

“We make it on our own”: Sexual Violence in Social Context, the Limits of Law, the Power of Precarity

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“When a woman didn't enjoy it, she leaves early in the morning. Those who had a nice time will wait until the sun comes out, requests breakfast and taxi money. In the morning that lady requested breakfast and taxi money. You don't ask for taxi money from somebody who raped you.”

— Julius Malema

Introduction

The introductory quote will be familiar to anyone who has paid a small amount of attention to South African politics and policy in recent years; but its significance, given the recent invigoration of a genuinely multi-party democracy in South Africa, including splits in COSATU and the emergence of the Economic Freedom Fighters (EFF) takes on a new cast when considering the future status of women in the country, as well as the connection between gender violence, economic and social precarity, and the policy environment. Malema, of course, is no longer a Zuma supporter, and has even made several very strong statements in support of women's rights to bodily autonomy (including, memorably, the supposed feminist makeover of erstwhile EFF leader, and infamous sushi aficionado, Kenny Kunene); nevertheless it very much remains to be seen how an EFF gender policy would diverge from the “talk left, walk right” gender policies that have defined two decades of freedom (Bond). While diverging on questions of redistribution, the meanings of nationalism, and the status of South African democracy, there remains an underlying thread of connection between the ANC leadership and dissidents within and outside the party; all the major

Sexual violence and rape are a significant and widely noted problem in South Africa (Jewkes), often framed as part of a larger problem of widespread violence in the twenty years since the advent of democracy. Often this problem is framed as one of a mismatch between progressive, even feminist policy, and “delivery” of the support, services and justice guaranteed in the South African Constitution and in two subsequent laws which specifically refer to gender-based violence and violence against women, and which are notable for being among the most progressive in the world. In other analysis, the matter of gender-based violence and rape is framed as a legacy of pre-colonial African “tradition,” rooted in the specifics of South African masculinity, or, perhaps part of the wider legacy of colonial and Apartheid violence.

In this paper, I intend to use ethnographic evidence of women's everyday lived experience to reframe the question of rape and gender based violence in South Africa and the intransigent gap between the *de jure* and *de facto* status of women's rights in country. Rather than simply describe the apparent weakness of the apparatus of delivery of rape services and legal redress, I hope to, in part, explain it, with specific reference to a politics of anti-feminist,

gendered politics, rooted not only or primarily in masculinities and violent regimes of the past, but in the specifics of South African precarity in the post-Apartheid period. Using data from nearly three years of ethnographic research, I ask whether there is something particular about this moment of “transition” to democracy which “creates the conditions” for gender-based violence (Bhattacharya) in South Africa today. In answer to that question, I argue that it is precisely the relative increase in women’s social economic social and legal status, in a context of generally declining economic security for all South African’s which has produced the conditions for a gendered reaction, most visible in two spheres. First, at the level of political discourse and policy, and second at the level of the household and everyday life.

The implications of this argument for the future of South African democracy should be clear; not only is progressive legislation, on its own, insufficient to the task of mitigating gendered violence, without sufficient attention to economic and social security, the illusory gains of “womens’ rights” can become fuel to the fires of future reaction.

Sexual violence in South Africa today is a product of post-apartheid precarity, and a factor in producing it. Rather than seeing the progressive post-apartheid era policy on rape and the reality of gender based violence as being contradictory, its possible to see them both as simultaneous products of changes in women’s relative and absolute social status in the democratic era.

Methods:

This research project was born out of an interdisciplinary collaboration between epidemiologists and anthropologists seeking to understand the impact of psychosocial factors influencing childhood development and disability in peri-urban KwaZulu-Natal. The ASENZE epidemiological team tracked a cohort of children ages 4-6 across all five communities collecting wide variety of data on physical and mental health of children and their caregivers. The ethnographic methodology used to produce the community studies was aimed at developing a rich picture of the social and historical context for this data, which could engage iteratively with the conceptualization and methodology for collecting quantitative data. Our approach derives from two sources, and aims to understand the relationships embedded in case studies first we must locate them at the intersection of social and historical and biological processes. Inspired by the tradition of Manchester School, the researchers aim to describe social life as a process of change and adaptation to (global) economic realities. Adherents of this processual and economic approach to the study of culture have utilized the extended case method (Burawoy (1998, 1972) to draw out relationships of mutual constitution and process of social, political and economic change. We use micro-narratives of family life over time to explore the context of care and situate the lives of children and caregivers within a local, regional, national and global perspective (Susser 2009). Each household narrative here is not merely an “example” of previously existing theory, but a micro-iteration of global, national and regional processes contributing to the development of the framework of household precarity.

