



***“She probably asked for it!” A Preliminary Study into Zimbabwean  
Societal Perceptions of Rape***

*by*

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## **Executive Summary**

Violence against women and children is a common phenomenon in Zimbabwe. It occurs, both in the private and public spheres, catalysed by a number of factors that stem from the way in which society is structured. These factors include culture, tradition, religion, politics, and the economy. These factors contribute to shaping societal perceptions of why violence against women occurs, how society perceives the victim and the perpetrator, and how society responds to address cases of violence against women. Amidst all the other forms of violence against women such as wife battering and ritual killings, rape and other forms of sexual violence are becoming increasing social ills in Zimbabwean society.

In order to gain some understanding about public perceptions of sexual violence, RAU carried a small preliminary study. This report is based on the results of this study, which was done through the administration of a questionnaire prepared by RAU with a special focus on rape as a component of sexual violence.

The study revealed interesting findings about how people view rape including that:

- Most people had a good understanding of what rape is and they based it on cultural implications;
- Most of the respondents blamed culture for rape and a relatively high number of persons thought that it was always the perpetrator's fault if rape occurred;
- Many people who blamed culture for rape also viewed dressing as a contributory factor to rape;
- The majority of the people did not know if raping a commercial sex worker is a crime or not and many of them blamed cultural violations against these workers.
- Most of the people who blamed culture believed that marital rape exists;
- Most people thought it was not the child's fault if the child got raped, however more thought differently if the child was a teenager;
- Many people believed that a boy can be raped;
- Most of the people indicated that the first port of call after rape is the police, with a significant number also saying a medical facility but both groups were agreed that the report should be made within 48 hours;
- Very few people knew that pregnancy could be prevented after rape;
- Even fewer people knew that HIV could be prevented after rape;
- Most people knew that there are laws that prohibit rape including marital rape and statutory rape;
- Many people did not know of harmful cultural practices that make women susceptible to rape.

## **RECOMMENDATIONS**

- *There is a need for increased public education especially areas that could reduce/ mitigate the horrific effects of rape on the victims such as HIV prevention through post exposure prophylaxis (PEP) and pregnancy prevention;*
- *There is also need to emphasise the need for victims to report rape immediately after rape occurs, although within 48 hours the interventions mentioned above would still possibly work;*

- *There is a real need to strengthen efforts at increasing awareness on what cultural practices constitute harmful practices and reducing the continued practice of such harmful practices;*
- *There needs to be a shift in societal reasoning so that victims are never blamed for being raped and perpetrators never excused for committing rape.*

## 1. INTRODUCTION

Violence against women and children is a common phenomenon in Zimbabwe. It occurs, both in the private and public spheres, catalysed by a number of factors that stem from the way in which society is structured. These factors include culture, tradition, religion, politics, and the economy. These factors contribute to shaping societal perceptions of why violence against women occurs, how society perceives the victim and the perpetrator, and how society responds to address cases of violence against women. Amidst all the other forms of violence against women such as wife battering and ritual killings, rape is becoming an increasing social ill in Zimbabwean society.

According to the Zimbabwe National Statistics Agency (ZimStat), ‘Quarterly Digest of Statistics,’ there has been incremental rising in the number of reported incidences of rape. The total increased from 3,481 in 2009 to 4,450 in 2010, 5,446 in 2011, and an alarming 2,195 cases between January and May of 2012 only.<sup>1</sup> 470 of these cases were recorded in May 2012 alone.<sup>2</sup> Fifteen (15) women are raped in Zimbabwe every day - one in every 90 minutes.<sup>3</sup>

These statistics resonate with the reports by the Zimbabwe Republic Police (ZRP) that in a period of 10 months (January to October 2012), 2,450 children had been raped countrywide, with neighbours responsible for 41% of the rape cases.<sup>4</sup> Related to this, reports have indicated that rape of juveniles’ cases increased from 2,883 in 2010 to 3,172 in 2011.<sup>5</sup> Previously, in 2009, the Family Support Trust Clinic<sup>6</sup> had reported that it had treated 30,000 girls and boys, victims of sexual violence over a period of 4 years, meaning that at least 20 children were sexually abused in a day.<sup>7</sup>

Since 2009, the Research and Advocacy Unit (RAU) has extensively documented politically motivated rape as a form of violence against women,<sup>8</sup> highlighting the use of rape and sexual violence as a political tool in the communities, with women’s bodies targeted as the battlefields.<sup>9</sup> The reports and documentaries were based on surveys, interviews, focus discussion groups, and desk research. RAU’s research in collaboration with the Zimbabwe Association of Doctors for Human Rights (ZADHR) in 2010 also saw detailed legal and medical interviews conducted with 25 respondents, all women victims of politically motivated rape.<sup>10</sup> Such rape was targeted against them because they were women, vulnerable and easy targets, both because of their own political affiliations and/or that of their husbands or relatives. The forms of sexual violence that the women experienced ranged from extreme violence, gang rape, and

<sup>1</sup> ZIMSTAT (2012), *Quarterly Digest of Statistics*, Zimbabwe National Statistical Agency (ZimStat), 2<sup>nd</sup> Quarter, July 2012 p.17/121.

