

Rape Culture or a Culture of Rape? American Rape Culture Compared to South African Rape Accommodating Culture

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Abstract. Rape is a serious and heinous crime seen all over the world. South African culture has been altered by years of colonization and subjugation that differs dramatically from that seen in the US. The occurrences of rape in South Africa differ in many ways, from those who are involved, the occurrences of certain types of rape, and the social responses to each. As is explained through this analysis, South Africa faces an epidemic of rape that is so endowed in their own culture it cannot be separated into a culture of its own.

Keywords: Rape culture; South African culture; Comparative study; Cross culture.

1. Introduction

Rape is a serious and heinous crime seen all over the world. Through various studies and research, new information about sexual assault has made the crime a hotspot for debate. Social, psychological, and legal views all examine the issue, but many do not internationally compare rape and sexual assault. There are many reasons for this, validity of information, differing legal definitions, government interventions, and legal power, all can play a part in the ability for statistical and document-based comparison. This does not mean, however, that it cannot and should not be done.

By looking internationally, one nation can see how others have reacted to the increasing awareness or rape and possible intervention methods. But is that possible when it comes to two different nations that have treated rape so differently? The social and historical influences on cultural values or norms alter how certain actions are seen. In more recent years, an overwhelming number of social scientists have pointed to, what they call, rape culture as the basis of analysis for how people see rape in the United States. Is it seen the same in South Africa, though?

The simple answer is no. South African culture has been altered by years of colonization and subjugation that differs dramatically from that seen in the US. The occurrences of rape in South Africa differ in many ways, from those who are involved, the occurrences of certain types of rape, and the social responses to each. As is explained through this analysis, South Africa faces an epidemic of rape that is so endowed in their own culture it cannot be separated into a culture of its own.

2. Prevalence of Rape

Certain institutions - such as the military, colleges, and work places - have been in media spotlights internationally in recent years as the focus on ending rape has increased; as well as the increased number of rapes occurring in these – previously – secure spaces. Although these statistics are important, they differ between nations due to laws and definitions. General information associated with each individual nation can give us insight into these nation's similarities. One must, however, use international standards when comparing nation to nation. Under international law, rape is simply "sexual intercourse without valid consent (UN-CTS M3.4) (UNDOC, Rape at the national level, number of police-recorded offences)".

2.1. Background Information

In order to compare two nations, it is best to get a basic understanding as to what the nations themselves look like. Government types, gender and racial composition, and cultural heritage can all play a role in comparison. Two nations with completely different historical and/or cultural past, may have similar gender and population structures that may be compared to better understand an issue at hand. For this reason, in order to illustrate the similarities that lie between the US and South Africa as well as the differences, one must establish the basic populational composition.

2.1.1. United States

According to the 2015 census, nearly 321.4 million people live in the 3.797 million square miles (9.834 million square kilometers) that make up the United States. From the birth of the nation as a unified state, the United States has been known for its open doors for opportunity and diversity. Many nations fought for the lands and failed to conquer the strong-willed people who claimed the land as their own “land of the free”. It is a sociological fact, however, that differences stir conflict, as much of the modern United States has been encountering. Between racial, religious, cultural, and other variances, the US has been battling with itself – many times behind closed doors – to create a state of equality. Equality cannot always be obtained, and the crimes and battles are evidence of this conflict of interest.

2.1.2. South Africa

With a vastly diverse population of 55.91 million people, it would be applicable to assume crime and conflict would occur in the southernmost state of Africa. Nearly eleven languages are spoken in the 1,219,690 square kilometers that make up South Africa, all of which belong to different tribal communities and cultures. As stated above, it is a sociological fact that differences stir conflict, however, conflict between genders would be more apparent if there was a large gap in population between the genders. South Africa has a rather equal percentage of both male and female people, about 27.38 and 28.53 respectively (South African Government, South Africa at a Glance).

2.2. Different Definitions of Rape

Every nation has their own, separate codified laws. Within the United States, each state may have its own unique take on laws even when it comes to rape. Certain nations will allow certain legal action to be taken under some circumstances of rape while others will not. Some rape like encounters are considered rape in one nation but not another. So how do the United States and South Africa define rape?

2.2.1. United States

The US has a fairly high rate of rape; however, it is not as high as many African nations (including the Middle East). The US defines rape ambiguously depending on what judicial region you are in. The overall definition of rape is sexual intercourse that is forced against one member of the party’s will. As Joanna Bourke explains: “Rape sometimes must involve violence; other times, lack of consent alone suffices. Still other statutes refer to sexual acts committed ‘against a women’s will’. In some jurisdictions proof of penile penetration of the vagina might be required, while others insist on evidence of emission of semen (Bourke, page 8).”

The acknowledgment that rape has occurred in some cases is lacking due to this ambiguity. This in itself pose problems for many victims and a possible loop-hole for many criminal parties or those wishing to deny culpability. Many believe this is where much of the issues surrounding rape prevention and punishment starts. In 2013 the general definition was altered to remove forcibility from the national definition. The current definition stands as follows: “The revised UCR [Uniform Crime Reporting] definition of rape is: Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. Attempts or assaults to commit rape are also included; however, statutory rape and incest are excluded (FBI UCR, Rape).”

2.2.2. South Africa

The basic definition of rape in South Africa is no different to that of the UN, however, the response and statistics are much different than those of the US. According to the Rape Crisis Center of Cape Town, rape is defined as, “...a crime that is committed through a sexual act without the consent or agreement between the people involved (Rape Crisis Center of Cape Town, Rape in South Africa).”

Organizations such as the Rape Crisis Center and other international aid organizations are growing along with the awareness of the issue. Similar definitions associated with specific types of rape are present in South African law as well - such as statutory rape, gang rape, and date rape – mimicking US categories; this most likely due to the influence of colonization and globalization. Although South Africa follows the same format of legal provisions when explaining rape, the push to act on said laws is lacking.

Amendments to the previous laws have been made in recent years to provide more protections to victims. Aims at creating less ambiguous rape laws lead to the 66th Amendment of 2007 in which the Parliament of South Africa laid sturdier framework from which the courts could rule on rape. The overall goal was, “To amend the Criminal Law (Sexual Offences and Related Matters) Amendment Act, 2007, so as to expressly provide that the imposition of penalties in respect of certain offences contained in the Act is left to the discretion of the courts; and to provide for matters connected therewith (South African Parliament, Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 OF 2007). Such amendments are as follows:

- “* repealing the common law offence of rape and replacing it with a new expanded statutory offence of rape, applicable to all forms of sexual penetration without consent, irrespective of gender;

- * repealing the common law offence of indecent assault and replacing it with a new statutory offence of sexual assault, applicable to all forms of sexual violation without consent;

- * creating new statutory offences relating to certain compelled acts of penetration or violation;

- * creating new statutory offences, for adults, by criminalising the compelling or causing the witnessing of certain sexual conduct and certain parts of the human anatomy, the exposure or display of child pornography and the engaging of sexual services of an adult;

- * repealing the common law offences of incest, bestiality and violation of a corpse, as far as such violation is of a sexual nature, and enacting corresponding new statutory offences (Sexual Offences and Related Matters) Amendment Act 32 OF 2007).”

2.3. Rape Statistics

To better compare two nations in the relevance of a crime - in our case rape - it is best to identify if there is indeed a problem worth studying. Crime reports provided to a state by its law enforcing personnel allow a snapshot of crime occurring throughout the nation. While there is possibility of error in these reports, a basic understanding of numerical levels may be given. In order to compare internationally, statistics are normally taken out of 100,000 individuals.

2.3.1. United States

The United Nations Office on Drug and Crime (UNODC) found that in 2008, roughly 89,000 rapes were reported to police (UNODC, Rape at the national level, number of police- recorded offences). The UCR states the number of reported rape cases as being 90,750, slightly higher than the UNODC’s findings. This is not uncommon as certain police agencies may report to one data collection agency and not another. The United States had about 89,830 rapes occurring in 2013 according to the UCR’s Population Group Dataset (FBI UCR, Crime Dataset Table 16) between the old definition and new definition of rape - as spoken about above. The downwards trend seen between 2008 and 2013 is significant in that it not only shows the decrease of reported rape, but also exemplifies the general decrease in crime over the years.

When comparing international data, the rates are normally taken out of 100,000 individuals in order to better compare the numbers. When we look at the rate per 100,000 individuals - as used in UNODC’s statistics and some UCR datasets - the numbers change only slightly. The UCR states the rate of rape in 2008 as 29.8 per 100,000 individuals which differs from the UNODC’s figure of 28.6 per 100,000 individuals. In 2013 there were an estimated 79,770 rapes “...6.3 percent lower than the 2012 estimate, and 10.6 percent and 16.1 percent lower than the 2009 and 2004 estimates, respectively (UCR, Rape 2013).” Different definitions of rape come into play in these situations of

differing statistics, as some cases deemed rape in the US are not seen as rape under international standards and vice versa. International definitions of rape tend to be more encompassing and extremely vague in order to cover multinational definitions of rape.

2.3.2. South Africa

Police agencies in many African nations do not keep record of crimes in the way the US and other modernized countries do. Some data is available, but comparisons can be hard as certain years may be missing from the data set for African nations where it appears for the US. According to the South African Police Service analysis provided by Africa Checks, the rate of reported rapes per 100,000 individuals is 77.43 for the years 2014/15; the number of reported rapes were 42,596 (Africa Checks, Rape).

The average age at which rapes occur in South Africa is much younger than the United States; nearly 40% of the reported cases were of children under the age of eighteen. It was estimated that 2.7% of women interviewed - for a government study of rape in South Africa - reported they had been raped in the five years previous to the interview (March 1998). Only 1.8% of women between 26 and 45 years old reported a rape occurring in the five-year period (Orkin, Quantitative research findings on Rape in South Africa). Since the occurrence of child rape is so prevalent in South Africa, separate statistics are created for the category which is stated to be 15,790 reported cases for 2015/16.

There is a large number of cases of rape go unreported, and in a government report given in 2000, the South African Department of Safety stated:

“The best source of national incidence data is the *Victims of crime survey*, conducted nationally among a probability sample of 4 000 respondents aged 16 years or more by Stats SA for the Department of Safety and Security in 1998.... Stats SA calculated that 55 000 South African women were rape victims in 1997... 134 women raped per 100 000 of the total population in 1997. (Since some women were raped more than once, the actual incidence was 143 per 100,000 of the population.) The *Victims of crime survey* found that 68 women per 100,000 of the population said that they had reported the rape incident to the police (approximately half of those who said they had been raped) (Orkin, Quantitative research findings on Rape in South Africa).”

Although there is not a reported section for South Africa on the UNODC’s metadata, two Southern territories were recorded for two different years each. According to the Quantitative research findings on Rape in South Africa report, South Africa has consistently had higher reports of rape than any of the surrounding nations or Interpol respondents (of which Lesotho and Swaziland are participants) (Orkin, Quantitative research findings on Rape in South Africa). Lesotho had 88.4 and 92.6 rapes per 100,000 individuals for 2007 and 2008 respectively; Swaziland had 70.9 and 76.1 rapes per 100,000 individuals for 2003 and 2003 respectively (UNODC, Rape at the national level, number of police-recorded offences). This aids researchers in that the recognition of high rates of rape occurring in many Southern nations of Africa points to a more cultural normative relationship between the rate of rape and the region.

2.4. Issues of Data Collection

The comparison made between these two agency reports of rapes may be slightly biased because they are based on the number of reports made to police and do not take into account the possibility of non-reporting and the hierarchy rule of crime, that the most serious crime gets reported on the surveys sent to police agencies. The ambiguity of legal definitions also provides a challenge in comparison as the reported cases fail to have certain aspects needed to be deemed rape and, therefore, under one report or another may or may not be included in the overall figures.

The authority held within the auspices of local police and legal personnel play a huge factor when it comes to not only the statistical responses and records, but the ability to properly handle the crimes. Without support from the public and vice versa, agencies are unable to obtain accurate numbers and the populace are unable to obtain the help they need. Laws and regulations produced by the legislatures are not enforced in areas lacking police or public support. Victims or crimes in most cases

do not feel they can reliably go to police for help and often do not report the crime or talk to anyone about it (UNODC, Compiling and Comparing International Crime Statistics).

3. Sociological Explanations on Rape

South African politics, in some ways, can be seen as more progressive than that of America. Gender equality and LGBT legislation has been passed through the constitutional democracy with aid from grassroots organizations and social movements (Robins, Sexual Politics and the Zuma Rape Trial). So why is it that such a legislatively progressive nation still has the one of the highest cases of recorded and unreported rape? There is no straight answer, however, certain concepts appear in both American rape and South African rape that may aid in answering this question.

The idea that women may wear revealing clothing, antagonizing the male to sexual relations is one shared notion in both nations. This is apparent in the court case of Jacob Zuma, former Deputy President of African National Congress, who claimed a traditional kanga was revealing and sexually insinuating. (A kanga is a traditional garment worn by women in many African villages as a respectable and modest clothing piece.) A statement made by the judge in the Zuma case also echoes the ideas of Freud and Ellis, that a man is a man only when he can control his sexual desires (Robins, Sexual Politics and the Zuma Rape Trial).

The questions that stem from these incidences of rape tend to be related to how the public views the act, victim, and offender. This all plays into the larger idea of stereotypes, scripts and rape culture. With statistical information only able to take one so far, sociologists, psychologists, and many others started to turn to the implications of rape on society and the individual views on rape in order to better understand the issue at hand. What are the key aspects of an individual's view of rape that perpetuates this phenomenon? The first place to turn is the public eye.

3.1. Rape Culture

The origins of male sexual aggression are seen as one of the main connecting factors between rape of all nations. But what constitutes as rape culture? Most think of it demonizing victims, diminishing the seriousness of the crime, and sexualizing and normalizing sex and rape within the media. While this is not incorrect, it does not define rape culture as a term. There is no single definition, however, there are distinct factors and a general definition that describe rape culture.

The basic definition is a pervasive, positive push for male sexual aggression and violence against females. Another definition - that will be used as the comparison point for this paper - is one provided by the Oxford Living Dictionary: "...a society or environment whose prevailing social attitudes have the effect of normalizing or trivializing sexual assault and abuse (Oxford Living Dictionary, Rape Culture)." The idea of normalization has been mentioned multiple times before, and to better understand how this plays a part, all one has to do is look at any of the hundreds of provocative perfume ads or search America's Next Hot Model into Google Images.

There is a key difference that defines American rape culture from the South African rape epidemic; this is normalization. The quote from the judge in the Zuma trial (previously mentioned) points to a larger issue: men's actions when it comes to sex are seen differently through their perspective versus that of the women (Jewkes, Penn-Kekana, Rose-Junius, "If they rape me,"). In the US, there is a shared feeling of what entails a stereotypical, sexual encounter and shared beliefs in rape myths between both males and females. There is a general consensus on views that may appear in the media presentations of rape or sexual encounters that are questionable. "This so-called "rape culture" creates an unhealthy and warped reality that communicates to our children, ourselves and even to perpetrators of sexual violence that we don't take these crimes seriously and even in some cases, we condone it (Bullard, A Culture of Violence and Rape)." In other words, both genders have become desensitized to sexual abuse and rape and have normalized it through the rape culture.

3.2. Social Scripts

Stereotypes and other social scripts permeate societies beyond just physical appearance. While social scripts define how we act, we create stereotypes of how others should act depending on what social group they are from. An African American from the inner city will be judged differently than an Asian individual from a middle-class suburban neighborhood. Preconceived notions of these two

individuals when seen in public may change the way we as a population see them and judge their abilities. These ideals of “Don’t judge a book by its cover,” have been growing in the public eye to better understand individuals before partaking in these stereotypical views, however, not all scripts have been acknowledged this way.

Scripts, as a general term in a sociological perspective, are defined as “cognitive structures that guide behavior in social situations... Specifically [defining the] individual’s role in social situations (Litleton and Dodd).” It is this understanding that allows for the comparison to be made to sex and the denotation of sex scripts and rape scripts. The difference between sex scripts and rape scripts lies in the difference between sex and rape. While sex scripts are better known to society as being a social construct of how one should partake in sex, rape scripts deal more with how society and individuals assume rape will occur.

3.3. Sex Scripts

Sex scripts are historical standards set out through generations of sexual interactions. While the role of the male as the initiator of sex has not changed, the way to go about this has. Men in modern America are seen as strong with hard to control sexual urges that the woman must satisfy (Littleton and Dodd). According to Peggy Reeves Sanday, the explanation of the male “need” for sex is best explained through a Darwinian perspective expressed by Havelock Ellis, a founder of the sexology movement. Sexual aggression, she states, is a biological, evolutionary necessity according to Ellis, and therefore justified. Female sexual subordination is ensued through rediscovered lust and -as Freud furthers in his explanation of the female sex drive – “inherently passive and responsive to forceful male seduction – even rape (Sanday, pg. 14).” While this statement is most commonly associated with the second sexual revolution of sexology, it still proves true today.

Sex enhances reputation and prowess among others of the male social group, multiple partners or “hook up sex” not being inappropriate for males. While women are told through magazines and other media outlets that they should be taking charge of their relationships, the idea that sex is “fun” and is okay “casually” has been growing as well (Armstrong and Mahone). Casual sex is not necessarily looked upon well by certain groups, however, the backlash towards women for casual sex comes primarily from the women bringing the event up later on, or asking for a relationship further on down the road.

Men are still seen as preferring the casual sex compared to women who are assumed to prefer relationships and intimacy rather than a one-night stands. Women are seen as the gatekeepers, as they determine how far they are willing to go in the sexual encounter. They are seen as having weaker sexual urges and those who appear to have stronger sexual urges, prefer casual sex, or sex with multiple partners are seen as deviant rather than containing any prowess or increase in social standings like their counterparts. Females focus more on the relationship whereas males focus on the sexual pleasure and release of sexual urges (Littleton and Dodd).

Showing the female as a weaker entity willing or even needing to be forced into sex aids in normalizes the idea of rape. The aggressive behavior of men towards women and the burden of stopping unwanted sex placed solely on the women’s resistance, sex scripts also contribute to blaming women and victims for sexual assault rather than the perpetrators (Littleton and

Dodd). As stated above, the ideas brought up in the previous sexual revolutions are still very applicable to today, “Turning a No into a Yes by getting a girl drunk, slipping her a “date rape pill”, or using aggressive seduction... (Sanday, pg. 15)” all being practices in current college campuses.

3.4. Rape Scripts

Rape scripts are different than regular sexual scripts in that they express the situations associated with rape. Sexual scripts are a small part of what define rape scripts, acting as the players in the act of rape. Rape scripts are broken into three main categories that most individuals think of when rape is spoken about. Each category is based on the stereotypical, expected situations needed for the event to be called rape. It does not necessarily constitute all events that are considered rape, however, due to social expectation or definition of what rape is rather than legal definitions, the three rape scripts are widely known (Littleton and Dodd).

A highly violent sexual encounter by an unknown assailant to an unsuspecting woman in a remote location at night is normally the first situation many think of when the word “rape” is spoken. The use of force, isolated area, unknown assailant, and extreme resistance on the part of the victim are all key parts of the “real rape” script (Littleton and Dodd). In a study performed by Heather L. Littleton and Julia C. Dodd, college women were asked to come up with situations where they believed an individual had the potential to be raped and in what manner it would occur. Nearly 45% of the participants described a “real rape” situation occurring. While many believe the “real rape” to be the standard situation to use when deciding whether an individual was raped or not, a second very dangerous situation has arisen in recent decades to surpass this script as the most commonly associated with rape (Littleton and Dodd).

Colleges are notorious for their parties. A new style of rape was introduced with the emergence of date-rape drugs and - as the name entails - individuals attending parties would either succumb to the alcohol or drugs covertly added to their drink and an assailant would then have nonconsensual intercourse with the individual. The individuals would not have been previously romantic, but there could – and most likely was some degree of – consensual activity occurring beforehand that was taken too far by the assailant without the victim’s full consent. This situation is known as the “party rape” script and occurred in over half of the narrative described by the participants of Littleton and Dodd’s study. Nearly twelve percent of female college students asked about college parties said they had fallen victim to this scenario, that someone had attempted intercourse with them while the person had been under the influence of alcohol or other drugs (Sanday, pg.53).

While there is the possibility of some bias existing - due to the fact the participants in the study were taken solely from college environments -the fact that no other situations were written about stands as a substantial point of evidence by itself. With just over half of the scenarios stating a “party rape” narrative, it is the closest script to actual statistics (Littleton and Dodd).

Sexually coercive behaviors are all too well known to occur at parties.

As stated in *Fraternity Gang Rape* by Peggy Reeves Sanday:

- “44 percent of them reported that they had “given in to sex play (fondling, kissing, or petting, but not intercourse) when [they] didn’t want to because [they] were overwhelmed by a man’s continual arguments and pressures”;
- 15 percent said they had experienced attempted intercourse by threat of force...
- 25 percent said they had sexual intercourse because they “were overwhelmed by a man’s continual arguments and pressure”;
- 9 percent said they had experienced sexual intercourse because of the threatened or actual use of physical force (Sanday, pg. 53).”

3.5. Race as a Critical Variable in Rape Scripts

While the stereotypes for females seem fairly simple, it gets more complicated when race is brought into the equation. There exists a distinct difference between African American female women from their Caucasian counterparts. Littleton and Dodd point to the Jezebel stereotype – that of a seductive, alluring, and sexually promiscuous black woman who enjoyed forced sex – as a clear example of this difference. Evidence did appear in their study of racial differences between these two groups in a way that reflects the cultural history of African American women to a great extent (Littleton and Dodd).

When asked to come up with a situation where rape may occur, those African American women who stated a “real rape” situation were significantly less likely to mention dark or isolated areas and more likely to mention screaming and resistance. There was also more self- blame associated with the aftermath of the event and less feeling of betrayal and violation by the perpetrator than occurred in the white populace’s scenarios. Overall, more blame being placed on the victims for not resisting among the black populace as well as a focus on escape from such situations as the “party rape” scenarios can be linked to the views shared by numerous black women: they are more responsible for rape than white women (Littleton and Dodd).

The African American sex stereotype adds to the normalization of rape as something that is acceptable. Institutional rape of slaves and the exploitation of African American domestic workers during later years added to these views. There were no legal or social protections and, therefore, it was just an ignored part of American society. It was acceptable to force a black woman to have sex because there were no consequences. Due to this, many African American women emphasized chastity, modest dress and behavior, and personal responsibility when spoken to on the topic of sex and rape. The more a person acted as they should, not bringing attention to themselves, the less likely they were to bring the attention of unwanted men. The ideas that there is not enough resistance by females, that females are manipulative, or inviting sex based on dress or behavior are all stereotypical ideas that have become normalized in our society. This is one of the key points in what makes rape culture, especially for African American women.

3.6. Gender and Masculinity in Rape

Sex is known throughout the animal kingdom as a way to show dominance and prowess. When it comes to humans, the innate desire to reproduce strong, viable offspring is not any different. While some individuals in modern society do not wish to have sex, it remains a small portion of the population. It is nearly unanimous that this one inborn desire drives one aspect of what we view as masculine and feminine. Women are generally regarded as weaker, needing to care for the children while the strong men go out and protect the village and hunt for food. While many feminists would argue that this is not all women are good for, it is a prime example of where the idea of women's weakness comes from; the same goes for men's innate need for sex or to prove one's strength.

3.6.1. United States

Seeing as how the US has had a rather stable history in the last hundred years - with no major conflicts or wars internally - the social standing of what is masculine and how it is defined has stayed rather stable. There has been time for the evolution of genders as never seen before. The evolution of gender equality of the past fifty years has allowed a dynamic quality to progress in not only what it means to be a man, but what it means to be gendered. Different genders and sexual associations have become rampant with the emergence of the LGBTQ+ community, that of the non-gender normative and non-sexual normative individuals. Nearly 3.8% of adults in the US identify as part of the LGBTQ+ community according to statistics found by Gary J. Gates (Gates, How many people are lesbian, gay, bisexual, and transgender?). Gender as a whole has changed dramatically from the standard, binary types in the US (Levine and Munsch, *Child Psychology: An Active Learning Approach*).

Women's rights may partially be responsible for this large portion of the adult population identifying as LGBTQ+, however, the prominence and acceptance of various LGBTQ+ celebrity figures and characters in the media provide a key detail into not only the acceptance of LGBTQ+ individuals, but the idea of gender norms and masculinity. As women spoke out against the largely male dominant society, the equality gained created a different gender dynamic. Women were seen as near equals as they entered the workforce and proved their own strength. This began in the industrial revolution where women were "emancipated" from their position as mere housewives and child bearers of previous centuries (O'Brien and Quinault, pg. 31). Through multiple datasets on women in the workforce, the Pew Research Center shows that an overall increase in women in the workforce has been the trend for over the past sixty years, with the greatest growth being in government positions (Pew Research Center, *The Data on Women Leaders*). A growth in more androgynous activities and acceptance has created less division between the genders and more acceptance for less male acting men.

The emergence of women in the workforce forced a change in the understanding of gender roles. Masculinity was less associated with supreme power over women and women's vulnerability and more with the ability to supply for the needs of those around them. This is taught to children at very young ages through socialization; social standards and gender stereotypes teaching children what is associated with female and male gender roles (Levine and Munsch, *Child Psychology: An Active Learning Approach*). Masculinity has been seen defined more through imposed strength and will over others. The idea of hypermasculinity has begun to surface in conversation as some males are facing

social pressures to be extremely emotionless and stoic. Boys are socialized at young ages to like certain things and can later manifest itself through further social pressures. Sports, math, and leadership roles in society tend to be associated with masculinity and the better you do in these areas, the more you assert your maleness (Levine and Munsch, *Child Psychology: An Active Learning Approach*). While there are cases of rape in the United States that are associated with the need to show one's masculinity, it is rare in comparison to South Africa. For the most part, masculinity is well defined in the United States through other methods – such as those stated.

3.6.2. South Africa

In many African nations, tribal histories have deep roots in modern culture - despite the increase in colonial powers and globalization that came with the turning of centuries. The nomadic, hunter-gatherer lifestyles - that tended to use this concept of women staying with children to raise them while the men go out to hunt, protect the village, or tend to the animals - still remains to certain degrees. Women are still seen as needing to take care of the children and men to go make money. In more modern societies, like that of the US, this view is diminishing, but slowly.

Rachel Jewkes, a well renowned researcher in the field of gender violence in South Africa, explains the connection between the need to solidifying one's masculinity and the sexual violence that occurs to the women in South Africa. One specific work she wrote with the aid of Loveday Penn-Kekana, a medical anthropologist, and Dr. Hetty Rose-Junius, a member of the justice system, explores this topic through semi-structured interviews and group discussions. "If they rape me, I can't blame them": Reflections on gender in the social context of child rape in South Africa and Namibia', speaks on the occurrences in childhood that may increase the normalization of sexual play as a means of explaining rape.

Adult-child ribaldry by both genders occurs often. Sexual play creates distorted social boundaries as to privacy of one's body - especially during childhood. (This does change with the onset of adulthood and the action of having intercourse.) Confusion as to the correct response to sexual thoughts and play can also be related to the oppression of native traditions and culture. Teaching from Christian missionaries and Western tradition urging repression of sexual thoughts and interactions spoken about by other scholars also provide evidence of mixed signaling. As stated in the article by Jewkes et al. "...Southern African cultural traditions are characterised by a degree of openness and frankness about sex. Sexualised games played by children and ribaldry between adults and children have been a long-standing feature of normal childhood (Jewkes et al. "If they rape me...") ..."

While sexual play does have some part in socializing children to sex, this does not explain why there is such a strong negative connotation and response from women as opposed to men when it comes to rape. Some scholars, such as Denise Buiten and Kammila Naidoo point to the idea of a primarily patriarchal society is being part of the issue. Buiten and Naidoo explain it as "... a means by which men maintain patriarchal power, intimidating women, keeping them in a state of fear and therefore perpetuating male dominance, particularly when men are experiencing fear of their power being usurped (Buiten and Naidoo)." While this statement has a very feminist perspective, it is not a statement to be totally ignored.

In many relationships, sex is seen as the consummation of the marriage and relationship. To take it the step further and say it is a way to consummate one's masculinity is not a far-fetched idea. In many patriarchal societies, the political power is maintained by "...intimidating women, keeping them in a state of fear and therefore perpetuating male dominance (Buiten and Naidoo, *Farming the Problem of Rape in South Africa...*" While this is not necessarily true for traditional African societies, the implementation of this on the African people along with slavery and institutionalized sexual abuse, the traditional ways of seeing sex and masculinity were forever altered.

4. Colonization Process as a Historical Explanation of Rape

"History has been written by the victor," is a rather well-known quote; and while this is true, more scholars have been looking to the implications of winning a war against the implications felt by the defeated peoples. One such area is rape. Taking the women of a defeated foe to do as one pleases has

been seen throughout history as a spoil of war. In more recent years this has diminished, however, there are still implications felt in places such as South Africa where this occurred far longer than in other modern, developed nations.

4.1. United States

The idea “that women are victims of male power (Macdonald, pg. 51)” still remains, but strides have been made to change this idea to one of the past. In United States, the puritan religion heavily defined the woman’s role in society and, consequently, the views on sex and rape. While there were low incidences of rape during the age of Puritanism (Sanday, pg.12), the response to the rapes that did occur was counterintuitive. Since sex had heavy religious implications, those who were raped often ended up marrying their perpetrators. The idea of marriage as a suitable option “...never became law, but questions about whether rapist and victim would marry do surface (Morris, pg. 56)...” later on as the notions of feelings and not family appointed unions were popularized.

When slavery is brought into the picture, the difference as to whether the victim was white or of African descent made a significant difference.

“ Experience [a white slave] was the only servant in late seventeenth- century Massachusetts to bring a formal complaint of rape against her master. She was also one of only a few rape victims who saw her attacker hanged. Many masters provided their servants with surrogate families, but all too often others chose to prey on the young and isolated. Given the number of white servants who complained of sexual abuse or named members of their masters’ households in paternity suits, it is surprising that very few black slaves did either. There is evidence that some white colonists found the idea of interracial sex distasteful (Morris, pg. 228).”

As the years progressed this idea waned as did the Puritan hold on society. More and more often it was common for a master to abuse his female slaves, and many well-known African American abolitionists are of such interactions; Fredrick Douglas and William Wells Brown being two such individuals.

While exploitation of African slaves and domestic workers did occur in the US (Littleton and Dodd), it was not nearly as prolonged and accepted as in South Africa. Women’s rights groups and African American rights groups aided in ending this subjugation and view of rape against women. These values are still being fought today in South Africa to a much more significant degree. The National Association of Colored Women’s Club was one such group that acting to change the perception of African American women during the early 1900’s in response to numerous cases where African American and Afro-Caribbean women were persecuted for their race rather than their perpetrators being prosecuted (Bourke, pg.78).

4.2. South Africa

Susan Brownmiller wrote in her book, *Against Our Will: Men, Women and Rape*, about the consequences of rape on a defeated people. She states:

“When a victorious army rapes, the sheer intoxication of the triumph is only part of the act. After the fact, the rape may be viewed as part of a recognizable pattern of national terror and subjugation. I say ‘after the fact’ because the original impulse to rape does not need a sophisticated political motivation beyond a general disregard for the bodily integrity of women. But rape in warfare has a military effect as well as an impulse. And the effect is indubitably one of intimidation and demoralization for the victims' side... men appropriate the rape of "their women" as part of their own male anguish of defeat... rape by a conqueror is compelling evidence of the conquered's status of masculine impotence. Defense of women has long been a hallmark of masculine pride, as possession of women has been a hallmark of masculine success. Rape by a conquering soldier destroys all remaining illusions of power and property for men of the defeated side (Brownmiller, Pg 37 and 38).”

When colonial powers reached South Africa to establish trading posts, rape did occur. In the early stages of independence from Britain, the new African government did turn to rape as a way to define

its power. “Sexual Violence in South Africa contributed to their area’s colonial governance in numerous ways including helping government officials demonstrate and sustain power in society, establish gender roles and the unspoken schema of men dominating women, and to establish a society in which the economically and politically important to run society however they wanted due to civilian fear (Mauriss, Sexual Violence in South Africa: A Form of Government Power).” This contributed to the normalization of rape in South Africa to a certain degree, in that rape was seen as a viable option to gain and maintain power.

Rape as a form of control had been implemented on native South Africans by the British, subsequently the British Empire had maintained control for numerous years; so why would it not work for the South Africans? The fact that rape as a spoil of war was indeed part of traditional warfare for many cultures leads to the complications it has with the traditional societies of Southern Africa. Sex occurred for females in many traditional societies at young age. As soon as they menstruated, the village would celebrate and she would be of marrying age. Some girls – as was the case for a girl named Nisa - would be married as long as they were in puberty. Nisa, a member of the !Kung¹ tribe, was married before she menstruated and forced to have sex with her older husband (Shostak, Nisa, The Life And Words Of A !Kung Woman).

Forcing western beliefs and religion on native peoples, destroying the traditional way of life that came with the British establishment of their colony disrupts the identity of the people and understanding of certain cultural values. Native peoples were no longer able to interact with each other in the same way. Jesuit missionaries pressed their teachings on the natives: Girls were told they should not be having sex or marrying so young; men were told they were to protect their daughters from other men.

At the same time, British empire partook in slavery, exploiting the slaves they collected. “It wasn’t until 1795 when Cape Colony became a colony under British rule and during this period, South Africa had become the main source of slaves. These slaves under the colony of Britain were exposed to and forced to endure years of physical and sexual abuse (Mauriss, Sexual Violence in South Africa: A Form of Government Power).”

5. Conclusion

Crime traditionally is studied by sociologists, psychiatrists, and criminal justice personnel to better understand the motives behind crime and how to stop it. In order to understand and resolve certain crimes, however, it may be necessary to open up the discussion to other fields and comparison to other nations. Culture plays a huge role in many cases of crime, but to better understand the human factors of why certain crimes occur, international comparison can null this influence. By comparing the social and cultural factors associated with each area, one is able to examine the crime itself and better understand the human and cultural factors that may be associated.

While rape itself has been treated differently in each nation, examining a common history can aid in understanding how the two seemingly nations compare. By finding similarities in nations, it is easier to explain the differences. Rape is a crime that is seen all over the world by multiple different individuals for multiple different reasons, but it still has common denominators of unwanted sexual interactions. This basic definition and quality allow the analysis, however, over generalization must not occur, for even though it is the same crime, it is a different nation and different culture. The way that a nation identifies gender plays key roles in the acceptance of certain parts of its populace as well as cultural norms that may divide its populace into hierarchical groups.

Comparison between nations is difficult when trying to implement something such as a title of a sexual culture. When it comes to the United States, rape culture is indeed something separate from the culture itself; some people participating in it while others unknowingly perpetuate it. In South Africa this is not true. The culture itself is still very much patriarchal and participate in rape on an extreme scale (compared to the US). Because of this, the rape that occurs cannot be divided from the culture itself as it has been socialized into the culture that exists through years of subjugation and colonial

¹ The !Kung are a click language speaking tribe. The “!” is to indicate the click sound in their language.

institutionalization. South African culture has been warped by colonial powers into including rape as a viable form of power and masculine dominance.

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