The second major element of our methodology is the collaboration between ASENZE's epidemiological and ethnographic teams. With the long-term goal of intervening to promote better physical and psychosocial functioning of children in South Africa, The ASENZE study is using combined epidemiological and ethnographic techniques to determine how the ability of children's cognitive and social function is influenced by health-related, contextual, and psychosocial factors. The epidemiological component of the study quantifies these factors over a long duration; targeting children aged 4-6. Since 2007, the study enrolled 1,583 children and their caregivers.

The study developed through first using semi-structured interviews conducted in isiZulu with more than 50 caregivers identified by data collectors from the epidemiology team. Next, ten families were selected based on their interest in collaborating with the ethnographic team, their families' relationship to disability, mental health and HIV/AIDS and geographic representation. Families were not selected for the extremity of their economic insecurity nor for their experience of violence; did violence emerge as a common factor among participant families illustrating the processes by which household precarity both requires and limits women's flexibility and defines collective precarity in South African communities.

ASENZE assessments (including caregiver depression screenings) have been used to corroborate ethnographic observations regarding mental health and disability where appropriate. Finally, ethnographers conducted interviews with community leaders, tribal authorities, religious leaders and school teachers, as well as participant observation in schools, town halls, local NGOs, clinics and hospitals as well as community and family events such as disaster relief efforts, HIV testing fairs, weddings, service delivery protests, picket lines and religious services.

Precarity, Security, and Violence

This paper sets out to develop an analytical framework rooted in the daily lives of women and children in peri-urban KwaZulu-Natal that can both account for the importance of day-to-day factors and contextualize them in broader social and historical processes, using precarity and flexibility as key concepts with salience beyond the workplace. Here we argue that community ethnography might contribute to the theorization of southern, and South African, "precarity" that strengthens the concept beyond the particularity of its origins as a description of the dislocated experience of individual often male workers in liberalizing European labor markets, and expanding the social science of 'work' beyond traditional boundaries into community and family life.

Taking households as the analytical focus for unraveling the experience and structure of precarity illuminates the mutual constitution of precarity and flexibility through the contributions of inequality, disease and violence to a weighty burden of care that threatens to overwhelm many households. It also suggests a reframing of a long-standing and recently reanimated debate between social scientists of Southern Africa, who argue, on one side, for understanding the current experience of workers in South Africa through the "Land, labor,

livelihood” literature of the 1970s where contradictory views of work are explained by a working class experience of being not “fully” proletarian. On the other hand, more recent studies of South African precarity argue that the national experience of work is entering a post-work and post-worker stage. This paper hopes to contribute an expansion of the analytical categories of definitions of work that can help explain this debate and transcend the tendency among social scientists to perpetually locate workers and families in the global south in an alternate temporality.

To do this, this paper argues for understanding the physical and affective labor of care as an economic fact with sometimes unseen impacts on individuals, family and wider society. Disability and disease afflicting one household member contributed to the risk of violence and increased the negative impact of such episodes on families over time; when combined with the evident economic insecurity of informant families, this insight helped us to develop a framework that understands “precarity” as the normal condition of families, even in times of relative economic plenty, ultimately impairing the resilience of entire communities. Meanwhile its opposite, “security” remains an elusive goal. A field of constantly changing sources of financial, emotional and practical support is navigated by women caregivers who develop, to greater or lesser degrees, a capacity for “flexibility” in order to survive. Meanwhile, the care needs of each household are also prone to sudden shifts such as the death of a family member, an attack of opportunistic infection or violence-related trauma. As a consequence, precarity in South Africa is not only produced by recent changes in global labor markets, but is constituted by the historical legacies of apartheid and colonialism and the more recent social shock of the HIV/AIDS epidemic.

