

Violence against women a priority

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PRESIDENT Ramaphosa is set to reflect upon the priorities of South Africa on February 7, during his State of the Nation address (Sona).



This year, the stakes are perhaps slightly more elevated since elections will follow a few short months later.

There has been a tendency in the Sonas to neglect gender justice concerns – notably, gender-based violence (GBV) – as a high priority area deserving the nation’s attention. Following the #MeToo and #TotalShutdown campaigns, we wait with bated breath to see if President Ramaphosa will recognise the urgent need to respond to GBV as a national crisis.

GBV is an umbrella term used to refer to various forms of violence that result from unequal power relations between genders. GBV (or the threat thereof) can be physical, sexual, structural, emotional and/or psychological in nature. GBV is a very complex social problem that is deeply ingrained in the social fabric of our lives.

With this in mind, the burning question we confront is: What is the best way we can expect the state to respond to GBV? Are there general guidelines that are currently neglected in our pursuit for justice?

Traditional legal processes (ie prosecutions) often fail to deliver justice to GBV survivors, despite being the main measure relied upon for recourse.

Relying primarily on legal mechanisms as a response to GBV assumes that the appropriate environment exists for victims and survivors to go to police stations to report such abuses, which is usually not the case.

For example, South Africa’s Civilian Secretariat for Police found that only 2 out of 145 police stations they had inspected were compliant with the Domestic Violence Act.

And this doesn’t even consider attitudinal and social factors that also deter reporting even before the inadequacies of police services come into play. Victims and survivors might not leave abusive relationships because of social ostracism, fear, insecurity and financial dependency.

Legalistic approaches tend to be perpetrator-centred. They are underpinned by the logic of “innocent until proven guilty” and only result in guilty verdicts if it is “beyond a reasonable doubt” that someone has committed GBV. This places absurd expectations upon survivors, who are required to report immediately to medical practitioners for physical examinations to have medical evidence.

This is further complicated by the fact that often sexual abuse is committed by someone we know, so a survivor might not be immediately certain that they wish to report the incident.

There is an undeniable need for survivor-centred processes in response to GBV. This does not mean abandoning legal approaches altogether. Rather, the way that these approaches are institutionalised, planned and carried out must prioritise survivors' needs.

Sona is an occasion where the state makes its priorities and objectives clear before the nation – let us hope that the needs of GBV survivors finally get the president's due attention and action. Maxine Rubin is a researcher at the Centre for the Study of Violence and Reconciliation and a PhD candidate at the University of Cape Town's Political Studies Department.