<sup>2</sup> ZIMSTAT (2012), *Quarterly Digest of Statistics*, Zimbabwe National Statistical Agency (ZimStat), 2<sup>nd</sup> Quarter, July 2012 p.17/121.

<sup>3</sup> ZIMSTAT (2012), *Quarterly Digest of Statistics*, 2<sup>nd</sup> Quarter, Zimbabwe National Statistical Agency (ZimStat), July 2012.

<sup>4</sup> The Herald (2012), *Rape: When society lets kids down*, 26 December 2012.

<sup>5</sup> ZBC News (2012), *Rape of Juveniles on the increase* <http://www.zbc.co.zw/news-categories/crime-a-courts/18097-rape-of-juveniles-on-the-increase.html> ZBC News, 30 March 2012.

<sup>6</sup> The Clinic was set up in 2009 as a special mechanism to cater for the health and psychosocial needs of sexually abused children. The Clinic was supported by development partners to the government of Zimbabwe and commissioned by the then Ministry of Health and Child Welfare. This is explained in Euna Makamure, *The Efficacy of the Family Support Trust, (FST) Post Rape Counselling for girl children aged 3 to 12 years in Harare Zimbabwe*, A Dissertation Submitted in Partial Fulfillment of the Requirements of the Masters in Women’s Law, Southern and Eastern African Regional Centre for Women’s Law (SEARCWL), University of Zimbabwe, 2010, p.10.

<sup>7</sup> Brian Hungwe(2009) *Abused generation*,

Available at [http://www.bbc.co.uk/worldservice/africa/2009/11/091109\\_zim\\_child\\_abuse.shtml](http://www.bbc.co.uk/worldservice/africa/2009/11/091109_zim_child_abuse.shtml). BBC News, 9 November 2009.

See also D. Smith(2009) *Child rape epidemic in Zimbabwe*, available at <http://www.guardian.co.uk/world/2009/nov/09/child-sexual-assault-epidemic-zimbabwe> The Guardian, 9 November 2009

<sup>8</sup> RAU (2011) *Politically Motivated Rape in Zimbabwe*, Report Produced by the Research and Advocacy Unit (RAU) April 2011; RAU (2010), *Preying on the Weaker Sex: Political Violence Against Women in Zimbabwe*. Report produced by IDASA (An African Democracy Institute), the International Center for Transitional Justice (ICTJ), and the Research and Advocacy Unit (RAU) October 2010. HARARE: RESEARCH & ADVOCACY UNIT; *Forced Concubinage in Zimbabwe*, Research and Advocacy Unit, December 2011.

<sup>9</sup> RAU (2011) *Politically Motivated Rape in Zimbabwe*, Report Produced by the Research and Advocacy Unit (RAU) April 2011 HARARE: RESEARCH & ADVOCACY UNIT.

<sup>10</sup> RAU (2010), *No Hiding Place: Politically Motivated Rape of Women in Zimbabwe*, Report Produced by the Research and Advocacy Unit (RAU) and the Zimbabwe Association of Doctors for Human Rights (ZADHR), December 2010.

insertion of objects (bottles and sticks) into the women's genitalia.<sup>11</sup> For a significant percentage of the sample, HIV was a consequence of their rape. Similar findings emerged from two other studies: one in which Zimbabwean women were part of a sample of women refugees in the UK,<sup>12</sup> and the other a study in which 78 Zimbabwean women in South Africa and Botswana who were victims of politically motivated rape were interviewed.<sup>13</sup>

In yet other research projects carried out by RAU, it emerged that victims of rape were often abandoned by their husbands with some women reporting cases of their fellow villagers whose husbands divorced them after finding out they had been raped.<sup>14</sup> A Harvard publication confirmed that this is merely not a Zimbabwean but it is a global phenomenon that men abandon their partners in intimate relationships once they discover that the woman was raped.<sup>15</sup> The reasons for such abandonment include the patriarchal notion in which men recognise women as their property, and hence a sexual attack on a woman is more of an affront to her husband's ego than an attack on her bodily integrity and human dignity.

