.co.za.

26 The ICD is an independent statutory body set up to investigate complaints against police conduct.

27 *De Bruyn and 10 Others v Minister of Safety and Security and 4 Others*, available at www.wlce.co.za.

28 They point out that 91 per cent of the 4 390 reported prostitution offences in 2000 went to court, with convictions secured in 33 per cent, while the convictions for carjacking in 2000 stood at 2.3 per cent, aggravated robbery at 2.3 per cent and rape at 7.56 per cent. The institute's work is available at http://www.crimeinstitute.ac.za.

29 The risks of infection for sex workers may vary greatly since a broad range of factors have been shown to increase vulnerability to infection. These relate largely to the lower social status ascribed by society to sex workers.

30 It is significant to note that the United States now requires that organisations who receive US government funding for HIV and anti-'trafficking' efforts implement policies against needle exchange and promoting legal acceptance of sex work. This means that organisations would not be allowed to use other money for these activities.

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17

Queer marriage: Sexualising citizenship and the development of freedoms in South Africa

Vasu Reddy

HISTORY ALWAYS HAS AN uncannily ironic relation (and relevance) to the present, and I am reminded of this by a story told by my late friend Ronald Louw, who unearthed some fascinating evidence pertinent to my current argument.[1] In this narrative he explained that more than three decades ago in a village some distance from Durban in KwaZulu-Natal, a young African man named S'bu got married in the presence of a small circle of friends. What was 'unusual' about this event, according to Louw, was that, firstly, S'bu married another man; secondly, the wedding took place in the home of the local Methodist minister; and thirdly, S'bu married the minister. At the time of the interview, S'bu was a waiter living in Pinetown and he recounted his story to Louw (2001: 287) as follows:

> When I was 18 years old (in about 1972) the minister called me to stay behind in church one Sunday to count the collection. After everyone had gone he called me into the vestry and told me that he liked me very much and wanted me to be his wife. I was shocked at first but I also liked him. He was about 55 at the time. He had a four-roomed house in the township and I used to spend a lot of time there looking after him and the house. I used to cook and clean and was very happy. After a couple of years he said we must get married. We then had a big party where we invited about 20 guests who were living the same type of life as we were. I had to cook all day for the party in the evening but I had a bridesmaid to help me. Then I got dressed in white: white trousers and a white shirt with big cuffs and I also carried some flowers. I had many necklaces on as well. One of the older people in the church, an old man who was also gay, married us. He also made a speech and said a prayer. We had a wedding cake and people brought presents for me. I also had a wedding ring.

FIGURE 1 *Advert in a Durban newspaper*
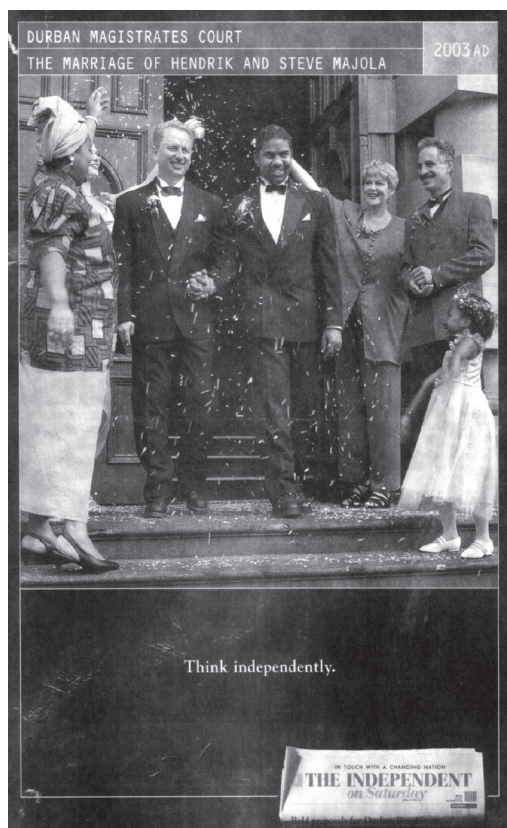
Source: *Independent on Saturday* 2000 (from the archives of the Durban Lesbian & Gay Community Centre)

The above events register an important facet of identity formation in the politically turbulent times of apartheid history. Given the criminalisation of homosexuality in apartheid South Africa and the supposed 'transgressive' gesture of S'bu's marriage, such an act or ceremony flies in the face of current claims by opponents that homosexuality is unAfrican, non-existent in African societies, and that self-definition as a 'gay' is an alien fact of African identity (see Figure 1 for a prophetic position taken by a national newspaper a few years ago).

In marked contrast to the events surrounding S'bu's marriage in the 1970s of apartheid South Africa, the context of post-apartheid South Africa demonstrates a radical departure from criminalisation of acts to recognition of identities. Developments in respect of legal recognition of same-sex unions received much attention in the landmark judgment in the case of *Fourie v Minister of Home Affairs*

by the Supreme Court of Appeal in November 2004. The court ruling was the result of a case brought by Marie Fourie and Cecilia Bonthuys, who challenged the South African common law definition of marriage. Judge Cameron, in his judgment, said the common law definition of marriage should be redefined to include 'spouse' and to read 'or partner in a permanent same-sex life partnership' (*Mail & Guardian* 3–9 December 2004: 5).[2] In principle, that decision meant that same-sex marriages could be recognised, and that the various statutory hurdles that regulate marriage could be addressed, a significant one of these being the Marriage Act (No. 25 of 1961) (addressed briefly in the section following). The court's decision, however, only affected the common law definition of marriage and did not legalise same-sex marriage. This judgment facilitated the statutory and regulatory laws being changed and aligned with the South African Constitution. While the Appeal Court held that the prohibition against marriage was unconstitutional, the court's decision was split in that Judge Farlam argued that the decision be suspended for two years to allow for legislative reform to take place. Almost a year later, on 1 December 2005, the Constitutional Court (cc), in the case of *Minister of Home Affairs and Another v Fourie and Another,* set aside the decision of the Supreme Court and replaced it with orders that confirmed the decision of the Appeals Court but went further to instruct Parliament to correct the defects by 1 December 2006. In motivating the decision, the cc's media summary explained that 'the exclusion of same-sex couples from the benefits and responsibilities of marriage was not a small and tangential inconvenience...same-sex couples are outsiders...obliged to live in a state of legal blankness'.[3]

As Table 1 shows,[4] despite the above claim, several far-reaching judgments have been made since the formal adoption of the South African Constitution, which I have addressed elsewhere (see Reddy 2006).

TABLE 1 *Chronological overview of judgments on same-sex issues*

Date	Case	Judgment
10 March 1993	*Van Rooyen v Van Rooyen*	Deputy Judge President Flemming rejects custody to a divorced wife in a heterosexual marriage who was involved in a lesbian relationship.
4 February 1998	*Capt. Langemaat v Department of Correctional Services, Safety and Security*	The high court rules that medical aid regulations that do not recognise same-sex relationships are unconstitutional.
9 October 1998	*National Coalition for Gay and Lesbian Equality and another v Minister of Justice and others*	The cc abolishes the crime of sodomy.

Date	Case	Judgment
2 December 1999	*National Coalition for Gay and Lesbian Equality and others v Minister of Home Affairs and others*	The CC rules that the long-term same-sex partners of South African citizens or permanent residents should be treated as spouses when it comes to immigration regulations.
13 May 2002	*Muir v Mutual and Federal Pension Fund*	The Pensions Fund Adjudicator awards full pension benefits to the surviving same-sex partner of a deceased Mutual and Federal employee.
25 July 2002	*Satchwell v President of Republic of South Africa and another*	The CC rules that the long-term same-sex partner of a judge should be entitled to the same pension payout as a judge's spouse.
10 September 2002	*Du Toit and another v the Minister of Welfare and Population Development and others*	The CC rules that same-sex couples should be allowed to adopt children.
October 2002	*J and B v Home Affairs*	The CC rules that same-sex couples should be allowed to be registered as the parents of children born to one of them.
19 September 2003	*Du Plessis v Road Accident Fund*	The Supreme Court of Appeal determines that the heir in a same-sex life relationship has a right to recover funeral expenses expended by him.
30 November 2004	*Fourie v Minister of Home Affairs*	The Supreme Court of Appeal declares the common law definition of marriage unconstitutional, following an appeal by Marie Fourie and her partner Cecilia Bonthuys.
8 December 2005	*Minister of Home Affairs and another v Fourie and another*	The CC endorses the Supreme Court of Appeal decision (30/11/04) that confirms the unconstitutionality of (1) common law definition of marriage; (2) current marriage formula. Such declarations are deemed invalid and suspended for 12 months from date of judgment, allowing Parliament to correct the defects.
30 November 2006	*Civil Union Act 17 of 2006*	The Civil Union Act is signed into law by the Deputy President of South Africa, providing for the legal recognition of same-sex couples partnerships.

I explained in Reddy (2006) that the courts' decisions in the respective cases advance the administration of justice in respect of queer subjectivity. The law operates in ways that may either repress or facilitate identity within the context of *rights*. However, *justice* is fundamentally about bringing to trial the unconstitutionality of legal provisions that curtail and limit the freedom of post-1994 South African queers. It seems that in the following cases, 'justice' is principally a restorative and curative procedure. In other words, justice is a moral and ethical issue that frames and advances an inclusive 'queer' citizenship. In terms of the Constitution, which explicitly includes sexual orientation as a prohibited ground of discrimination, the judgments formulated in the above cases suggest

a number of legal victories that have upheld and promoted the rights of gays and lesbians in a systematic process of decriminalisation.

Decriminalisation entails a systematic process that recognises the equality of gays and lesbians in the law. In other words, decriminalisation focuses on legislation that makes legal that which was once illegal. Such a meaning is significant for homosexuality in general, and for queer identity formation in South Africa. 'Queer' is used to suggest a self-chosen alignment with two recognisable meanings: the pathological and the possibility of resistance to pathological derivations. 'Queer' therefore signals an active force that motivates and asserts gay and lesbian identity by challenging compulsory heterosexuality. If the apartheid social and legal system criminalised homosexuality by designating same-sex conduct as a crime, an offence linked to punishment, the post-apartheid context may be interpreted as a project of decriminalisation that foregrounds the legal recognition and development of queer identity (see Reddy 2005). Decriminalisation is inextricably connected to law-making and legislation that accesses constitutional provisions to advance citizenship claims for queer people. It is in this sense that I understand the concept of 'justice' to be an effect of the law. I claim that South African law post-1994 *re*-installs the queer as a productive and affirmative subject. This chapter considers the legal framework and turns to an examination of a cluster of meanings associated with the current politics of same-sex marriage in South Africa.

Judgments over the last decade and a bit are indicative of a developing jurisprudence that allocates inalienable rights and privileges to the queer subject. The effects of the recognition of these rights are in most instances economic (and indeed also symbolic), yet they simultaneously emphasise the identity of applicants as a driving force in claiming and asserting the urgency of rights within an equality model. In all cases, applicants in these matters have, through the public nature of court proceedings, demonstrated that identities are not simply private, secret matters to be repressed, but rather public matters that require state affirmation. The accrual of economic and legal benefits determined by court judgments therefore advances the notion of justice and citizenship, not primarily within the framework of equality but also developing freedoms. In addition to the above cases, the South African National Defence Force (see SANDF 1997) removed enforced discrimination in the military against homosexuals. With this policy the Defence Force recognised its constitutional duty and incorporated the government policy to redress discrimination against gays and lesbians. The inclusion of gays and lesbians within the military is an important development in the post-apartheid project, and is in marked contrast to the mutilation and torture that characterised the apartheid military (see Van Zyl et al. 1999). Legal victories and policy reform have by all accounts benefited the construction of queer identities in ways that promote claims to citizenship and thus to nationhood (see Brandzel 2005). The struggle for

identity is reinforced in the case for same-sex marriage. As a word, 'marriage' in the struggle for queer equality has been the target of anxious proscription, targeting the existence of a sexual practice. The issue is contentious, politically charged and underpinned by diverse and complicated considerations. The complex of same-sex marriage opens up two central ideas: first, the history and meaning of marriage; and second, the history and meaning of homosexuality. Public anxieties manifest in discussions that reflect deep-seated divisions that have cultural, social, political, religious and legal implications, a point aptly captured by Goldberg-Hiller, who convincingly demonstrates that 'same-sex marriage operates as a transformative metonym for the body politic' (2004: 1).

'First it was the abortion law, now same-sex couples can marry'

An important emotional and social factor in the intimate lives of people, marriage is usually understood to facilitate legal access to a range of protections, responsibilities and benefits. The etymology of 'marriage' within a heteronormative interpretation suggests a 'condition of being a husband or wife', a 'contract' signalling a matrimonial alliance, or an action signalling a union and merging of two things that acquire a status and privilege in the act of marriage. More so socially and culturally, marriage is viewed as a contract for life that develops into a bond. That said, marriage is also a socio-sexual institution. It is induced by a sexual order where sexual intercourse is perceived as the seal of marriage. But the salience of the gay marriage issue may also be viewed within the context of a discourse of love in which marriage is only one among several different forms that sexually invested relationships may take (see also Hull 2006).

As evident in the case reviews reflected in Table 1, marriage is central to public policy issues – for example, access to rights such as inheritance, medical insurance, tax advantages, adoption and child custody. Over and above these social and economic benefits, the institution of marriage implies a practical and symbolic guarantee of equality for two people who wish to formalise their commitment to each other. Sadly, the privilege of marriage is a right that has been denied to most gay people in most countries, and in the South African context the legal right to marriage is one of the final hurdles in overcoming discrimination against gays and lesbians. This remains despite the overwhelming progress in respect of the legal recognition of same-sex relationships. The process of decriminalisation has prioritised litigation in respect of marriage for same-sex people. As an institution, marriage was also the cornerstone of apartheid legislation where principally white, Christian, Malay, Jewish and Hindu marriages were regarded as the legitimate entry into family life. Also, until the 1980s marriage between people of different races was a criminal offence under the Prohibition of Mixed Marriages Act (No. 55 of

1949). Until its repeal in 1985, the Immorality Amendment Act (No. 57 of 1969) had criminalised sexual relations between black and white people (see Sinclair 1996; Van Heerden et al. 1999). Criminalisation in respect of the Prohibition of Mixed Marriages Act meant that relationships across the colour bar were forbidden in South Africa. In this regard 'marriage' has long been a debated source of meaning in terms of the law, race, sexuality and culture. Until recently, customary marriages (those involving principally the African, Muslim and Hindu faiths) were also not legally recognised.[5] Despite the lack of legal recognition for same-sex marriage, there is anthropological evidence of same-sex or transgender unions and kinship patterns of friendship in many societies (see Eskridge 1993; Gay 1993; Louw 2001). The point about these studies is the contestation they raise between seemingly 'private' cultural practices internal to specific geographical contexts, and the kind of politicisation and complexity they generate in respect of legal recognition.

On 8 July 2004 the Equality Project, together with 16 co-applicants (all couples in permanent same-sex relationships), filed an application in the Johannesburg high court challenging the common law definition of marriage and the marriage formula, in terms of the Marriage Act (No. 25 of 1961), on the grounds that they violate the rights of lesbian and gay people to equality, dignity and privacy (see Figure 2).

FIGURE 2 *Zapiro cartoon*
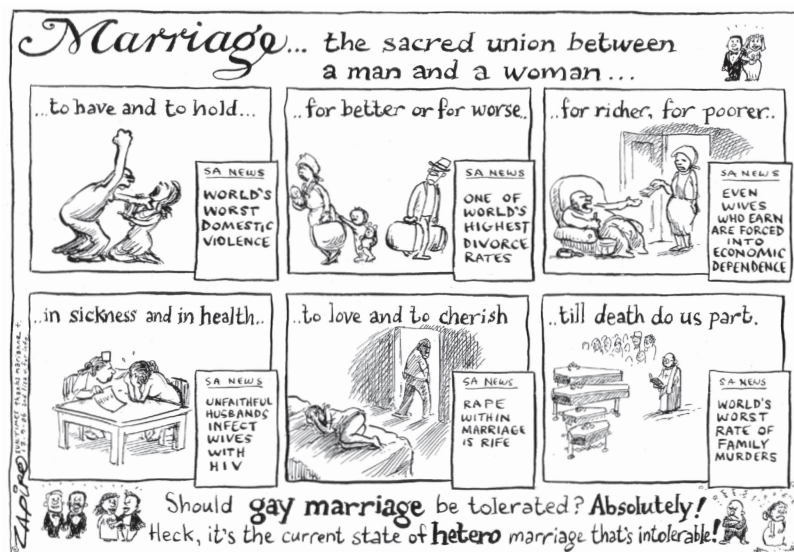
Source: *Sunday Times* 17 September 2006

Litigation is principally directed towards developing the law in order to recognise, protect and regulate marriages between two people of the same sex in much the same way that heterosexual couples are protected. At the heart of the issue is a challenge to the definition of marriage, and following Roman Dutch Law (which still underpins much legislation), marriage continues to be formulated as the union of one man and one woman. The Equality Project asked the court first to redefine marriage to read as 'the legally recognised voluntary union for life in common between two persons to the exclusion of all others while it lasts', and second, to read into the marriage formula the words 'or spouse' immediately after the words 'or husband'. The former director of the Equality Project indicated that 'the removal of the common law prohibition against marriages between people of the same sex would represent a major advance in the struggle towards securing an equal position for lesbian and gay people in the law' (*This Day* 23 August 2004: 2).[6] The Equality Project case was formulated in terms of three important issues: first, the principles of the post-apartheid democratic state which are based on values of human dignity, equality and freedom; second, the necessity to dispense with discrimination against gay and lesbian people; and third, the urgency, in respect of public interest, to ensure that all laws that are inconsistent with the Constitution are declared invalid in their relation to the provisions of a constitutional state. Beyond this, litigation in respect of securing marriage rights for gays and lesbians in South Africa will conclude a decade or so of law reform that was spearheaded by the Equality Project and its predecessor, the National Coalition for Gay and Lesbian Equality. As indicated earlier, judgments in several cases (see Table 1) indicate a systematic development of legal reform favouring queer citizenship.

Marriage as an institution is a fundamental property of the heteropatriarchal state, and one accorded a special privilege by most institutionalised religions that recognise marriage purely in a heteronormative sense. Viewed as an arrangement for procreation and the nurture of children, marriage is motivated by patriarchal institutions as a 'natural' order requiring a good mixed-sex relationship (man and woman). Marriage is not simply a symbolic institution that affords a legal status to a civil relationship, but also raises jurisprudential issues in respect of the state's relationship to its citizens. Marriage rights do not accrue to most gay and lesbian people because gay and lesbian marriage falls outside the scope of the legal definition of marriage. The case for the redefinition of marriage in South Africa is in some respects a litmus test for the post-apartheid state's recognition of queer citizens as full members of the polity. And this was demonstrated in the cc decision of 8 December 2005 in favour of same-sex marriages. The decision of the cc follows a Supreme Court of Appeal ruling in November 2004 that said same-sex couples could get married

following the application by lesbian couple Marie Fourie and Cecilia Bonthuys. The 2005 decision by the cc requested that courts change the common law definition of marriage from being a 'union between a man and a woman' to a 'union between two persons'. The cc indicated that it was the task of the South African Parliament to make the necessary changes within 12 months. The development of legal reform resulting from this positive decision by the court will strengthen the development of queer identities further by securing rights that designate citizenship. It is for these reasons that it is difficult to erase sexuality from its relationship to the law and citizenship (see Kaplan 1997; Richardson 2000a, 2000b).

The subject of same-sex marriage has generated a variety of opinions within and outside gay communities all over the world. Most visible was the case in the city of San Francisco (in the US) in 2003, where marriage licences to homosexual couples were issued in contradiction to state and federal laws. This strategy was partly fuelled by a major legal victory in November 2003 in the Massachusetts Supreme Judicial Court, which ruled that gay and lesbian couples have the right to civil marriage in Massachusetts.[7] This judgment was authored by an ex-South African and first woman to lead the state's 313-year-old Supreme Judicial Court.[8]

At the Lambeth Conference,[9] which was in part a response to the US's attempt to normalise homosexuality within the church, Archbishop Peter Akinola of Nigeria (home to 17 million people – half of the world's Anglican population) argued that the US Episcopal Church (which is within the Anglican Communion) created a 'new religion' by confirming openly gay Episcopal Bishop Gene Robinson in November 2003 in New Hampshire. Unsurprisingly, the Lambeth Conference rejected gay ordinations of same-sex couples. These events underscore the contested nature of homosexuality, viewed as unAfrican by the African diocese and many in South Africa. The Anglican archbishop of South Africa, Njongonkulu Ndungane, is of the opinion that 'marriage is supposed to be between a male and a female' (*Sowetan* 1 December 2004: 3),[10] despite public support of homosexuals into the church provided they remain celibate (see Figure 3). More recently, Patekile Holomisa (Chair of the Congress of South African Traditional Leaders) was quite scathing about his opposition to same-sex marriage. At a seminar on 13 September 2006 at the Human Sciences Research Council he was asked for comment on his views, which he did not shy away from – using descriptors such as homosexuality reflects 'oddities', that it is a 'problem that must be addressed', that it is an 'abnormality' and that homosexuals need 'to be assisted to live normal lives'. Despite these social and cultural responses, there are a number of historical legal precedents in some countries that have legalised same-sex marriage or recognised same-sex relationships in a limited sense.[11]

FIGURE 3 *Zapiro cartoon*

Source: *Mail & Guardian* 8–14 August 2003

Likewise, scholarship focusing on and endorsing same-sex marriage in the US is extensive, and ranges from the philosophical (Butler 2002), sociological (Fassin 2001) and legal feminist (Hunter 1991) to an approach based principally on human rights as designated by the Universal Declaration adopted in 1948 by the United Nations (Howard-Hassman 2001). But there are also scholars who have argued against the institution of marriage, primarily feminists adopting a radical position. These scholars conceptualise marriage primarily as an institution that has privileged heteropatriarchal power (in the male–female dyad) and subjugated women; such critiques demonstrate a rejection of marriage, both heterosexual and homosexual (see Fineman 1996; Polikoff 1993). Marriage has historically taken for granted what Rubin (1993) called 'good sex', that is, sex that is or might be procreative, monogamous, takes place in the home, and does not involve the presence of third parties or the use of sex toys or pornography.

Several book-length studies have also interrogated the subject of same-sex marriage in the US in a number of ways. For example, Kaplan (1997) claims that sexual desire is central to the search for happiness, which for him is underscored by equal citizenship in the establishment of intimate relationships. This study draws on a range of disciplinary fields such as law, philosophy, psychoanalysis and literature to demonstrate the significance of an anti-homophobic conception of queer relationships. Another well-conceptualised text is that of Eskridge (1996), who

argues for same-sex marriage in terms of equality jurisprudence and makes a moral and sociological argument in terms of norms underpinning healthy citizenship. Wolfson (2004), a civil rights litigator, likewise locates the case for marriage in relation to what he terms the 'pursuit of happiness' as a right of citizenship, an ideal entrenched in the US Declaration of Independence. Gertsmann (2003) questions whether the US Constitution protects the right to same-sex marriage, and asks whether in a democratic society the courts, rather than the voters, should resolve the question. A journalistic account focusing on the battle over gay marriage in the US State of Vermont is presented in Moats (2004) in order to track a social history of the emotions underpinning public opinion on same-sex marriage. More humanist accounts of lesbians and gays who celebrated wedding ceremonies in the absence of legal recognition of their unions are presented in personal narratives in Sherman (1992), as well as in the form of a memoir focusing on a Canadian same-sex couple's struggle to have their marriage legally registered (Bourassa & Varnell 2002). A more extensive analysis of the historical and theoretical arguments focusing on defences for and against same-sex marriage is outlined in Sullivan (1997). A similar text, written as a textbook for students and focusing on the psychological, emotional, economic and legal issues in respect of same-sex marriage, is presented in Lehmann (2001). Most recently, Mello and Chambers (2004) have analysed the legal disputes in relation to morality, religion and social mores of same-sex marriage, and Chauncey (2004) has presented a compelling historical argument to demonstrate that same-sex marriage became an important campaign in queer rights struggles in the context of HIV/AIDS and access to adoption. In contrast to these studies, Stanton and Maier (2004) present a counter-argument against same-sex marriage in which they claim that such an arrangement has negative effects on parenting, and especially on the lives of children. Unfortunately these unresearched and bigoted views based on supposed truths characterise the opposition to same-sex marriage, including (and especially) vociferous opposition from religious groupings.

Meanings about marriage

Legal scholarship in South Africa has conceptualised the issue of marriage primarily in a human rights and equality model (see Grant 1996; Mosikatsana 1996; Silver 1996; Williams 2004), suggesting that a ban on homosexual marriage is a violation of the equality clause of the Constitution, since the South African common law definition of marriage pre-dates the post-apartheid Constitution.[12]

Over and above the intellectual and civil rights insights on the subject of same-sex marriage, brought by studies such as those cited above, the meanings about marriage equality in popular debates are also important for the development of queer identities. The cursory review of the critical studies cited earlier, as well as public

opinion, suggests that same-sex marriage turns on basic attitudes towards sexuality and gender and raises various political positions and arguments from the perspective of compulsory heterosexuality. At the heart of the gay lobby's defence is the right for queers to choose the circumstances of their lives, and marriage is one possibility of full citizenship (which entails the right to equality and privacy). This contention is underpinned by the assertion of gay rights as a public demand of respect for homosexuals (which entails the right to dignity). Consequently, the benefit of marriage is the extension of citizenship rights that facilitate the assimilation of gays into the mainstream of society. Such a view does not imply that all queers endorse marriage; for many queers marriage is disputed and signals the assimilation of a heterosexual model (such as the feminist opposition mentioned earlier – see Fineman 1996; Polikoff 1993). The 'marriage' strategy, especially as advanced by queers, seems to me to motivate the normalisation of homosexuality – Bersani (1995) has most notably addressed this theoretical effect of a political strategy. Butler (2002) in turn suggests a distinction between gay marriage and gay kinship by demonstrating an argument in favour of legal alliances that can work in tandem with a state normalisation of recognisable kinship relations. Butler also cautions against limitations in securing rights for kinship arrangements outside of the marriage frame.[13]

Therefore discourses about queer marriage contribute not only to understandings of queer identity, but also to understandings of legal alliances for other kinship relations. South Africa confirms principally two central positions: arguments against same-sex marriage are framed in terms of morality and/or religious doctrine and/or cultural explanations (the latter explanation usually couches the debate in terms of homosexuality being unAfrican, and is often a complex counter-movement to gay and lesbian equality – see Figure 4 for a commentary on the homophobic views of Robert Mugabe); arguments for same-sex marriage are often based on a rights-based model first, and flowing from this the motivation is reinforced by the recognition of diversity, difference and inclusivity.

As mentioned earlier, a cursory review of public opinion suggests that same-sex marriage turns on basic attitudes towards sexuality and gender, and raises various political positions and arguments from the perspective of compulsory heterosexuality. In our current context opposition is framed in terms of a moral panic that views homosexuality as a modern aberration. Public reaction, for example to the initial Supreme Court of Appeal decision in 2004, showed divided, emotional and culturally conditioned beliefs that reflect an inherent fear of (and often hatred towards) understanding, acceptance and tolerance of homosexuality. Johanna Bonoko (quoted in *Sowetan* 1 December 2004: 3) motivated that 'first it was the abortion law, now same-sex couples can marry...we're heading for disaster'. In the same interview, Phumlani Nxumalo maintained that, 'I'm appalled...even animals of the same sex don't take this route...we have lost *ubuntu bethu*.' Another opponent

FIGURE 4 *KwaZulu-Natal Coalition picket against Mugabe in 1999*

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

Holding hands?
Finally OUR relationships
can be recognised!

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

Source: *Equality* Issue 2, July–September 1998

in the same interview, Carol Makhanya, cautioned that the decision reflected 'the signs of doom and corruption...man has indeed turned his face from God'. Underpinning such views is the idea that not marriage, but the entry *into* marriage by *homosexuals*, is viewed as a subversive idea. This may be the case because it is perceived that gays and lesbians are supposedly seen to 'invade' a protected, sacred institution that is owned and promoted by heteropatriarchy and religious institutions (see Figure 5).

A lesbian couple, Mbali Nkosi and Joy Mbatha, expressed joy at the Supreme Court of Appeal decision: 'We were thinking of eloping because we always felt that South African law was insular and unfair to us...but now we are relieved because it is no longer only about the so-called straight people' (*Sowetan* 1 December 2004: 3). Similarly, Charles Chambers and Riaan Pretorius (a gay couple who had married

Source: *This Day* 20 October 2004

earlier in 2004 without the blessing of the law), in full public view televised on
SABC's *Wedding Show*, expressed frustration with the law: 'We were told that we
had to wait for the minister's permission, which is outrageous' (*Sunday Times*
5 December 2004: 33).[14] A common thread in the views held by many people who
wish to marry is the obvious exclusion and marginalisation they experience when
such rights are denied.

In fact, while the public and political benefits of queer marriage are
important for broader queer struggles, the case for marriage represents in my view
the perspective of a minority within the queer population in South Africa. For me,
the right to marry represents a human and civil rights matter that is connected
to politics, culture, law, identity and individual choice and freedom. Such a right
reflects the development of the democratic project and in particular values such
as human equality, dignity and respect underpinned by constitutional values
promoting respect for difference.

That said, the queer community is heterogeneous and therefore the case
for marriage cannot be said to represent a uniform position of all. Some also
believe that marriage does not help in transforming societal attitudes in favour
of homosexuality. As noted, some feminists view marriage as an institution that
regulates and controls sexuality (female sexuality especially) and that places heavy

burdens on the gendered division of labour (even though this is changing, the situation of many women in such institutions remains unchanged). Therefore, contrary to heteropatriarchal fears about queering 'the family', queer marriage may be entrenching the heteronormative structures of 'the family'.

The death of 'the family'?

In contrast, homophobic arguments (as mentioned earlier) mobilised against same-sex marriage are informed by fears of reproductive relations, gender roles, the role of children and adoption, and are voiced usually in terms of a moral and religious perspective. The focal point of the social structure of marriage, for those opposed to same-sex unions, is a traditional understanding of the family. Key to marriage for those opposed is the notion of the family as a normative institution; opponents perceive that recognition of same-sex marriages will reorder society's view of the nuclear family. Underlining the fear is a heteronormative moral panic that introduces the notion of the family into the dispute about marriage. To some extent the debate about same-sex marriage invariably slips into a moral argument about what constitutes a family. In the case against same-sex marriage, 'family' is conceived as a social institution, biologically determined in terms of heteropatriarchy, and viewed as a space for the moral development of heterosexual parents and their children. The irony is that the twentieth century has seen the weakening of the nuclear family unit, giving rise to alternative family arrangements.

Some of these issues have been raised in submissions to the South African Law Reform Commission (SALRC).[15] One of the areas currently being investigated by the SALRC is that of domestic partnerships and marriage for same-sex couples (see SALRC 2001). The SALRC is considering three options that will afford recognition and protection to such relationships. The first option is to recognise marriage for same-sex couples; in other words, all consequences of a civil marriage will apply to same-sex couples who choose to marry. The second option is the separation of the civil and religious requirements of marriage. In terms of civil marriage, parties will have to meet certain legal requirements to marry. In respect of religious marriage, the tenets of the relevant religion will apply. The third option is the legal recognition of a civil union that in some ways duplicates marriage without the requirement of a marriage ceremony. The three options resonate well with the challenges faced by the Equality Project's litigation in respect of same-sex marriage. The overriding factor underpinning the Equality Project's application is simply the legal recognition of same-sex marriage, which options one and three reinforce. The application by the Equality Project does not require religious institutions to marry same-sex couples. And the Project application also motivates that it is the right of religious

institutions to reject same-sex marriage on the basis of religious doctrine. Litigation in favour of same-sex marriage therefore places no burden or responsibility on religious institutions, but is rather directed to a secular state and motivated in line with constitutional provisions recognising sexual orientation as a ground for non-discrimination.

Church groupings such as the Methodist, United Presbyterian and Evangelical Fellowship of Congregational Churches in South Africa advance the *traditional* view of the family as the nuclear family, which includes all blood relatives and excludes 'motley groups of unrelated people' (SALRC 2004: 1). Gay and lesbian relationships for this grouping challenge the traditional definition of family, and raise questions about whether such relationships can produce and raise children. In this paradigm of marriage, procreation is viewed as an imperative of a religious and social life. If gay and lesbian relationships are viewed within this model as being non-procreative unions, the position adopted by this model is inevitably to condemn and withdraw any protection for such unions as might be available in terms of the South African Constitution. In recent months church and other religious groupings (under the banner of the Marriage Alliance in South Africa) have mobilised extensively against same-sex marriage as Parliament embarks on hearings on the issue.[16]

There are also submissions to the SALRC that underscore a *functional* view of the family (see SALRC 2004).[17] Such a view emphasises that a 'family' need not be biologically determined, suggesting instead that 'family' be broadened as a concept to include close relationships, whether nuclear or extended, blood-related, adoptive or fostered (SALRC 2004). The above views suggest that an understanding of family, like marriage, reflects differing ideological, cultural and religious values. As such, respondents opposed to legislative reform favouring same-sex marriage conceive 'marriage as a sacred institution and the family, consisting of a father (male), mother (female) and their biological children, as a cornerstone of society' (SALRC 2004: 2–3). For these opponents the Constitution does not make the legal recognition of same-sex relationships mandatory. A solution to the problem for opponents is to remove the term 'sexual orientation' from the equality clause. There is, however, a group of respondents who believe that legislative reform favouring same-sex marriage is unavoidable, although it is not necessarily in agreement as to which reform option should be implemented. This category of respondents has reservations about the impact same-sex marriage would have on the concept of traditional opposite-sex marriage as a sacred institution, and about its subsequent impact on children brought up in such marriages and the effect this may have on societal morality. One respondent in this category from the Evangelical Fellowship of South Africa feels that legal recognition of same-sex marriage encroaches on the right to religious freedom (SALRC 2004). In another submission by the presbytery of the Western Cape, the respondent asked whether covenanted, faithful same-sex

relationships are not to be preferred to the promiscuity in which many homosexuals outside such relationships indulge (SALRC 2004). The same respondent asks, '[I]s it not better, then, to support and even encourage such relationships by giving them the greater stability, social acceptance, protection and respect that legal recognition will facilitate?' (SALRC 2004: 32).

Submissions in support of the proposals to legalise same-sex marriage principally underline the unconstitutionality of the denial of same-sex marriage.[18] Respondents submit that the state has already extended adoption rights to same-sex couples, thereby endorsing a family unit composed of same-sex couples. Respondents also state that their support for marriage equality does not prevent religious groups from refusing to marry same-sex couples, just as they are not prevented from refusing to marry people who do not comply with other aspects of their religion. The Equality Project has specifically addressed the objections of the religious communities who believe same-sex marriage infringes on religious freedom (SALRC 2004).

The point to be emphasised about both supporters and those opposed to same-sex marriage is the increased visibility the proposals in respect of same-sex marriage gain for homosexuality as a contested and indeed politicised identity. In an activist sense, the visibility surrounding homosexuality as a result of same-sex marriage litigation is relevant because the symbolism that marriage brings in respect of obligation and commitment throws homosexuality into the public forum for debate (see Figure 1). Semantics aside, the campaigns for legal recognition of marriage clearly emphasise for homosexuals what heterosexuals have always had access to: social, religious and legal recognition of a union. For queers, the legal recognition of marriage will secure a public statement of affection and commitment. Marriage is not just simply a pre-cultural social construct and institution. It is also a socially determined one, an institution in a state of flux, and one that has become increasingly contested and secularised in the twentieth century, with new, alternative forms of unions emerging (Weeks 1995). What we are witness to is a type of value that accrues to individual choice rather than simple social arrangement. This is probably also what Giddens (1992: 184) has in mind when he refers to the 'democratization of personal life' in relation to interpersonal relations.

Conclusion

Legal decisions and ongoing litigation confirm that queer identity emerges in terms of access to rights that offer legal protection from the perspective of constitutionality and full citizenship. A distinction in the contrasting time-frames must be emphasised: the apartheid Constitution criminalised same-sex conduct, primarily

the *sexual acts* between consenting people of the same sex; the post-apartheid
Constitution, in contrast, began with the legal protection of 'sexual orientation' as
a form of *identity*. The challenge presented to gays and lesbians during apartheid
was immense, and the threatened intrusion of the state into their private lives was
a reality. In contrast, the decriminalisation campaigns since 1994 have sought to
allocate rights for queers, and have reinforced the development of queer identities
as political. The homosexual becomes 'queer' in relation to legal framings,
because this is an identity that is marked by difference and dissent by 'normative'
heterosexuality. As such, the decriminalisation process since 1994 has further
entrenched the development of a 'queer' identity because the law has opened up a
space for citizenship to be claimed, thereby ensuring recognition, inclusion and the
development of freedom. The claim for queer citizenship is not a special privilege,
but a necessary precondition for equal membership in the democratic project
and in nation building. Decriminalisation in effect suggests a journey towards
social justice, if by the latter is understood the right of queers to social equality
that in no way infringes the rights of others, but asserts the right to challenge
cultural heterosexism, which in effect refuses queer rights. The achievement of
legal equality is therefore also an ongoing contestation in the construction of an
identity politics that is impossible to separate from the socio-political factors upon
which it hinges. While sodomy has been eradicated as a crime, the current process
in respect of marriage presents many hurdles before full citizenship is acquired.
Marriage reflects a dynamic institution, is always in transition, is increasingly
losing some of its sacred appeal and becoming secularised. More so, marriage is
a contested institution. The case for same-sex marriage underscores the process
of democratisation in South Africa, where marriage becomes an institution in
which rights are accessed by gays and lesbians who wish to exercise such rights
as choices. However, while the political efficacy of marriage is important, such
a rights claim is also flawed because obtaining a right does not always result in
justice. There are views that suggest that instead of liberating gays and lesbians,
same-sex marriage could 'outlaw' all gay and lesbian sex that is not performed
in a marital context (ironically the same type of stigma that many sexually active
non-married women have often faced). While same-sex marriage is not the solution
to achieving full equality and recognition (it merely presents a *choice* for some
couples to legalise their unions), the translation of such a right is to be viewed as
the developing of freedoms in a context where homophobia is ultimately uprooted.
In some ways the marriage victory does help in directing society's attention to the
normalisation of homosexuality, but it does not resolve the problem of prejudice,
stigma and persecution that still persists and is usually reinforced by religious
and cultural intolerance. Sadly, the dominant opposition to the same-sex marriage
issue is usually framed in ways that account for difference as a type of deviance.

Some critics argue that pro-marriage legislation can sometimes overdetermine queer identity with regressive effects, especially where the debates are principally concerned about normativity and sexuality, thereby creating a 'false consciousness' (see Warner 1999). That said, legal victories are critical and important in reinforcing citizenship, but these victories do not immediately and simultaneously eradicate the persistent threat of homophobia. In this one important sense, our identities as queers cannot escape the political.

Acknowledgements

Notes

1   This chapter is dedicated to Ronald Louw, my friend, mentor and comrade, who died on 26 June 2005 of AIDS-related complications. His intellectual and political work and our many conversations about the law and justice will forever be a constant reminder of his inspiring friendship. I also wish to thank Renay Pillay for assistance with technical issues related to the images.

2   Moya FN, 'State's futile war on gay marriage'.

3   See http://www.concourt.gov.za/site/gaylesb.htm.

4   My principal and key source for the information presented in Table 1 is the Equality Project's 'Landmark cases archive'. The empirical information presented here is a summary of main issues gleaned in part from this source. See http://www.equality.org.za/archive/landmarks.index.php.

5   The South African Law Reform Commission was approached by the Department of Home Affairs in 1996 to review the Marriage Act (No. 25 of 1961), with a request to investigate and recommend legislation relating to a new marriage dispensation for South Africa. The Commission's *Report on the Review of the Marriage Act 25 of 1961* (SALRC 2001) provides important details about legislative changes that resulted in the legalisation of customary marriages, but the Commission is still engaged in reviewing same-sex marriage. As indicated in Table 1, the Civil Union Act (No. 17 of 2006) was signed into law on 30 November 2006. For a detailed history of this process, see Judge et al. (2008).

6   SAPA, 'Law on same-sex marriage on appeal'.

7   This was the ruling in *Goodridge v Department of Health* (accessed from http://www.glad.org/home.shtml on 19 November 2003). Also in 2003, in the case of *Lawrence v Texas*, the court ruled that anti-sodomy laws violated the constitutional right of adults to choose

how to conduct their private lives with regard to sex, stating that 'the Court's obligation is to define the liberty of all, not to mandate its own moral code' (from 'The case for gay marriage', *The Economist* 28 February 2004: 9).

8   Judge Marshall states in her verdict that the judgment 'affirms the dignity and equality of all individuals' which 'forbids the creation of second-class citizens' (from 'In pursuit of justice', *Daily News* 27 November 2003: 27). She also claims, in supporting her decision, that 'justice is not hypothetical'.

9   A gathering of Anglican bishops headed by the Archbishop of Canterbury, United Kingdom, 2004. The Lambeth Conference usually takes place every 10 years in Lambeth (official residence of the Archbishop of the Anglican Church of England). This is a meeting of the global Anglican Communion. Each conference is very different, although there is always a need for continuity from decade to decade. Conferences in the past have tended to pass resolutions on the governance of the church, its ministry and liturgy and its engagement with the world. This particular meeting was a Lambeth response to the US Episcopal Church decision in 2004.

10   Vox pop, no author, 'Same sex marriages'.

11   The Netherlands legalised same-sex marriage in 2001, followed by Belgium in 2003, as did two Canadian provinces, Ontario and British Columbia. On 2 July 2005 Spain adopted a same-sex marriage statute, which also legalised same-sex adoption. Shortly thereafter, the Civil Marriage Act of Canada took effect on 20 August 2005 and redefined marriage to include same-sex partners. In a related sense a few Scandinavian countries – Norway (1993), Sweden (1995) and Denmark in 1989 (and its province Greenland) – have registered partnership laws that extend some benefits of marriage to unmarried couples, both gay and straight. Germany has also expanded rights for cohabiting same-sex couples, while in 1998 France approved the Pacte Civil de Solidarité (a type of intermediate step between casual cohabitation and formal marriage that provides tax and health benefits). In the Argentine province of Rio Negro, and the capital of Buenos Aires, new laws allow registered gay couples to qualify for family welfare payments.

12   Press coverage has also intensified on the subject of same-sex marriage in South Africa. In addition to more factual accounts focused on the legal and social issues in respect of litigation, there has also been much debate in the letters pages of newspapers, mostly by members of the public opposed to both homosexuality and to same-sex marriage. See for example *The Sunday Independent* 3 August 2003: 4; 21 September 2003: 2; *The Star* 28 September 2004: 11; *Sunday Tribune* 31 August 2003: 7; 29 February 2004: 17; *Daily News* 24 August 2004: 3.

13   Butler (2002: 40) offers a summative and evaluative commentary in this regard: 'For as surely as rights to marriage and to adoption and, indeed, to reproductive technology ought to be secured for individuals and alliances outside the marriage frame, it would constitute a drastic curtailment of progressive sexual politics to allow marriage and family, or even kinship, to mark the exclusive parameters within which sexual life is thought.'

14   Sukhraj P, 'Gays still have a long walk to the altar'.

15   The SALRC is a statutory body appointed by the Department of Justice to review legislation in a number of crucial areas impacting on the law in South Africa. The work of this body is independent of the courts.

16 See also the open letter to South Africans on same-sex marriage from Dr James Dobson (an American evangelist opposed to gay marriage) at http://www.cft.org.za/articles/dobson_gay_marriage_sa.htm, as well as the Catholic Church's condemnation of the CC decision at http://www. icon.co.za/~host/call/bishops1.htm.

17 Submissions in this regard are from the national departments of justice and social development, the Society for the Physically Disabled, the Durban Lesbian and Gay Community and Health Centre, LifeLine and Rape Crisis.

18 Numerous organisations and individuals in support of legalisation have made submissions to the Commission. Some of these are the Legal Aid Board, Society for the Physically Disabled, Department of Health and Welfare (Limpopo province), Commission on Gender Equality, national Department of Justice. See SALRC (2004) for specific details by respondents.

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Beyond the Constitution: From sexual rights to belonging

Mikki van Zyl

SEXUAL RIGHTS[1] FRAMED AS human rights were first named explicitly at the Vienna Conference on Human Rights in 1993 and subsequently at the 1994 Cairo Conference on Population Development (Petchesky 2000a). Behind the manner in which sexual rights became defined in international human rights instruments lay various histories of intersecting and conflictual political struggles for control over the discourses around sex, sexuality and reproduction.[2]

After two decades of feminist mobilising in Europe and North America, sexuality and reproduction had been identified as critical issues in gaining equality for women (Van Zyl 2005a). In the global south, women's movements which arose from within national liberation movements were more concerned with issues framed as 'political' by those movements (Lewis 2002; Molyneux 1998), and rarely included mobilisation around what was regarded as 'private' and 'personal' (Seidman 1999; Wolpe 1998). However, by 1995 some agreement on the terms around sexual and reproductive rights had been found for the Beijing Platform for Action (Klugman 2000). Nonetheless, fundamentalist[3] (see McNeil 2005) mobilising continues to reinscribe heteronormative definitions of sexual rights (Petchesky 2000a). There is persistent resistance from progressive women's movements to the cultural imperialism of conservative USA-led coalitions in defining agendas of post-Beijing conventions (Moolman 2005).

At the same time as the second-wave feminist movement, the gay liberation movement started mobilising in the west around sexuality and sexual rights for gays and lesbians after the 1969 Stonewall Inn raids/riots (Carter 2004). Sexual orientation as a sexual right is recognised unevenly mostly by westernised countries, with gradations of criminalisation and stigmatisation elsewhere (Sanders 2005).

South Africa's transition to a western-style democracy during the early nineties came at a historically opportune moment for sexual rights to be written into the Bill of Rights in the South African Constitution (Act 108 of 1996). The

recognition of gender equality and sexual orientation as human rights was the result of effective local mobilisation by two streams of identity-based activisms: the Women's National Coalition had ensured that women's sexual and reproductive rights were protected through the anti-discrimination clause (Hlatshwayo & Klugman 2001) and the Coalition for Gay and Lesbian Equality had lobbied for no discrimination against people on the basis of sexual orientation (Gevisser & Cameron 1995; Hoad et al. 2005). Both these streams of struggle represented certain strategically powerful positions or alliances in the emerging political democracy (Hassim 2005; Jara & Lapinsky 1998).

The transition to democracy signalled a shift in the regulation of sexualities. While exercising a regime of strict control over many aspects of sexuality, the apartheid state asserted the privacy of the patriarchal domestic arena, paying scant notice to gender-based violence unless the victim was white and the perpetrator black. In the 'new' South Africa, gender and sexualities were recast within a framework of citizenship rights upheld by the Constitution, which has enabled the judiciary to defend contentious sexual rights claims against moralistic cultural and religious detractors (Beresford et al. 2008). Negative sexual rights have emerged into the public realm with protective legislation on gender-based violence, while the assertion of positive rights to sexual autonomy and freedom are protected through equality and privacy.[4] Sexual rights in the post-apartheid era are no longer couched in the former dichotomy of the private/public divide, but are squarely framed within a framework of human rights. Yet, though great strides have been made in granting gender and sexual rights through the Constitutional Court, the implementation of legislation and the expression of cultural values in society belie the attainment of equality and dignity in the realm of sexual rights.

The rhetorical institution of human rights in an enabling instrument such as the Constitution merely signals the first step in a social justice agenda – a promise which places an obligation on the state to respect and fulfil those human rights. But the ideal of equal political rights attached to the concept of a 'universal citizen' as the bearer of rights masks the material social, economic and political inequalities of subjects. In South Africa, struggles for the realisation of citizens' rights have demonstrated its inadequacies (Albertyn 2005; Gouws 2005). This signals a disjuncture between the rights encompassed by citizenship and liveable lives (Butler 2004), and raises critical questions about the relationship between human rights instruments, the state's responsibility in safeguarding human rights, and the imperative for transforming society into one where dignity, respect and equality are lived realities. More fundamentally, it calls into question the relationship between a constitutional democracy and the implementation of social values which promote a 'human rights culture' where marginalised people may feel they belong.

Citizenship and belonging

In the context of differences in cultures, contexts and histories, a shared framework of values needs to be developed to grapple with issues of equality and diversity in citizenship. Petchesky asserts that positive sexual rights need 'two integral and interlocked components: a set of *ethical principles*...and a wide range of *enabling conditions* without which those ends could not be achieved' (2000a: 91, emphasis in original). She lists five principles: sexual diversity, diverse family forms, sexual health, bodily autonomy and gender equality. These principles have underpinned numerous court cases where individual citizen subjects have claimed their sexual rights in post-apartheid South Africa. Laws relating to the sexual rights of marginalised people *identifying* as non-heteronormative have been enacted, providing a formal framework for the protection of those citizens' rights. However, powerful as the human rights framework is as a tool for delivering social justice through legislative change, its focus on individual subjects fails to provide an adequate framework for contextualising one set of rights against another. For example, though same-sex 'marriage' is legislated as 'equal' to (heterosexual) marriage, it remains differentiated as non-normative in an environment which is hostile to same-sex relationships.[5] Furthermore, when liveable lives depend on human rights encoded within a closed rhetorical system such as legislation, it may fail people who are claiming human rights, for example sex workers[6] (see *Jordan* case).[7]

The concept of citizenship has been widely contested 'both theoretically and normatively and at every level from its very meaning to its political application' (Lister 2003b: 2). Despite its limitations and flaws, it has been a successful tool for mobilising; therefore, when considering rights in political discourse we need to engage with the language of citizenship. Modern theorists have exposed the myth of the 'universal' citizen by showing that citizenship is deeply contextual and particular.[8] Feminists have demonstrated how it is gendered,[9] while queer theorists have shown that 'all citizenship is sexual citizenship' (Bell & Binnie 2000: 10).[10] Though few focus specifically on sexuality, numerous critical race theorists[11] have addressed postcolonialisms and engaged with transnational identities which recognise the fluid and multiple identities (intersectionality) of individuals (Yuval-Davis 2006).

Citizenship has rightly been viewed with scepticism by feminist and other groups who criticise its inability to deliver the social and economic needs of women and other socially marginalised groups. Being centred on the rights of an individual citizen subject has the outcome of maintaining hegemonic discourses which uphold hierarchies of human value. For example, women's sexual rights – tied, as they are, into dominant heteropatriarchal sexualities and biologistic notions of reproduction – are not contextualised in relation to men's rights and children's rights.

Belonging has been used in a variety of ways in relation to citizenship and rights. Following Marshall's (1950, 1965) seminal work on citizenship after the second world war, Britain implemented immigration policies based on the ideology of 'eugenics'[12] where distinctions subtended on especially race and sex were drawn between citizens who 'belonged' and those who did not (Hampshire 2005). Belonging is a 'thick' concept which includes affective and cultural elements, making visible the limitations of citizenship through contextualising the politics and power dynamics in discourses of human rights. It also allows us to focus on the everyday dynamics of oppression which form the bedrock of marginalisation and Othering.

Therefore, though the symbolic or material importance of sexual rights in citizenship cannot be underestimated, 'belonging' has more substantive weight because it encompasses meanings of safety and security, equality of dignity and respect of difference for all citizens (Yuval-Davis 2003, 2006; Yuval-Davis et al. 2005). The main focus of this chapter is on various sexual rights claims in South Africa: desires and struggles for acknowledgement, respect, dignity and equality – struggles for social justice and belonging.

Discourses of sexual regulation

Sexual rights are 'written on the body' since the regulation of sexualised bodies is deeply inscribed in juridical and biomedical discourses, and heavily subjected to cultural controls through discourses on morality.[13] A key trope upholding these heteronormative ideologies is the precept that 'sex is for reproduction'. Struggles for sexual rights emphasise bodily integrity and autonomy, a person's right to consent to sexual practices, and the right to sexual health and pleasure. Regulatory discourses categorise people within hierarchies of sexual value (see Rubin 1984), where differential measures of social regulation are imposed through criminalisation, medicalisation and demonisation. Contests over defining sexual rights bear witness to conflicts of values between transformative and fundamentalist factions (Petchesky 2000a).

In biologistic and heteronormative discourses, the conflation of *sexual* and *reproductive rights* has led in many instances to the subsumption of *sexual* under *reproductive*, and resulted in the positioning of particularly women's sexual rights within discourses of *health and human rights*.[14] This conceptual location is powerful for 'examin[ing] social conditions, education, attitudes and legal structures that determine the ability of women (and men) to control their bodies and the outcomes of reproductive sexual behaviour' (Miller 2000: 82). But health issues can easily be appropriated by techno-scientific discourses which do not contextualise sexual rights within the complex cultural and economic dynamics of globalisation.

Historically, psycho-medical discourses have pathologised queer[15] sexualities as 'sick', while religious ideologies typify them as 'sin'.

Under the veil of 'morality', the rhetoric of 'women's health' has been appropriated into religious and 'traditional' discourses which perpetuate heteropatriarchal ideologies of sex, sex roles, reproduction and family forms to assert control over gender and sexuality:

> The Abrahamic religions (Christianity, Judaism and Islam) were inextricably based on notions of generation and reproduction that occupy their core theologies and cosmologies. These religions were deeply patriarchal, and the contemporary secularisation of family life, sexuality and the sexual division of labour have had profound, and largely corrosive, consequences for orthodox religious world-views. In modern secular societies, gay liberation and women's movements have articulated a range of claims for social equality and access to alternative sexual, familial or coupling arrangements, such as gay and lesbian marriage. These legal and scientific changes create the conditions for experiments in reproductive relationships that constitute a radical challenge to both traditional religion and conventional forms of the family. The rise of fundamentalism can be partly explained as a response to these changes, and it is for this reason that fundamentalists appear to be obsessed with sexual topics – homosexual practice, the role of women in society, the status of women in the family and adolescent sexual behaviour. (Turner 2006: 225)

Increasingly over the last few decades, sex has burst through the seams of 'the private' – culminating with the internet – and pervades our public and commercial lives through globalising 'sexualised culture'. Studies of sex and sexuality have spilt out of the psycho-medical field and spread into the humanities, where particularly feminism and queer studies have transformed the ways in which sex and sexuality are conceptualised. The socio-political significance of sexuality has been established by focusing on the 'articulation and materialisation within a whole range of social and cultural arenas' (Attwood 2006: 78). Not only must sex and sexualities be analysed in the context of what is considered 'the family' and 'individual identities', but also as part of a labour market for 'intimate' services (Agustín 2003).

Marriage is the official ritual by which heterosexual relationships are consolidated, and the basis for hegemonic family forms. One's identity is shaped by it, and one's inclusion as a valued member of society judged by it. Through marriage, gendered conventions of fidelity, reproduction and authority are regulated and socio-culturally reproduced, impacting differently on women and men through gendered identities, roles and responsibilities. It is no surprise, then, that same-sex marriages are high on the agenda of sexual rights for queer organisations.

Bio-economics is a significant arena for addressing sexual rights. In the age of HIV/AIDS, biomedical discourses of sexuality have strengthened their already powerful grip on the regulation and representation of sexualities and reproduction (Patton 1999; Treichler 1999). These have a deep impact on the sexual rights of people who are perceived as 'diseased'. Furthermore, the bio-technologies of artificial reproduction hold far-reaching consequences for sexual rights (Turner 2006) as they raise critical questions about who has access to these technologies and in what way, and who has the rights to benefit from them, and how.

A further intersection in this potent mix of economistic discourses about sexuality is the globalisation of sex and sexuality driven by new avenues in the commercialisation of bodies for sexual consumption: besides 'traditional' forms of sex work such as 'prostitution'[16] and pornography, sex trafficking is hugely profitable for organised crime syndicates, and the internet has developed into a massive market for the consumption of cybersex.

Set against the cultural imperialism of the metropole, sexual rights in political discourses in South Africa need also to be located within the context of Africa and African nationalist discourses on gender and sexuality and westocentric representations of 'African' sexualities (Arnfred 2004; see also *Feminist Africa* 2005). As part of postcolonial nation building, African (heteropatriarchal) sexual identities have been 'reclaimed' from imagined tradition, while actually reinscribing (heteropatriarchal) colonial histories and social institutions.[17] In contrast, research on sexualities in Africa affirms the heterogeneity of pre-colonial as well as postcolonial sexual practices in Africa[18] – and where it could be argued that homophobia, and not homosexuality, is a colonial import, and therefore it is homophobia which is 'unAfrican'.

Heteropatriarchies are structured through gender relations and subtended on heteronormative sexualities (see Elder 1998, 2003). The apartheid state, obsessed with racial purity, regulated sexuality through the prohibition on 'miscegenation' by the Immorality Act (No. 55 of 1949). Therefore, conceptions of gender equality are mediated by a variety of discourses – from fundamentalist and 'traditional' identity projects to human rights struggles. The sexual transformation issue is to what extent certain identities and practices 'threaten' competing hegemonic masculinities and femininities through contesting culturally established heteropatriarchal gender relations and, in particular, control over procreation. It is within this complex matrix of discourses and their impacts on the heterogeneous identities and diverse practices of sexuality in South Africa that this chapter situates the discussion of contested rights around sexual marginalisation and struggle.

First I discuss homosexuality, which is constructed as antithetical to heteronormativity – it upends the 'natural' order of heterosexuality by insisting on the diversity of sexualities. Same-sex relationships call into question

hegemonic family forms, the gender division of labour and the 'nature' of intimate relationships. This discussion recaps the legislation enacted since 1996 based on the sexual orientation clause in the Constitution. The next topic is gender-based violence, and the concept of 'keeping bodies in their place' through looking at the gender significance of the Zuma rape trial. Then I move on to women's rights to reproductive autonomy through a discussion of the struggle for women to have access to safe termination of pregnancies. I venture into the world of sexual economies for a discussion of 'prostitution', which is still criminalised in South Africa, and end with a look at the potent mix of gender-inflected profits and ethics in relation to new reproductive technologies.

Sexual marginalisation

The first concept to grasp about sex is that it is usually perceived as part of a relationship and that participants mostly occupy different social positionalities as regards sex, race, gender, class, ability, etc. Different participants will be valued and affirmed or oppressed and stigmatised to varying degrees depending on their intersectional position – their identities – in the dominant heteronormative hierarchies. But the rhetoric of inclusion/exclusion from citizenship and the cultural mechanisms of Othering and stigmatisation are not necessarily in harmony. Thus the Constitution presents a document which upholds values of social justice that are out of synch with cultural and traditional values which perpetuate stigmatisation, marginalisation and gender-based violence in everyday life.

Besides the five ethical principles for sexual rights developed by Correa and Petchesky (1994), Petchesky (2000a) names *enabling conditions* that are also required. These include cultural practices which uphold the values expressed as principles in human rights instruments. Like Petchesky, numerous authors[19] consider 'informed consent', 'bodily integrity' and 'decision-making autonomy' as basic values in sexual practices to ensure equality, dignity and respect for the participants. However, since intimate sexual relationships are situated in existing contexts of power, they are shadowed by coercion, contempt and violence. But positioning individuals in positions with less social power as *a priori* victims leads to an essentialisation of identities, and fails to make visible their agency. These intricate dynamics of gendered power are set against socio-cultural backdrops of 'double standards' for women and men, and where certain masculinities are seen as congruent with heteropatriarchal interests (Ratele 2006).

Though struggles for sexual rights are located around different issues, they must all be seen as multiple sites of resistance against heteropatriarchal values, however they are framed. Therefore, for example, the fight against gender-based violence in South Africa cannot be separated from the affirmation of sexual diversity.

Sexual diversity   A key example of the affirmation of sexual diversity is the equality clause in the Constitution which prevents discrimination against people on the grounds of sexual orientation. Based on the indivisibility of human rights, this clause was included in the Constitution in spite of a dominant rhetoric of homosexuality being unAfrican. People who *identify* as homosexual have successfully challenged many inequitable laws through the Constitutional Court (Van Zyl 2005a), including the most recent right to 'marry' through the Civil Union Act (No. 17 of 2006).[20] Others include the upholding of a decision that the old apartheid law criminalising sodomy was an infringement of people's rights to equality, dignity and privacy. A variety of laws were introduced relating to labour issues, such as conditions of employment, in which it was affirmed that same-sex partners were to receive the same benefits as heterosexual spouses. This applies to insurance, medical aid and pensions. Similarly, legislation relating to family issues was amended to afford same-sex parents the same rights to adoption, and registration on birth certificates. In 1999 the Constitutional Court ruled that foreign partners of homosexual citizens will have the same immigration rights as married couples, and that refugees who identify as homosexual can seek refugee status in South Africa on the basis of persecution for sexual orientation.

But *identifying* as homosexual in a climate of stigmatisation means being *visible*, and becoming visible could spell danger, as is borne out by the murder of, for example, Zoliswa Nkonyana in 2006 (Horn 2006).[21] When we 'disclose' identities that are not consistent with the gender expectations of our culture, we embark on a journey of deep ambivalence, where our need to express our identities can be a source of pleasure and belonging, but can also cause us deep anxiety. 'But such visibility "can threaten the normalized landscape" and consequently "will often incite danger", thereby putting sexual dissidents at risk of homophobic violence or hate crime' (Corteen 2002: 261).

The visibility of sexual 'dissidents' is a grim reminder that heteropatriarchal regulation and control of the gender order is being threatened. In the postcolonial globalised world some African nationalist discourses construct gender transformation as a threat, perceived as emasculation of men. The rage which results in men's attempts to reassert control and dominance over women and some men through criminalisation and violence is a powerful reinscription of hegemonic masculinities. South Africa's progressive Constitution is revealed for the anomaly that it is, a document promising gender social justice which the government is hard put to deliver in the cultural context of competing heteropatriarchies.

During the run-up to the passing of the Civil Union Act the government had organised public hearings about the matter, creating the (mis)impression that majoritarianism would prevent the Bill from being enacted. However, in a constitutional democracy the Constitution is the highest law of the land, and the

Constitutional Court, which is charged with ensuring its compliance, had already instructed Parliament to ensure equality for same-sex partners by 1 December 2006. Besides the fundamental problems regarding the institutionalisation of inequality through 'separate but equal marriage' legislation and the exclusion of intersex persons, the hearings became platforms for hate speech and incitement to violence against gays and lesbians that went unchecked by the parliamentary representatives present. According to the Equality Project (2006), 'Instead of promoting human rights, the Committee has ensured that the rights of lesbian and gay people have been violated.'

Another anomaly is the 'escape' clause for state marriage officers – they may refuse to marry same-sex couples because of personal convictions.[22] This calls into question the state's responsibility to uphold and promote the constitutional rights to dignity, equality and freedom of lgbtqi (lesbian-gay-bisexual-transgender-queer-intersex) people. These examples suggest that though lgbtqi people are written into citizenship, they are excluded from belonging.

Keeping women and gays in their place: Gender-based violence   Violence and threats of violence are used to 'keep people in their place'. While resistance to the reigns of colonialism and apartheid in South Africa remained low-key, the violence remained mostly structural, with violence and the threat of violence enacted in occasional eruptions of physical violence to maintain the status quo of white supremacy. As resistance to apartheid became more visible, vocal and organised, the state became increasingly repressive and violent. This political violence was perpetrated on the basis of people's identities as black. Similarly, gender-based violence is political violence perpetrated against women and some men in order to maintain the gender order of ruling heteropatriarchies. The more visible, vocal and organised activists for gender equality and sexual diversity become, the more threatened ruling masculinities feel.

The conflict that played out in the courtroom during the trial of Jacob Zuma is symbolic of many fundamental gender issues which extend far beyond the discrete facts of the case. It became a battleground for cultural hegemonies over the terrain of gender power. Because of Zuma's status as the former deputy president, his positioning as a symbol of African masculinity bore a great deal of weight (Ratele 2006). The gendered terrain being fought in this 'game'[23] was between an ascendant African heteronormative culture and westocentric judicial institutions – through the multiple lenses of African masculinity, family structures, kinship, women as property, 'normal' sex and HIV/AIDS. The outcome was the dual confirmation of the historical and traditional values of gender (in)justice and (in)equality in postcolonial institutions as well as in ascendant 'traditional' heteropatriarchies.

Seen in this context, it is no surprise that the laws on domestic violence are poorly implemented (Artz 2001; see also Chapter 9 in this volume), or that the Sexual Offences Bill which was in circulation for more than 10 years was only enacted at the beginning of 2008, after extensive and vociferous activism by women's and human rights organisations. The murder of HIV-positive activists such as Gugu Dlamini, Mpho Motlaung and Lorna Mlosana is an indication that gender-based violence is regarded as 'acceptable'. Though many people knew what was happening, no one interfered or helped Lorna when she was raped and murdered (Orford 2006). Many feminist authors[24] assert that gender-based violence is a politics of repression, i.e. political violence to maintain an oppressive and exploitative gender order – to keep women and queers 'in their place'.

Legislation against abuse is what Petchesky (2000a) refers to as 'negative' rights – rights to protection from violence, but not positive rights to autonomy and freedom. This has the ideological function of positioning women as 'victims' in need of protection, and negating their agency and autonomy. When women and queers claim positive rights to exercise their agency and sexual autonomy, they are perceived as subverting existing cultural norms, and heteropatriarchal logic dictates that they 'deserve' violence as a consequence.

Whose body? Whose life? Termination of pregnancy   The failure of a human rights framework which individualises rights is how it decontextualises the relativity of people's rights. Sometimes one person's rights need to be asserted over another's – for example, in a termination of pregnancy, women's rights are made invisible in the dominant rhetoric of an embryo's rights. This calls into question the supposed guarantee of autonomy for women's reproductive rights. Since its enactment in 1996, the Choice on Termination of Pregnancy Act (No. 92) has been under fire. A 2003 survey on social attitudes by the Human Sciences Research Council (Pillay et al. 2006: 262) found that 70 per cent of people believed it was always wrong to terminate a pregnancy. Moreover, healthcare professionals who perform terminations of pregnancy face stigma and violence at work and in their homes and communities (Potgieter 2004).

This lack of political will behind legislation betrays the values behind women's so-called reproductive rights within heteropatriarchies – they have rights only in so far as they conform to the heteropatriarchal ideologies of femininity, essential mothers and wives whose rights are subordinate to those of their husbands and children.

Commodification

While sexual rights are mostly located in what is regarded as the 'private' sphere of the family and the 'privacy' of intimate relationships, the wide-scale

commodification of sex and sexuality makes them relevant in the public arena, billion-dollar profit industries in the global economy. Western cultural imperialism has ensured that dominant representations and practices penetrate almost every country and culture, either as consumers or providers of products, or both (Agustín 2003). Advertising uses sex and sexuality daily to sell products that have no bearing on sex and sexuality (Posel 2004), and billion-dollar profits from the sale of images of sex and sexuality (e.g. pornography) are protected by the right to 'free speech'. Organised crime syndicates trafficking in women and children similarly service a huge sex industry. Reproductive technologies are the latest industry in the objectification, marketing and selling of primarily female bodies, and also position women's bodies at the centre of contests around 'morality'. I will take a brief look at the gender values underlying the rights of sex workers in 'prostitution' and the marketplace of new reproductive technologies.

Labour contracts? Sex work　　Sex work is deeply gendered (Distiller 2001; Preston-Whyte et al. 2000) – most sex workers are women, though men also sell sex – and the majority of sex workers do it because of economic pressures – 'everybody is afraid of poverty...it's better to survive as a sex worker than eating nothing at home' (Le Roux et al. 1997: 87). But the right of adults to sell sex is still criminalised in South Africa (section 20(1)(aA) of the Sexual Offences Act No. 23 of 1957), though buying sex is not. As a result of this criminalisation, sex workers face higher risks of violence from clients and police (Pauw & Brener 1997). The stigmatisation of sex workers means that many women refuse to 'admit' that they are exchanging sex for goods or money, and yet by identifying as sex workers they can become organised to fight for their rights (Preston-Whyte et al. 2000), as well as access services for healthcare, learn about safe sex practices and protect themselves against violence from clients or the police. Women bear the brunt of criminalisation, denying them the basic labour rights of working under fair and safe conditions and impeding their access to social, health, police and legal services (Fick 2005).

Attempts to assert women's rights in sex work were dealt a blow in *S v Jordan*[25] when the Constitutional Court upheld convictions in a high court, saying the Act did not discriminate against women. However, the decriminalisation or legalisation of sex work is under debate. A sex worker organisation, the Sex Worker Education and Advocacy Taskforce, states: 'Our primary goal is to achieve a legal adult sex work industry in South Africa, in which the human rights of sex workers are realised and where sex work is acknowledged as work' (Arnott 2006: 88).

The underlying values related to sex work reflect patriarchal society's issues with sex and women selling sex (Distiller 2001). They reflect the 'double standards' of sexuality for men and women: men who have multiple sexual partners are considered 'virile'; women who claim their sexuality for themselves

in non-reproductive sex are 'whores'. Decriminalisation of sex work would also be the first step to affirming labour rights such as fair working conditions, and freedom from coercion, persecution and violence. Adult sex workers are engaged in commercial contracts, 'victimless crimes', and their rights to bodily integrity and sexual autonomy should be upheld.

New reproductive technologies   A key theme in feminist mobilising around reproductive rights involves reproductive autonomy. Scientific strides in reproductive technology have opened up doors which can change lives – for those who can afford it. Framed within scientific commercialism, they present as gender neutral, but on closer scrutiny we understand what Zoloth-Dorfman (1998) means when she quotes Hartouni, saying 'moral rightness has most to do with property ownership and the means to protect it: reproductive technology is in its cowboy years…a shootout in which, once again, girls don't have the guns'.

One of the key issues in debates around the bioethics of the new reproductive technologies is the reframing of the 'mother–child' relationship. Questions of women's autonomy revolve around questions such as egg donation, surrogacy, or buying into parts of the reproductive process (Zoloth-Dorfman 1998):

> Purdy would remind us…[that] the yearning for children and the willingness to submit to any intervention, is culturally framed by a social understanding of what is 'natural' and appropriate for women. Using…rights-based argument[s] she examines how poverty, limited life choices, and the marketplace itself can shape the purchase, sale, and use of the various pieces of the reproductive process, all of which rely on the compliant female body as the only available location for the technology itself. (Zoloth-Dorfman 1998)

Rich South Africans and reproductive tourists (*Weekend Argus* 20 August 2005[26]) have access to a market of reproductive technologies as buyers, but poor people who want to donate eggs or become surrogate mothers are prevented by legislation from profiting. The National Health Act (No. 61 of 2003) regulates the use of oocytes as part of human tissue regulation, but there is no mention of sperm regulation. Sperm donors are paid well for their sperm, but oocyte donors have to comply with rigorous evaluations and tests, and may be 'compensated for expenses incurred during the procedure but may not receive any other payment for the procedure of egg donation' (Cape Fertility Clinic 2006).

Controversies have surrounded surrogacy too, including being called 'reproductive prostitution' (*The Star* 26 August 2006[27]) and complex legal questions regarding parental rights and responsibilities. In Chapter 19 of the Children's Act (No. 38 of 2005), commissioning parents and the surrogate mother enter into a contract which must be confirmed by the high court (section 292(1)). The surrogate

mother may not profit from her labour (sections 301 and 295(c)(iv)), except to be reimbursed for medical expenses and loss of income. She and/or her partner have no rights over the child.

The expressed morality is that 'it is against public policy to place a price on a human life' (Venn, Nemeth & Hart Inc. 2005), but this applies unequally to the women donating eggs and bearing babies, and not to the medical facilities and businesses that make huge profits from reproductive technologies. Here, too, unequal gender values are threaded into the fabric of these sexual economies.

From human rights to belonging?

The HIV/AIDS pandemic was a major factor in bringing sexuality into the limelight and into the international human rights framework through the door of 'health'. Other avenues were through women's mobilisation – feminists placed women's reproductive and sexual rights at the centre of transformation for gender equality, and rallied around eradicating gender-based violence. Queer mobilisation emphasised the rights to sexual diversity and same-sex relationships. While sexual rights were being hotly debated and written into international human rights instruments, South Africa was in the process of a democratisation – by 1996 our much admired Constitution was enacted. Local women's and queer movements linked to the anti-apartheid struggle had also mobilised and succeeded in having gender equality and no discrimination against sexual orientation written into the Bill of Rights. Therefore the values of gender equality and sexual rights were established in a powerful enabling tool, and provided a platform for major legislative changes, particularly for lgbtqi-identified people. However, the enabling conditions are more difficult to develop.

The complex interwoven and competing cultural practices and discourses of colonialism/apartheid/postcolonialism in South African national politics are all steeped in heteropatriarchal values, where dominant masculinities shape the relations in the world. 'These relations cover those arrangements men and women have to institutions, structures, laws and policies over and above males' relations to their own bodies, bodies of other males, and female bodies' (Ratele 2006: 57).

A key enabling condition for women's sexual rights to be lived is to control and make decisions about our own bodies and sexuality. Yet the pervasiveness of gender-based violence against women is an indication that women's equality is perceived as a major threat to ruling masculinities. Control of women's sexuality is at the root of most social practices related to women's oppression: gender-based violence, coercive marriages, female genital cutting, commodification of women's bodies and vulnerability to HIV/AIDS. The resistance to giving women control over reproduction is symbolised in a peculiar form of violence – not giving women a

choice over unwanted pregnancies leads to unsafe terminations of pregnancies. The double standards operating in the arena of new reproductive technologies ensure that there is a gendered hierarchy of access to profits – male donors, medical institutions and businesses selling them may profit while female donors and surrogate mothers may not.

For queer people a key enabling condition is the right to fall in love, 'marry' and set up a home with their family. Though this has been achieved in the law, the vocal resistance by society more generally shows that the values of social justice enshrined in our Constitution are not shared by the majority of South Africans:

> A dialogue between 'rights talk' and 'culture talk' is overdue – one which explores not only the real meaning of culture, but the actual workings of rights. Rights work does not promise utopia, only an endless process of protecting basic human values against constantly renewing threats. But it also does not promise the dissolution of cultures or the annihilation of traditions. It helps to ensure that they remain responsive to the human beings they contain. To conserve is to care for, not to preserve unchanged. The dialogue will happen only if true conservatives, who respect the past because they grapple with its complexities, dismiss the false ideologies of cultural uniformity that exploit sexuality with no other real goal than to reject, exclude, and destroy. (Long 2005: 17)

Conforming to normative identities is like belonging which is 'made to fit' for some, but not for others (Johnson 2002: 329). Many homosexuals choose to 'pass' as heterosexuals for fear of discrimination, or for their safety. Thus they collude with heteronormative society's injunctions to disappear or at best to remain invisible, and hence the cycle of marginalisation continues. Yet in order to claim one's rights to equality, a queer person has to come 'out of the closet' – that is, disclose one's identity. Therefore the struggle for enabling conditions which will make life liveable for queers is increased cultural visibility, but it also makes life more dangerous.

Adult sex workers face stigmatisation and persecution in a job with no protection of their fundamental human rights in the Constitution. In order to fight for their rights they need to mobilise, but this requires identification as sex workers, which in turn places them in jeopardy.

There is a common thread and common struggle between lgbtqi and women's and the adult commercial sex work movement, yet these alliances have largely not been formed. The biggest problem is gender-based violence which threatens all women and some men. Creating enabling conditions which affirm the ethical principle of sexual autonomy would lead to adult commercial sex workers being able to affirm their labour rights, as much as women would have the choice to terminate unwanted pregnancies. Women would also benefit by the affirmation

of sexual diversity sought by queers. Heterosexual marriage is a primary site for masculine power based on institutionalised and heteronormative masculinities and femininities. Same-sex 'marriage' opens a potentially subversive space for a rearticulation of gendered identities in intimate relationships, enabling us to rework concepts of equality and diversity for women and men in heterosexual relationships too. Finally, the acknowledgement of sexual rights in popular media and cultural discourses would help to create visibility of alternative sexualities and genders.

The values of respect, equality and diversity professed in the Constitution and bandied about in the name of *ubuntu* are not part of South Africans' popular imagination. Unless our constitutional rights are upheld in everyday life – especially by people in government – marginalisation and Othering will prevent people from feeling free to express their identities. Belonging implies not having to 'pass'.

Notes

1 I include reproductive rights as a subset of sexual rights. See the argument in the section on discourses.

2 This chapter was presented as a paper at the 6th Conference of the International Association for the Study of Sexuality and Culture in Society (IASSCS), Dis/organized Pleasures – Changing Bodies, Rights and Cultures, at Cayetano Heredia University in Lima, Peru, 27–29 June 2007.

3 I use the concept as elucidated by McNeil (2005), who uses the characteristics developed by Marty and Appleby (1995: 405–414) to refer to 'fundamentalists' as various religio-political groups who are identified by the following characteristics: '1) reactivity to the marginalisation of religion; 2) selectivity; 3) moral dualism; 4) absolutism and inerrancy; 5) millennialism and messianism; 6) elect membership; 7) sharp boundaries; 8) authoritarian organisation; and 9) behavioural requirements'. She adds 'an implicit or explicitly articulated patriarchal agenda' to the 'list of family resemblances'.

4 For example, in the Constitutional Court case which led to the decriminalisation of sodomy, the court ruled that rights to equality and privacy are contiguous: the fact is that both from the point of view of the persons affected, as well as from that of society as a whole, equality and privacy cannot be separated, because they are both violated simultaneously by anti-sodomy laws. In the present matter, such laws deny equal respect for difference, which lies at the heart of equality, and become the basis for the invasion of privacy (Sachs J, [112] in *National Coalition for Gay and Lesbian Equality and another v Minister of Justice and others*, CCT 11/98, decided on 9 October 1998).

5 Seventy-eight per cent of the population say that 'it is always wrong for adults of the same sex to have sexual relations' (Rule 2004).

6 South African people who sell sex call themselves sex workers to emphasise the economic and labour context of their work.

7 In *S v Jordan* the Constitutional Court upheld convictions in a high court, saying the Act did not discriminate against women, and dealing 'a sharp blow to law reform campaigns that argue against the continued criminalisation of commercial sex work'. This in spite of

having an excellent exegesis of the different feminist stances relating to women's position in sex work and confirming that 'there are multiple manifestations of prostitution and the law needs to be sensitive to the diversity of women's experiences within the industry' (Artz L, Supporting answering affidavit, in *S v Jordan*, Constitutional Court, Case Number: CCT 31/01, para. 31).

8   Lister (2003a: 92) argues for a 'differentiated universalism' which acknowledges context and diversity.

9   See the oeuvres of Ruth Lister (e.g. 1997, 2003a, 2003b), Carole Pateman (e.g. 1989), Birta Siim (e.g. 2000), Sylvia Walby (e.g. 1994), Iris Young (e.g. 2000), Amanda Gouws (e.g. 1999, 2005) and Shireen Hassim (e.g. 2005), to name but a few – while Linzi Manicom's (2005) perspective is particularly useful for understanding the constitution of the subject 'woman'.

10 Some key theorists are Bell and Binnie (2000), Diane Richardson (e.g. 2000a, 2000b), Jeffrey Weeks (1998), Ken Plummer (1999), Brenda Cossman (2002) and Carol Johnson (2002).

11 See for example M Jacqui Alexander and Chandra Talpade Mohanty (e.g. 1997), and Pnina Werbner and Nira Yuval-Davis (1999).

12 Third Reich policies were a logical extension of eugenics supported and practised throughout Britain and the USA during the first half of the twentieth century (Hampshire 2005).

13 Holland et al. (2003), Waites (2005), Treichler (1999) and Morgan and Wieringa (2005) show how biomedical discourses subtend political regulation of sexualities, while the power of moral discourses on sexuality is addressed by Weeks (1995), and Pigg and Adams (2005) discuss morality and sex in the context of development.

14 Semantically, if reproductive rights were seen as a subset of sexual rights, diverse sexual practices – reproductive, non-procreative, pleasurable and survival sexualities – would qualify for human rights protection. This conceptual framework would be more consistent with a perspective based on fundamental human rights and freedoms, and would include protection on the basis not only of private, but also of civil, economic, political and social, human rights claims. This paradigm extends human rights beyond negative rights of protection and promotion, but also recognises positive rights and freedoms such as sexual autonomy and agency, as well as protecting and promoting sexual health.

15 I use the term 'queer' broadly to denote non-normative sexualities.

16 I use 'prostitution' in inverted commas to problematise the word and signal that it refers to a wide variety of activities, but also that it is stigmatised (see also Agustín 2003).

17 Hoad (1998), Phillips (2000, 2003, 2004), Aarmo (1999) and Epprecht (2005) all address the tensions in postcolonial African heteropatriarchies to formulate imagined African national identities. Lewis (2002), Hoad et al. (2005), Petchesky (2000b) and Klugman (2000) provide analyses of gender and sexual rights mobilisation. See also De Vos (1996a, 1996b, 2004), Van Zyl (2005a, 2005b) and Reddy (2005) for work relating to same-sex relationships and the law in South Africa.

18 See for example Epprecht (2005) and the edited volumes on sexuality by Gevisser and Cameron (1995), Murray and Roscoe (1998), Morgan and Wieringa (2005), Reid and Walker (2005), and Van Zyl and Steyn (2005).

19 Vance 1984; Rubin 1984; Giddens 1992; Connell & Dowsett 1999.

20 For a more detailed discussion of the legislation see Van Zyl (2005a) and the list of relevant legislation after 'Notes'.

21 Zoliswa Nkonyana (19) was stabbed and stoned to death by a homophobic mob of young people in Khayelitsha as a result of identifying as a lesbian. See also Kwesi and Webster (1997).

22 Would a state marriage officer who deeply believes that black and white people shouldn't marry be allowed to refuse to marry an interracial couple?

23 I consciously choose the word 'game' to represent a closed and symbolic framework of conflict with particular rules and constraints of interpretation.

24 Brownmiller (1976) historicises rape as a tool of war and oppression; Schwendinger and Schwendinger (1983) locate it in societies where there is gender inequality and link it to socio-economic inequalities. Du Toit (2005) applies an analogy of rape to torture. I characterise it as a tool of repression to maintain and perpetuate heteropatriarchal systems of power and exploitation (Van Zyl 1991). Muthien and Combrinck (2003) propose a model for examining gender-based violence on three levels: direct or personal violence, structural or institutional violence, and cultural violence. Hence when a woman is victimised, for example in rape, what has become known as 'secondary victimisation' (Van Zyl 1990: 21) could be perpetrated by representatives of the same state which is responsible for protecting her. Therefore gender-based violence can be viewed as political violence.

25 *S v Jordan and others (Sex Worker Education and Advocacy Task Force and others as Amici Curiae)*, 2002 (6) SA 642 (CC); 2002 (11) BCLR 1117 (CC).

26 Peters M, 'Bargain babies in the Mother City'.

27 Ajam K, 'Wombs for rent: State to act'.

Legal documentation relevant to sexual rights

Statutes
Child Care Amendment Act 96 of 1996
Children's Act 38 of 2005
Choice on Termination of Pregnancy Act 92 of 1996
Choice on Termination of Pregnancy Amendment Act 38 of 2004
Civil Union Act 17 of 2006
Closed Pension Fund Amendment Act 41 of 1999
Communal Land Rights Act 11 of 2004
Domestic Violence Act 116 of 1998
Employment Equity Act 55 of 1998
Equality and Prevention of Unfair Discrimination Act 4 of 2000
Films and Publications Act 65 of 1996
Human Tissue Act 65 of 1983
Immigration Act 13 of 2002
Immorality Act 55 of 1949
Indecent and Obscene Photographic Matter (IOPMA) Act 84 of 1967
Labour Relations Act 66 of 1995

Marriage Act 25 of 1961

Medical Schemes Act 138 of 1998

National Health Act 61 of 2003

Natural Fathers of Children Born out of Wedlock Act 86 of 1997

Prevention of Family Violence Act 133 of 1993

Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000

Publications Act 42 of 1974

Recognition of Customary Marriages Act 120 of 1998

Refugee Act 130 of 1998

Rental Housing Act 50 of 1999

Sexual Offences Act 23 of 1957

South African Constitution Act 108 of 1996

Bills and White Papers

Criminal Law (Sexual Offences) Amendment Bill 50 of 2003

Judicial Matters Amendment Bill 2 of 2005

Social Welfare Department White Paper on Social Welfare, August 1997

Cases

Case and another v Minister of Safety and Security and others, CCT 20/95, decided on 5 September 1995

Curtis and another v Minister of Safety and Security, CCT 21/95, decided on 9 May 1996

Doctors for Life International v Speaker of the National Assembly and others, CCT 12/05, decided on 17 August 2006

Du Toit and another v Minister of Welfare and Population Development and others, 2002 (10) BCLR 1006 (CC)

J and B v the Director-General of Home Affairs and others, CCT 46/02, decided on 28 March 2003

Langemaat v Minister of Safety and Security, 1998 (3) SA 312 (T)

Lesbian and Gay Equality Project and Eighteen others v Minister of Home Affairs and others, CCT 10/04, decided on 01 December 2005

Minister of Health and others v Treatment Action Campaign and others, 2002 (5) SA 721 (CC); 2002 (10 BCLR 1033 (CC)

Minister of Home Affairs and another v Fourie and another, with Doctors for Life International (first amicus curiae), JohnJackson Smyth (second amicus curiae) and Marriage Alliance of South Africa (third amicus curiae), CCT 60/04, decided on 01 December 2005

National Coalition for Gay and Lesbian Equality and others v Minister of Home Affairs and others, CCT 10/99, decided on 2 December 1999

National Coalition for Gay and Lesbian Equality and another v Minister of Justice and others, CCT 11/98, decided on 9 October 1998

S v Jordan and others (Sex Worker Education and Advocacy Task Force and others as Amici Curiae), 2002 (6) SA 642 (CC); 2002 (11) BCLR 1117 (CC)

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CONCLUSION

We echo the sentiments of Kapur (2005: 11) when speaking of her own book: we too 'hope that this book will contribute to the development of a theory of erotic justice that would bring erotically stigmatised communities from our respective worlds into an inclusive conversation'.

Shaping sexualities

Melissa Steyn and Mikki van Zyl

OUR SEXUALITY OCCASIONS OUR deepest experiences of inclusion, belonging, significance and personal agency, and by corollary our deepest experiences of exclusion, alienation, rejection and meaninglessness or vulnerability to violence. Sexual regulation occurs through hierarchies of human value inscribed in discourses and practices of law, politics, medicine, culture, religion and custom. Marginalised groups are exposed to the cruellest face of society, confronting the darker side of social behaviour that patrols notions of desirability. People may be betrayed and wounded by society in their most intimate places of being, instead of being protected and affirmed. The authors of the various chapters of this book have shown the dominant regulating ideology, heteronormativity, at work in creating these value hierarchies, and examined some of the marginal positionalities and their varied woundings.

The chapters address discourses and their multiple intersectionalities framed within/by cultural spaces. We deal with how manifold axes of normativities and non-normativities – such as gender, class, etc. – feed into inertias and movements around sexualities, and how marginalised sexualities are folded into or through them. The focus is less on the well-documented homo/hetero issues, but instead attempts to foreground some of the other dimensions less often examined as shaping sexualities, thus disaggregating the hierarchies in the monolith of heteronormativity. It contributes to demonstrating how neither homosexuality nor heterosexuality in the particular context of post-apartheid South Africa is homogeneous; rather, each takes many different characteristics, operates differently, and performs contingently depending on the other social forces at work. The legacy of apartheid histories of 'race' lives on through yearnings of desirability and desire enacted in the crossfires of gender – the making of modern South African women and men – and in the face of post-apartheid sexual liberation, the conspicuous consumption of middle-class global cultures and the lurking spectre of HIV/AIDS. We adopt a critical approach to the regulatory mechanisms – discursive, experiential

or otherwise – that limit multiple expressions of bodies, genders, sexualities and identities. We particularise heterosexuality, making visible that which is assumed and taken for granted, and explore sexuality both as a site of pain and as a site of pleasure.

The book situates state discourses on sexualities merely as one aspect of broader social regulation and transgression. While the post-apartheid state has apparently dismantled heteronormativity through the freedom of sexual orientation clause in the Constitution, currently certain sexual domains are still highly regulated. In some areas there is a great deal of intervention in sexually related behaviour through legislation, such as the controversial regulation of 'private and consenting' teenage sexual behaviour by the Criminal Law (Sexual Offences and Related Matters) Amendment Act (No. 32 of 2007). In some other domains of sexualities there is an increased level of privatisation, as in the case of the scrapping of the Immorality Act (No. 21 of 1950) legislation and the decriminalisation of sodomy. Yet other marginalised sexual practices remain invisible both to the state and ordinary citizens under a blanket of assumed normativities. Importantly, submersion into invisibility of these expressions of sexuality through processes of universalising the norm is not structured through the same dynamics as the well-documented processes of privatisation, which involve leaving certain sexual practices outside the ambit of state concern. The authors in this book seek to lift this blanket in some such domains, as in the case of the elderly, male-on-male sex in prisons, people with disabilities and children's sexuality.

The chapters in this book also show how, in South Africa as elsewhere, struggles to redress power inequalities have successfully used the human rights framework both to contest the Othering produced by discriminatory normative practices, as well as to seek protection for vulnerable groups. These struggles will inevitably be controversial both because of the limitations of the westocentric liberal humanist paradigm within which they are framed as universal (Kapur 2005), and because who is vulnerable or who is entitled to autonomy is always subject to different interpretations in different places and times. The lack of the framework's ability to contextualise power relations, i.e. the exercise of one set of rights against another, has led to rights-based discourses being appropriated by reactionary forces to entrench existing systems of inequality, as much as they have been used for attempting to transform systems of inequality. In particular, cultural rights have been asserted in order to oppress women. Many struggles for transformation have revolved around who has the right to define, and who may represent whom, and the relationship between the state and its citizens, and will no doubt continue to do so.

Futures trading

Disassembling heteronormativity, the project of this book, is one opening gambit in a much deeper and more complex theoretical enterprise which is under way. Further theorising sexualities from within the consciousness of marginalised and subaltern subjects would see more radical reframing, pluralisation and complication of understanding sexualities. In concluding this work, we wish to note some of these trends.

Not surprisingly, HIV/AIDS is an enormous area of knowledge production, which has delivered numerous interpretations of global and local changes in the ways people understand and experience their sexualities. In particular, sexuality has been incorporated into development frameworks, but regrettably mostly emphasising the dangers of sex and sexuality through discourses of population 'control', disease and violence (Jolly 2007) or framed as a 'health issue'. Sexuality is not perceived as an integral part of human existence, but treated as a problem which needs to be contained (Cornwall & Jolly 2006). These approaches tend to perpetuate gender stereotyping – women as victims, men as predators – and an entrenching of binarism and heteronormativity where transgendered and intersex identities are erased.

In feminist writing on sexuality, for example the seminal volume by Carole Vance (1984), the shadow of pleasure is often danger. Danger is often the warning levelled at women who transgress social norms and regulations, but since the advent of the HIV/AIDS pandemic, attention has been drawn to risky behaviour as expressions of masculinity, and how this is a source of danger in sexuality. To focus only on pleasure ignores the (hetero)patriarchal structure within which people engage with each other, while emphasising only danger, violence and oppression ignores people's agency and 'unwittingly increases the sexual terror and despair' (Vance 1984: 1) in which marginalised people live. Within mainstream discourses focused on HIV/AIDS, sexuality and pleasure is one of the many dimensions to address in bringing well-being, empowerment and sexual autonomy, especially to poor people, women and other marginalised groups in the course of promoting safer sex. The complex intersections between sexuality, the global economy and diverse cultures and activisms in the HIV/AIDS arena provide rich fodder for transformative theorisation, policy development and practices.

Rich theoretical work is being done, and still awaits to be done, in arenas of people in movement and displacement. Studies on South African sexualities which engage with postcolonial theoretical concepts such as hybridity, diaspora and subalterity will deepen analyses of heteronormativity. How does xenophobia impact on the sexuality of immigrants and migrants? Similarly, more explorations

of 'traditional' African sexualities as *contemporary* practices in South Africa could break with colonial and etic[1] theorisation that exoticises or Others active, choosing subjects exercising their agency, and positions them as deficient and in need of modernisation. How do contemporary women in polygynous marriages, for example, themselves interpret their relationships with a husband and co-wives? And how do people who believe in polyamory (Klesse 2006) arrange their relationships?

The area of 'emphasised femininities' (Connell & Messerschmidt 2005: 831) suggests a direction where sexuality can be reframed from the subaltern consciousness of women and 'the feminine'. Questioning sexual norms from a feminine-centred position might transform deeply held beliefs about sexuality, such as sexual satisfaction. The challenge might problematise dominant notions that medicalise and pathologise patterns within women's sexual desires. As a heterosexual woman, can I feel perfectly sexy without wanting to have sex after 50? Why is a long session of intimate kissing and cuddling not considered sex? A similar centring from within the sexualities of people with disabilities reveals the versatility and fluidity of the erotic. Tom Shakespeare (2003) recounts how people with disabilities improvise around sexual activity, moving away from heterosexual patterns of intercourse. What makes us think that the ear is not an orgasmic organ? We regret not having been able to cover the issue of intersexuality in either *Performing Queer* or *The Prize and the Price*. As a site of profound subalterity, intersexuality is almost totally silenced. It challenges the very foundations upon which heteronormativity is built – binary gender assignation, biologically determined sexualities, sex roles – extending notions of desire beyond the (b)orders that have been explored in this book.

As one of the manifestations of neoliberal globalisation, an explosion of commodification is currently shaping sexualities, accompanied by a surge in moral contestations and a new wave of theorisations (Attwood 2006). The internet has given rise to the concept of cybersex and opened a new form of social interaction, internet dating. Sexual behaviours and identities are internalised and translated into local performances, changing, interchanging and exchanging the shape of desire.

Eschewing the traps of binarisms, African feminists have engaged critically with the themes of global and local definitions of identity, bodily integrity, sexual autonomy and morality (Reddy 2004). Key dialogues have centred on the pervasive representations of sexuality as dangerous or painful – rape, female genital cutting, prostitution, sex trafficking – and sexuality as pleasure. Culture has been analysed with a lens of hybridity and how local identities have been contaminated by colonial cultures, or where they have been embraced, such as in struggles for human rights. Challenging conventional patterns of theorisations, a significant source of 'theorising' has been the development of aesthetic works – novels, poetry, art, photography, film – that interrogate sexual identities, behaviours and practices.

Above all, sexuality has been located as a political issue which requires Africa-centred mobilisation and transformation.

> A transformative politics can only emerge if we are willing to think from different locations and differently. The strategies we formulate and the assumptions we challenge today are critical not so much for the present but for the fact that there will always be another other who will come along. (Kapur 2005: 11)

Using equality and diversity as basic values, concepts such as 'abuse of power', 'informed consent' and 'harm' become salient in establishing frameworks which recognise the fluidity and multiplicity of sexualities and open dialogues with marginalised sexualities. The threads between 'the prize' and 'the price' in South Africa are held together through the regulation of sexualities in dominant hegemonic formations on gender, postcoloniality, 'race' and embodiedness. Throughout the book and despite all the disciplinary constructions to contain and constrain sexualities, transgressive and dissenting sexualities seep through into the everyday, even emerging in locations that are deemed asexual. People everywhere express and enact their desires in ways that vary in spite of the borders that limit multiple expressions of bodies, genders, sexualities and identities. To interrogate and to understand how desire is shaped from Other positions is to transform the shaping of sexuality itself.

Note

1   Using an external/alien scheme, as opposed to using its internal elements, to describe the structure of a culture.

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