ASSESSMENT OF INTIMATE PARTNER VIOLENCE

ABSTRACT

South Africa, as many other African countries, is a society where a woman is purchased; traded from one man to another. Her worth is determined by the financial value placed in this exchange. Is it any wonder then, that violence against women is seen as a right; a punishment for her "transgressions". Gender based violence is a pandemic, with no clear end in sight. A cultural backdrop that promotes a patriarchal system does not encourage the growth, development and education required to break free from the oppression of women. Domestic Violence is a plague facing so many South Africans of all races, genders and classes. An assessment of Domestic Violence will look at the problems and potential solutions.

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Title Page

"THE MORE THAT WE CHOOSE NOT TO TALK ABOUT DOMESTIC VIOLENCE, THE MORE WE SHY AWAY FROM THE ISSUE, THE MORE WE LOSE." — RUSSELL WILSON

1. Introduction

The issue of Intimate Partner Violence in the South African context has long surpassed being a problem and is now at epidemic proportions. There has been a significant increase in the focus on domestic violence, particularly against women. South Africa is a diverse cultural amalgamation, with 11 official languages and at least 11 Bantu tribes, as well as white, Indian and colored people making up the "rainbow nation's" population. It stands to reason then, that there are diverse traditions, beliefs and values. South Africa is not a westernized society, although many of the tools and resources that are used within the criminal and psychological context, are developed by westernized programs. One such issue is the risk assessment questionnaires implemented to determine the danger around domestic or intimate partner violence.

Many of the traditional and ethnic cultures in South Africa have strong patriarchal systems on which their foundations are built. Men are the heads of the household, often having many children from more than one wife. Women are bought for marriage, through a concept known as "lobola". The women have very traditional domestic roles in the marriage, such as cooking, cleaning and raising children. Females are seldom allowed to pursue education past high school, if they get any education at all. Statistically, according to Interpol, it is estimated that a woman born in South Africa has a greater chance of being raped than learning to read. (Tears, 2020)

With these factors playing such a significant role in domestic relationships, there is a skewed perspective on what constitutes violence against women. For many men, they have the right to "discipline" a woman as she has been bought and paid for; it is not viewed as wrong. This type of action does not necessarily require alcohol or drugs or trauma to instigate. For many people, particularly older traditional cultures, it is viewed as necessary. The risk assessment tools are therefore of little value as these factors play a bigger role on the questionnaire than it does in reality. The risk assessment tools are still used, but the question is: "How effective are they in the South African context?"

This study aims to highlight the tragic situation of domestic violence in South Africa that faces people of all areas. The problems and issues surrounding Domestic Violence will be assessed and in order to make any kind of significant change to the views regarding domestic violence in the South African context, changes will need to be made at the all levels. People struggling within domestic violence contexts will need to be assisted and children of all genders and races will need to be taught that violence is wrong, and people (particularly women) are not property.

2. Defining Intimate Partner Violence (IPV)

The United Nations provides a very comprehensive definition of Intimate Partner Violence, also referred to Domestic Violence or Domestic Abuse. The UN defines Intimate Partner Violence as a pattern of behavior in any relationship that is used to gain or maintain power and control over an intimate partner. Abuse is physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person. This includes any behaviors that frighten, intimidate, terrorize, manipulate, hurt, humiliate, blame, injure, or wound someone. Domestic abuse can happen to anyone of any race, age, sexual orientation, religion, or gender. It can occur within a range of relationships including couples who are married, living together, or dating. Domestic violence affects people of all socioeconomic backgrounds and education levels. Anyone can be a victim of domestic violence, regardless of age, race, gender, sexual orientation, faith, or class. Victims of domestic abuse may also include a child or other relative, or any other household member. Domestic abuse is typically manifested as a pattern of abusive behavior toward an intimate partner in a dating or family relationship, where the abuser exerts power and control over the victim. Domestic abuse can be mental, physical, economic, or sexual in nature. Incidents are rarely isolated, and usually escalate in frequency and severity. Domestic abuse may culminate in serious physical injury or death. (United Nations)

3. Statistics

According to global statistics provided by the World Health Organization, there is an indication that at least 20% (one in five) women have been sexually or physically assaulted by a man or men, not necessarily partners, in their lifetime. (WHO, 2021)

SA's female homicide rate is six times higher than global estimates and the highest reported intimate femicide rate internationally. (Gordon, 2016)

“Though accurate statistics are difficult to obtain (Gilbert, 1996; Wood, Maforah, & Jewkes, 1998), results from various studies in South Africa reveal high rates of physical and sexual violence. For example, the South African demographic health survey found that 13% of women have been assaulted by an intimate partner at some point (Department of Health, 1998), whereas a study of 3 South African provinces found that 19% to 27% of women reported IPV (Jewkes, Penn-Kekana, Levin, Ratsaka, & Schrieber, 2001). A study of 1,394 male workers found 15% of men reported having raped or attempted to rape a wife or girlfriend (Jewkes & Abrahams, 2002). Other studies have revealed rape, sexual coercion, forced sexual initiation, and femicide as realities for many women and girls in South Africa (e.g., Gilbert, 1996; Human Rights Watch, 1995; Jewkes, Vundule, Maforah, & Jordaan, 2001; Wood & Jewkes, 1997). (Fox et al., 2007)