RAU also prepared three documentaries, entitled "*Hear Us: Women in Zimbabwe affected by political violence speak out*,"<sup>16</sup> "*What about Us*,"<sup>17</sup> and "*A State of Shame*"<sup>18</sup> which amplify and corroborate the statistics given above. The findings that came out of the various pieces of research, focusing on politically motivated rape, paved the way for the need for a deeper understanding of Zimbabwean society's perceptions of sexual violence, both against men and women. It is for this reason that this research was conducted.

## 2. METHODOLOGY

In order to gain some understanding about public perceptions of sexual violence, RAU carried a preliminary study. This report is based on the results of this study, which was done through the administration of a questionnaire prepared by RAU. The questionnaire (see attached) was pilot tested twice. Two trainings for enumerators were carried out to introduce the questionnaire as well as to test its accuracy in eliciting the anticipated responses. Cross tabulations were done in relation to four factors – gender, education, age, and class. Class was operationalised according to certain factors shaping respondents' current status including tertiary or no tertiary education, professional or non-professional employment, formal or informal self-employment, or a combination of these variables.

Frequency scores were calculated for the whole sample, and simple tests of significance (Odds-Ratios) were calculated for each pair of variables. Only those variables where there were significant differences in the frequency of responding are highlighted in this report.

## 3. DEMOGRAPHY

The sample of respondents to which the questionnaire was administered consisted of 222 people, 101 males and 121 females, with the mean age being 34 and 33 for men and women respectively. The number of married men was significantly higher than that of women, with [59%] of men married compared to the 48% of the women. The sample also had more men who had attained primary and

<sup>11</sup> RAU (2010), *No Hiding Place: Politically Motivated Rape of Women in Zimbabwe*, Report Produced by the Research and Advocacy Unit (RAU) and the Zimbabwe Association of Doctors for Human Rights (ZADHR), December 2010, p.2.

<sup>12</sup> Medical Foundation Justice Denied: The experiences of 100 torture surviving women of seeking justice and rehabilitation 2009 p.4.

<sup>13</sup> Aids Free World "Electing to rape: sexual violence terror in Mugabe's Zimbabwe" 2009 [www.aidsfreeworld.org](http://www.aidsfreeworld.org).

<sup>14</sup> RAU (2012), *Do we really matter? Women's voices on politics, participation and violence*, Research and Advocacy Unit (RAU), June 2012, p.10/17.

<sup>15</sup> OXFAM (2010) *Now the World is Without me, An investigation of Sexual Violence in Eastern Democratic Republic of Congo* Harvard Humanitarian Initiative and Oxfam America (2010) p.30.

<sup>16</sup> Available at <http://hub.witness.org/HearUs-ViolenceAgainstWomeninZimbabwe2>.

<sup>17</sup> Available at <https://www.youtube.com/watch?v=vThyv6rUP34>.

<sup>18</sup> Available at <http://www.youtube.com/watch?v=9UkOXEfXc8>.

secondary education than women; a possible explanation for the significant finding that more men [16%] had professional employment than women [12%]. The respondents came from 8 provinces of the country; namely Bulawayo, Harare, Manicaland, Mashonaland Central, Mashonaland East, Mashonaland West, Masvingo and Matebeleland South.

In terms of age, 98 of the respondents were under 30 while 124 were over 30. A significantly larger number of the single people [65%] were under 30, with a significantly higher number of men [4.7%] under 30. There are also, according to the survey, many more people who are under 30 [57%] who completed secondary education as compared to those who are over 30 years of age [48%]. The numbers of those who are under 30 years of age were significantly higher in the following sections; those with administrative work [6%], those who are in artisan work [12%], students [22%] and those who are unemployed [21%]. This shows that it is youth who are predominantly unable to secure formal employment and have either become resourceful or remained largely unemployed.

Class is understood to mean the quality of life that the respondents were likely leading based on three factors namely; income capacity, level of education and form of employment. None of the respondents were from among the elites. 107 were middle class while 115 were from the working class.

## 4. FINDINGS

### 4.1 Perceptions of sexual violence

#### 4.1.1 *The meaning of rape*

The definition of rape by law states that rape occurs when (1) a male person (2) knowingly has sexual intercourse or anal sexual intercourse (3) with a female person and (4) at the time of the intercourse the female person has not consented to it; and (5) he knows that she has not consented to it or realises that there is a real risk or possibility that she may not have consented to it but goes ahead with it.<sup>19</sup>

Asked what rape means to them, [61%] of men and [70%] of women displayed a clear understanding of rape; reflecting all the essential elements of rape in their definition; that it is forced sexual intercourse between a man and a woman without the consent of the woman. This understanding of rape also translated into responses given to the question of whose fault it is if a woman gets raped, with [76%] of the male and [75%] of the female respondents indicating that it is always the fault of the perpetrator and not that of the victim.

It was interesting however to note that education was not that important a factor in determining who had a clear understanding of rape. 67% of those without tertiary education and [64%] of those who had tertiary education had a very clear understanding of rape. A greater number of people with tertiary education [82%] than without [72%] thought that the perpetrator is always to blame where rape is committed.

The majority of those under 30 [63%] and above 30 [67%] showed a clear understanding of rape although a significantly higher number of people under the age of 30 [14%] showed no understanding of rape as compared to those who are above 30 [7%]. Although the majority of the sample across the ages, [74%] for those under 30 and 85% for those above 30 thought that it was the perpetrator's fault if rape occurred, a significantly higher number of people who are below 30 [8%] than those above 30 [6%] believed that it is the rape victim's fault if she is raped. Those under 30's [5%] also believed that it is both the rapists and victims fault more than the over 30's [1%].

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<sup>19</sup> The Criminal Law Codification and Reform Act [Chapter9:23] in Section 65.

A significantly larger number of persons in the middle class [91%] had a clearer understanding of perceptions of rape than those of the working class [90%]. This is possibly because they had higher chances of accessing information via the press and were also likely to comprehend the issues surrounding rape and other forms of sexual violence better because of the higher level of education.

Most people in the middle class [80%] thought that it was the perpetrator's fault for rape cases. However, a more significant number of those in the middle class [7%] than those in the working class [3%] indicated that they did not know whose fault it is and who to blame for rape.

#### **4.1.2 Dressing**

The study revealed that a significant number of the respondents, [61%] of males and [63%] of females found that the way in which a woman dresses could cause a man to rape her. The respondents mentioned that when women wear clothes that are too tight or too short that is "provocative dressing" with the possibility of driving a man to rape. Past research, however, dismisses this argument as merely a myth that seeks to excuse the criminal behaviour of men. Martha Burt<sup>20</sup>, in her groundbreaking research, described rape myths as "*prejudicial, stereotyped, or false beliefs about rape, rape victims, and rapists.*" She gave the "women ask for it" attitude as one such rape myth. According to RapeCrisis,<sup>21</sup> it is a myth that a woman who gets sexually assaulted 'asked for it' by the way she dresses or acts. RapeCrisis argued that attractiveness has very little significance in whether a woman gets raped or not as there is a great diversity in the way targeted women act or dress. Rather than their physical appearance, it is women's vulnerability that causes them to get raped, verifying that rape is a crime of power rather than lust. However in the study, a higher number of men [6%] than women [3%] indicated that they did not know if dressing contributed to women being raped.

While the majority of those without tertiary education [63%] thought that dressing matters, the greater number of people who said they did not know if dressing would contribute to an individual being raped were those with tertiary education.

The responses to the question of whose fault it is likely to be when a woman gets raped, with [8%] of those aged under 30 saying it is the victim's fault coupled with the fact that more people in this same age group [63%] than those above 30 [61%] believed that the way in which a woman dresses could make her a rape target, is a disturbing finding. It points to the development of a generation that excuses rape, blaming the victim or the victim's appearance rather than perceiving rape for the pure criminality that it is.

Class too was not really a factor on attitudes to dressing, as most of the respondents both in the middle class [60%] and in the working class [62%] responding that dressing had a bearing on people getting raped.

#### **4.1.3 Rape of commercial Sex Workers**

A study examining the circumstances of prostitutes in reported rape trials in Britain,<sup>22</sup> Australia and Canada revealed that sex workers suffer a high incidence of sexual assault, and that, for a long time, it was almost impossible for them to get criminal justice. Charges of rape made by sex workers were often not taken seriously by the police and courts because prostitutes were viewed as inherently unchaste and untrustworthy; 'common' women, whose word could not be trusted, always consented to sex, and

<sup>20</sup> Burt, M.R. (1980). Cultural myths and support for rape. Journal of Personality and Social Psychology, 38, page 217-230.

<sup>21</sup> RapeCrisis (2013) *Common Myths About Rape*, Rape Crisis- England and Wales <http://www.rapecrisis.org.uk/commonmyths2.php>.

<sup>22</sup> B. Sullivan, (2003) 'Can a Prostitute be Raped? Sex Workers, