

**AN INVESTIGATION INTO RAPE OFFENDERS' EXPLANATIONS OF WHY THEY
RAPED: A CASE STUDY OF OFFENDERS AT WINDHOEK CORRECTIONAL
FACILITY, NAMIBIA**

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Abstract

Several efforts have been made by different agents (including Government) in Namibia to reduce the number of rape incidents. Notwithstanding this, rape has been on the increase. To fathom the increase and possibly overcome it, a number of researches have been conducted. Among them include that by Women's Action for Development (WAD), University of Namibia and the Namibia Prison Service (2006), and that of the United Nations Development Programme (2000-2001). In all these studies, little emphasis was placed on enquiring from the rapists' themselves why they rape their victims. Having realised this research gap, this research investigated rape offenders' explanation of why they raped. Using the qualitative research approach, data was collected from 20 participants (15 perpetrators of rape, 3 social workers and 2 case management officers) through semi-structured interviews. The participants were selected using quota sampling. The study found that certain cultural practices, economic conditions, means of survival, power and masculinity, alcohol and drug abuse and family background influence rape. Since this study used a small sample, it is recommended that future studies use a larger sample so in order for it to be possible to generalize the results.

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Declaration

I, Kefas Nangula, hereby declare that this study is my own work and is a true reflection of my research, and that this work, or any part thereof has not been submitted for a degree at any other institution.

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Name of Student

Signature

Date

List of Abbreviations

GBV	Gender based violence
LAC	Legal Assistance Center
MGECW	Ministry of Gender Equality and Child Welfare
WAD	Women's Action for Development
WHO	World Health Organization
UNDP	United Nations Development Programme
UNODC	United Nations Office on Drugs and Crime

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Chapter 1

1. Introduction

1.1 Background of the study

Rape cases have been a regular feature in crime news worldwide. A study by the United Nations Office on Drugs and Crime (UNODC) (2015) reported that there are over 250 000 rape cases such as marital rape and statutory rape being reported in over 65 countries in the world every year. However, the UNODC (2015) report further revealed that women and young girls worldwide tend to suffer greatly from this gruesome act as compared to their male counterparts. According to Heise *et al* (2002), rape is a health problem that affects women and young girls' energy, physical health and self-esteem and can also result in long term effects such as HIV/AIDS.

Women and young girls go through, marital rape, forced marriages, sexual abuse and forced prostitution. This prompted Bashiru (2012) to note that rape has no political and cultural boundaries; it happens in every culture regardless of one's political affiliation. Bashiru (2012) further notes that in countries such as Burkina Faso, Ghana, Sierra Leone, Senegal and Uganda rape cases have increased since the 1980's regardless of the differences in politics and cultures. It is important to note that although rape incidences are being reported all over the world, there are different explanations for rape. In African countries such as Namibia, South Africa and Zimbabwe for example, Jewkes, Sikweyiya, Morrell and Dunkle (2011) observed inter alia that high incidences of rape can be attributed to cultural patterns, gender norms such as those that dictate that women should be submissive to men, men are the head of households, and women are not allowed to make any decisions in households that make women inferior to men and young boys.

Rape affects the emotional wellbeing of the victim in a way that she may feel guilty and wonder if they could have done anything to prevent it (Brown & Herman, 2015). Another emotional effect

that the rape victim may experience is always living in a state of fear. One can argue that these emotional effects may later develop into psychological disorders such as post-traumatic stress disorders, anxiety disorders and rape trauma syndrome. Brown and Herman further indicated that rape victims are also affected physically, for example rape victims may get urinary infections or sexually transmitted diseases.

Over the years, Namibia has shown a dramatic increase in the number of rape incidences as the gender analysis report of 2017 stated that there have been over 1000 rape cases being reported each year since 2013. This has been against the backdrop of efforts being made by government and other organs of state to reduce it. According to a report by the National Plan of Action on Gender based violence (GBV) (2012-2016) of the Ministry of Gender Equality and Child Welfare (MGECW), rape, domestic violence, sexual harassment and forced marriages are the most common forms of GBV in Namibia. The report by the National Plan of Action on GBV (2012-2016) further revealed that incidents of reported rape cases are extremely high in Namibia. Like the Gender analysis report of (2017). The National Plan of Action on gender based violence (GBV) (2012-2016) revealed that there is 1100-1200 rape cases reported each year. Rape complainants are mostly female (young girls and women). The National Plan of Action on GBV further reports that, most rape cases were committed by family members or acquaintances, with only about 12 % of all rape cases being committed by strangers. Thus, one can argue that the reason why it is mostly women and young girls that suffer from rape and that most rape incidences are committed by family members is because of the patriarchal system found in most societies which favors men and places women at disadvantage. As a result, due to this societal structure of patriarchy, women usually find themselves in weaker positions where they are not able to defend themselves against violence. Most rape survivors reportedly choose not to report the cases or speak out because of

reasons such as family pressure, shame, and threats of physical harm by perpetrators (National Plan of Action, 2012-2016).

This study was carried out with participants from the Windhoek Correctional Facility situated in Windhoek in order to find out the explanations given by rape offenders as to why they commit rape. The Ministry of Safety and Security (2005) explained that the Windhoek Correctional Facility which is funded by the government was established in order to create a more correctional approach based on rehabilitation and because of overcrowding in other facilities in the country.

1.2 Statement of the problem

The incidences of rape in Namibia have been increasing since 1995 with 550 cases reported and 1150 cases reported in 2005 according to the (Legal Assistance Center (LAC), 2012). This is in spite of efforts being made by the Namibian government through the promulgation of a modern and effective statute such as the Combating of Rape Act 8 of 2000. Although there have been several studies conducted such as those by Women's Action for Development (WAD), the University of Namibia, and the Namibia Prison Service (2006) and by the United Nations Development Program (2000-2001) to investigate the factors contributing to rape, little emphasis was placed on the explanations (defenses) of rape by perpetrators themselves. This study therefore aimed to investigate the rape offenders' explanations (defenses) of why they rape.

1.3 Objectives of study

The objectives of this study were:

- To explore rape perpetrators' explanations of rape.
- To explore measures that can be implemented to reduce the number of rape cases in Namibia.

1.4 Significance of the study

The significance of this study is that it adds to the debates and existing body of literature on why rape is committed by looking at the views of the actual rape perpetrators. This is done through careful study of the responses of the rape perpetrators. As noted earlier, there are studies that have been carried out on rape. However, most of these studies lack the rape perpetrators' perspectives, hence; this study was aimed at examining the explanations given by the rape perpetrators on why they committed the crime. It is anticipated that findings of this study can be used by policy makers, law makers and other stakeholders in their pledge (efforts) to address the increasing number of rape cases in the country.

1.5 Limitations of the study

The researcher experienced a number of challenges while conducting the study. The first limitation was time constraint. The reason for this was that the rape perpetrators at the Windhoek Correctional Facility have a specific timeframe to be in and out of their cells; hence this researcher had difficulties matching the free time of the rape perpetrators with their own time. Nonetheless, the researcher ensured that appropriate planning was put in place prior to the actual visits for data collection. However, although it was a frustrating and lengthy process, the researcher managed to interview them.

Language barrier was another limitation of the study, as most of the rape perpetrators were not fluent in English and Afrikaans, hence the researcher had to look for participants that were conversant in English or Afrikaans. Although this was a lengthy and cumbersome process, the researcher managed to find the rape offenders who were conversant in the preferred languages.

Another limitation was that some participants refused to participate in the study. In order to overcome this limitation, the researcher had to look for other participants who were willing to

partake in the study even though this required extra time. However, the researcher managed to meet the target in terms of the number of participants that were needed.

1.6 Delimitations of the study

This research was conducted at the Windhoek Correctional Facility. The reason why participants from the Windhoek Correctional Facility were chosen is because it is the maximum security correctional facility in the country and most perpetrators are sent to this facility after their conviction. Thus, this research excluded perpetrators of rape who are not at this correctional facility. The researcher also experienced some challenges using qualitative research method. Firstly, due to the quantity of the data, the researcher found it difficult and time consuming to present the data. However, the researcher opted to interpret the data by grouping it into different categories, the researcher found this less time consuming. Another challenge that the researcher experienced through using qualitative research was the fact that the research was heavily dependent on the researcher's appearance and skills. This researcher had to make sure that they appeared friendly all the time.

Chapter 2: Literature Review

2.1 Introduction

This chapter engages with literature that is related to issues on rape. It reviews literature related to marital rape, rape by strangers, the rape of minors and rape in the contexts of violence including that committed during times of wars. While drawing on selected theoretical framework, the chapter

critically engages with cultural factors, socio-economic, political, religious and legal explanations of rape. It draws on relevant and related international scholarly works within which the Namibian literature on rape is contextualized. The chapter shows that rape is explained on the basis of various factors which can be enriched by researching on the perpetrators' own explanations (defenses) of why they rape.

2.2 Definition of Terms

2.2.1 Concept of Rape

By definition, rape is forced sexual intercourse against an individual's will (Bergen *et al*, 2009).

In addition to forced sexual intercourse, MacKinnon (2016) defines rape as a sexual intercourse without consent or both (force and without consent). For the US Department of Justice (2012), 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. In the context of the Namibia's Combating of the Rape Act No.8 of 2000, rape is defined as the insertion (even to the slightest degree) of the penis of a person into the vagina or anus or mouth of another person; or the insertion of any other part of the body of a person or of any part of the body of an animal or of any object into the vagina or anus of another person, except where such insertion of any part of the body (other than the penis) of a person or of any object into the vagina or anus of another person, is consistent with sound medical practices; carried out for proper medical purposes; or cunnilingus or any other form of genital stimulation. By these definitions, any sort of penetration, no matter how slight it is, without a person's consent (male or female) can be regarded as rape. Consent is difficult to ascertain: however, the victim's physical body examination, victim and perpetrators' stories, witnesses' stories, medical reports and alleged rape location, among other factors are usually used to determine consent (Archampong & Baidoo, 2011).

Before the existence of national and international laws on rape, the traditional African religion had a code of conduct that prohibited rape (Adewale, n.d). Though this code of conduct were unwritten legal documents that showed what was legal or illegal, it was a conversion that constrained individuals to live in conformity with the well-being of society. The component of the traditional African religious code of conduct has been transmitted conventionally from generation to generation.

2.2.2. Perpetrators' view of Rape

Throughout this study, the term perpetrator(s) will be used to describe someone or a group of persons who has/have committed a violent crime or a harmful act. For this study, the term perpetrator is used to refer to people that have committed rape. In order to understand and explain the reasons for rape, one needs to put emphasis on the views of perpetrators. Emphasis is placed on perpetrators in this study because they see rape supportive attitudes and sexual assault incident characteristics to justify forcing sex on their victims (Wegner, 2015). Based on their justification, there is an increased likelihood of these perpetrators repeating their behavior in the future, hence the need to understand their behavioral patterns.

2.2.3. Men's *rea* rape factor

A criminal expert, Snyman (2014) defines *men's rea* as the element of criminal responsibility, a guilty mind, a wrongful purpose, criminal intent and guilty knowledge and willfulness. Thus, one can argue based on this definition that men's *rea* has to do with the perpetrators' will and intent to commit a crime. The perpetrators know they committed a crime hence they (appreciate the wrongfulness of their unlawful act) take the criminal responsibility of that. According to Wegner (2015), while victims' use of alcohol increases the likelihood that they will be blamed for a rape incident, perpetrators' intoxication is often used to absolve them of responsibility.

However, alcohol is known for its excuse-giving properties, leading to a person engaging in socially inappropriate behaviors, and thereafter blaming it on the alcohol. Davis *et al.* (2012), states that perpetrators consumption of alcohol may cloud their perception of the rape incident in a way that may make them feel more justified in perpetrating the rape. According to Davis *et al.* (2012), Davis (2010), Abbey *et al.* (2005) and Norris *et al.* (2002), experimental research demonstrates that acute alcohol intoxication contributes to biased perceptions of the woman's sexual arousal, interest, and enjoyment of forced sex and increasing men's feelings of sexual entitlement. There is a need to understand the concept of *mens' rea* in this study because it will help determine whether there is an element of guilty mind, a wrongful purpose, criminal intent and guilty knowledge and willfulness in the explanations that will be given by the perpetrator.

2.2.4. Patriarchy influence in Rape

Sociologist, Wharton (2005) defines patriarchy as a social system in which males hold primary power and predominance in roles of political leadership, moral authority, social privilege and control of property. Johannsdottir (2009) defines patriarchy as a system of social structures and practices, in which men dominate, oppress and exploit women. Literature by Pierik (2018), patriarchy is a system in which women experience discrimination, subordination, violence, exploitation and oppression by men. Based on the definitions above, one can argue that women in societies that are patriarchal are seen as inferior to men and as such suffer abuse including rape.

Contrary to the definitions above, patriarchy may not be limited to the male gender. Scholarly works by Ranger (2003) reveal that some patriarchal figures in society were female in gender. This include spiritual mediums such the water spirit Juliana in Zimbabwe who mobilized, advised and encouraged local chiefs and communities from causing environmental degradation. Female patriarchal figures also include Nyaminyami (the Zambezi River snake) believed to be a female

God Ranger (2003), priestess (who guaranteed the prosperity of agriculture (Ranger, 1999), pythons and mermaids (who represented Great Spirit deities of an African earth religion) were linked to fertility, rain, pools, healing and divinatory powers (Bernard & Kumalo, 2004).

Though patriarchy is not limited to Africa and the male gender, scholarly work by Dogo (2014) and Chisale (2017) indicate that patriarchy is still a reality in Africa and the female gender's life. According to Dogo (2014), patriarchy is still a force to contend with in Africa, as a result of how the mindset was molded in viewing things through the lens of gender. According to Chisale (2017), women's experiences of patriarchy stretch from their husbands to the extended family. Thus it is important to define the term patriarchy because it is due to the oppression of women and the domination of men that women in patriarchal societies often get sexually abused by men.

2.2.5 Power and rape

Power is defined by different people in different ways. Though the different definitions look seemingly the same, there are contrasting issues in some of the definitions. Wharton (2005) defines power as the ability to control others, events, or resources; to make happen what one want to in spite of obstacles, resistance, or opposition. Contrary to Wharton (2005), Petress (n.d) define power as the ability to influence others to believe, behave, or to value as those in power desire them to or to strengthen, validate, or confirm present beliefs, behaviors, or values. Petress (n.d) explains his definition as a social force that allows select persons to mobilize others; to organize others to act in concert; and to melt away resistance to leaders' authority and that it manifest itself in several ways such as expert power, reward power, legitimate power, referent power, coercive power, information power, traditional power and charismatic power.

Turner (2005) goes a step further to define power as the capacity to influence other people, that it is conferred by the control of resources (positive and negative outcomes, rewards and costs,

information, etc.) that are desired, valued or needed by others and which make them dependent upon the influencing agent for the satisfaction of their needs or reaching their goals, and that different types of resources confer different types of power leading to different kinds of influence. He explains further that some kinds of influence are more informational or cognitive in character, reflecting needs for information or to reduce uncertainty, and lead to private acceptance whereas other kinds are more social or goal-oriented in character, embodying group pressure or compulsion leading only to public compliance and by this the idea of compulsion or domination contrasting persuasion. Since rape is as a result of compulsion and not persuasion, the definition by Wharton (2005) is adapted for this study.

Based on the fact of men possessing predominant control over resources (economic assets, political power, cultural authority and armed force), Connell (2003) argue that, it becomes possible and easy for them to use that power they have to take advantage of women and rape them.

2.2.6 Sexual harassment leading to rape

The Namibian Labour Act (No.11 of 2007) prohibits direct and indirect sexual harassment at a workplace. According to the Act, the code of conduct for the teaching service also proscribes sexual harassment. The code defines sexual harassment as unwanted behavior or advance of a sexual nature which may include physical acts of unsuited and unwanted touching, verbal, non-verbal, written or electronic invitations, suggestive and obscene remarks or jokes by a teacher towards a learner. It is important for one to understand the act of sexual harassment because most rape acts stem from sexual harassment behaviors. Sexual harassment if not proscribed and curbed may eventually lead to rape especially if a woman does not give in to a man's advancement.

2.3 Incidences of rape

Rape is defined by Bergen *et al* (2009) as forced sexual intercourse against an individual's (male and female) will. In the African context where extended family and kin play a key role as a source of information and resources Malde, Scott and Vera-Hernandez (2015), rape is considered as a crime against the victim's family and punishable as such. Rape cases have been a regular feature in crime news worldwide. A study by the United Nations Office on Drugs and Crime (2015) reported that there are over 250 000 rape cases being reported in over 65 countries in the world every year. Statistics show that women and young girls tend to suffer greatly from this gruesome act as opposed (compared) to men.

Rape is a global epidemic: in countries such as Pakistan and America, spousal/marital rape are not adjudicated due to cultural belief that marriage affairs are private and they cannot be addressed in public (Riggins, 2004). Jewkes, Sikweyiya, Morrell and Dunkle (2011) reported that high incidences of rape in Africa can be attributed to cultural patterns and gender norms that make women inferior to men. Basing on this observation, one can thus argue that studying rape in Africa can be a challenging task due to indigenous African cultures.

In some African cultures, women may be permitted to act in a certain way and in others it may be forbidden. This is exemplified in Edwards-Jauch's (2016) work: early childhood marriages constitute statutory rape that may be common and permitted in some cultures such as the Ovahimba and the Oshiwambo culture in Namibia through the Olufuko tradition in Namibia and forbidden in others. The Otjiherero (Namibia) culture which however allow for cross-cousins to get married through the *Tjiramue* process which often leads to incest rape.

Olufuko is a practice deeply rooted in conservative African traditions, with an essential function of practices of initiation intended as socializing processes to be observed by boys and girls

respectively, to entrench long-established patriarchal systems. The practice serves as a vehicle to prepare individuals for the roles they are expected to fulfill as adults. As a result, boys are generally taught to feel superior while girls are groomed to accept subjugation and inferiority with apathy. *Tjiramue* is a cultural practice among the Herero speaking people of Namibia where a male is allowed to have sex with their female cousins regardless of whether they are married or not (Desert, 2008). By these two cultural practices, girls/women are indirectly taught as inferior beings. Also, the *Tjiramue* practice may lead to rape as the girls or women may not consent.

2.3.1 Rape in Namibia 2008/9 to 2012/13

Table 1: Statistics of rape cases in Namibia (2008/9 to 2012/13)

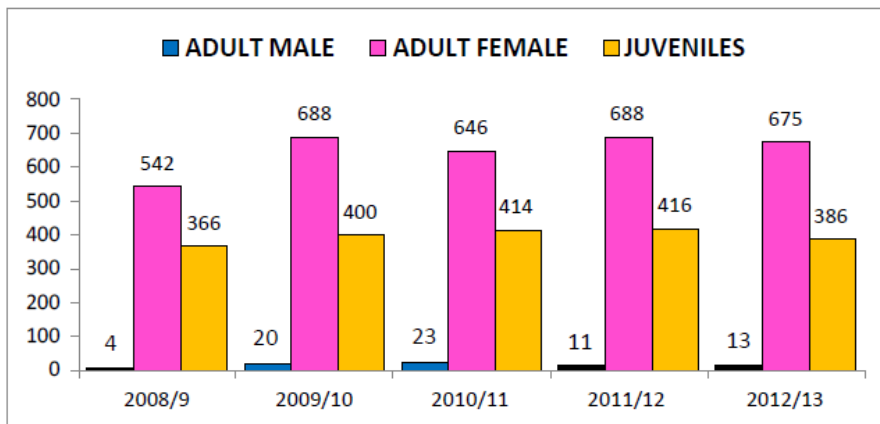
CASES REPORTED : PER MONTH AND F/YEAR					
Month	2008/9	2009/10	2010/11	2011/12	2012/13
4	72	82	68	66	97
5	85	72	76	75	79
6	85	84	70	81	102
7	60	70	108	81	74
8	77	91	79	85	85
9	63	103	85	94	92
10	74	123	101	103	98
11	80	102	111	119	83
12	100	111	114	110	108
1	88	81	105	89	80
2	55	87	74	98	66
3	73	102	92	114	110
TOTAL	912	1108	1083	1115	1074
Growth	-	21.5%	-2.3%	3%	-3.7%

Source: Nampol 2012/13 Crime statistics (2013)

As indicated by the statistics above, Namibia has had a high number of incidences of rape: usually in the new millennium. As indicated in Table 1 above, rape incidences increased by 21 % from 2008/9 and 2009/10. However, it decreased marginally by 2.3% in 2010/11 and increased again by 3% in 2011/12. In 2012/13, it decreased slightly by 3.7%. Rapes that occurred in Namibia can

be classified into three categories: adult male rape, adult female rape and juveniles' rape. Among the three, adult female rape was the most frequent. Surprisingly, juveniles' rape was more frequent than male adult rape.

Table 2: Kinds of Rape (2008/9 to 2012/13)



Source: Nampol 2012/13 Crime statistics (2013)

Due to the rampant monthly rape cases as reported by Nampol in Table 1 and 2 above, women may have been robbed of their freedom to dress as they wish and move anywhere any time due to the fear of being raped. As a result, women are influenced to wear clothes considered as non-revealing and also fear to leave their home to avoid being raped.

According to LAC (2006) as in Table 3 below, the number of rape cases in Namibia increased annually from the period of 1991 to 2005. Probably the increase in rape cases could be curbed if inputs of rape perpetrators are taken into consideration so as to gain insight on what cause them to perpetrate rape.

Table 3: Rape Cases in Namibia (1991 to 2005)

YEAR	TOTAL
1991	564
1992	583
1993	611
1994	741
1995	801
1996	830
1997	778
1998	714
1999	687
2000	854
2001	901
2002	975
2003	1 117
2004	1 151
2005	1 184

Source: Legal Assistance Centre. (2006).

2.3.2 Myths and Cultural beliefs associated with rape in Namibia

Culture is the socially transmitted knowledge and behavior shared by some group of people (Peoples and Bailey, 1998) in society. Namibia is a nation with diverse culture such as such as *Olufuko* and *Tjiramue* processes which influences how people act in certain communities in Namibia. Since culture is a socially transmitted knowledge and behavior shared by some group of people, it plays a phenomenal role in understanding a specific group of people's behaviors in Namibia. Various cultural groups of people in Namibia such as the *Aawambo* or *Ovawambo*, *Ovaherero*, *Caprivians*, *Damara-Namas*, *Ovahimba* and the San each have their unique cultures that instill good values, good attitudes and a sense of belonging.

Notwithstanding the benefits of some cultural practices as alluded to above, the fact that rape in Africa was considered as a crime against one's family, other cultural practices such as early childhood marriages (as was permitted in the *Oshiwambo* culture in Namibia through the *Olufuko* initiation process in Namibia) and cousins marriages (through the *Tjiramue* process among the *Otjiherero* people of Namibia), may be considered as harmful to women (Edwards-Jauch's, 2016 & Lebeau, 2006). Though a study by the Ministry of Gender Equality and Child Welfare (2010)

indicated that there are supreme laws that prohibit rape in Namibia, certain cultural beliefs promote rape and violence against women that can potentially lead to rape as well. Among the beliefs that promote rape include a man having multiple sexual partners and having sexual intercourse with his wife against her will and all these being considered permissible. The findings of the Ministry of Gender Equality and Child welfare (2010) confirm that of Lebeau (2006) that some cultural beliefs and practices promote rape and violence against women.

According to Jaja (2014), a myth is a story which is believed to be true and has its origin in the far distant past history of a people. Mito (2002) defines myth as that which explains reality, concepts and beliefs and further serves as explanations of natural events such as creations, origin of things, history of a race or a people. Myths are present at all times and in all spaces: however, it must be constantly reinterpreted in terms of new variables that arise in the life paths of individuals and communities (Mito, 2002). A question that arises is whether myths in Namibia is constantly reinterpreted as new variables might have risen over the past decades and if not then the relevance of existing myths comes into question.

A study by Nafuka (2012) in Namibia found out that several myths such as dressing code of victims had an influence on rape cases because most people believed that if a person wears something short for example, they deserve to be raped. The study also revealed that cultural beliefs such as women being inferior to men and the dominance of men are among several myths that lead to the increased rape cases in Namibia or marginal reduction as in the statistics presented earlier above. Myths are not just a product of human imagination but a direct expression of reality (Jaja, 2014). However, when not constantly reinterpreted in terms of new variables in society, they are likely to become obsolete.

One can argue that changing these beliefs is going to be a challenging task as they were developed years ago during different times. To support this argument, one can look at the issue of early child marriages which is a cultural norm adapted by the *Ovahimba* community.

According to the Child Care and Protection Act (2015, p188) of Namibia, child marriage and the betrothal of girls and boys shall be prohibited and effective action, including legislation, shall be taken to specify the minimum age of marriage to be 18 years and make registration of all marriages in an official registry compulsory. Since this is a parliamentary act, it supersedes any other existing marriage arrangements in any culture in Namibia. However, the *Ovahimba* community might be reluctant to change their cultural practices as they believe that these types of marriages ensure family and community growth and continuity. Notwithstanding this, and as has been argued by Mito (2002) and the 2015 Namibian Parliament (having a representation of the *Ovahimba* community), there might be need to modify the myth about early child marriage, and hence the need to enact the Child Care and Protection Act (2015). Probably, it could also be the case that, parliament viewed early childhood marriages as promoting statutory rape and depriving young women of their education. Thus, there is a need for Namibian cultural law reform in order to prohibit early childhood marriage and advocate for gender equality.

Additional cultural practices that may be considered sexually harmful in Namibia include the *Sikenge* and *Mulaleka* cultural practices (Jauch, Edwards-Jauch, & Cupido, 2009). In the *Zambezi* Region, there are two practices related to female initiation namely, *Sikenge* and *Mulaleka*. *Sikenge* is a female initiation ritual practiced in the *Zambezi* Region. It begins with the onset of menses. During the initiation ceremony, a girl is taught that silence and obedience is a natural part of womanhood. One can argue that although the value of obedience is a good quality that is being instilled in women and as she is prepared for her sexual and reproductive role and how to give

pleasure to her future husband, the accompanying abuse that comes with it need to be exposed and condemned. Through verbal abuse, beatings and scarring, she is “tamed”. Various herbs are then rubbed into the wounds to make the girl sexually powerful, so that she could please her ‘husband’. *Sikenge* provides multiple opportunities for HIV infections to occur through beatings, whipping, and the mutilation of the labia.

Mulaleka, on the other hand, is a practice in which a girl is actually initiated into sex. This involves an incestuous sexual encounter where the grandfather, uncle or sometimes brother of a girl has sex with the teenage girl with the full consent of the grandmother. It is sometimes referred to as “sexual testing”. The act is then convoluted as fantasy for the girl who is later told that she only “dreamt” it. This early sexual debut provides opportunities for unwanted pregnancy as well as STI and HIV transmission. It could also lead to rape when a girl (married off early) refuses to have sex and is forced to: usually the girl normally would not escape the rape as she may fear going against her culture. Edwards-Jauch and Cupido (2009) explained that *Mulaleka* process is sexual initiation of young girls. One can argue that *Mulaleka* and *Sikenge* processes are a violation of the Namibian law and amounts to statutory rape and incest rape but is supported by the cultural norms that are at odds with various conventions that protect children’s rights.

According to the LAC (2006), several organizations such as Sister Namibia and the Women’s Leadership Centre have continuously condemned cultural practices that harm women such as the initiation of sex for young girls. These organizations condemned cultural practices such as the *Olufuko* (as discussed earlier above) which is an initiation practiced amongst *Owambo* communities where young girls are prepared for womanhood. According to MGECW (2010), the *Olufuko* initiation happens once a year whereby young girls from the age of twelve and who are virgins are prepared for womanhood, pregnancy and marriage. MGECW (2010) further explained

that as these girls go through this initiation, they are then allowed to fall pregnant or get married. After the completion of their initiation process, girls from the age of 12 are chosen from each homestead by the village headmen. These young girls are put in a straight line and men come and pick which girl they prefer. According to the MGECW (2010), the *Olufuko* initiation has been criticized as it is considered discriminatory against girls. It can also be argued that *Olufuko* will contribute to the spread of HIV/AIDS, dropping out of school and teenage pregnancy. *Olufuko* also go against human rights as girls are forced to partake in the process. Refusing to participate in the practice looks like they going against their culture.

2.4 Types of rape acts commonly reported in Namibia

2.4.1 Marital rape

Marital rape is one of the most common rape acts although it is perceived in societies of countries such as the United Kingdom as none existent and India (Naikade & Pal, 2018). Painter (1991), Shadle (2008), Naikade and Pal (2018) concurred that until the 1980s, little could be said about rape in marriages due to societal beliefs such as marital rape is a private matter which cannot be solved through laws and policies as outlined by WHO (2005). The most pressing of these beliefs being that rape in marriages does not exist because if a man and woman are married, the woman is automatically owned by her husband because they lose their bodily autonomy to the man they are married to. A study by Naikade and Pal (2018) conducted in the United Kingdom revealed that rape in marriages is high because majority of the women that took part in the study stated that they had sexual intercourse with their husbands against their will. The women further revealed that they were reluctant to report this type of rape as they regard themselves as husbands' property. Until recently, marital rape has not been researched in the United Kingdom (Painter, 1991) the reason for this could be the fact that it often goes unreported. In Asia, (Riggens, 2004), United Kingdom (Painter, 1991) and India, China, northern, southern and mid- eastern Africa

(Jayachandran, 2014), people still believe rape within marriage is not possible. Thus, one can argue that there is still much work to be done in order to change the perspectives of people regarding marital rape. It is important to change the perspectives of people regarding marital rape as this will affect how marital rapists explain their actions. Rapists might argue that they are not aware that they were committing a crime as he is married to the victim thus claim ownership of their wives. Even worse is the fact that women who believe that marital rape is not possible, continue to suffer in silence.

According to Shadle (2008), there is a need in Africa to reassess how Africans define rape differently from the Western countries. Shadle (2008) further stated that in order to do this there is need to study the historical context of rape. In his study which was conducted in Kenya, Shadle (2008) maintains that marital rape remains under researched due to gender perspectives that were developed in the past. The findings of Shadle's (2008) study are similar to those of Jewkes, Sikweyiya, Morrell and Dunkle (2011) who stated that rape in Africa remains controversial due to gender roles that disadvantage women. In South African patriarchal communities, wives are seen as property of men due to the fact that men pay *lobola*. While this may be true, one can argue that when looking at western countries where *lobola* is not paid however women still find themselves suffering from marital rape. From the above, it is becomes difficult on how women can avoid marital rape. Hence, answers from this research may help understand how women can avoid marital rape.

Globally, many countries have condemned marital rape. Namibia is no different when it comes to marital rape. In a study on abused spouses carried out in Lüderitz, Karasburg and Keetmanshoop in Namibia, 25% of the respondents (women) who were interviewed said that they had been raped by their husbands. WHO (2005) defines marital rape as any unwanted sexual acts by a spouse or

ex-spouse that is committed without the other person's consent. Countries such as Australia, Austria, Canada, Denmark, England, Finland, France, Germany, Ireland, Israel, Mexico, New Zealand, Norway, Poland, South Africa, Spain, Sweden, Trinidad/Tobago, and some states in the USA have all introduced law, or made laws prohibiting rape within marriages (WHO, 2005). Equally, the Namibian government has enacted the combating of Rape Act, No. 8 of 2000 according to LAC (2000) that prohibits marital rape or rape in relationships. Although there are laws prohibiting marital rape in these countries, it is evident that rape remains on the increase, probably due to lack of enforcement of the laws or cultural practices (Jewkes Sikweyiya, Morrell & Dunkle, 2011). This clearly illustrates that it is one thing to enact a law and another thing to enforce it.

Jewkes, Sikweyiya, Morrell and Dunkle (2011) argue that due to the cultural patterns in African countries, marital rape may be quite common in Africa as it may go unreported due to cultural patterns, practices and beliefs surrounding marriage. This is because, during cultural female initiation (as explained above), a girl is taught to be silent and obedient even when she is being abused. Another example listed by WHO (2005) is the common practice of *lobola*, a marriage practice in which a woman is handed over to her husband for a certain price (could be in monetary or non-monetary form like giving cattle). The practice of *lobola* makes it easy for men to have control over the women including having sex with them against their will since the understanding in some African communities such as South Africa they regard the *lobola* practice as having paid for her (Parker, 2015). According to Kambarami (2006), due to patriarchy in the Shona culture in Zimbabwe, female sexuality is normally in the hands of men. Kambarami (2006) stated that due to *lobola* payments, a married woman who was paid *lobola* for, she becomes subordinate to her husband. In the case where '*lobola*' was of a high price, violence between couples may arise if a

woman refuses to be obedient and the violence could include rape. One can argue that although Kambarani (2006) explains a cultural practice that is common in most African cultures not only Zimbabwe, *lobola* alone cannot be a cause of rape. It is therefore important to note that the inequality gap between men and women stems from patriarchy which automatically gives women a subordinate status whether it is in their houses or outside of the household. Women are abused (including rape) even when they are obedient to their husbands and this could occur even in cultures (*Oshiwambo*) where *lobola* is not paid. A study by LAC (2006) indicates that marital rape or rape by an intimate partner occurs when one is raped by someone whom they had an intimate relationship before. The researcher changed the sentence to read as: Looking at the cultural patterns in Namibia, one would think marital rape is not commonly reported as most of the Namibian societies are patriarchal which a system that favors men.

However, the study by LAC (2006) indicates that this type of rape act is quite common in Namibia. According to LAC (2006), various communities in Namibia view marital rape differently. Whereas some acknowledge its existence and see it as unlawful, others dispute rape as they believe that it is the husband's right to have sex with his wife anytime he wants. As a result, proving rape within marriages could be difficult but nonetheless, marital rape remains unlawful.

2.3.2 Statutory rape

According to the LAC (2006), statutory rape refers to having sex with a minor regardless of consent. Statutory rape is one of the most common rape acts in the world. The reasons of this act vary from country to country due to the different cultural patterns. Several studies have indicated that the age of consent differs from country to country. However, Gretton, Young, Maher, Thompson and Tyre (2007) stated that in certain countries such as Scotland, there is a clause in

age exemption. This is when both participants are significantly close to the consent age or one of them is below the consent age but the age difference between the two participants is close to each other. However, in Namibia, there is no clause in age exemption regarding statutory rape. Thus, it is possible for someone to be prosecuted for rape regardless of the age difference between them and the victim. Perpetrators of statutory rape may commit rape because they feel the victim is a minor or is under their care or may not be able to defend themselves or may not report it out of fear. This study will look deeper into these issues to understand whether these reasons are real or whether there are other reasons for statutory rape.

In Southern Africa, (particularly, South Africa and Zimbabwe), the age of consent is 16 as with Namibia (Leclerc-Madlala, 2002). However, there is still a lot that needs to be considered when it comes to the implementation of the statutory rape law. The reason for this is the existing cultural practices and beliefs such as that of early childhood marriages. One would argue that as much as early childhood marriages promotes rape, much of this can also be attributed to media influences. We live in a society where pornographic material is made readily accessible for even young children, and thus they often consent to sex at a young age due to the influence they get from the media. In order to reduce the number of rape cases, one needs to understand the motive of rape from the perpetrator's perspective, whether it could be as a result of watching pornography, lack of censorship laws, or could be other reasons that this research seeks to find.

According to Kambarami (2006), young girls not only from Zimbabwe but from many parts of the world, Namibia included, are married off by their families to older men in their communities normally without their consent. Kambarami (2006) points out economic reasons such as poverty as some of the reasons for these marriages. In some cases, parents might marry off their young daughters in order to get money or food in times of droughts or sometimes the father of the young

girl might be in debt and opts to pay by marrying his daughter off. From the above, one can argue that parents in a way could contribute to rape by marrying off their young daughters early to old men. Since parents don't marry off their daughters knowing whether they will be raped or not, the cause of rape is still attributable to the men that actually perpetrate it.

2.4.3 Rape by deception

According to Leclerc-Madlala (2002), rape by deception is when an individual is deceived into having sex for example by being promised money after sexual intercourse. This type of rape act is very common in communities with high poverty levels, where young women may fall victim of this form of rape as they seek to meet societal demands. Examples of these demands are, wearing expensive designer clothes and having the latest phone. According to Eriksson (2010), many countries worldwide have condoned this type of rape act because of the fact that deceived or not, the victim gave consent and it is difficult to establish the agreement terms and whether the conditions have been met or not. It is possible that perpetrators know the loop hole of establishing how to establish the agreement and whether it has been met or not and hence try to take advantage.

According to the LAC (2006), rape by deception is one of the most common rape acts in Namibia. LAC (2006) further reported that women are often deceived into sleeping with men because they are promised material goods, employment, or good grade, to mention but a few.

2.4.4 Incest rape

According to the LAC (2006), incest rape is rape that occurs between people of the same family (nuclear and extended) who should be biologically related such as between a brother and sister, a

father and a daughter etc. It is on the increase in Namibia and this is as a result of harmful traditional practices such as the *Olufuko*, alcohol abuse and masculinity (LAC, 2006). One can argue that it is due to erosion of cultural taboos that this type of rape act is increasing. To avoid reduce cases of accusing people wrongly, modern societies has established laws regarding incest rape and has put in place mechanisms to establish a perpetrator beyond reasonable doubt until proven otherwise.

2.5 Legal aspects of rape

2.5.1 Understanding rape from a legal perspective

Eriksson (2010) stated that in order for one to understand and prosecute rape, one needs to understand the concepts; *men's rea* and *actus reus*. *Men's rea* is defined by Eriksson (2010) as a state of mind of a person that committed a crime. Thus, through investigating the explanations of rape by convicted rapists, one will be able to understand better the *men's rea* of the convicted rapists. The issue of *men's rea* in sexual offences is one of the contributing factors to determining whether rape was committed or not. As a result, one can conclude that the *men's rea* of rape has to do with intent, when the person continues with doing the crime despite being fully aware of the wrongfulness of the act and the consequences. Hence it is important to consider the explanations of rapists in order to determine whether they were in their right state of mind and if they were fully aware of the consequences when committing the crimes. *Men's rea* may be affected by some external factors such as one being drunk, consent being withdrawn in the middle of the sexual act and others. This study will look into these factors to see how they affect the *men's rea*.

One would argue that although the introduction of *men's rea* in rape cases has benefited the legal framework as it is now easier to investigate and prosecute rape cases, it also complicates certain rape cases where the victim complies in fear for their lives or because they depend on the

perpetrator for material goods or money. On the other hand, one can argue that *men's rea* complicates investigations of rape in marriages. At times people submit to rape by an intimate partner because they are in fear for their lives. Unaware of this, the perpetrator might not be mentally aware that they are committing a crime. This complicates explanations of such category of rape cases. Hence, there is a need to consider the explanations of rapists themselves. Combining their explanations on the state of their mind with the inference drawn by the courts of law, only then their true state of their mind while committing the crime can be determined.

To add on, another aspect to consider when prosecuting rape cases is that of *actus reus*. A report by the Gretton, Young, Maher, Thompson and Tyre (2007) stated that *actus reus* in rape cases means that rape occurs when the sexual intercourse take place without the victim's consent and the perpetrator is required to have acted with force or violence. Again, a number of critiques were noted about the *actus reus* concept. One major critique was that of statutory rape where no force is used but the victim happens to be a minor. The concepts of *men's rea* and *actus reus* illustrate the importance of researching the explanations of rape from the points of view of rape perpetrators themselves in order to determine their explanations.

2.5.2 Legal perspective of rape in Namibia

According to the LAC (2006), Namibia has a Combating of Rape Act (No.8 of 2000) which provides that rape is not only a sexual crime but a crime of violence and power which uses sex as a weapon to destroy and humiliate the victim. The LAC (2006) further stated that although Namibia has a Rape Combating Act, rape statistics continue to increase or decrease marginally (see Table 1 above) in the country. Therefore this study is looking at the actual explanations of rapists in order to determine the reason for this drastic increase in rape cases.

According to LAC (2006), previous studies such as that by the UNDP (2001) and Brown Sorrell and Raffaelli (2005), have indicated that there is no common understanding on what rape is in Namibia. This could be as a result of different cultural understanding of it. Consequently, a number of amendments made to the Combating of Rape Act of Namibia as a means of providing more clarity on what is regarded as rape. It is also important to know how rapists explain their actions in order to determine whether they know what rape is and what influenced their actions.

One of the amendments made was as outlined by the LAC (2012), was broadening the definition of rape in order to cover a range of sexual acts including sexual intercourse, anal intercourse and oral contact with genitals. By this, men including boys can be raped as well and available statistics as discussed early shows that a small number of boys have been raped before in Namibia. Previously, the common law defined rape as only occurring when there is forced vaginal penetration and not by other acts which are included by the new definition outlined by the new Combating of Rape Act, No. 8 of 2000. However, rapists might argue that they did not rape as there was no vaginal penetration. It then becomes necessary to investigate the explanations of rapists to find out whether these amendments have any effect on how they explained their crimes.

2.6 Thematic approach to literature

2.6.1 Rape, alcohol and drug abuse

Alcohol abuse is also seen as a major contributor to rape according to a report by WHO (2005). WHO (2005) found that men who consume alcohol commit gender-based violence acts including

rape, as they are under the influence of alcohol and normally not in their right state of mind. Alcohol consumption according to this study by WHO (2005), compounds the issue of rape because victims believe the abuse will stop if the drinking stops. In other instances, victims “forgive and forget” when the abuser is sober, however the abuse still continues after the abuser has taken alcohol. Although alcohol helps explain rape, it is important to note that some rapists do not consume alcohol and that some alcohol consumers do not abuse women. Thus, other explanations should be considered as well. The issue of alcohol also complicates rape cases as one can question the *men’s rea* of a person under the influence of alcohol, the reason for this is perpetrators may argue that they were not in their right state of mind and they would not have committed the act had they been sober.

According to Bolla, Brown, Eldreth, Tate and Cadet (2002), Abbey (2008), Niess-May and Garvin (2015), drug abuse removes all physical and psychological inhibitors which prevent people from acting violently. Bolla, Brown, Eldreth, Tate, and Cadet (2002) stated that marijuana raises people’s sexual hormones and therefore after consumption of marijuana people tend to get aroused which may lead to rape if they don’t have a consensual sexual partner at that moment.

Another type of rape that occurs due to alcohol and drug abuse is called date rape whereby their food or drinks are drugged and they are not aware of it. According to Russo (2000), women fall victim to this crime when they are in a company of men and they face the other side or excuse themselves, giving men opportunity to mix their drinks with drugs. These drugs make women black out and lose consciousness giving men an opportunity to rape them.

In Namibia, Kunyende (2017) stated that date rape is increasing every day with young girls especially those in their teenage years falling victims the most. Kunyende (2017) observed that

sexual predators either give their victims alcohol until they lose control or use drugs such as Rohypnol to get them drugged with the intention to rape them. Kunyende (2017) further observed that victims cannot remember anything from the incident and date rape is dangerous because it can leave the victims with either sexually transmitted diseases or even pregnancy. Kunyende (2017) stated that in Namibia, men often buy women drinks in attempts to have sex with them and date rape is under researched in Namibia. It is therefore important to investigate the explanations given by the rape perpetrator in order to determine whether rape perpetrators are aware of the crime of date rape. To avoid date rape, women may have to be vigilant on what they eat and drink when on a date. However, in terms of how practical or effective vigilance may be, further investigations need to be conducted.

2.6.2 Rape and Socio economic issues

According to Wiegers *et al* (2009), poverty and unemployment ‘*result in lack of food and the anger and frustration of the husband on the wife*’ (p16). Poverty has been listed as a cause of rape as it adds to extra stress which affects the self-esteem of men socialized to be family providers and often traps economically dependent women in abusive relationships. Weigers (2009) *et al* (2009) also states that high rates of unemployment can lead to a loss of self-confidence and self-esteem and loss of self-confidence in men leads to abusive behavior. Unemployed women start to depend financially on their partners; as a result, it’s usually difficult for them to live in an abusive relationship (including rape cases). In Namibia, a study was conducted by the Women’s Action for Development (WAD) (2006). The main objective of the study was to provide an insight on “the perceptions of male perpetrators and their reasons for committing violent crimes against women and girls.” The results that are being discussed are for the study by (WAD) (2006). However, the researcher changed the paragraph to the following for it to make more sense: Interviews were held with prisoners and the findings from the study by (WAD) (2006) showed that many prisoners

interviewed come from unstable family backgrounds, had low levels of education and worked in the unskilled employment sector. The study by (WAD) (2006) also showed that rape is more common in the lower socio-economic strata and also stated that most inmates blamed their criminal behavior on the lack of proper parental guidance or a stable family environment.

This study provides more insights on the explanations (justifications) of rape as outlined by the perpetrators of rape. The above suggest that, the rich in society take advantage of the vulnerability of the poor as they use their finance to lure or deceive women and end up raping them.

2.6.3 Rape and issues of power

According to Becker & Felton (2001), Mikkola (2005) and European Commission (2017), there is inequality between men and women. Due to this inequality, women are at risk of being abused. Jayachandran (2014) reported that countries such as India, China and countries in the northern, southern, mid-eastern parts of Africa have a high inequality rate between men and women. Jaychandran (2014) observed that in Indian societies men are allowed to do certain jobs which women are not, thus men often feel superior to women and may resort to violence against women in order to resolve conflict. According to a study by Becker & Felton (2001) that was conducted in the San communities in southern Africa, men from these communities felt superior to women. The study revealed that masculinity was expressed through sex and this often led to rape. Jayachandran (2014) and Becker & Felton (2001) states that masculinity in countries where there is high inequality rate between men and women such as India, China, northern, southern and mid-eastern Africa countries is also associated with men having multiple sexual partners and fathering many children. One can link the findings of Becker and Felton (2001) and Jayachandran (2014) studies to the ideology of radical feminism which stressed that the favoring of men in societies

such as India, China, northern, southern and mid-eastern Africa leads to violence and sexual abuse of women.

Another study by Brown, Sorrell and Raffaelli (2005) looked at concepts of manhood and womanhood through 30 life histories, 15 personal interviews and 12 focus group discussions in Katutura (Windhoek) and Tsandi (Omusati Region). This study provides findings of traditional concepts and gender roles that may contribute to rape between men and women. The study found out that traditional societies were embedded in a patriarchal structure, with the husband being the head of the family or household. Sometimes, a woman becomes the head of the family when the husband dies. However, there will always be a man in her family who has power over her. This study shows that rape exists in societies of Windhoek and Tsandi areas because the traditional concepts and gender roles allow for women to be inferior to men.

2.6.4 Rape of homosexual individuals

In most societies homosexuals are discriminated. While heterosexual relationships are common in African societies, homosexual relationships are not so common. According to Brown and Herman (2015), rape amongst people of the same gender is very common. Brown and Herman (2015) reviewed 42 studies on lesbian, gender, bisexual and transgender people. The main finding of this review was that reasons outlined by perpetrators of homosexual rape are similar to those outlined by perpetrators of heterosexual relationships. Brown and Herman (2015) argued that the increase of rape between homosexual couples is due to the fact that legal definitions regarding rape do not include same-sex couples. People in homosexual relationships do not seek help when they are being violated as they are afraid of being discriminated or they are afraid of ostracism by the family. Hence, it is important to consider Eriksson (2010) who suggested that there should be a

change in how societies worldwide explain rape, as these explanations are often influenced by societal beliefs, practices and morals changes from time to time.

2.6.5 Rape and violence

According to a report by Sivakumaran (2007), conflict related to sexual violence refers to rape, forced prostitution, forced slavery and enforced sterilization on an individual whether male or female. Several studies such as Becker and Felton (2001), Sivakumaran (2007), Vrushali-Patil, Purkayastha (2015) and Benoit (2015) indicated that rape against women is explained by issues of power. Sivakumaran (2007) argues that the same can be said of violence against men by men as the same traditional differences between men and women are present in times of armed conflict. One can argue that during times of armed conflict, incidences of rape may even be on the increase as power dynamics and laws are likely to change. Sivakumaran (2007) highlighted events that took place in Abu Ghraib at a time of armed conflict. During the time (1997- 2003) of armed conflict, both men and women were reported as perpetrators of violence and this was described as normal. A study by the United Nations Office on Drugs and Crime (2015) reported that there are over 250 000 rape cases being reported in over 65 countries in the world every year. United Nations Office on Drugs and Crime reported that only 30% of the rape incidences reported was committed against men and the greater percentage is rape of women by men. Hence, due to this high percentage this study has focused on the explanations of rape by male rapists.

In addition to the findings of Becker and Felton (2001), Sivakumaran (2007), Vrushali-Patil & Purkayastha (2015) and Benoit (2015), it is important to consider the arguments of Gqola (2015) who stated that in order to fight the strange hold of rape, it is important to note that rape is not a contemporary issue but rather an issue that can be traced back to the colonial era. Gqola (2015) stated that during this time, the sexual subjection and raping of African women was the order of

the day as the African was a slave and considered inferior. In Namibia, Hartmann (2007) stated that during the colonial era, African women were raped by the German troops as a way of exercising power over these women. Notwithstanding the fact that the African women were raped, some of the troops asked for consensual sexual intercourse with the African women promising them money. Hartmann (2007) shared that they never paid the women even though they often had rough intercourse with the women and even sometimes returned with torn clothes or sores around their sexual parts.

The statement by Hartmann (2007) which states that the men appeared to be rough with these women even when the sex is consensual indicates a form of sexual cannibalism. According to Dougherty, Burdfield-Steel and Shuker (2013), sexual cannibalism can be considered as sexualizing the consumption of another person's flesh. Dougherty, Burdfield-Steel and Shuker (2013) described as sexual cannibalism specific form of sexual conflict and is highly gendered, males with reactive words/action. Thus, one can argue that when men are aggressive even during consensual sex they are practicing sexual cannibalism. Dougherty, Burdfield-Steel and Shuker (2013) further argue that during sexual cannibalism men express great pleasure by beating and being aggressive during sexual intercourse. It can also be said men who have power over women often chose to express this power through violently having sex with women. Where there is an agreement between a man and a woman, the man is often more likely to perpetrate sexual cannibalism because he tends to feel entitled to the woman and so cannibalize her. Thus, it is important to investigate the explanations of rape from the perspective of the rape perpetrators in order to gain an understanding in terms of their mental state towards their victims. Based on the above, women could avoid sex conflict by not getting themselves in circumstances that make them victim of sex conflicts.

2.6.6 How women defend themselves against rape

Although rape is very common in our societies and women are often overpowered by their male counterparts, women also express agency. In other words, they try to defend themselves against rape acts. Apart from the known laws, legislations and policies against rape women also developed ways on how to protect themselves from rape. According to Reekie and Wilson (1992), in the olden days where women were advised not to show any agency or try to talk men out of raping them as this will only result in more violence. However, contemporary research indicates that women who show resistance are likely to escape rape. Reekie and Wilson (1992) further argued that women who opted not to show any resistance often came up with other strategies to prevent them from getting raped. For example, women who are raped in marriages are more likely to report or divorce their husbands instead of using physical force to prevent rape.

Although it can be said that women in most countries do practice agency, in some countries such as Ghana, Bashiru (2012) claims that women rarely express agency. Bashiru (2012) argues that women in Ghana are forced to marry people whom they do not know or love and through this they are exposed to rape. One can argue that the reason for this is because women have deemed their family and the society more powerful and they have no choice but to obey and do what is expected of them to do. Another reason for the lack of agency amongst women was highlighted by Bashiru (2012) as the financial dependence of women on men. Bashiru (2012) stated that if women can get financial and economic freedom from men, they would be in a better position to practice agency. The argument by Bashiru (2012) resonates with that by Wiegers *et al* (2009) as they both state that women's financial dependence on men is the reason why most of them lack agency or remain in abusive relationships. Although Bashiru (2012) and Weigers *et al* (2009) have a reasonable argument, it is important to note that women face discrimination at so many levels in today's

societies that the resources (such as education, land and housing) she may require to gain freedom may not easily be accessible to her due to the patriarchal system in societies.

2.7 Theoretical Framework

Different theories such as mechanism of gender inequality, proliferation of pornographic materials, cultural spillover theory, social disorganization (Baron and Straus, 2014) and feminist theory exist in the literature regarding rape. However, this study focuses on the radical feminism theory and the evolutionary theory

According to Scraton and Flintoff (2013), radical feminists are concerned with underlying structural power relations that are the result of the systematic maintenance of male power through patriarchy, whereby men as a group dominate women as a group. Radical feminists explore the nature of oppression through the personal experiences of women and centralize sexuality as a major site of men's domination over women through the social institutionalization of heterosexuality. Radical feminists see male power as the primary cause of women's oppression and inequality, and hence respond by celebrating women's values, raise women's consciousness, and develop a separatist philosophy. Historically, Boston in Women's Health Collective (1973) as cited by Scraton and Flintoff (2013), describe radical feminism as has been developed out of radical politics in the 1960s and 1970s which saw the development of women's consciousness-raising groups and the beginnings of a women's movement with women campaigning publicly against domestic violence, pornography, and for their rights over reproduction and health matters.

As of 2017, an African feminist movement had not been created yet and there were advocates for such to be created (FES Mozambique, 2017). To foster the creation of the African feminist movement, two connections were suggested: creation of an autonomous space for feminist studies (knowledge production for feminist activity) and the formation of organic links between feminism

and activism to establish a mutual relationship of development and study of different categories of women and their interventions; and also what unites them (for example political agenda for sexuality, exploitation of the female body, and the best understanding of the various experiences).

According to Scraton and Flintoff (2013), radical feminism is a theory that focuses on the notion of patriarchy, which is a social system in which males hold primary power and predominance in roles of political leadership, moral authority, social privilege and control of property system. Thus, one can argue that Radical Feminism was focused on using the term patriarchy to explain the oppression of women by men. Therefore, Wharton (2005) and FES Mozambique (2017) state that radical feminists aim at challenging and overthrowing the system of patriarchy because they oppose the oppression of women. Thompson (2001) thus, suggest that due to this oppression women are subjected to sexual abuse by men which mean they are forced to have sexual intercourse against their will. Critically accessing the idea of radical feminism, it is evident that their main concern is to eradicate the patriarchy by challenging social institutions and norms that are considered to be in favor of men.

For many years, this agenda of abolishing patriarchy has been neglected and several movements focused on other forms of oppression such as getting women the rights to vote. Other waves of feminism such as liberal feminism focused on law reform to increase the rights of women, while others such as the socialist feminism focused on women's oppression within economic structures. Thus, due to the above mentioned reasons, this study employs radical feminism which aims to abolish women oppression on all aspects including domestic violence, pornography, reproduction rights (including rape) and health matters.

According to Ambunda and De Klerk (2008), until Namibia gained its independence, majority of the Namibian societies were still very patriarchal. After independence and the establishment of the Namibian Constitution, there was a shift to concerns with gender equality: article 4, 10, 23 and 66 of the Namibian Constitution (1990) makes provision for this. Notwithstanding this provision, Lipinge and Le Beau's (2005) research found out that decision-making powers in most ethnic groups are usually vested in men and not women. The main argument from radical feminism is that despite international efforts being made to overthrow patriarchy, many countries including Namibia, are still patriarchal. This clearly indicates that despite amending the Namibian Constitution and making it gender neutral, Namibian societies are still patriarchal. Jauch, Edwards-Jauch and Cupido (2009) also argue that women in Namibia have a status inferior to that of men, although the extent of this inferiority differs between communities.

Using the radical feminist approach, Charles and Hughes (1996) and Barker-Plummer (2013) stated that several radical feminists such as Andrea Dworkin, Susan Brownmiller and Carolyn Bronstein were known for their anti-pornography movement and stated that pornography leads to rape, adding that "pornography was the theory and rape was the practice". Considering that the Namibian society today has easy internet accessibility which makes pornographic material easily accessible, there is an increase in the number of rape incidences. Charles and Hughes (1996) also argue that Dworkin stated that pornography allowed men to abuse women (rape inclusive) and continue with their domination against women. The reason for this could be that men would be tempted to try whatever they see in pornographic films and as a result of feeling superior to women, they might do it without consent of the women which results in rape. This can be inferred from the study of Jantjies (2004) which investigated the influence of sex, violence and sexually explicit material viewed on television (TV) in relation to rape and HIV/AIDS. The study revealed that TV

plays a big role in the rape discourse as sexually explicit material viewed on television encourage some people to try out what they view. The theory of radical feminism, however, might not be applicable in rural areas where TVs are not easily accessible. Despite the absence of TV and internet in rural areas, children may observe animals mating and may be encouraged to try what they see; hence this study will consider applying the theory of radical feminism in rural areas.

According to Dashora (2011), internet has become a great part of lives as we are now capable of doing things we never dreamed or imagined a few years back. Although this may be beneficial in some aspects of life such as banking, Dashora (2011) argues that internet makes people too depended on these machines and from this dependence emerges cybercrime. Cybercrime has become a great concern in many countries as it endangers a lot of women's lives in most cases. Dashora (2011) indicated that pornographic films that are shown on television increases cybercrimes such as rape. Dashora (2011) confirms the radical feminism theory which according to argued that pornography allowed women to be seen as sexual objects and that although women were presented in this pornographic films as enjoying themselves, it causes psychological and physical harm to women.

Dashora's (2011) findings also confirm findings by Jantjies (2004) who stated that sexually explicit materials that are shown on television often encourage people to try out what they see on television. This might mean raping someone if they don't have a sexual partner. Dashora (2011) also indicated that the internet makes it possible for people from all walks of life to meet and build relationships. Young people often fall prey to this and end up meeting with people they only met on the internet and often this leads them to being raped.

Feminists, according to Charles and Hughes (1996) and Unizon (2016), argue that pornography allow women to be seen as sexual objects and although women are presented as enjoying themselves, pornography causes psychological and physical harm to women. Women who are involved in pornography for payment may be harming themselves as they may feel a sense of disgusting and bad personality: they end up thinking that they are only good for sex, and hence may not engage in other economic ventures (Unizon, 2016).

Charles and Hughes (1996) stated that Dworkin also wrote a book titled “intercourse” in which she stated that all heterosexual sex that existed in a patriarchal society was abusive and was more of a way of degrading women rather than making them feel good and loved. In the Namibian context, patriarchy could be one of the causes of rape since the Namibian society is more patriarchal. This study will therefore investigate whether the patriarchy accounts for why and how it contributes to the occurrences of rape incidences in Namibia. This was revealed in a study by the (United Nations Development Programme (UNDP), 2000-2001). This study identified a range of factors which placed women at risk of experiencing rape in Namibia. These causes include patriarchy, alcohol abuse, women’s lower economic statuses and social patterns of using violence to resolve conflicts. However, like many other studies in Namibia, this study lacked perpetrators’ explanations and rather concentrated on data collected from victims in Windhoek. All victims who were interviewed are women and cited patriarchy, alcohol abuse, jealousy, refusal of sex as explanations of why they were raped.

According to Wharton (2005), Kate Millet was a radical feminist who came up with the theory of sexual politics in which she states that sexual intercourse was discussed in patriarchal way and this influenced sexual abuse (including rape) against women, as patriarchy justifies the oppression of females and male domination. Kate Millet’s study on sexual politics looked at ways to enforce

equal sexual rights between men and women. It is important to note that inter alia Millet's argument states that men take advantage of patriarchy to rape women. Due to the fact that patriarchy includes male privileges in all sectors in a society, critically looking at this, one can argue that women often face sexual harassment or even rape for example at work places. Evidence in a study by Jewkes, Penn-Kekana and Junius (2005) reveal that in Namibia and South Africa, women are vulnerable to rape because of series of societal ideas and beliefs such as the patriarchal ideology. Jewkes, Penn-Kekana and Junius (2005) further stated that the high status of men in society also leads men to think they can control women and that rape is often used as an instrument by the rapist to exercise power over women.

Although radical feminism may look effective when it comes to understanding women's oppression especially when it comes to issues of rape, it fails to consider the importance of the changing laws that promote women's oppression. The disadvantage of this is that in countries like Namibia, for example, there are certain laws that need to be implemented to lessen women oppression. For example, there is a need to implement laws that prohibits child marriages, in Namibia, as these result in statutory rape. Thus, there is a need for radical feminism to also focus on the benefits that law reforms would bring.

2.7.1 Rape and the Evolutionary Theory

According to the evolutionary theory Ward & Siegert (2002), there are psychological, biological and cultural factors why men rape women. Ward & Siegert (2002) further revealed that rape is caused by the perpetrator's history and learning mechanisms. This means that based on an individual's past experiences, a person may be motivated to rape. For example, a person might use rape as a sort of punishment if that particular individual grew up in a violent community or rape as a means of showing superiority if they grew up in a patriarchal community. In order to

understand the motivations of why rape perpetrators commit rape, one needs to investigate the actual reasons for rape as outlined by the rape perpetrators.

2.8 Conclusion

Rape is a serious problem globally and its statistics are increasing every year, thus, the matter needs to be addressed urgently. Several studies have been conducted to understand and explain the rape phenomena. These studies found out that it is important to re-evaluate how rape was explained in the past. Studies that focused on the legal perspective of rape found that prosecuting rape cases can be challenging as it involves the *men's rea* and aspect. Studies that focused on the reasons for rape found factors such as culture, inequality between men and women, alcohol abuse, poverty and unemployment are the main causes of rape. The findings of these studies corresponds with the ideology of radical feminism which states that rape is caused by patriarchy in most societies and focused on overthrowing patriarchy. Namibian studies found that among the different forms of GBV such as, domestic violence, sexual harassment, and forced marriages, rape was discovered to be the most common especially in Namibia. Rape is becoming a great concern in Namibia, thus with an intensive study such as this one on rape, preventive measures can be established.

Chapter 3

Methodology

3.1 Introduction

Studying issues of rape can be quite complex since there are a lot of factors that influence it such as the varying gender roles which differ from society to society. Due to this fact, it was important for the researcher to choose the appropriate methodology which enabled her to get detailed information. In comprehensive literature by Saldana (2009), methodology is defined as the overall

logic of the research design. This chapter describes the type of research design used to conduct the research, sampling designs that were used, the procedure that was used to conduct the research, the data collection methods, instruments and data analysis methods that were used. In addition to that, ethical considerations of the study are also discussed in the chapter.

3.2 Research design

This was a qualitative research study which is defined by Saldana (2009) as research that is used to gain an understanding of underlying reasons, opinions, and motivations. Saldana (2009) further stated that qualitative research can be used to provide insights into a research problem. Qualitative research was used because this study required in-depth information from the perpetrators as well as the key informants such as programme officers who have either a social work background or are psychological counselors, and case management officers about the reasons why men rape.

The study required in-depth information to enable the researcher to answer questions on what rape is, how it occurs and why it occurs. Another reason why qualitative research was used is because it enabled the researcher to find out the socioeconomic factors that influence rape, the relationship between culture, alcohol and rape, as well as other factors associated to rape. This could only be achieved with qualitative methodology because quantitative research methods would only be able to answer questions like how often rape occurs.

Qualitative research was also used because it allowed the researcher to have in-depth interviews with the rape offenders, which cannot be obtained through quantitative and statistical analysis. However, this researcher experienced several challenges. Some perpetrators seemed nervous at the beginning of the research hence this researcher had to constantly reassure them that the study was voluntary and confidential.

The type of qualitative approach that was used is narratives. Saldana (2009) literature further explains that narrative method is a way of inquiring and understanding experience through conversations between the researcher and participants. This means that the researcher relied on the stories narrated by the rape perpetrators. The reason for using narratives is that it enabled the researcher to get an insight into the meanings that individuals and groups attach to experiences, social processes, and cultural processes as well as their relation to the incidents of rape. Due to the fact that narratives requires story telling from the perpetrators, some of them were reluctant to open up and engage in a conversation with this researcher. However, they eventually opened up with assurance of confidentiality by the researcher.

3.2 Population

Shaw (1999) defined a study population as all members of a specific group who passes the attributes that the researcher aspires to study and about whom the researcher draws conclusions with regard to the findings of the study. The population for this study was rape offenders, case management officers and programme officers. For this study, a total of 20 participants were interviewed. This included 15 perpetrators of rape, 3 social workers and 2 case management officers.

3.3 Sampling

One of the most cited authors on research Welman (2005), defined sampling is the process of systematically selecting participants that will be examined during the course of a study. This means that sampling is a method used by researchers to identify participants of a study within a population. For this study, non-probability sampling was used. For Welman (2005), non-probability sampling methods help researchers select units from a population they are interested in studying through selective judgement and not random selection. The reason for using non-probability sampling was because non-probability sampling methods are suitable for

understanding a specific social phenomenon. The type of non-probability sampling method employed in this study was purposive sampling. According to Saldana (2009), purposive sampling is a sampling technique that relies on the judgement of the researcher when it comes to selecting the participants of the study. The study made use of purposive sampling as it purposely chooses perpetrators of rape and programme officers as well as case management officers at the Windhoek Correctional Facility because they are considered to have relevant information that will enable the researcher to answer the research questions. The subjectivity and judgment element of purposive sampling caused some of the rape offenders to feel as though they were being stigmatized. However, as soon as the researcher explained the aim of the study, the perpetrator became reassured. The study also employed quota sampling. Welman (2005) defines Quota sampling is a method of gathering representative data from a group. As opposed to random sampling, quota sampling requires that a representative of each of the participants is chosen out of specific subgroups. Quota sampling was used as convicted rapists were quota sampled according to how long the perpetrators have served their sentenced. This was done because perpetrators were better able to reflect on their crime due to the rehabilitation and therapeutic programs they received based on how long they have served their sentence. Thus, the researcher selected 5 offenders that served 3-5 years of their sentence. Then the researcher further selected 5 offenders that served 5-10 years of their sentence and the remaining 5 offenders were the ones that served 10 years and more of their sentence. Due to the different groups created as a means of quota sampling, the researcher had difficulty in terms of generalizing the data collected. For this study, a total of 20 participants were interviewed. This includes fifteen perpetrators of rape, three social workers and two case management officers.

3.4 Research Instruments

As defined by De Vos *et al* (2011) research instruments are measurement tools for examples questionnaires and interview schedules designed to obtain data on the topic of interest. For this study, semi-structured interview schedules were used for rape perpetrators as a research instrument. This was in order to gain an insight on the thoughts and behaviors of the rape perpetrators. De Vos *et al* (2011) stated that semi structured interview schedules are used when a researcher wants detailed information about a person's thoughts and behaviors. The researcher also used semi-structured interviews in order for the rape perpetrators offenders to express their views in their own terms. Another reason for using semi- structured interviews was so that this researcher could have conversations with the perpetrators offenders of rape in order to generate reliable qualitative data. However, the researcher experienced a few challenges when conducting the interviews. For example, the perpetrators felt that their privacy was being invaded hence; at the beginning of the interview they seemed uncomfortable however the researcher assured them that the conversation they were having was confidential. Another challenge encountered by the researcher with regards to using qualitative research methods was that respondents often went of topic as they were narrating their stories therefore; it was difficult for the researcher to sieve for the relevant information. However, this researcher cleaned the data during the data analysis process by grouping the data into categories.

This study also used key informant interview schedules which are defined by De Vos *et al* (2011) as interviews with people who know what is going on in the community. Key informants were drawn from programme officers and case management officers. The reason why key informant interviews are used is because this study requires first-hand information from professionals such as programme officers and case management officers. Another reason why key informant interviews were used is because they could provide information on the sentencing and provide

information on matters that the researcher would have wanted to investigate further. The researcher experienced a few challenges with using key informant interviews. Firstly, key informants gave their own impressions and biases. However, the researcher reminded them to answer questions from a neutral stance at all times in order to obtain rich data. Another challenge that the researcher encountered with using key informant interviews is that it was a bit time consuming to select the specific programme officers and case management officers that deal with rape offenders due to their busy schedules.

3.5 Procedure

This researcher first applied for the research's ethical clearance from the University of Namibia. The researcher then requested permission from the Ministry of Safety and Security and the Commissioner General of the Namibian Correctional Services before conducting research. A number of 20 interviews were conducted; each interview lasted for 45 minutes. Due to strict rules and regulations at the correctional services, voice recordings were not used. Thus, the researcher wrote down the response of the participants. Although, the writing down of responses was time consuming, the researcher saved time by only writing the important parts of the response and avoided taking note of irrelevant information. The researcher did this by making a structured recording form, which is one page for each major question. Writing down of responses also affected the researcher's ability to maintain eye contact and good rapport; the researcher, however, maintained a good rapport by nodding as well as listening attentively as each participant was responding. As opposed to voice recording were after the researcher is done with the interviews they can replay it and pick on points they may have missed, the writing down of responses only relied on what he/she wrote down or what he/she could remember from the particular interview, hence, the researcher used intonations of the words spoken whereby capital letters were used

when decisive words were spoken, small letters were used for softly spoken words. The researcher also took note of the participants' pauses, stuttering as that was a meaningful context of speech.

3.6 Data analysis

For this study, data was analysed through content analysis and data coding. Content analysis is defined by Creswell (2012) as the analysis of an interview in order to identify the main themes of the interview, from the responses of the participants. The content analysis consists of three steps which are identified below.

3.6.1 Step 1: Transcription of interviews

The first step that was outlined by Shaw (1999) is the transcription of interviews. In the case of my study, data were recorded in writing, therefore they were written after the data collection process in order to allow for appropriate cleaning and editing.

3.6.2 Step 2: Checking and the editing

The second step as outlined by Shaw (1999) is the checking and editing step. The researcher re-read the data in order to check, clean and to report inconsistencies.

3.6.3 Step 3 Data coding

According to Shaw (1999), at this stage the researcher identified the main themes of the interview, classified responses under the main themes and integrated the themes and responses into the report. After this step, the researcher then used qualitative methods of data presentation such as case studies to present the data.

3.4 Research Ethics

De Vos *et al* (2011) state that research should be based on mutual trust, acceptance, cooperation promises and well accepted conventions and expectations between all parties involved. Since this is a scientific study involving humans, the following ethical aspects were considered during the study.

This researcher first applied for ethical clearance from the University of Namibia. The researcher further sought permission from the Ministry of Safety and Security, from the Commissioner General of the Namibia Correctional Services and she also got permission from all the participants of the study. The purpose for the researcher to write a letter was to explain the importance of this research to the Ministry, Commissioner General and all the participants and the letter was also aimed to serve the purpose of asking for consent from the participants of the study.

For this study, voluntary participation was relied on. This means that key informants and the convicted rapists' participation were voluntary and they were not forced to take part in the study. The researcher issued participants a consent form to read and sign prior to partaking in the study.

Another ethical consideration for this study was anonymity and confidentiality. This was done by keeping the information that was obtained from the study confidential. The researcher also refrained from asking participants their names in order to keep them anonymous. Confidentiality was employed as the data collected was kept extremely confidential. It was only the researcher and one participant at a time during the interview session and the researcher issued all the research participants with a confidentiality clause. Furthermore, the researcher asked for consent from the participants, prior to conducting the interviews.

The information gathered by the researcher was kept confidential and was not divulged to third parties. Only the researcher and the supervisor were privileged to see the information gathered. Information was securely stored in a locked location. Confidentiality was also emphasized on the consent forms and the researcher and the participant were required to sign a confidentiality clause. The researcher swore to respect and observe the participant's privacy rights at all times. The physical safety of the researcher was ensured because during the interviews, the researcher asked

for a prison guard outside the interview room. The safety of the researcher was further ensured because there were security cameras installed in the interview room and the fact that they did not record sound further ensured confidentiality. To ensure the safety of the rape perpetrators and the researcher, the researcher chose a high number of participants that served 5 years and more for this study as through the rehabilitation they may have reflected on their crime, and this may lower the chances of the research causing any harm to the rape perpetrator and researcher. However, for the researcher to ensure the wellbeing of the rape offenders, she requested for a programme officer for any participants that may not be well.

Certain emotional states of being by the researcher, such as anger or disgust that may indicate that the researcher is judging were avoided by all means. In order to avoid showing any judgment, the researcher treated all participants with humility. Debriefing was done after each interview in order for it not to interfere with the participant's responses. Participants were not briefed before the study as this might have caused them to respond in an unauthentic way since they know the nature of the research. To ensure that the researcher reports the participant's responses truthfully, the researcher wrote down their responses word by word. The data was kept by the researcher and was destroyed after completion of the study.

3.5 Conclusion

It is important for researchers when conducting research with people to thoroughly consider the research design that will enable the research to yield the best results. This study required in depth information in order to understand the research phenomena, hence, the research design used was qualitative in nature. Purposive sampling was used in the study as it deliberately used rape perpetrators and used quota sampling to select a number of convicted perpetrators from each group who are classified by the number of years they have served their sentence. The researcher also

used key informant and semi-structured interviews as research instruments. For this study, data was analyzed through data coding and presented through case studies. Due to the fact that the researcher was dealing with a vulnerable population, she first applied for ethical clearance from the University of Namibia and permission from the Ministry of Safety and Security. A number of ethical considerations were considered for the study. These ethical considerations include informed consent, anonymity and confidentiality, briefing and debriefing. The researcher also came up with mechanisms to ensure the safety of the participants.

Chapter 4

Presentation of empirical findings and Discussion

4.1 Introduction

This study was aimed at getting an insight on rape with regards to its explanations as outlined by the rape offenders by conducting semi-structured interviews with perpetrators of rape and key informant interviews which included interviews with programme officers, and case management officers. The key informants that were used in the study are on a day to day communication with the rape perpetrators. They provide counselling to the rape perpetrators which encourages them to reflect back on their crime. The findings that were obtained are presented in this chapter.

As indicated in the preceding chapter, a total of 20 interviews were conducted. 15 interviews were conducted with perpetrators of rape from the Windhoek Correctional Facility. The remaining five interviews were conducted with programme officers and case management officers from the Windhoek Correctional Facility.

The information gathered revealed the rape offenders explanations for rape. Through the narrations of the study, socio-economic issues associated with rape were also discovered. The study found out that men from poor educational background and who are single are more likely to commit rape. Through analyzing the study, a great number of rape perpetrators indicated that alcohol, culture, television influences, economic reasons, inequality between men and women, broken family homes and masculinity to be the main contributors to rape. The key informants indicated that there are a lot of factors contributing to rape. Like the rape perpetrators, key informants indicated that culture, alcohol, economic reasons, jealousy and bad friends.

4.2 Types of rape acts that were committed by the rape perpetrators

4.2.1 Statutory rape

The findings revealed that there were some rape perpetrators who committed the crime without knowing it. The rape perpetrators indicated that there was consent between him and the victim, however, because the victim was under age he was convicted. Other rape perpetrators indicated that they raped their victim as a means of following certain cultural norms which the *Tjiramue* tradition in the *Ovaherero* culture. However, rape perpetrators also indicated that they were asked money by the victim or they were financially supporting the victim. These findings confirm the literature by Kambarami (2006) who stated young girls are often married off as a way of generating income.

4.2.2 Incest rape

The findings of the study also indicated that there were a number of incest rape incidences. Some rape perpetrators indicated that they had raped their nieces or cousin as way of following a particular traditional norm. One can argue that this finding confirm the *Tjiramue* practice in the *Ovaherero* culture which allows for cousins to have sexual relations.

4.2.3 Rape by Deception

A study by Leclerc-Madlala (2002), indicated that rape by deception is very common in a society where there a lot of demands. This rape is an act that happens when an individual agrees to have sex as they are promised something in return. The literature by to Leclerc-Madlala (2002) confirms the findings of this study because some rape perpetrators indicated that they had promised their victims money and they were reported when they failed to make the payment. Other rape perpetrators indicated that they started the relationship with the victim in exchange for money.

4.2.4 Marital rape

Rape perpetrators indicated that they raped their marital partners or partners. According to these rape perpetrators, at the time of committing the crime they were not aware because it was a traditional norm. The rape perpetrators indicated that they had paid *lobola* to their victim's family. These findings confirm the literature by WHO (2005) which revealed that cultural practices such as *lobola* causes women to be raped and sometimes this rape often goes unnoticed as many women are reluctant to report the case due to the *lobola*. One can argue that it is due to this *lobola* payment that men often take advantage of women as *lobola* is often regarded as a payment for the women to take care of the men's needs including sexual needs.

4.3 Alcohol and drugs

4.3.1 Rape perpetrators' explanations on rape, alcohol and drugs

Rape perpetrators also revealed that they committed the crime while under the influence of alcohol.

The rape perpetrators indicated that they were not thinking straight during the time they committed the crime and they were not in their right state of mind. The rape perpetrators also indicated that they would not have committed the crime if they were not under the influence of alcohol. It is evident that alcohol plays a major role in altering the thinking patterns of individuals. They also indicated that they smoked marijuana prior to committing the crime, hence, it is evident that just as alcohol and cannabis is also a contributor to rape incidences.

The responses of the rape perpetrator are presented below:

Rape perpetrator 3 is 36 years old, is single and he completed his tertiary education. He has only served 5 years of his sentence. He narrates the events that led to his arrest as follows:

“We were out with a few friends, enjoying ourselves. We later met a lady, everything was fine but we started quarrelling with her. I remember leaving the place with my cousin and that lady but I cannot really tell you what transpired after that. I just remember waking up next to my cousin and the lady we were arguing with. Soon after that, the lady went to report me and cousin saying we forced ourselves on her.

“I was under the influence of alcohol, we were drinking heavy alcohol not this black label things. I would not have done something like that if I was in my right state of mind.”

The rape perpetrator cannot recall the events that took place on the night of the incident due to the fact that he was heavily intoxicated with alcohol. He further states that he would not have acted

like that if he was in his right state of mind. This is an indication that this rape act was influenced by alcohol.

Rape perpetrator 5 is 32 years old and he had only completed his grade 12 at the time of his conviction and he was single. Below, rape perpetrator 5 narrates the events that led to his arrest.

“I was with my friends and we were drinking at a bar. We drank a lot of alcohol that day but we didn’t use drugs. We stayed for about three hours then we decided to go home but on our way home we saw a bus. We decided to break in the bus but I didn’t go inside. I remained outside to see if there were people coming. As I was outside, I saw a lady. I decided to follow her. At first she didn’t suspect that I was following her but she later suspected it and she decided to walk faster, I decided to walk slowly so she doesn’t suspect anything, as soon as she was calmer I ran towards her with a broken bottle. At first my intention was just to rob her but as she was fighting for her phone which I was trying to grab, touched her private parts and that’s when I got the feelings to rape her. I pulled her down the bridge and raped her.”

“I don’t want to blame the alcohol, I knew what I was doing it was wrong. But I wouldn’t have done it on a day that [I was] sober. I raped her because I felt I like I had control over her.

The rape perpetrator indicated that he doesn’t want to blame the alcohol as he knew what he was doing. However, the rape perpetrator also mentions that if he was sober, which means not under the influence of alcohol, he would not have committed the crime. This indicates evidently that he committed the act because he was under the influence of alcohol. The perpetrator mentioned that he does not want to blame alcohol as he knew what he was doing. This indicates that the intent (*Mens rea*) to rape the victim was there. However the offender also indicated that he raped the victim because he felt like he had control over the lady, this illustrates issues of power.

Rape perpetrator 6 is 43 years old and he indicated that he did not attend school at all. He also indicated that he was married at the time of his conviction. He has served 6 years of the 12 years he was sentenced. He narrates the event that led to his arrest, below:

“It is rape. I was having a drink with a friend and we were both drunk. It was my first time I was drunk like that. The victim is a lady I grew up with. When we finished drinking that night we came back home. We took her (victim) from her room and took her to the bushes and that’s where we raped her. I raped the lady and we almost killed the lady. When I got home and pretended as if nothing happened and slept. It was only when I woke up the following [morning] that I realized what I had done and I started regretting. I couldn’t believe what I had done. I wish I didn’t drink that much that night.

For me, I believe alcohol influences rape although there are other causes like culture and things like that. I honestly don’t think I would have raped her if I wasn’t drunk. I wasn’t thinking straight, but also maybe just that believe that women are weaker made me rape her.”

Rape perpetrator 6 indicated that he wished he didn’t drink as much alcohol as he did that night which means that he wasn’t in his right mind when he committed the crime. Rape perpetrator 6 also mentioned that he was filled with regret the next morning. Thus, one can conclude that the rape perpetrator is making it vividly clear that it was alcohol that led him to commit the crime. However one could also pick up issues of power when the offender mentioned that he had a belief that women are weaker than men hence he raped the victim.

Rape perpetrator 7 indicated that he is 29 years of age, who ended up his schooling in grade 5. He was single at the time of conviction. He narrates the events that led to his conviction as follow:

“I am here for rape and attempted murder. I was a guard at a cemetery. I was on duty and a lady came to the cemetery. This accident happened around 15h00 to 16h00. When she came to the cemetery I followed her and asked her to undress herself. She refused so I undressed her and raped her. After I raped her she grabbed the gun and then we started fighting for it, the gun went off and I shot her. After that I drove away.”

“I wasn’t under the influence of alcohol but I smoked marijuana that day.”

Rape perpetrator 7 reported that he had smoked marijuana prior to committing the crime. Thus, one can conclude that he wasn’t in his right state of mind when he committed the rape act and the act was influenced by the marijuana that he smoked, as marijuana is said to have substances that arouse sexual hormones in people according to a study by Bolla Brown, Eldereth, Tate, & Cadet (2002).

Rape perpetrator 10 is 38 years old. He only attended school up to grade 7 and was single at the time of conviction. Below, rape offender 10 narrates the events that led to his arrest and conviction:

“Let me be straight with you, I am here for rape. In 2006 I went to a shebeen. At that shebeen I met that co-accused. That day this boy (co-accused) and I drank a lot and we also smoked dagga (marijuana). After we were heavily drunk, we decided to go home. On our way home we started talking about sex and then something came into my mind to rape someone. My co-accused and I decided to look for someone to rape. We went to people’s houses and we told each other that we were going to knock and if a women open’s we are going to rape her. We couldn’t get anyone to rape and then we decided to go to the hospital to look for a lady there. We didn’t get anyone and then we went to my co-accused’s house where we got his 10 year old niece. We took her from the

house took her to the bush then we stabbed her because she didn't want to do what we asked her and then after we raped her.

Through the narration of the rape perpetrator, he highlighted the fact that they were drunk as they were committing the crime and they smoked marijuana. This means that the rape offenders were under the influence of alcohol and marijuana. However, the rape perpetrator also pointed out that he had an intention to rape. It is important to note that while the perpetrator claimed that he didn't know what he was doing due to the fact that he was under the influence of alcohol; he indicated that the intention to rape was there.

Rape perpetrator 11 is 53 years old and was single at the time of his conviction. He only attended school up to grade 5 and has served more than ten years of his 16 years sentence below he narrates the event that led to his arrest:

“The thing is I drank a lot outside (prison) and I smoked too. I came to one shebeen and I drank there with my friends. I got one lady and we started drinking together. I was buying her alcohol. After we finished drinking, my friends and brother went back. I took the lady home and tried having sex with her but she refused, so I forced myself on her. I felt like she had no right to refuse because I spent my money on her. The following morning, she came with the police and they arrested me.”

“That day I drank alcohol and smoked dagga (marijuana).”

The rape perpetrator indicated that he was under the influence of drugs and that he smoked marijuana. Thus, one can conclude that alcohol and drugs was one of the leading factors that contributed to the crime. The rape perpetrator also mentioned the fact that he felt that the victim could not refuse him sex because he spent his money on her. It is evident that the rape perpetrator sees sex as a service. One can infer that economic reasons were also a contributing factor to this

crime. As the offender also mentioned that he felt the victim had no right to refuse sex with him because he spend money on her, one can also conclude that he felt like she lost her bodily autonomy when she accepted his money. The fact that the rape perpetrator indicated that he bought alcohol for the victim and she had no right to refuse him sex indicates that he was practicing the date rape aspect on the victim as he was buying her alcohol in order to get her drunk. The rape perpetrator also showed a sense of sexual cannibalism (which is defined by Dietz, Hazelwood and Warren (1990) as sexualizing the consumption of another person's flesh) on the victim as he felt entitled to her after having bought her alcohol, hence he forced himself on her. This means that touching her made him want to sexually "eat" her flesh which led him to commit the crime.

It is interesting to note that some of the rape perpetrators when asked whether they think alcohol contributes to the commission of rape, even those who were not under the influence of alcohol while committing the crime indicated that they believe alcohol plays a major role. Rape perpetrator 15 was one of those perpetrators who were not under the influence of alcohol. However, he raped his wife due to cultural influences but believes alcohol leads to rape. He narrates the following:

"Yes, alcohol leads to rape. It's one of the main causes people are not thinking straight when under the influence of alcohol. Sometimes it leads to rape because men get easily tempted especially when under the influence of alcohol and drugs."

There were some perpetrators of rape who indicated that alcohol was not a contributor to their commission of rape. However, they knew what they were doing was wrong; some perpetrators indicated that although they drink alcohol they do not rape. For example, rape perpetrator 1 narrates the following:

“I was under the influence of alcohol when I committed the crime and yes alcohol makes people do things without thinking of the consequences but I cannot really say alcohol led me to it because this was not my first case. I had other cases of stabbing someone before this one. I don’t want to blame alcohol because I was drunk but I knew what I was doing.” The other perpetrator indicated that alcohol contributes to rape, but, however, that there are other factors that influence rape. It is interesting to note that most of the rape offenders that indicated that they were under the influence of alcohol when they committed rape also indicated that they had beliefs such as they were stronger than the victim or that they believed that women were inferior. Some rape offenders even indicated that although they were under the influence of alcohol or drugs when committing the crime, the intention to rape was there. They indicated that they were specifically looking for a woman to rape because they feared that a man will overpower them.

4.3.2 Key informants’ explanations on rape, alcohol and drugs

According to the key informants that were interviewed, alcohol has influence on rape. For example, key informant 3 stated that *“Alcohol causes rape. Most of the rape offenders indicated that they were under the influence of alcohol. In most cases one fails to make right choices when under the influence of alcohol. To add on to that, women also do not make the right choices when they are under the influence of alcohol and at times they end up being raped.”*

Through the narration of key informant 3, one can infer that as much as rape perpetrators commit rape crimes under the influence of alcohol, women also make wrong choices such as having sex without fully consenting while they are under the influence of alcohol which leads them to being raped.

Another key informant indicated that there is a direct link between alcohol and rape. Key informant 4 stated that *“Yes, rape perpetrators indicated that they committed the act because they were under*

the influence of alcohol. Sometimes rape perpetrators will point out that they have been targeting their victims but they didn't have the courage to approach the victim and they gathered the courage under the influence of alcohol."

Through the narration of key informant 4, one can argue that alcohol does influence rape as it alters the way we think and sometimes we see courage when in actual fact it's just alcohol that is taking over and this leads to people taking regrettable actions.

However, there were other key informants who stated that while offenders may be under the influence of alcohol, they had underlying beliefs about women being inferior which clearly indicates the influence of power in the commission of rape.

For example, key informant 1 indicated that *"Yes I believe it does, most of the rape perpetrators indicated that they were under the influence of alcohol. However, through frequent discussions one can see that although alcohol may have acted as a triggering factor, there were underlying beliefs about women being inferior to men that cause them to abuse women. Sometimes they rape a woman if she once rejected him."*

Through the narrations of the rape perpetrators, it can be said that although many rape perpetrators indicated that they were under the influence of alcohol when they committed the crime, through follow-up with them, it was evident that they had underlying beliefs about women being inferior to men that led them to commit the crime. One can argue that the key informant's response confirms the statement made by the rape perpetrators that they felt like they had control over the victim. The key informant also mentioned another important aspect by saying sometimes the rape perpetrators were rejected by their victims thus they commit rape as a form of taking revenge against the victim.

However, it is important to note that some key informants indicated that alcohol contributes to rape but there are other factors that promote rape as well. For example, key informant 2 noted that although alcohol leads to rape, there are influences as well. Key informant 2 narrates the following: *“Yes, alcohol influences rape but it is not the leading cause to rape there are other factors such as the culture of the offender and the family background of the perpetrator.”*

What is interesting to note from the narration of key informant 2 is that although alcohol does change our thinking patterns and contributes to rape, there are other factors that contribute to rape. Factors such as culture and family background of the perpetrator contribute to rape incidences.

4.3.3 Discussions of findings on rape, alcohol and drugs

The fact that rape perpetrators indicated that they were not in their right mind when committing the crime complicates the *mens rea* which is a legal aspect that Erickson (2010) described as the mental state of the individual while committing the crime. In most cases, many of the perpetrators of rape indicated that they were not in their right mental state when committing the crime.

The findings provided by the rape perpetrators and key informants confirm literature by UNDP (2001) which revealed that alcohol and drug abuse are one of the contributing factors to rape. The findings also confirm the literature by WHO (2005) which indicated that men who consume alcohol are most likely to commit gender based violence crimes, including rape. It is important to note however, that although alcohol contributes to rape, there are individuals who drink alcohol and do not necessarily abuse women. Hence, there is a need to consider other factors as well. This is the same statement made by the key informants that there are other factors that contribute to rape incidences. Leabeau (2006) also revealed that alcohol abuse is a cause of domestic violence.

The fact that rape perpetrators indicated that they had smoked marijuana prior to committing the crime confirms findings by Bolla, Brown, Eldreth, Tate and Cadet (2002) who reported that marijuana contains certain elements which causes arousal in men easily. One can argue that due to this increased arousal in men they often tend to want to have sex with women at any cost even if it means raping them.

The above argument can be confirmed by the Evolution of rape theory by Thornhill and Palmer which according to Ward and Siegert (2002) states that men sexually assault women due to the distorted beliefs concerning sex. They may have acquired in their early development or beliefs about women in general, in this case the rape perpetrators indicated that they believed women are weaker compared to men. One can argue that the reason why some of the rape perpetrators indicated that they drink alcohol and they don't commit rape or they were under the influence of alcohol but they know what they were doing when they committed the crime could be because of the different beliefs they have about women. Hence, it is important to consider other factors that contribute to rape as well.

From the findings above, the issue of men thinking they are superior to women also comes out. Thus the findings confirms literature by Wharton (2005) who indicated that patriarchy as a social system in which males hold primary power and predominance in roles of political leadership, moral authority, social privilege and control of property.

4.4 Socio-economic reasons

4.4.1 Rape perpetrators' explanations on rape and socio-economic reasons

Rape perpetrators indicated that they raped their victims because of economic reasons. This indicates that sex is often seen as a commodity. It is also evident that through the narration of the rape perpetrators that are often lured into sleeping with men in exchange for money. Through their

narrations, it is also evident that it is not only men that see sex as a service but women as well. There were some rape perpetrators that indicated they were asked for money by the victims, and hence they [victims] offered sex in exchange for money. These rape perpetrators were direct in indicating the economic reasons why some of them committed rape. For example, rape perpetrator 4 who only attended school up to grade 4 and was single at the time of committing rape indicated that: *“The lady I raped is my boss. A white lady I was working for at their house, repairing cars. She was married, had her husband but one day she approached me saying that she wants me to be sleeping with her. I asked why if she is married. She said I should not mind that and she will be paying me. So I agreed because I needed the money then I started sleeping with her. One day I went over and I was aggressive with her during sex because she wanted to reduce the money. Her husband came and took me to the police. I did it cause of the money.*

The rape perpetrator indicated that he had a consensual sexual relationship with the victim prior to committing the crime. He pointed out that at first he questioned the lady’s actions however, he agreed after the victim informed him that she will be paying him and that he needed the money. This is an indication that the rape offender committed the crime due to economic reasons. The explanation of the rape perpetrator also indicates that women see sex as a service because it was his victim that offered to be paying him money in exchange for sex.

Rape perpetrator 8, who indicated that he was under the influence of alcohol noted that before committing the crime, the victims had asked him for money then he indicated to them that if he is to give them money he should first have sexual intercourse with them. Rape offender 8, is 48 years old and only ended his schooling in grade 5. He narrates the following: *“One asked me for five dollars. I said that if you want five dollars then I must first sleep with you. But what really let me to do that was alcohol. That is what really caused the problem. I slept with the first one;*

actually I slept with them all. We agreed that there was no force but the girls were underage. They were all under the age of 16. I didn't know it was rape."

One can pick up economic reasons that might have triggered this crime because the rape perpetrator insisted on sleeping with the girls first after they asked him for money. Another interesting fact that the rape offender pointed out was that he didn't know that sleeping with someone under the age of 16 was rape. This indicates that there is no common understanding on what rape is. One can argue that his lack of knowledge on what rape is could be due to his poor education background. However, ignorance can also attribute the perpetrator's explanation to ignorance. Perhaps he knew that statutory rape exists but he was just being ignorant.

Some perpetrators of rape were not direct in indicating that they raped for economic reasons. However, through analyzing the responses of the rape perpetrators, it is evident that there are economic factors that contribute to rape. For example, some rape perpetrators indicated that they raped because they had spent money on the victims, hence they were entitled to sex with them. An example of such a perpetrator is rape perpetrator 9 who narrated the following: *"The accident was very hard and it came as rape. It was not planned. That day, the victim was forcing me to the club and I normally don't go to clubs. I thought these ladies were my friends but little did I know that they were just interested in my money. I was a business man. I went to the club then the victim and her friends ordered alcohol. We were having a good time but we were using my money the whole time. I got drunk and couldn't drive anymore. At the bar where we were, there were sleeping rooms so my friends decided that we sleep there. We went to sleep but only with one lady. I thought this lady wanted me but when I tried to touch her; she refused but then I forced myself on her. I wasn't thinking straight because of the alcohol. I was also angry because I thought they were trying to*

get me drunk so they take my money. When the police came they admitted that they just wanted my money not to sleep with me.”

Rape perpetrator 11 narrated that: *“I took the lady home and tried having sex with her but she refused so I forced myself on her. I felt like she had no right to refuse because I spent my money on her. The following morning, she came with the police and they arrested me.”*

Through the narration of the rape perpetrators, it is evident that they committed the crime because of economic reasons. Rape perpetrator 9 mentioned that he got angry because he thought that the victim and her friend were trying to get him drunk so that they could take his money. This indicates that the offender felt that he had control over the lady he had spent money on. Hence, one can conclude that alcohol and economic factors influenced both rape perpetrators 9 and 11. One can argue that the rape perpetrator entered the relationship with the victim because he needed the money. It is also important to note that the victim expressed agency by refusing to sleep with the rape perpetrator that is why he forced himself on her. There are also elements of revenge as the perpetrator revealed that he forced himself on her because the victim refused him sex after he spent his money on her.

Rape perpetrators stated that they were financially supporting the victims hence felt entitled to have sex with them. Rape perpetrators indicated that the victims only reported the crime after they were refused to give them money. Rape perpetrator 13 who was 46 years old at the time of interview and only attended school till fourth grade narrates the following: *They were young girls under 12 and 15. I didn't know that if you sleep with girls under the age of 16 is rape. The mother of the girls also knew and she had no problem with that since it's our culture and sometimes I gave them money. One day this woman came to me demanding that I pay her money since I was sleeping*

with her daughters however I refused. I asked her why only now if I have been doing it for some time and after I said this she decided to go open a case against me.”

Through the narration of the rape perpetrator it is evident that he has lack of knowledge on rape. One can infer that the reason for this could be his poor education background as he only attended school until grade 4. The fact that the mother of the victims went to report the rape perpetrator also indicates agency which she could not practice before because they were economically depending on the rape perpetrator. Through the narration of the perpetrator one can see that there is an inference in parents becoming collaborators of rape. The mother knew the perpetrator was sleeping with her daughter but she allowed the rape to continue until the time she was denied money, which means she reported the rape as a form of revenge.

Rape perpetrator 2 who is 45 years old, only went to school up to grade 10 and who was married at the time of his conviction, narrates the following: *We had an agreement that we will be sleeping together, sometimes I give her money but there was this specific time when she asked me to give her money after we already slept together, I didn't give her. I refused to give her money because she didn't tell me before. She started complaining because I didn't give her money. I didn't know it was a money relationship. The agreement was that we sleep together. I am not sure how old she was but she was a young girl. I know she was not above the age of 16. I didn't know that if you have sex with someone under the age of 16 is rape, I only came to find out in court”*

Rape perpetrator indicated that he didn't know that having sex with a minor is illegal. This indicates that there is no common understanding on what rape is. The rape perpetrator was apparently in agreement with the victim, but only reported the perpetrator after he failed to give her money. This illustrates that it is due to economic reasons that this sexual relationship continued

since the rape perpetrator indicated that the victim only reported the crime after he had failed to pay her. It also illustrates that women see sex as a service as the rape perpetrator indicated that the victim only reported him after he refused to pay money to her. One can argue that the fact that the victim went to report the perpetrator after he refused to give her money indicates that the victim is exercising agency, the only way for her to protect herself against rape is if she reports the perpetrator. However there was a consensual relationship between the perpetrator and the victim only that it turned sour when the perpetrator did not pay the victim.

4.4.2 Key informants' explanations on rape and economic reasons

The key informants also indicated that there are economic reasons that contribute to rape. The key informants indicated that some rape perpetrators were in a consensual sexual relationship with the victim before the commission of rape, in which they exchanged sex for money. Through the narration of rape perpetrators, it is evident that young girls are subjected to sexual abuse due to poverty. Below are the narrations of two key informants who concurred with the above statement.

Key informant 4 narrates the following: *“Some rape offenders here indicated that they were in relationships with the victim in which they exchanged sex for money with the victim. They indicated that the victim only reported them when they refused to give money.”*

Through the narration of the key informant, it is evident that some women are often forced to be in unwanted sexual relationships due to economic reasons; hence, they report the perpetrators as soon as they are refused payment.

Key informant 5 narrates that: *“Most of the statutory rape cases involve economic reasons. In most cases, the rape offenders are in agreement with these young girls' parents to be having sexual*

intercourse with them in order to be paid money. Some parents even refuse to press charges saying that's the offenders are their only source of income."

4.3.3 Discussions of findings on rape and economic reasons

The findings above resonate with findings by Wieggers *et al* (2009) and Bashiru (2012) which revealed that unemployed women financially depend on men and that makes it difficult to leave abusive relationships. According to Wieggers *et al* (2009) poverty contributes to rape as it affects the self-esteem of men as they are socialized to be providers in the household. The Literature by WAD (2006) revealed economic reasons as a contributor to rape. It is evident looking at the findings and the literature by Wieggers *et al* (2009) that there are economic reasons associated to rape. According to Lebeau (2006), poverty is one of the ways in which violence against women including rape manifests.

4.5 Culture

4.5.1 Rape perpetrators' explanation on rape and culture

Several of the rape perpetrators indicated that there were cultural influences to that contributed to them committing the crime. Some rape offenders indicated that they committed the crime because they were following cultural practices. Rape perpetrator 2, for example, narrated the following: *"Yes, that one was my cousin. We had an agreement with her. Your cousin is just like wife in our Herero culture. So we had an agreement that we will be sleeping together, I was what we called Tjiramue. Even her parents knew about it. Like for me I didn't know it was rape. It is a common practice for us in Herero culture. The victim was my Tjiramue, my cousin. There was nothing wrong with that. It is only after coming here that I realize that what I did was wrong. You know*

when we grew up we were told that a man is the head of the house. Women are not allowed to make any decision. Looking back now, I see how culture disadvantages women.”

The rape perpetrator had sexual intercourse with his cousin because it was culturally acceptable. This means that according to the rape perpetrator’s culture which is the *Herero* culture, incest rape is acceptable. Hence, the perpetrator committed the crime because it is a common practice in his culture. The rape perpetrators indicated that they are from the *OvaHerero* culture and that having sex with his cousin is a common practice regardless of how old they maybe. The tradition is called the *Tjiramue*. The perpetrator also indicated that women were not allowed to make decisions. However, he maintains that he is now aware how culture disadvantaged women. This confirms the patriarchal system that is adapted by his culture.

Rape perpetrator 13 who is also from the *OvaHerero* culture narrated the following: *“I am here because of a rape case. I was having sex with two of my cousins and it was not a problem since this is accepted in the Herero culture. They were young girls under 12 and 15. I didn’t know that if you sleep with girls under the age of 16 is rape. The mother of the girls also knew and she had no problem with that since it’s our culture.*

Through the narration of the rape perpetrator, culture was revealed as the cause of his actions. The perpetrator also indicated that he didn’t know that sleeping with someone under the age of 16 is rape. That means he had no understanding of what statutory rape is.

Several rape perpetrators further indicated that they had paid Lobola for their wives; hence, it was her duty to satisfy him sexually. According to these rape perpetrators’, this is an accepted practice within their culture.

An example of such offenders is rape perpetrator 15 who narrated the following: *“I raped my wife. Back then I didn’t know it was rape. I just thought I could have sex with her whenever I because I married her to satisfy my all needs, it is my culture. We wambos are like that. I used to beat her whenever she refused sex or when she made a mistake because I owned her. The bible tells us that a woman should take care of man’s needs. I believed that this included sexual needs. That is what I thought then but my beliefs changed when I got here (prison). One day she got fed up and went to the police. That is what I thought then but not anymore.”*

The rape perpetrator makes reference to a practice within his culture as the cause of his actions. He also mentions that he felt like he owns her because he paid cattle to her family and that she was obliged to have sex with him anytime he wished. He felt like she couldn’t refuse him sex. The rape perpetrator also makes reference to the bible citing that women are supposed to be submissive to their husbands. This indicates that cultural practices and religious beliefs led the rape perpetrator to commit the crime. The victim exercised agency by going to report the matter to the police which she couldn’t do earlier because of cultural beliefs.

Another rape perpetrator who outlined culture as a reason for him to commit the crime is rape perpetrator 14 who narrated the following: *“I am here because of a rape case involving my long term girlfriend. She was my woman. I could have her all to myself. She was supposed to be submissive that is African culture and religion. The bible says women should be submissive, that is what I thought but I was wrong. That night I had her by force.”*

The perpetrator highlights that he thought he could have sex with the victim because she was in a relationship with him. He also stated that he believed the lady was supposed to be submissive to him, citing that it is African culture. The rape perpetrator had religious beliefs that led him to

commit the crime. This means that the perpetrator had the belief that women are supposed to be submissive to men and this belief led him to commit the crime. The rape perpetrator indicated that the victim was his woman as in she belonged to him and he could have her by force. This shows a sense of sexual cannibalism as he felt entitled to this woman and hence when she exercised agency he had her by force. Based on the narration of the rape perpetrator, it is evident that culture heavily influences their actions.

Rape perpetrators also indicated that culture practices influence rape incidences. They gave examples such as the *Sikenge* initiation process. According to the rape perpetrators, during this process young girls are prepared for womanhood. As a preparation for womanhood, these young girls are often forced to have sex with an uncle or an older relative. This indicates that these cultural practices also promote incest rape.

For example, although rape perpetrator 3 indicated that there was no cultural influence that led him to commit the crime, he believes there are cultural practices that influence rape. He narrates the following: *“Yes, culture influences rape. For example in my culture we have the Sikenge process. Young girls are prepared for womanhood and are taught how to sleep with a man. This is violating because in most cases these men that this young girl sleep with are often their relatives who are older than them. Some of them even continue to sleep with these girls even after they have done the actual process against their will.”*

Rape perpetrator 15 narrates the following: *“For us in the Oshiwambo culture, violence against women is not really allowed. However, when we were raised, men are always the heads of household. Women are not allowed to control anything or make any decision. I think that’s when*

the problem comes in, because due to this cultural practices we grow up thinking women should always be inferior to men.”

This leads young women into thinking that they are there to satisfy a man’s needs. Some rape perpetrators from the Oshiwambo culture indicated that violence is not permitted in their culture. However, there are cultural beliefs that make women believe that they are inferior. Beliefs such as women cannot make any decision whether it is regarding the household or sometimes even regarding their own bodies or that women are supposed to be submissive to men were highlighted by the rape perpetrators as some of the beliefs that contribute to rape. One can argue that because of these cultural beliefs, men are groomed into thinking that they are more superior to women, and thus women lose their power to make decisions including decisions over their own bodies.

Although most of the rape perpetrators indicated that culture contributes to rape, some rape offenders indicated that culture does not contribute to rape as it guides and grooms people in ways in which they should behave. Other rape perpetrators indicated that there is no culture that allows women to be abused and however, in every culture women are supposed to be submissive to men. It is interesting to note that these rape perpetrators are not aware that it is through this patriarchal system that violence against women manifests. For example, rape offender 1 stated that: *“For me, the environment in which I grew up rape is not common. Culture doesn’t promote rape it grooms you. We grow up fine, its things that we see on television that ruins us.”*

This rape perpetrator indicated that rape is not common in the environment he grew up in. The rape perpetrator went further to explain that he does not think culture influences rape because culture grooms them into better citizens. It guides them in the ways in which they should behave. According to the rape perpetrator, it is television that ruined him not his culture.

Rape perpetrator 9, indicated that: *“You know there is no culture that tells people to abuse women. It’s just that we don’t understand. Women are supposed to be below the men. Even in the bible it’s like that. A woman should be submissive. Every culture is like that.”*

While the rape perpetrator maintains that there is no culture that directly advocates for the raping of women, however, he maintains his patriarchal attitude and believe that in every culture women are supposed to be inferior to men. One can argue most women are abused due to this dominance of men.

4.5.2 Key informants’ explanations on rape and culture

The key informants also indicated that culture is a contributor to rape. Most of the key informants highlighted cultural practices such as the lobola tradition in which a man pays the woman’s family before marrying her as contributors of rape. The responses of the key informants that stated that culture contributes to rape are recorded below:

Key informant 1- *“Yes, culture does contribute like among the Hereros and the whole Tjiramue process where men are allowed to sleep with cousins. There is also the Olufuko practice in the Oshiwambo culture that causes early childhood marriages.”*

Key informant 2- *“Yes it does, somewhat like issues of lobola. Sometimes when a man pays lobola for a woman, he tends to believe he has bought her. Hence, this man always feels like he can control the women and she has no say. Sometimes they force themselves on their wives because they believe they bought her to satisfy him sexually. Some rape offenders from tribes such as Ovaherero, Aawambo and Zambezi cultures indicated that within their cultures men pay lobola for women in order for them to satisfy their husband’s needs, including sexual needs. The Olufuko*

process in the Oshiwambo culture that leads to child marriages as these young girls are displaced in an open area for men to choose who they want to marry.”

Key informant 4 confirms: *“Yes, it does cause rape because people act in ways which they believe is socially acceptable and in most cultures issues such as rape in marriage is accepted. An example, rape in marriages in some cultures is seen as non-existent.”*

The key informants indicated that traditions in the Herero cultures such as the *Tjiramue* where men are allowed to sleep with their cousins’ influences rape. One can agree with this statement because through the narration of events by the rape perpetrators as several of them indicated that they raped because it’s a common practice in the *Ovaherero* culture. Paying of *lobola* can also be seen as a contributor to rape. Many a times when a man pays *lobola* for a woman, she loses her bodily autonomy and sex is considered as a woman practicing her wifely duties. However, it has become a common norm that even men who have not paid *lobola* for a woman do expect their partners to perform wifely duties that is why men often feel entitled to sex when they are in a relationship with a woman. Often at times, women are reluctant to report rape in marriages as it is considered going against societal and cultural norms. Some key informants also indicated that people behave in ways that are perceived as socially and culturally acceptable, hence, even if some actions violate the rights of men or women they are still carried out. Some key informants indicated that some practices lead to marital rape. However, due to culture, marital rape is considered non-existent. Some key informants also mentioned that the *Olufuko* process in the *Oshiwambo* culture leads to child marriages which further contribute to statutory rape. Key informants also indicated that there are societal beliefs that places women at a disadvantage and favors men hence they are abused.

4.5.3 Discussions of findings on rape and culture

The findings of this study support the literature by Lebeau (2006) which revealed that cultural dominance of men over women is one of the causes of violence against women including rape. Another study by Nafuka (2012) indicated that cultural beliefs such as women being inferior to men are one of the causes of rape, this could also support the findings of these studies as most rape perpetrators' indicated that in their cultures there are beliefs that men are superior to women. As discussed earlier, this kind of beliefs leads women to lose their power to make decisions even regarding their own bodies.

The findings of this study also support the literature by Jauch, Edwards-Jauch and Cupido (2009), which revealed that there are cultural practices that are sexually harmful to women. One of the practices that were highlighted by Jauch, Edwards-Jauch and Cupido (2009) was the *Sikenge* tradition in the Caprivi cultures. As further revealed by the rape offenders, Jauch, Edwards-Jauch and Cupido stated that during the *Sikenge* process, young girls are prepared for womanhood. They are trained how to satisfy a man. This shows how society favors men to an extent where young girls are trained to satisfy them. The findings also confirm the literature by Brown, Sorrell and Raffaelli (2005) which found that traditional societies are embedded with patriarchal structure and which reinforces the inferiority of women.

With regard to the *lobola* process, WHO (2005) stated that *lobola* is a common cultural process that leads to rape especially in marriages. During this process is that a woman is handed over to her husband for a certain price. This process makes it easy for women to be controlled by their husbands as since they regard the payment process as having paid for her. It is evident that through this process, women lose their rights to their husbands. According to Kambarami (2006), women

in the Shona culture lose their sexual rights to their husbands due to the *lobola* system. However, *lobola* alone cannot be a cause of rape as it stems from the unequal relations between men and women which are caused by patriarchy.

Some key informants also noted that they do not believe that culture contributes to rape but there are derogatory terms that objectify women in certain cultures like the *Ovaherero* cultures. Other key informants further noted that although culture contributes to rape, there are other factors that contribute to rape as well.

Although the key informants indicated that gender equality is very important, key informants indicated that there is still a lot that needs to be done in order of achieving gender equality. Some key informants indicated that social issues have been neglected and focus is placed on political and economic issues. Other rape perpetrators indicated that gender equality can only be achieved once we change the gender and societal stereotypes that makes women inferior to men. Some key informants stressed those societal and cultural beliefs such as women are not allowed to make any decisions and this make them to lose power even over their own bodies. Thus, the key informants stressed the importance of gender equality as it will educate not only women but men as well on their rights.

The findings from the key informants confirm the literature by Ambunda and De Klerk (2008) of the fact that despite the gains made like shifting the Namibian constitution to a more gender neutral language, Most of the Namibian societies remain patriarchal. Most of the societies are still ruled by men and women are still not able to make any decisions.

4.6 Issues of power

4.6.1 Rape perpetrators' explanation on rape and power

According to Becker and Felton (2001) there is inequality between men and women that places women at a risk of being abused. This statement of Becker and Felton (2001) can be supported by the findings of this study because through the narration of events by the rape perpetrators as some of them indicated that their actions were heavily influenced by masculinity and power. Some rape perpetrators' indicated that they felt like they could control their victims hence they raped them.

An example of such perpetrators is rape perpetrator 1, who narrates the following: *-“It was a Friday, the night before New Year’s. I was with a few friends but they soon left because they had to go to work. So the remaining two friends and I went to the club that’s where I met the victim. We were drinking together. She was with a female friend of mine but the victim was new in town. I got to know her and soon after that the friend whom she was with decided to leave her with us. She (the victim) thought she was coming back but she didn’t and because the victim is new in town my friends and I decided to take her home. By this time, it was late. When we got to the house the victim refused to go in the house. I called her to go talk to her separately but still she refused to go inside. I got angry because I wanted to go home because I was drunk. We started arguing with the victim and my friends thought I was proposing her and she refused that’s why I got angry. They called my mother but when she came I ran away from her. After my mother left I went to look for her (the victim) I found her with one of my friends and I found them in the next street. I was not thinking straight, my friend and I then dragged her to the bush and we raped her. I felt like I had control over her because she was doing everything we asked but she only did that because she was afraid of us. I wasn’t thinking of the consequences I just felt like I had control over her. You could see she didn’t want but she didn’t resist because she had no choice.”*

Through this narration by the rape perpetrator, it is evident that he committed the act due to issues of masculinity and issues of power. He indicated that he felt like he could control her and that he was angry with her so he had to punish her. The fact that the rape perpetrator felt that he could control his victim meant that he regarded her as inferior. The rape perpetrator also indicated that he was drinking with the victim and later goes on to say that he wasn't thinking straight thus one can conclude that alcohol could have played a role in him committing the crime. This indicates that sometimes there is more than one explanation for rape. The rape perpetrator also indicated that the victim did not resist because she had no choice. This indicates that the victim did not show any agency and was forced to comply as she felt she had no choice.

The fact that the rape perpetrator indicated that he felt he had control over his victim confirms the patriarchal (inequality) beliefs between men and women.

Other rape perpetrators who confirmed the unequal power relations between men and women indicated that they raped a woman because they felt that a man could easily overpower them. Others indicated that they were angry with the victim, hence they punished them. Some rape perpetrators confirmed the belief that women are supposed to be submissive to men when they stated that they got angry when the victim refused to do as they were ordered. Although most perpetrators indicated that they felt that they could control their victims, other rape perpetrators indicated that another contributing factor to rape is rejection. According to these rape perpetrators, sometimes if a man is rejected by a woman they force themselves on the woman to show that he is a man. This clearly indicates that masculinity is often expressed through sex.

4.6.2 Key informants' explanations on rape and issues of power

Key informants also indicated that issues of unequal power relations between men and women and masculinity contribute to rape. Like the rape perpetrators, the key informants indicated that men rape women sometimes if they were once rejected by them just to show them what men are capable of. Some rape perpetrators also indicated that societal roles and stereotypical beliefs that are attributed to men and women often places women at a disadvantage and as a result they end being perceived as inferior.

4.6.3 Discussions of findings on rape and issues of power

The findings confirm the literature by Jayachandran (2014) who stated observed that there is inequality between men and women and this inequality often leads to violence against women. Becker & Felton (2001) and Jayachandran (2014) stated that in societies where there is inequality, masculinity is often expressed through sex and this leads to rape of women. It is evident from the findings of the studies by Jayachandran (2014), Becker and Felton (2001) that societies favor men and hence most women are controlled by men. This confirms the findings by Ambunda and De Klerk (2008) that despite the constitutional provisions regarding gender equality little has been done and patriarchy is still very common in Namibian societies.

The desire for the rape perpetrators to express their sexuality through masculinity can also be seen as a way of men practicing sexual cannibalism. According to Dietz, Hazelwood and Warren (1990), sexual cannibalism can be considered as sexualizing the consumption of another person's flesh. Thus, one can argue that when men are aggressive even during consensual sex they are practicing sexual cannibalism. In the case of these rape perpetrators they used violence to rape their victims in order to demonstrate that they are men and they are superior.

The fact that the rape perpetrators indicated that they believed that they were stronger than their victims and that women are inferior also confirms the notion of the evolution of rape which states that men often have distorted beliefs about sex, for example this rape perpetrator indicated that they expressed masculinity through sex and they also had distorting beliefs about women such as they were weaker compared to men.

4.7 Other influences to rape as outlined by the rape perpetrators and key informants

4.7.1 Family background

It can be argued from the findings provided by the rape perpetrators that family background contributes to rape. The rape perpetrator indicated that they grew up in extended families and they were either raised by relatives or they were raised by their step parents. The rape perpetrator also indicated that they were often forced to join gangs in order to make a living.

For example, rape perpetrator 6, narrated the following: *“My parents were working in Windhoek, and my aunt took care of me and my five siblings together with her own children, we were really a lot. We lived in Rehoboth at home there was a lot of fights. She made money by selling home brewed tombo. I joined the gang in order to make my own money. Sometimes we would rob people or sell dagga (marijuana). I was involved in many fights”*

Through the narration of the perpetrator it is evident that he comes from a violent up bringing due to the fights we witnessed growing up. He also was exposed to violence growing up outside his home as he indicated that he was part of a gang. It is important to note that the rape perpetrator stated that he joined the gang in order to make money and that is an indication that he was facing economic hardships at home.

Some rape perpetrators indicated that their biological parents died while they were little; hence, they were raised by family members or step parents who ill-treated them. Several rape perpetrators

indicated that they witnessed their mother being abused and that the mother many at times could not do anything about the abuse because they believed that she was supposed to be submissive. The rape perpetrators also indicated that they witnessed a lot of violence including rape growing up. It is important to note that due to this violence and abuse that the rape perpetrators endured or witnessed, they resorted to alcohol as a coping mechanism and some of them even turned violent themselves. The responses of these rape perpetrators are recorded below.

Rape perpetrator 4 - *“My father and mother are cousins. I think that’s the reason why I am like this. I am not ok mentally. Anyway shortly after turning 3 years old my mother’s family came to get me so that I go leave with them. There was a lot of conflict because my father’s family didn’t want to let me go. I went to leave with my mother who later married another man. It was difficult staying there because this man would beat me all the time. When he started beating me, my mother would defend me then she would get beaten too. My mother never left because she believed that she is supposed to be submissive. I even tried to run away many times but they always managed to find me. I resorted to alcohol because that was the only way I could forget all that was happening for some time.”*

The rape perpetrator indicated that he believes that he is not mentally well because his parents are cousins. He further indicated that there was a lot of conflict between his father’s family and mother’s family. He further narrates that his step father used to abuse him. Through the narration of the rape perpetrator offender it is evident that he has a violent family background. He further stated that his mother was also abused and that she never left because she was being submissive. Through the narration of the events that led to his crime, this particular rape offender indicated that he stabbed his victim because she didn’t want to do as he said. This is interesting to note that

due to what his mother went through, he grew up thinking women are supposed to be submissive to men.

Rape perpetrator 5- *“I grew up with my mother and siblings. My mother was a single parent who was always abused by my father’s family. There were times when my uncles would beat her because they accused her of bewitching my father. She could not do anything because this was her husband’s family and she is supposed to respect them because they paid lobola for her. I became violent too; it was the only way I could cope. I was also involved in fights. I also grew up longing for a father figure in my life because he died at a very young age.”*

Through the narration of his family background, it is evident that the rape perpetrator grew up seeing his mother get beaten all the time which was also the reason why he turned violent himself. He further stated his mother could not do anything about the abuse because his father’s family had paid lobola for her. Through the narration of this rape perpetrator one can see how cultural practices such as Lobola can cause women to go through abuse.

Rape perpetrator 8- *“I was raised by my mother, when I was a young boy my parents divorced. We were a lot of children and growing up I didn’t really get attention from my mother because I was the eldest. There was a lot of violence growing up. My mother would date men that would abuse her in front of us. Once one of her boyfriends raped my sister but there was nothing my mother could do since he was our bread winner.”*

The rape perpetrator indicated that his parents got a divorce at a young age, hence he was raised by his mother. Through the narration of the perpetrator, it is evident that the rape offender didn’t really get much affection group up and he comes from a violent family background. The perpetrator further went on to explain that he witnessed his mother going through abuse and at

some point the rape perpetrator's sister was raped but there was nothing the mother could do since he was the breadwinner. It is thus interesting to note that sometimes economic reasons play a role in violence in families.

Rape perpetrator 9- *"I was raised at a village. I was raised by my father because my mother passed away when I was young. We were three children. Sometimes my grandmother and my mother's sister helped in raising us but there was a lot of conflict between them and my dad. My father would beat them in front of us. Growing up I was also involved in a lot of fights. I was a trouble maker."*

The rape perpetrator indicated that he was in a group of trouble makers. He also indicated that he was raised by his father and that there was conflict in the household while growing up. The narration of the rape perpetrator indicated that he has a violent family background.

Rape perpetrator 10- *"Growing up I was treated very badly. I didn't grow up with my mother. She passed away when I was young. I grew up with my father and his wife and they used to treat me very badly. She abused me a lot so I used to run away from home."*

Through the narration of the perpetrator it is evident that the rape perpetrator comes from a family background where he was abused to an extent that he even ran away from. The rape perpetrator went through a lot of abuse and emotional trauma considering the fact that he was not only abused by his stepmother but his father as well

Rape perpetrator 11- *"I was raised by my grandmother but before that I lived with my parents who fought all the time. When I come to my grandmother, there were a lot of us. I never really got attention. I started to create trouble; I would beat girls at school. I saw nothing wrong with it*

because that is what my father did to my mother. She never beat him back because she was weaker.”

Through the narration of the perpetrator one can pick up that he comes from a violent family background. He indicated that he created trouble everywhere and that he would beat young girls because he saw nothing wrong with that since he saw his father doing the same thing. This is an indication that due to the fights he witnessed between his parents, he saw women as weak and inferior. This illustrates the importance of parents acting in exemplary ways that can be followed by their children.

Rape perpetrator 12-*“My parents died when we were very young. I was the eldest so I had to take care of my siblings. My father’s family came and took everything we owned. We had to fight with them every day. There were also fights amongst my siblings. In order to survive, I had to join gangs and steal. You know gangs; it was a fight every day. I was even stabbed once.*

Through the narration of the rape perpetrator it is evident that he is from a violent family background. He indicated that there were fights between him and his father’s family. However the rape perpetrator also indicated that he was part of a gang and there were fights everyday this is an indication that the rape perpetrator was surrounded by violence not only in his family but in the society he grew up in.

Rape perpetrator 13-*“I grew up with my step mother who hated me a lot. She abused and I tried many times to run away from home but my father would look for me. She used to beat me I even had scars. Sometimes I thought dying would be better. I hated her; I also grew up hating women.”*

The perpetrator indicated that he suffered a great deal at the hands of his step mother. He indicated that he hated his step mother a lot. It is evident that as a result of this abuse he started hating other

women and it is this hate that might have led him to commit the crime. Through the narration of events of this perpetrator, he indicated that he grew up hurting women.

Rape perpetrator 14- *“I saw my mother get abused by my father every day. It was really bad. At first she didn’t want to leave him but later she left because the abuse was too much. After that my mother passed away and then we went to live with my grandmother and my mother’s sisters. They didn’t really show my siblings and I love.”*

Through the narration of the rape perpetrator, it is evident that he went through a lot of emotional violence. He indicated that he witnessed his mother abused by his parents.

Although in a small number, there were other rape perpetrators who indicated that they grew up in nuclear families however they witnessed violence while growing up either in their home or in the environment in which they grew up in. Some rape perpetrators indicated that they grew up in peaceful family environment but were badly influenced by media (television) or friends.

4.7.2 Key informants’ explanations on rape and family background

Key informants also outlined family background as a contributor to rape. According to the key informants, if an individual witnessed violence growing up in their families they are likely to turn violent themselves.

An example of these key informants is key informant 4 who narrated the following: *“Alcohol and drug abuse lead people to commit crimes. However there are other factors such as jealousy, lack of communication between partners and bad friends. Family homes where people grow up witnessing violence also lead to violence. Television also plays a role in leading people to commit*

crimes because they watch all this violence and sexual acts and people are often tempted to try it in real life. ”

4.7.3 Discussions of findings on rape and family background

The findings regarding the family background confirms the literature by Sivakumaran (2007), who stressed the importance of addressing issues of violence and indicated that a person who experienced violent acts might see violence as a normal way of acting. The findings also support the literature by literature by WAD (2006) that stated that men who commit domestic violence crimes are normally the ones from unstable family backgrounds.

4.7.4 Television influences

Several rape perpetrators indicated television also contributes to rape incidences. The rape perpetrators indicated that television plays a role because in most cases people like to try out what they see on television. Other rape perpetrators indicated that the pornographic films that are being shown on Television make it difficult for men to control themselves. Key informants also indicated that just like culture, alcohol and drug abuse and economic reasons, television also has negative influences on people. Some of the responses of the rape perpetrators and key informants are captured here below:

Rape perpetrator 1 - *“Television also, these of pornography are the ones making it difficult for men to control themselves. Through these pornographic films, women are made to believe that they are sex objects and their bodies are made to satisfy men only.”*

Rape perpetrator 5- *“Myself when I was not here, I would watch pornographic films and I noticed that after watching I would get aroused and it will be hard for me to control myself. So I think television plays a role in rape because sometimes people watch these shows and fail to control*

themselves so they would sleep with anyone they see whether they have the person's consent or not"

One can concur with rape perpetrators 1 as in has become evident that women are portrayed as sexual objects. To add on to the argument of the rape offender it is important to note that it is not only in pornographic films that women are objectified as sex objects but also in advertisements, magazines, music and videos. On these platforms women are of half-naked while men are fully dressed, and in advertisements where they target men, they often use

The findings confirm the literature by feminists, Charles and Hughes (1996) who stated concurred with radical feminists, Andrea Dworkin and Susan Brownmiller that pornography leads to rape. This is confirmed by the rape perpetrators who indicated that some men often see pornographic films which they often want to try out. According to these radical feminists, pornography allowed men to abuse women and continue with their domination against women.

The findings above also confirms the literature by Jantjies (2004) which revealed that television plays a big role in our lives that many at times we are unaware of the negative influences it has on us. As the rape perpetrators indicated, men watch pornographic films on Television and try them out even without the consent of the women.

4.8 Agency

Through the narration of the rape perpetrators most of them indicated that their victims expressed agency during sexual intercourse, while the remaining rape perpetrators indicated that their victims did not express any agency. However, it is important to note that the rape perpetrators who expressed agency through physical resistance ended up being hurt physically. Some rape perpetrators indicated that their victims refused to comply so they either shot or stabbed the victim.

The perpetrators also indicated that they forced themselves on the victim after they refused to have sex with them. These findings confirm the literature by Reekie and Wilson (1992) who indicated that in the past, women were advised not to try resisting when being raped or try to talk men out of raping them as this will result in more violence. However, Reekie and Wilson (1992) also observed that women who did not resist rape physically often came up with other strategies to practice agency. The above statement can be confirmed by the rape perpetrators who indicated that their victims reported them to the authorities when they did not pay them money or when they eventually could not take it anymore.

However, there were also rape perpetrators who revealed that their victims did not express any agency although you could tell that she did not want to have sexual intercourse and even though some did show resistance, there were times when they did not oppose being raped either because they felt that the perpetrator was physically stronger or that they were economically depended on the perpetrator or they were married to him. This finding confirms that by Bashiru (2012) who indicated that women are often reluctant to show agency in sexual violence matters because they are economically depended on men or they are afraid to challenge societal roles and norms.

4.9 Ways of reducing the number of rape incidences according to the rape perpetrators and the key informants.

The rape perpetrators and key informants were asked what they think can be done to reduce the number of rape incidences. While a small number of the respondents indicated that there are a number of factors contributing to rape incidences hence not much can be done, several of the respondents listed ways in which the number of rape incidences can be reduced. The responses of these perpetrators are recorded here below.

Rape perpetrator 3 narrated that - *“Coming up with programs in the society about rape because to be honest people do not know what rape is. Men should also learn to control themselves when they are around ladies. Ladies should start dressing appropriately and not dress in short things when they are in public.”*

Considering the responses of the narration of events by the rape perpetrator 3, one can agree with him because a number of them indicated that they did not know that they were committing a crime. What is interesting to note from the rape perpetrator’s narration, however, is his suggestion that women change their dressing code. One can argue that this leads people into thinking that women deserve to be raped if they are dressed in mini-skirts and revealing clothes. This is wrong because men should learn to control themselves and not to take away a women’s right to dress in whatever acceptable way they want without any harm being inflicted on them.

Rape perpetrator 5 - *“People should be educated on the rights of women. Most people here do not even believe in gender equality. They think women do not have rights. I was also like that before I came here. Sometimes women are not aware of their rights hence they allow themselves to be abused.”*

The rape perpetrator emphasized the importance of being educated on the rights of women. One can agree with the rape perpetrator that through gender equality sensitization efforts men and women will become aware of their rights. The perpetrator further stated that women are often not aware of their rights. One can argue that it is of great importance to educate both men and women about their rights. One way of educating men and women on their rights and on gender equality is to make the content of the school curriculum more gender sensitive. In Namibia, the education system is one of the most important ways of conveying information to the people; hence, ensuring

those textbooks and all reading materials can promote positive gender equality ethos and values. However, there is a challenge in using this kind of method to educate people and the challenge is that this method takes time to be realized thus there is a need for a faster approach. One can therefore argue that in order to overcome this challenge there should not only be one way of educating people but perhaps implement a multi-faceted approach. For example, television and radio aired educational programs and other campaigns with a gender sensitive message in order to bring about radical change.

Several rape perpetrators and key informants indicated that there is a need to regulate the supply of drugs and alcohol in the country. One tends to concur with these rape perpetrators and key informants because as revealed by the findings of the study, alcohol is one of the main contributors to the number of rape incidences. However, it is important to note that while it is crucial to regulate the supply of alcohol in the country, it is also necessary to educate people on the dangers of alcohol. Although regulating the supply of alcohol threatens the economy of the country because of the revenue that is accrued from its sales, one way in which the government can regulate its supply is through enforcing current existing laws on alcohol trading hours and by increasing fines and sentences for rape perpetrators.

Several key informants and rape perpetrators also revealed that there is a need to create employment opportunities. As revealed by the findings, there are economic factors that bind women into sexually abusive relationships. Hence, there is a need to create more employment opportunities so that women can be less economically dependent on men. One way in which the government can create employment opportunities is to introduce an unemployment law. This type of law which does not currently exist in Namibia will help the unemployed buy groceries and other

necessities which means there will be a great demand for these products from the manufacturers and retailers and they will respond to this demand by employing more people.

Key informants indicated that there is need to make counseling programs readily available for everyone. One can agree with the key informants because the findings revealed, a lot of rape perpetrators indicated that they are from dysfunctional family backgrounds and that they grew up witnessing a lot of violence, hence, a need for counseling services to be made available. These counseling services will help the affected communities, especially rape victims to provide information on how to better deal with violence and conflict. Although there are counseling services available, these services are mostly used by women. The reason for these is the gender stereotypes which promote the false notion that men are emotionally stronger and thus, they are not supposed to show any emotional weakness.

Chapter 5

Conclusion and Recommendations

5.1 Conclusion

The aim of this study was to interrogate the explanations provided by rape perpetrators on why they commit rape. Although this study was only conducted at one correctional facility, and thus cannot be generalized to other rape perpetrators at other correctional facilities, the findings that were gathered can be used as a case study highlighting the explanations (defenses) provided by the perpetrators of rape themselves.

It is important to note, basing on the information gathered, that one can argue that there is not one single explanation to rape. The findings revealed that there are cultural influences to rape. The rape perpetrators and key informants indicated that there are certain cultural practices such as the *Tjiramue* practice, the *Olufuko* and the *Sikenge* traditions that play a contributing factor to rape. As part of the *Tjiramue* practice, for example, the *Olufuko* and *Sikenge* traditions, women are taught to be submissive to men, to accept pain inflicted on them by men and to accept sex (even against their will) from men such as their uncles. By these cultural practices, women are taught to accept the existing systematic maintenance of male dominance and social institutions that promote patriarchy which radical feminists are advocating against and working hard to overthrow. This finding was confirmed by feminist literature. It has also been revealed in the study that there are economic contributing factors to rape. It was further revealed that people enter sexual relationships as a means of surviving. The literature and findings also confirmed that women who are economically depended on men are likely to stay in sexually abusive relationships. According to the findings of this study, there are issues of power and masculinity in our societies that places

women at the risk of being abused. These issues stem from societal and cultural beliefs that make women inferior. Rape perpetrators indicated that they felt like they had control over their victims and some of them also indicated that they were targeting female victims specifically because they were afraid that a male person will over power them. Raping because one has control over another (without the other's consent) is a form of oppression which radical feminism is against. To overcome this, radical feminism focuses on empowering women within economic structures of the society.

Through this research the rape perpetrators are indicating the stereotypical societal believe that women are weaker compared to men in almost all aspects of life. The findings also revealed that masculinity is often expressed through sex. The findings confirmed the radical feminism theory that stated that it is due to the patriarchal structure which favors men in the society that rape against women manifests itself.

The findings also revealed that alcohol and drug abuse is one of the main contributing factors to rape. The findings revealed that most of the rape perpetrators were under the influence of alcohol while committing the crime. Although there have been perpetrators who questioned whether rape is really a contributing to rape as some perpetrators claimed that they do consume alcohol but they don't rape, literature has indicated that alcohol does contribute to the number of rape incidences.

Family background was revealed as a contributing factor to rape. The findings revealed that most of the rape perpetrators where from broken family homes were they witnessed a lot of violence growing up. The key informants also indicated that most rape perpetrators are from dysfunctional family homes. The findings resonate with the literature that stated people who grew up in violent family homes are likely to behave in violent ways as they see this as a normal way of acting. The

findings also revealed that statutory rape, rape by deception, incest rape and marital rape are the type of rape acts that are mostly committed in Namibia. As indicated in the literature, these types of rapes are as a result of power and masculinity in our societies which radical feminism is advocating against. Although this information cannot be generalized to all the rape perpetrators in Namibia, it gave an insight on understanding of how rape can be explained from the perpetrator's perspective.

5.2 Recommendations

After analyzing the information obtained, the researcher recommends the following for future researchers:

- This study only concentrated on a small number of rape perpetrators and key informants, hence, there is need to increase the number of participants in order for deeper analysis to be made as to why men rape.
- Future findings should be comparable to a greater population to get a greater view as to why rape occurs and to understand the factors that influence it.
- It is also recommended that studies on men being raped should be conducted.
- There is a need to conduct studies on rape in matriarchal societies.
- There is a need to alter cultural practices that are harmful to women. However this can only be achieved if there is awareness in the community on what rape is and people are able to detect harmful practices from culture.
- Parents should discuss issues regarding sex with their children at home. However there is also a need to emphasize sex education and rape in schools because rape perpetrators indicated that they did not know what rape is.

- Most rape perpetrators have a poor educational background, hence it is important to create awareness programs on rape at a community level in order to educate everyone in the community.

References

- Ambunda, L. & S. de Klerk. (2008). "Women and Custom in Namibia: A Research Overview". In Ruppel, OC. (ed). *Women and Custom in Namibia. Cultural Practice versus Gender Equality?* Windhoek: Macmillan Namibia, Pp 43-82.
- Abbey et al. (2005). *The Effect of Frames of Reference on Responses to Questions About Sexual Assault Victimization And Perpetration. Psychology of Women Quarterly*, 29, Pp364–373.

- Abbey A. (2008). *Alcohol and Sexual Violence Perpetration*. National Online Resource Center on Violence Against Violence, p9.
- Adegbite K. (n.d). *Rape Under The Nigerian Law*. Retrieved from:
https://nlii.org/files/RAPE_UNDER_THE_NIGERIAN_LAW_by_Adegbite.pdf
- Adewale S.A. (n.d). *Crime and African Traditional Religion*. Retrieved from:
<http://www.africaspeaks.com/reasoning/index.php?topic=2978.0;wap2>
- Archampong E. and Baidoo B. J. (2011). *The Treatment of Consent in Sexual Assault Law In Ghana*. Retrieved from: <http://theequalityeffect.org/wp-content/uploads/2013/04/consent-paper-Ghana-EA-JB.pdf>
- Bashiru, A. (2012). *Sexual Violence Against Women and Their Human Rights in the Upper West Region Of Ghana*. International Institute of Social Studies, the Hague, Netherlands.
- Barker-Plummer B. (2013). *Carolyn Bronstein. Battling Pornography: The American Feminist Anti-Pornography Movement, 1976–1986*, *Mass Communication and Society*, 16(4), Pp608-611
- Baron L. and Straus A. M. (2014). *Four Theories of Rape: A Macrosociological Analysis*. *Social Problems*, 34(5), Pp467–489,
- Benoit C. (2015). *Issue Brief: Sexual Violence Against Women in Canada*. Retrieved from:
<https://www.swc-cfc.gc.ca/svawc-vcsfc/issue-brief-en.pdf>
- Becker H. and Felton S. A. (2001). *Gender perspective on the status of the San in Southern Africa: Regional Assessment of the status of women*. Windhoek, Namibia.
- Bergen R. K, Renzetti C. M and Jeffrey L. D. (2009). *Violence against women*, 2nd edition. Sage Publications. California
- Bolla, K, I. Brown, K. Eldereth, D. Tate, K. & Cadet, J.L. (2002). *Dose-Related Neurocognitive Effects of Marijuana Use* *Neorology*, p59.

- Brown, T, N, T. and Herman L, J. (2015). *Intimate Partner Violence and Sexual Abuse Amongst Igbt People*. A Review of Existing Research. *The Williams Institute*: Los Angeles
- Brown J, Sorrell J and Raffaelli M. (2005) *An Exploratory Study of Constructions of Masculinity Sexuality and HIV/AIDS in Namibia, South Africa*. *Culture, Health and Sexuality*, 7(8), Pp585-598
- Creswell, J.W. (4th ed) (2012). *Educational Research: Planning, Conducting, and Evaluating Quantitative and Qualitative Research*. University of Nebraska: Pearson.
- Chisale S. S. (2017). *Patriarchy and Resistance: A Feminist Symbolic Interactionist Perspective*.
- Connell W. R. (2003). *The Role of Men and Boys in Achieving Gender Equality*. United Nations Division for the Advancement of Women (DAW) in collaboration with International Labour Organization (ILO) Report. Retrieved from: <http://www.un.org/womenwatch/daw/egm/men-boys2003/Connell-bp.pdf>
- Davis et al. (2010). *The Influence of Alcohol Expectancies and Intoxication on Men's Aggressive unprotected Sexual Intentions*. *Experimental and clinical Psychopharmacology*, 18, Pp418–428.
- Davis et al. (2012). *Childhood Sexual Abuse and Acute Alcohol Effects on Men's Sexual Aggression Intentions*. *Psychology of Violence*, 2, pp179–193.
- Davis et al. (2012). *Men's Alcohol Intoxication and Condom Use during Sexual Assault Perpetration*. *Journal of Interpersonal Violence*, 27, Pp2790–2806.
- Desert Soul (2008). *Multiple and Concurrent Sexual Partnerships in Namibia. One love, A Target Audience Research Report, September 2008*. Windhoek, Namibia.
- De-Vos A, Strydom H, Fouche C, & Delpont (2011). *Research at Grassroots: For the Social Sciences and Human Service Professions, fourth edition*. Van Schaick: Pretoria, SA.

- Dogo S. A. (2014). *The Nigerian Patriarchy: When and How*. *Cultural and Religious Studies*, 2(5), Pp263-275.
- Dougherty L. R., Burdfield-Steel E. R., Shuker D. M (2013).
- Duch, L. (2002). *Interpretación Y Cultura*. Barcelona: Herder.
- Edwards-Jauch, L. (2016). *Gender-based violence and masculinity in Namibia: A structuralist framing of the debate*. *University of Namibia Journal for Studies in Humanities and Social Sciences*, 5(1).
- Eriksson, M. (2010). *Defining Rape: Emerging Obligation for States under International Law*. Orebo University.
- Educated Married Black Women. University of South Africa. Retrieved from:
http://uir.unisa.ac.za/bitstream/handle/10500/23689/dissertation_chisale_ss.pdf.pdf?sequence=1&isAllowed=y
- European Commission. (2017). *Report on Equality between Women and Men in the EU*. Retrieved from:
https://eeas.europa.eu/sites/eeas/files/2017_report_equality_women_men_in_the_eu_en.pdf
- FES Mozambique. (2017). *Feminism in Africa: Trends and Prospects*. Retrieved from:
<http://library.fes.de/pdf-files/bueros/mosambik/13795.pdf>
- Gretton, G. Young, A, D. Maher, Thompson, J, M and Tyre, C. (2007). *Report on Rape and Other Sexual Offences*. Scotland Edinburgh: the Stationary Office.
- Gqola, P,M. (2015). *A South African nightmare rape Johannesburg*. MF book, Jaconia Media, South Africa

- Hartman, W. (2007). *Urges in the Colony: Men and Women in Colonial Windhoek*. Namibian Journal Studies.
- Ipinge, E and Le Beau, D. (2005). *Beyond Inequalities: Women in Namibia*. Windhoek: UNAM and SARDC
- Jantjies B. (2004). *The influence of Sex, Violence and Explicit Material Viewed on Television in Relation to Rape in Namibia*. University of Namibia
- Jauch, H. Edwards-Jauch, L and Cupido, B. 2009. *Inequality in Namibia*.
- Jayachandran, S. (2014). *The roots of Gender Inequality in Developing Countries, Annual Review of Economics*, 7(1), Pp63-88
- Jewkwes, R. Sikweyiya, Y. Morrell, R. Dunkle, K. (2011). *The Relationship between Intimate Partner Violence, Rape and HIV amongst South African Men: A Cross-Sectional Study*. South Africa
- Johannsdottir N. K. (2009). *Patriarchy and the Subordination of Women*. Sigillum Universitatis Islandiae. Retrieved from:
https://skemman.is/bitstream/1946/3017/1/Nina_Katrin_Johannsdottir_fixed.pdf
- Jaja M. J (2014). *Myths in African concept of reality. International Journal of Educational Administration and Policy Studies*, 6(2), Pp9-14
- Junius R et al. (1998). *An investigation to assess the Nature and Incidence of Spouse Abuse in Three Sub-Urban Areas in the Karas Region, Namibia*.
- Jain P. and Kanwal N. K. (2018). *A Contemporary Facet on Rohypnol: A Date Rape Drug*. MedCrave, pp1 – 3.
- Kayunde, M. (2017). *The Low Down on Date Rape*. The Namibian Newspaper. Nampa Press, Namibia

- Kambarami, M. (2006). *Femininity, Culture and Sexuality: Understanding Patriarchy and Female Subordination in Zimbabwe*. South Africa: University of Fort Hare
- Legal Assistance Centre (2006), *An Assessment of the operation of the Combating of Rape Act 8 Legal assistance center*. An assessment of the Combating Rape act of 2006.
- Legal Assistance Centre. (2012) *Domestic Violence in Namibia and the Combating of Violence Act 4: of 2003*.
- Lecler C. and Madlala S. (2002). *On the Virgin Cleansing Myth: Gendered Bodies, Aids and Ethnomedicine*. African Journal of AIDS Research, 1: Pp87-95
- Legal Assistance Centrer. (2006). “*Rape in Namibia: An Assessment of the Operation of the Combating Rape Act 8 of 2000*.”
- Legal Assistance Centrer. (2007). *Gender and the Law in Namibia: An Overview*. Retrieved from: <http://www.lac.org.na/projects/grap/Pdf/genderlawinnam2007.pdf>
- Legal Assistance Centre. (2000). *Combating of Rape Act, No. 8 of 2000*. Retrieved from: www.lac.org.na/laws/pdf/comrape.pdf
- MacKinnon A. C. (2016). *Rape Redefined*. Harvard Law & Policy Review, 10, Pp431-477.
- Malde B, Scott M. and Vera-Hernandez M. (2015). *Extended Family Networks and Household Well-being: Evidence from Malawi*. Institute for Fiscal Studies Report. Retrieved from: https://www.ifs.org.uk/uploads/publications/research%20summaries/family_networks.pdf
- Mikkola A. (2005). *Role of Gender Equality in Development: A Literature Review*. Helsinki Center of Economic Research. Retrieved from: <http://ethesis.helsinki.fi/julkaisut/eri/hecer/disc/84/roleofge.pdf>
- Niess-May B and Garvin J. H. D. (2015). *The Intersection of Domestic Violence & Substance Abuse*. Retrieved from:

<https://www.dawnfarm.org/wp-content/uploads/The-Intersection-of-Domestic-Violence-and-Substance-Abuse-February-2015.pdf>

Nowak A. (2015). *Legal and Criminological Aspects of Rape with Date Rape Drug*.

Naikade K. and Pal G. (2018). *Issues & Challenges Related To Marital Rape in India*. International Journal of Humanities and Social Science Invention, 7(4), Pp.58-69

Norris et al. (2002). *Alcohol's Direct and Indirect Effects on Men's Self-Reported Sexual Aggression Likelihood*. Journal of Studies on Alcohol, 63, Pp688–695.

Namibian Police. (2013). *Crime Report*. 2012/2013. Retrieved from:

http://www.nampol.gov.na/documents/139923/140403/Crime_Statistic_2012_13_fin_year_3.pdf/f62f30e9-66a8-4577-ae8-439ca0b7315f

Office of the Prime Minister, Namibia. (2015). *Promulgation Act of Parliament: Child Care and Protection Act*, 2015, p188.

Parker, G. (2015). *The practice of Lobola in Contemporary South African Society*. Journal of Third World Studies. University Press of Florida. Volume 32(2) PP 175-190

Pierik, B.T. (2018). *A history of Patriarchy*. Leiden University, Netherlands

Painter, K. (1991). *Wife Rape in the United Kingdom*. Institute of Criminology, University of Cambridge, San Fransisco

Petress K. (n.d). *Power: Definition, Typology, Description, Examples, and Implications*. Retrieved from:

<http://uthscsa.edu/gme/documents/powerdefinitionstypologyexamples.pdf>

Reekie, G. and Wilson, P. *Resistance and Women's Rights and Self Defence*. University of Guesisland press, St Lucia

Ranger T (1999). *Voices from the Rock: Nature, Culture and History of the Matopo Hills of Zimbabwe*. Oxford: James Currey.

Ranger T (2003). "Women and environment in African Religion." in Beinart, William. & McGregor, JoAnn.eds. *Social History and African Environments*. Oxford: James Curry

Republic of Namibia: *Ministry of Gender Equality and Welfare, National Gender Policy* (2010-2020), Pp 29-30

Riggins, L. (2004). *Criminalizing Motivated Rape in Indonesia*: Boston Collage Third World Law Journal, 24(2).

Russo, L. (2000). *Australian Institute of Criminology: Date rape: A hidden crime*. Australia

Saldana J. (2009). *The coding Manual for Qualitative Researchers*. Sage publications. London

Shadle B. L. (2008). *Rape in Courts of Gusiiland Kenya*: African Studies Review. 51(2) Pp22-50

Shaw I F. (1999). *Qualitative Evaluation*. Sage publications, London

Sivakumaran, S. (2007). *Sexual Violence against Men in Armed Conflict*. *The European Journal of International Law*. 18(2), Pp 253-276

Sister. (2015). *The controversial Otjiramue*. Sister Namibia Magazine, 27(2), p20. Retrieved from:

<https://sisternamibiatest2014.files.wordpress.com/2015/08/june-2015-vol-272.pdf>

Scraton S. and Flintoff A. (2013). *Gender, Feminist Theory, and Sport*. Blackwell Publishing Ltd.

Retrieved from:

<http://library.pcw.gov.ph/sites/default/files/gender,%20feminist%20theory%20and%20sport.pdf>

Thompson D. (2001). *Radical Feminism Today*. SAGE Publications Ltd

- Turner C. J. (2005). *Explaining the Nature of Power: A Three-Process Theory*. *European Journal of Social Psychology*, 35, pp1–22.
- UNDP. (2002). *Namibian Human Development Report: Gender-Based Violence*
- United Nations Office on Drugs and Crime. (2015). *Report of the United Nations Office on Drugs and Crime on the International Classification of Crime for Statistical Purposes*.
- US Department of Justice. (2012). *Attorney General Eric Holder Announces Revisions to the Uniform Crime Report's Definition of Rape*. Retrieved from:
<http://www.fbi.gov/news/pressrel/press-releases/attorney-general-ericholder-announces-revisions-to-the-uniform-crimereports-definition-of-rape>.
- Unizon. (2016). *Pornography and prostitution*. Retrieved from:
http://unizon.se/sites/default/files/media/pornography_and_prostitution_report_unizon_2016_0.pdf
- Visser W. and Ruppel-Schlichting K. (n.d.). *Women and Custom in Namibia – The Legal Setting*. Retrieved from:
http://www.kas.de/upload/auslandshomepages/namibia/Women_Custom/visser.pdf
- Vrushali Patil V. and Purkayastha B. (2015). *Sexual Violence, Race and Media (In) Visibility: Intersectional Complexities in a Transnational Frame*. *Societies*, 5, Pp598–617.
- Victor, O, E. (2013). *War and Human Rights in Africa: Reflections on Sex Related Abuses in Congolese, Rwandan, Liberian and Libyan Conflicts*.
- Ward, T. & Siegert, R. (2002). *Aggression & Violent behavior*. 7(145).
- Weigers E. Neeleman, W. Hourihan, J and Cato, K, W. (2009). *Enhancing the Wellbeing of Women and Girls in Ohangwena, Oshana and Caprivi Regions through Food Security and Livelihood Improvement Initiatives: Baseline Study Report*,

World Health Organization (2005): *Multi-Country Study on Women's Health and Domestic Violence against Women*. Grudy and Northege Designers, Switzerland

Wharton A.S (2005). *The Sociology of Gender*. United Kingdom. Blackwell publishing

Wegner, R. et al. (2015). *Sexual Assault Perpetrators' Justifications for their Actions: Relationships to Rape Supportive Attitudes, Incident Characteristics, and Future Perpetration*. *Violence against Women*, 21(8), Pp1018–1037. Retrieved from: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4491036/>

William, D.M. (1994). *The Morphology of Biblical Greek*. Grand Rapids: Zondervan

ANNEX A: CONSENT FORMS AND CONFIDENTIALITY CLAUSE

CONSENT FORM FOR RAPE PERPETRATORS

I am a MA student at the University of Namibia, Sociology Department and I am conducting a research on the causes of rape in Namibia, the desired purpose of which is to investigate the causes of rape. The main objective of this study is to find out your explanations of rape. Another objective of this study is to explain the socio economic issues associated to rape. Furthermore, the study aims to explore cultural/religious explanations of rape and to explore measures that can be implemented to reduce the number of rape incidences in Namibia. In order for the researcher to achieve all this, your participation is requested as you are considered to have knowledge regarding the topic at hand.

The information gathered by the researcher will be kept confidential and will not be divulged to anyone. Only the researcher and the Supervisor (if requested by them) will see the information gathered. Information will be securely stored in a locked location. The responses will be kept confidential and will not be linked to you personally; the interview will not be audio-taped and will rather use the form of note taking as per response. The researcher will keep the participants privacy rights at all times.

The researcher is seeking your participation in an interview that will take about 45 minutes. An overall of 20 participants will be included in the study. The interview will take place at the Windhoek Correctional Services. Although there are security cameras in the interview room, it does not record voices. Participation in this study is voluntary and will require answering of questions. Participation can be beneficial for the participant as talking about the incident that led to their arrest might be therapeutic for them. As the participant you may decline from answering any question or stop the interview at any time that you may desire. In the event in which you may wish to withdraw from the research there will be no negative consequences for you. The participant may withdraw from the research without attracting any negative consequences. In the event where the participant gets emotionally hurt, the researcher will stop the interview immediately and refer the participant to a social worker on duty for counseling. If you have any queries regarding this study please contact, the researcher of this study Nangula Kefas, on +264 81 846 6327 or the researcher's supervisor, Dr Artwell Nhemechena on +261 61 206 3809.

Do you wish to participate? If YES please sign in the provided space below.

By signing in the space provided below you are agreeing to participate in the study, you will be given a copy of this form as proof of confidentiality.

Participant signature

Date

Researcher's Signature

Date

ANNEX B: CONSENT FORM FOR KEY INFORMANTS

I am an MA student at the University of Namibia, Sociology Department and I am conducting a research on the causes of rape in Namibia, the desired purpose of the research is to investigate and correlate the causes of rape. The main objective of this study is to find out rapists' explanations of rape. Another objective of this study is to explain the socio economic issues associated to rape. Furthermore, the study aims to explore cultural/religious explanations of rape and to explore measures that can be implemented to reduce the number of rape incidences in Namibia. In order for the researcher to achieve all this, the researcher must interview convicted rapists, programme officers and case management officials thus your participation is requested as you are considered to have knowledge regarding the topic at hand.

The information gathered by the researcher will be kept confidential and will not be divulged to anyone. Only the researcher and the Supervisor (if requested by them) will see the information

gathered. Information will be securely stored in a locked location. The responses will be kept confidential and will not be linked to you personally, the interview will not be audio-taped and will rather use the form of note taking as per response. The researcher will keep the participants privacy rights at all times.

The researcher is seeking your participation in the interview which will take about 45 minutes. An overall of 20 participants will be included in the study. The interview will take place at the Windhoek Correctional Services. Although there are security cameras in the interview room, they do not record voices. Participation in this study is voluntary and will require answering of questions. The participation of the key informant participant as this will be an opportunity for them to raise their opinions on rape and possibly also suggest ways on how they feel rape incidences can be reduced. As the participant you may decline from answering any question or stop the interview at any time that you may desire with no negative consequences to follow. If you have any queries regarding this study please contact, the researcher of this study Nangula Kefas, on +264 81 846 6327 or the researcher supervisor, Dr Artwell Nhemechena on +261 61 206 3809.

Do you wish to participate? If YES please sign in the provided space below

By signing in the space provided below you are agreeing to participate in the study, you will be given a copy of this form as proof of confidentiality.

Participant signature

Date

Researcher's signature

ANNEX C: CONSENT FORM FOR CORRECTIONAL OFFICERS

I am an MA student at the University of Namibia, Sociology Department and I am conducting a research on the causes of rape in Namibia, the desired purpose of the research is to investigate causes of rape. The main objective of this study is to find out rapists' explanations of rape. Another objective of this study is to explain the socio economic issues associated to rape. Furthermore, the study aims to explore cultural/religious explanations of rape and to explore measures that can be implemented to reduce the number of rape incidences in Namibia. In order for the researcher to achieve all this, the researcher must interview convicted rapists, programme officers and case management officials. Hence your participation in the study by ensuring security for both the researcher and the participants is requested.

The information gathered by the researcher will be kept confidential and will not be divulged to anyone. Only the researcher and the Supervisor (if requested by them) will see the information gathered. Information will be securely stored in a locked location. The responses will be kept confidential and will not be linked to you personally, the interview will not be audio-taped and

will rather use the form of note taking as per response. The researcher will keep the participants privacy rights at all times.

The researcher is seeking your participation in the interview which will take about 45 minutes. An overall of 20 participants will be included in the study. The interview will take place at the Windhoek Correctional Services. As the participant you may decline or stop the interview at any time that you may desire with no negative consequences to follow. If you have any queries regarding this study please contact, the researcher of this study Nangula Kefas, on +264 81 846 6327 or the researcher supervisor, Dr Artwell Nhemechena on +261 61 206 3809.

Do you wish to participate? If YES please sign in the provided space below.

By signing in the space provided below you are agreeing to participate in the study, you will be given a copy of this form as proof of confidentiality.

Participant signature Date Researcher's signature

ANNEX D: CONFIDENTIALITY CLAUSE FOR ALL PARTICIPANTS OF THE STUDY

Before your participation in the research interviews/ process, we must obtain your explicit consent not to reveal any of the contents of the interview or to reveal the identities of the participants (e.g. names of convicts and their places of origin).

By signing in the space provided below you are agreeing to the terms of confidentiality.

Participant signature

Date

Researcher's signature

ANNEX E: RESEARCH INSTRUMENTS

INTERVIEW SCHEDULE: RAPE PERPETRATORS

Name of interviewer:
Time:
Duration:
Date:

Introduction

My name is _____; I am a student at the University of Namibia. I am currently conducting a research on the reasons why men rape in order to gather insights. It is part of the researcher's final year MA mini thesis at the University. I would like to hear your personal views and insights and therefore would like to ask for 45 minutes of your time for the interview. I would

like to inform you that the information that you will provide will be kept confidential and that your name will not be made known to any other party your identity will be kept anonymous.

Details of crime convicted of

1. Can you narrate the incident that led to your arrest and imprisonment?
2. Follow up question (This will focus on why on why rape occurs)

Family background

3. Can you outline your family background
4. Follow (Anything that the convicted rapist left out that might be of importance to the study)

Factors that explain violence and rape

5. Can you narrate on whether or not culture contributes to incidents of rape?
6. Can you narrate on whether or not alcohol contributes to incidents of rape?
7. Are there any other ways in which rape can be explained?
8. What in your opinion can be done to reduce the number of rape incidences?

Demographic details of informant:

1. Age
2. Educational background
3. Marital status

ANNEX F: INTERVIEW SCHEDULE: KEY INFORMANTS

Name of interviewer:
Time:
Duration:
Date:

Introduction

My name is _____; I am a student at the University of Namibia. I am currently conducting a research on the reasons why men rape in order to gather insights. It is part of researcher's final year MA mini thesis at the University. I would like to hear your personal views and insights and therefore would like to ask for 45 minutes of your time for the interview. I would like to inform you that the information that you will provide will be kept confidential and that your name will not be made known to any other party your identity will be kept anonymous.

KEY INFORMANTS

1. In your experience how do rapists explain rape?
2. Follow up question (This will focus on why on why rape occurs)
3. Can you explain on whether or not, in your view culture contributes violence to incidents of rape?
4. Can you explain on whether or not, in your view alcohol contributes to incidents of rape?
5. What is your attitude towards gender based violence?
6. Are there any other factors in your view that explain rape?
7. What, in your opinion, can be done to reduce rape incidences?