It is perhaps unsurprising that violence announced itself as an important factor in this context of care. South Africa continues to be one of the world’s most violent societies, a much-studied yet still-mysterious fact, often attributed to the brutality of the apartheid system (Vogelman and Simpson 1990), the “decriminalization” of violence in the context of anti-apartheid struggle (Hamber 1998), growing inequality and the failure of redistribution (Desai 2007) or the particularities of South African masculinity (Jewkes 2009). Gender-based violence (GBV) has been particularly documented by public health and human rights scholars as a problem that drives the HIV/AIDS epidemic and thrives on the vulnerability of women (WHO 2002). In 2009, a landmark study of men found one in four South African men surveyed in KZN and the Eastern Cape self-reported rape of one or multiple women (Jewkes 2009).

While many first-person accounts of South African violence in the media derive from the perspective of the upper-middle class, ensconced in gated communities and protected by private armed guards, the burden of violence falls on the South African poor, who are 80+ times more likely to die violently than wealthy ones (Steinberg 1999). “Security” is a commodity for sale on the open market yet not fully attainable at any price. Seen through the lens of violence, all South African households are precarious, though not all equally so.

Our household ethnographies confirm the statistical data in terms of poor women and children’s lived experience. A significant, disruptive violent episode appears in all but one of

our narratives. In the majority, that episode is a rape. While Jewkes' study suggests that the South African rape epidemic is particularly characterized by "stranger" rape and gang rape, our findings complicate this picture. While most of the attackers in our narratives are not relatives, partners or close friends, these attackers are also not "strangers" in the sense usually indicated by the term "stranger rape." Instead, they are close acquaintances. Attackers, like their victims, are embedded in communities with no coherent response – legal or communal -- to violence. In one case, an initial police report led the informant to be further victimized by the police because of the illegal nature of her livelihood. The horror of this violence is the horror of familiarity, of facing one's attacker daily for months and years following the attack.

Discourse around South African violence, both academic and popular, tends to view it as a perplexing barrier to achieving the social expectations of the liberation period. In the context of this research, it emerges as one element in a constantly shifting field of risks, needs and temporary access to resources that poor South African families face. Violence both contributes to and exemplifies South African precarity; it can strike at any time and have unexpected consequences. But it is one among a number of unexceptional calamities that might befall a family in peri-urban KZN.

Inequality and Household Economies in KwaZulu-Natal:

An extensive academic literature has identified growing inequality as a defining feature of social life in South Africa since the 1990s (Susser, Terreblanche, Borat, Seekings,) Peri-urban KwaZulu-Natal (KZN) in particular has been a site of intensive economic and social change in the post-Apartheid era. Classified as "Bantustans" under Apartheid, KwaNcogosi, Molweni, Embo, KwaNyuswa, and Qadi remain under tribal authority. These communities function as working-class suburbs of South Africa's third largest urban metropolis, Durban, and are well-positioned for investigation into the changing face of post-Apartheid social life, including shifting gender relationships and increasing national and local inequality. Because these communities differ from urban "townships" in their continuing relationship to formal traditional authority, these conflicts are often experienced and described by local actors as a tension between a democratic "modernity" and tradition¹.

¹ As Ida Susser describes in *AIDS Sex and Culture*, tribal authority and custom as experienced today is as much a modern construct as consumer culture, formal employment of women and clothing styles usually referenced by informants as "modern." It is the product of several historical processes that helped to "rigidify" patriarchal authority and undermine women's autonomy, shifting social life away from more fluid domestic arrangements rooted in agricultural production and the negotiated, contested power between the lineages of husband and wife. Their system of migrant labor and dispossession of the land under colonial rule established the local power of chiefs, who were dependent on the support of colonial administrators. This left women dependent on patriarchal chiefly patronage. Second, the imposition of the morality of the Dutch Reformed Church with respect to gender, sex and sin under apartheid, along with colonial interpretations of customary law, imposed greater constraints on women's sexuality and flexibility with respect to domestic arrangements. Finally, a compromise among many elements of South African society was part of the basis for transition to democracy. In KwaZulu-Natal, an accommodation between the ANC and

Despite improvements in treatment access, widespread poverty and inequality—defining features of life in peri-urban KwaZulu-Natal—drive the HIV/AIDS epidemic there. The relationship between inequality and HIV/AIDS in the region may in some respects be characterized as a “syndemic”—a mutually constitutive relationship between two epidemic phenomena (Singer, 1992 and Baer, Singer and Susser, 2003).