South Africa has one of the highest femicide rates anywhere in the world. More than 2,700 South African women and 1,000 children were killed last year, according to police figures. According to Ramaphosa, around 51% of women in the country have experienced violence at the hands of their partners. Cases have spiked since the country eased some coronavirus lockdown restrictions in June. (CNN, 2020)

Every four hours in 2016, a woman was killed in South Africa, and at least half of them were murdered by an intimate partner, according to fact-checking website Africa Check. Of the cases where a perpetrator had been identified, more than half of the murders (57.1%) were by an intimate partner.

In 2015, the global rate of femicide was 2.4 per 100,000 women. South Africa's rate was nearly four times the global figure, at 9.6 per 100,000 women

4. Intimate Partner Violence examples in South Africa

REEVA STEENKAMP

One of South Africa's most high profile trials involved the death of a beautiful woman in the prime of her life, with her medal winning Olympian, Oscar Pistorius behind the trigger. Healthy, happy and in love; celebrating Valentine's Day with her boyfriend, the 29 year old model had been dating the Paralympian athlete, for approximately 6 months. Unfortunately, this fairytale had a much more grim ending than anyone would have imagined. Instead of romance and love, Reeva ended up with 3 bullets in her body, fatally ending her life. Pistorius claimed he fired the shots through the door in an attempt to thwart what he believed to be an intruder, however, many witnesses testified that they had heard an argument and screams in the hours leading up to the shooting. No matter what is said and done, the tragedy is that another young woman lost her life at the hands of someone she believed would love and protect her.

TSHEGOFATSO PULE

A 27 year old mother-to-be, only a few weeks shy of delivering her baby was found hanging from tree, multiple stab wounds over her body evidence of foul play. A contract killer was hired by the father of her unborn child. Instead of welcoming a new member, her family had to lay her and the baby to rest in what should have been the happiest time of her life. Another man, Nthuthuko Shoba, believed to be a loving and kind husband and father, was the mastermind behind her demise.

SUSAN ROHDE

Susan Rohde was part of a love triangle that would end in tragedy – her death. Her husband, successful real estate mogul, Jason Rohde, was having an affair with his colleague. While on a business trip, a fight broke out after Susan discovered Jason had not broken off the affair and the mistress was also attending the conference where they were. There are multiple witnesses that have testified to the tension and fighting that happened prior to the death of Susan Rohde, a mother and wife. Her husband claims he found his wife the following morning hanging from an appliance cord on the bathroom door, it that was suicide. He says Susan took her own life due to her unstable mental state. The evidence suggests otherwise and the courts convicted Jason of the murder of his wife.

JAYDE PANAYIOTOU

Another tragic example of a man not only betraying his vows of celibacy, but of those of love and protection as well. Jayde Panayiotou, a 28 year old teacher, married to her high school sweetheart was brutally murdered at the hands of contract killers hired by her husband. She was kidnapped from outside her home while waiting for a lift to work. She was beaten and shot. During the eulogy at her funeral, her husband paid a beautiful tribute to her and the 11 years they had spent together. Weeks later, he was arrested for orchestrating her murder.

KARABO MOKOENA

After suffering multiple violent attacks at the hands of her boyfriend, 22 year old Karabo Mokoena decided to end the relationship due to the escalating domestic violence. However, the relationship did not come to a complete end and the couple continued to spend time together. This decision ended in tragedy for the young woman from Johannesburg. Sandile Mantsoe told police that he took the life of the woman he claimed to love because "She was telling her friends my secrets." He stabbed her multiple times, loaded her body into a refuse dustbin and took her to an empty field where he doused her in acid, petrol and used a rubber tire to light her body on fire. He claimed this ritual was supposed to help his business prosper.

YouTube (2018) Karabo Mokoena's last moments with her killer. https://www.youtube.com/watch?v=4KjMc46_NNE

"WE NEED TO STOP SPEAKING OF VIOLENCE AGAINST WOMEN AS STATISTICS. EACH OF THOSE WOMEN HAS A NAME, AN IDENTITY. LET US FIND A PLACE TO WRITE EVERY SINGLE ONE OF THEIR NAMES SO THEY ARE NEVER FORGOTTEN." – GRAÇA MACHEL

5. Risk Assessment Tools

There are risk assessment forms that have been created for the purpose of determining risk probability for domestic violence. These are standardized, international assessment forms that are often utilized by professionals such as psychologists and psychiatrists in order to ascertain whether a person is at risk. These forms, however, are not fully efficient within the South African context. They have not been adapted to accommodate the cultural and traditional elements that provide the basis for the belief that violence, particularly against women, is an acceptable action. They also rate the influence of alcohol and substance abuse on the risk much higher than is relevant in this context.

a. Department of Justice Risk Assessment Tool for Victims of Domestic Violence

The South African Department of Justice has developed a questionnaire that is available on their website. It is a 15 question form on their website that can be downloaded and answered in 9 of the 11 official languages. While this form is free of charge and available to anyone with an internet connection and computer, there is a significantly large portion of the population that does not have access to either of these utilities, and even if they did, many people in South Africa cannot read. It is a fairly short questionnaire and then there is also the element of the interpretation of the document. Even if the document is completed, what bearing will it have if there is nobody to assist thereafter.

b. B-SAFER

The B-SAFER (Brief Spousal Assault Form for the Evaluation of Risk) was developed by Kropp, Hart and Belfrage. It is a tool that is used by mental health professionals to assist with assessing the risk posed to victims of unsafe domestic situations. The problem with this tool is that it is only available through a mental health professional, so those that do not have access to this facility by default do not have access to this tool. Again, it has also not been standardized for use in South Africa, so the results are not always completely valid.

6. Problems

a. Cultural Background

As already stated, South Africa is a culturally diverse country with a multitude of nationalities, tribes, and communities coming together with their own beliefs and traditions. Many of these are old and outdated traditions and beliefs where women are considered to be property and have little to no value other than that of a possession. Few women are allowed to be educated or have any aspirations other than those of the domestic role in the household for which they were purchased by the "lobola". The violence against women is viewed as a right and a necessity in these cultures. A man must teach the woman or discipline the woman if she does something wrong. The family is built around this belief that spans generations; a woman's attempt at changing this dynamic is often seen as a sign of being "untraditional" and she is warned about offending the ancestors. Her community may shun her and the belief of cultural washing or dilution comes into play when either gender makes these changes to live a different lifestyle. Many men are ridiculed as being weak if they do not adopt the view that they are the leaders and have the right to assault their wives and daughters.

b. Access

Within the country, there are rural, undeveloped areas referred to homelands. Most women remain in these areas to care for the households while their fathers and/or husbands travel to the cities for work. It is seldom that the women will leave this area, and so access to facilities such as shelters, clinics, psychologist and therapist, or any space where they can take refuge or report their situation, is slim. There is very little provision made for the women in rural areas suffering domestic violence. Clinics, shelters and trauma centers are usually reserved for more urban developed areas. This may be due to financial and staff availability considerations, but whatever the reason, it leaves the rural women helpless and without support.

c. Relevance in South Africa

The construction of the risk questionnaires is pulled from westernized, international contexts, and as such has little to no relevance for the South African context. The view and belief of many people in this country is that there is no problem with the behavior that in other countries would constitute domestic violence. The questions posed on the questionnaires are

therefore not relevant and are viewed as non-problematic. The procedures are not adapted to the different cultures and languages. Psychology and mental health is disbelieved, and problems in this area is something believed to be brought on by upsetting the ancestors.

7. Solutions

a. Awareness

The first element to consider is to create awareness. To ensure that there is a visible presence remarking on the injustice of domestic violence in all its forms. There must be credible and respected people of power putting their name and their effort behind combating domestic violence. The president of South Africa, Cyril Ramaphosa, has made a great effort in creating awareness and criticizing domestic violence. Unfortunately, he has much to make up for as the previous president, Jacob Zuma, faced serious charges of rape. This type of behavior cannot be tolerated by people is such important positions. If the president can be allowed to get away with it while in such a spotlight, it creates a shocking example for others to follow.

b. Education

Educating children regarding violence in the domestic context and also in general is a good place to start. Promoting respectful behavior is key in helping to alleviate some of the cultural and traditional problems that arise in later life which leads to the view that violence is the answer to all problems. If a child is taught that life is precious and that people are not possessions, it will hopefully reduce the belief that assaulting another human being of any race or gender, is the answer.

c. Facilities

There must be a greater effort made to focus on building facilities where all people that are victims of domestic violence can take refuge. These facilities should be available in all areas and in spaces that will provide the necessary safety if it is required. These facilities should be free of charge so that there is no discrimination based on finances. Most people suffering from domestic violence have little to no access to funds and so asking them to pay for their needs disqualifies many from getting the help they need.

8. Conclusion

Domestic Violence is a plague, affecting the majority of the people in South Africa. So many of the victims of domestic violence find their end in death. There is a major intervention required to stem the catastrophe that is raging in this society. The problems are not limited to race or gender or class, all people from all areas are affected, some worse than others. The lack of assistance is what can determine whether or not someone can change their circumstances. The changes required for this to happen need to be implemented at all levels. There needs to be primary interventions happening to assist those in dire need right now, so that they may leave their situation or find assistance for when it is required. There will also need to be intermediate interventions placed in schools, so as to educate about the error of violence so it may curb the new generation of people that can grow up into victims or abusers.

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