South Africa is one of the planet’s most unequal societies with a Gini coefficient of 0.6, comparable only to Brazil. These national figures however, obscure a feature of South African inequality particularly relevant to the peri-urban areas under consideration. The divide between rich and poor is larger and increasing among African households when compared to non-African households. (Bhorat 2003: 4, Van der Berg 2009) While this represents progress in terms of economic equality along racial lines, 40% of South Africans, mostly African, continue to live in poverty as inequality increases.

KwaZulu-Natal statistics are exemplars of the larger trend. Half of the working age population is not engaged in remunerative labor (SSA 2006). Women are the most affected by this unequal access to income and opportunity. Twenty-one percent of African women in the province are entirely uneducated and 95% are not educated beyond grade 12 – a legacy from apartheid. However, a slightly higher percentage of the employed workforce in KZN is female (at 45.6%) as compared to the nation as a whole, which hover near 50%. (SSA 2006). This relatively gender-balanced workforce indicates that “tradition” is not a determinant of women’s choices about working outside the home, despite the often vocal disapproval of community leaders and sometimes fathers, husbands and sons. Women in KwaZulu-Natal but are more likely than men to be employed in the less remunerative and financially insecure informal sector -- selling fruit, homemade snacks, chips and sweets roadside or distributing advertisements to commuters on sidewalks.

State grants, a cornerstone of social policy in the transition to democracy, are another major source of income for many households. Grants amount to R1,080/month (\$150) each for SOAP (State Old Age Pension), DG (disability grant), and CDG (Care Dependency Grant). Families living in poverty also receive R260/month (\$37) for each child, known as the CSG (Child Support Grant.).

While these grants blunt the impact of precarious work and low pay, they are also gendered. Because the grants are contingent on caregiving roles and disability, they echo apartheid’s legacy of a gendered geography that isolates women in rural areas and in the home (Susser 2009).

Legislative Prism and Women’s relative status

Despite these echo’s women’s status post-apartheid *has* changed both legally, and practically. Two decades into democracy, its instructive to look at the what elements of this

the “traditional” elite allowed chiefs to maintain elements of their patriarchal power and aspects of customary law. (129-131).

system have survived under a post-apartheid capitalism in which workers are not only proletarian in the sense of being dependent on commodity production, but now, free of formal constraints on geographic movement and occupation.

Under apartheid, the vast majority of women were confined to unwaged domestic labor and restricted to reserves, with working women engaged primarily in low-waged agricultural domestic labor and a much smaller number working for wages beyond these two sectors in manufacturing, most often in textiles. (10% of 'African women' and 40% of 'colored', who of course represented a much smaller proportion of women as a whole). Male breadwinners worked largely in extractive industry and manufacturing as migrant laborers--as system which made the nuclear family model near-impossible, while creating not only a racialized but a gendered geography of apartheid in which were confined to reserves *and* dependent on men's wages distributed via extended family networks. For working women, child care was likewise solely available via unemployed female relatives (SSA 2010).

Because of the disproportionate effect of apartheid strictures on women's movement and access to waged labor, the end of apartheid, though generally considered primarily through the lens of racism has likewise had a disproportionate impact on women. By 2005, women's participation in the labor force "narrowly" defined --formal, waged employment--had by more 41% almost twice that of the increase experienced by men. Between 2000-2010, difference between men and women in terms of doing unpaid "productive" labor (housework and care of children, the elderly, ill or disabled) decreased from 3x to 2.2x (SSA Time Use Survey 2000, 2010). Improved constitutional rights and specific legislation addressing violence against women and children is also an important part of this picture--hard won outcomes of women's activism and the anti-apartheid struggle, these new laws represent a significant achievement in terms of the legal status of women, a change often associated in ethnographic interviews directly with "democracy," both by advocates for women's rights as well as by detractors who complained of an excess of "democracy" using anecdotes about working women who no longer performed the requisite unpaid labor and emotional deference expected of wives.

Marriage statistics confirm my ethnographic experience that this change has not represented a move toward nuclear family formations over the extended family networks through which Apartheid social reproduction was organized; among working-age South Africans, 46,5% of the surveyed population had never been married, 42,7% was married and 10,8% was widowed, divorced or separated. Even among married couples, it not uncommon for one partner to some distance away from work, as under the old migrant labor system; increasingly though that partner might be a woman.

This increased relative status in the context of rising precarity and inequality might go far toward explaining the apparent gap between policy and practice, well described by Mogale et al in their paper "Violence Against Women in South Africa: Policy Position and Recommendations," which charts the "prism" of two relevant laws, the Domestic Violence Act No 116 of 1998 and Criminal Law (Sexual Offense and Related Matters) Act No 32 of 2007.

Their comprehensive account addresses both activists and policy makers in a call for “stakeholders” to band together to address the lack of implementation and monitoring of the law.

What this approach fails to address are three fundamental features of gendered violence in south africa today: the degree to which violence itself contributes to a women’s precarity and lack of mobility in accessing existing services, cuts to such services, and lastly the significance of backlash at both the level of the home, and at the level of policy and politics.

Gender, Violence and “Nowhere to turn.”

In the second household, domestic violence and bureaucratic “catch 22’s” emerged as major impediments to care for a struggling mother; despite her heroic efforts, apparent health and intact family, Babongile became increasingly isolated and hopeless over the course of our relationship with her, demonstrating the risks and limits of flexibility.

The household consisted of four children aged 3 to 10, two paternal grandparents and a mother and father. The family survived on the income from the father’s intermittent work and the old-age grants available to the grandparents, although the household’s location at the bottom a steep hill sometimes limited the ability of the severely arthritic grandparents to collect government support or even to leave the house.

Babongile’s husband was physically abusive and often appropriated household resources for alcohol. The children’s mother, Babongile, was unable to access child support grants because she didn’t have identification documentation, an all too common circumstance. To make ends meet, the two school-aged children were sometimes enlisted in collecting scrap metal for sale, which kept them out of school at times.

Babongile, despite her youth and lack of education, searched actively for assistance. We observed her long and harrowing attempt to obtain both legitimate and fraudulent death certificates for her parents to assist her effort to get her own ID and access child grants. She also tried to access food parcels from a local missionary organization; she was stymied because, in addition to attendance at revival-style religious services, the charity required clients to register for child support grants prior to receiving help, a rule that the organization’s director, Greg, saw as a measure to combat widespread “passivity” on the part of his parishioners.

When this charity provided R75 (\$10) in transport fees for Babongile’s efforts to obtain grants, she instead fled the household for five days to protect the funds from being immediately consumed by her husband. Despite the fact that the same missionary organization operated a shelter for battered women in nearby Hillcrest, Babongile stayed with strangers in Pinetown. According to Greg, the shelter was usually occupied far below its capacity of 12 beds—at this time, only two women were in residence. In her absence, Babongile’s children were cared for

by their paternal grandmother, a situation that was clearly unsustainable due to her disabling arthritis.

Babongile felt that our brief presence in her household had temporarily curbed her husband's violence against her and her children. She shared with us the haunting hope that "if I tell him you are coming back, maybe he won't hit us for a while."

Unfortunately this turned out not to be the case, and Babongile's abusive relationship escalated as her mental health deteriorated. She attempted to access birth control at a local clinic, an act interpreted by her husband as a betrayal. In response, he threatened the health care worker who provided Babongile with "the pill." Babongile had been pregnant twice since, once suffering a miscarriage and later giving birth to fifth child. Shortly thereafter, Babongile attempted suicide, seeing no effective way to protect and provide for herself and her children. Her children continued to be withdrawn, distant and often violent toward one another.

Babongile continued to be cheered by visits from the ethnography team, but had "lost hope" both in our efforts to help her access government and NGO supports, as well as in her own capacity to mobilize these strategies.

Compounding burdens; Disability, Rape, Denial and Precarity

This multi generational extended family household illustrates clearly the interacting factors which create constant fluctuations both in the household's burden of "care" and insecurity both in terms of caregivers' abilities to provide enough and effective hands-on care as well as financial support. Poverty and a family history of disability overwhelm the resilient caregiver, Thoko, and make them vulnerable to opportunistic violence. The violence, in turn, has a negative impact on Thoko's positive outlook and constant attempts to reduce her care giving burden, assaulting the very flexibility that allows her to manage difficult day-to-day needs.

When we arrived at Thoko's house in KwaNcgolosi, we found the yard strewn with a disorganized collection of washing tubs, cans, bottles, clothes pins and a broken broom and encircled with a low fence designed to prevent children from falling out of the yard and down the steep hillside.

Thoko greeted us warmly while gathering a small stool and a bench so that we could sit in the shade. A mother of seven grown children, Thoko is responsible for Senzo, 4; Bongani, 10; , Khanyi, 12, and her 7-year-old grandson Mbongeleni as well as her 31-year-old brother, Sibusiso.

She explains that Sibusiso doesn't "think properly," Thoko and has the "mind of a child". Likewise, Mbongeleni, her grandson, has a cognitive or developmental disorder diagnosed at around six months of age. He cannot speak and isn't toilet trained, but communicates through gestures. Thoko herself speaks in simple sentences and has trouble remembering and communicating small numbers. Thoko's extended family live in a two-house homestead

up the hill, visible from Thoko's two rented rooms in a second compound. Thoko says, "We make it on our own." She survives on child grants for the children.

Compared to other informants, Thoko minimizes her struggles and insists that she doesn't need help; she leaves us with a smile. But the third time we visit the home, we learn that the family's poverty and isolation have made them vulnerable to violence and struggling for support. Thoko's sister, Zodwa, moved in with her son Mbhobho to share Thoko's already crowded rooms, because Zodwa lost her job as a domestic worker when her employer died. Like Babongile, she was unable to get an identification document and therefore grants to which she was entitled due to being chronically ill (seemingly with HIV-related infections). Though she was ill, she felt that her boss was very kind to let her work at light tasks she could physically handle.

As we talked, Mbhobho, age 2, was wearing a dirty disposable diaper. He kept giving us his empty juice bottle and pointing to the tap, but no one gave him any water. After bathing him, Thoko left him alone in the tub. He seemed to have a "running stomach," but Thoko seemed unconcerned, saying that "he usually does that lately"². Senzo, Thoko's 4-year-old, was withdrawn and naked. Though capable of speaking, he refused to greet newcomers or family. When his mother asked him to call his sister, he said plainly, "I won't do that."

On our last visit, Thoko's distress showed through her smiling façade. She pointed to a house up the hill and explained that her 10-year-old Bongani had been raped by the man who lived there. She said, "He raped him there..." trailing off and pointing to her back. Apparently, the abuse had been going on for some time. Police arrested then released the accused rapist. Bongani and the entire family now lived in fear of the perpetrator who came by periodically to threaten them. Now, Thoko walks Bongani two kilometers each way to school in order to help him feel safe enough to attend. As she told the story, she insisted that Bongani was "alright now," "didn't need" counseling for his experience, but began to cry.

Thoko sought our assistance in helping to find a school for her disabled grandson Mbongeleni. Since he is mute and not toilet trained, caring for him is a 24 hour responsibility that interferes with her ability to run simple errands or leave home for any period of time. She explains "there are no affordable schools" and even expensive schools "refuse to accept a child who can't use the toilet himself."

Through her interaction with ASENZE, Thoko was able to attend a national conference on autism where she met caregivers facing difficulties similar to her own. She was interviewed on live radio (South African Broadcasting Corporation) about the challenges of caring for a disabled child. Reflecting on the experience, she felt "proud" and pleased that her family and

² Diarrheal illness in young children is subject to a number of different interpretations among Zulu-speaking communities in rural and peri-urban areas, ranging from perceived biomedical etiology including HIV to the effects of malicious or distressed ancestors. These causes are best discerned by a *sangoma*, but depend greatly on the frequency and appearance of stool as well as the child's behavior (Kauchali 2004). The lack of attention paid by caregivers to this child's illness is therefore unusual and suggests a distressing overall level of inattention.

neighbors who heard the interview were better able to recognize her struggles. At the end of the study, Thoko remained the sole caregiver for two disabled people and several children. She had not found any additional educational support for Mbongeleni, while her son's rapist lives feet from their home and make periodic threats against the family.

Backlash as Undertow

In addition to the difficulties facing women in accessing available services, there is also the matter of the services available. See one way, this is problem of insufficient "implementation;" seen another its best viewed not as a failure to deliver but as an undertow of austerity. South Africa's most well-known rape prevention and victim support organization, Rape Crisis Capetown Trust was itself threatened with major loss of international and private donor support at the onset of the global financial crisis; their own policy paper proposes a set-aside budget item for the national budget to address implementation of violence legislation.

At the same time the environment for such proposals is weak, considering not only the underlying sense of grievance expressed by men who feel they have not sufficiently benefited from the advent of democracy, and who in some cases associate this with women's relatively increased status. This is particularly the case when we recognize that at the level of political discourse the "gap" between legislation and implementation is mirrored by a gap between politicians rhetoric and their reality. Despite increasingly open political conflict on the national stage, current and erstwhile major political figures share a degree of inconsistency in terms of a rhetorical commitment to women's rights and opposition to gendered violence and their own personal and, indeed, political practice

The similarities and differences between Zwelinzima Vavi's scandal of last year, and President Jacob Zuma's 2005 rape trial are instructive. In both cases, mainstream media and spokesmen for both "sides" have framed the issue as "he-said-she-said" and in terms of political opportunism. Zuma, of course, was ultimately acquitted of raping the HIV-positive daughter of a deceased friend, on the basis of "consent" (as determined by the court). Unlike Zuma's accuser, the woman who initially raised rape charges against Vavi later recanted, while Vavi admitted to an extramarital affair with a subordinate whom he seems to have hired for the purpose of proximity.

In both cases, the charges prompted a vigorous defense of the accused, complete with the usual sexist tropes about gold-digging, lying, female honeypots, which have received few criticisms outside of the world of South Africa's gender justice NGOs. It's easy to see how Vavi's supporters--and indeed Zuma's--viewed the accusations as politically motivated. What is less often considered by either "side" are the implications of so many powerful South African men having sexual relationships that at the very least reek of quid pro quo and sexualized abuse of power, in a nation with with some of the world's strongest legal protections for women and for workers.

Even more telling, Zuma, elected by a coalition of public sector workers (disproportionately women) and youth, introduced the (ultimately scuttled) traditional courts bill; a policy which in many respects aimed simply to restore the apartheid legal status of vast numbers of women living in former reserves. During this period, most feminist activists have word overtime to simply “hold the line” against cuts, protest legislative attacks, hold politicians accountable and to provide basic services to women and other victims of violence.

Given this policy backlash, and highly gendered power structures within political organizations themselves, what are the possibilities and strategies for provisioning existing institutions with mechanisms for funding and enforcement? What organizations, communities or institutions might be able to enforce the existing law? If existing law was fully funded, would that be sufficient to the problem, while men’s and women’s declining economic security remains unaddressed?

Against the backlash

One virtue of viewing anti-violence legislation, and the successes of a rights based constitution in social context, is to highlight precarity as the root of the backlash. If the prospects of gender specific delivery seem weak, and the increase in generalized precarity is identified as the factor which enables violence and policy backlash, perhaps the problem is best addressed at that level. Imagining collective solutions in the context of South African precarity means re-imagining “security,” as something other than a paid privilege purchased by a moneyed elite. Security must go beyond freedom from random assault to a vision in which financial, social and bodily risk are not borne primarily by individual households and the women who manage them.

It is perhaps, then hopeful, that political discourse in South Africa has turned toward debates beyond questions of poverty and employment and toward redistribution. The question remains whether new political formations in which a rhetoric of gender equality remains at the surface can successfully advocate for security for all regardless of gender and push back against politics of gendered reaction.

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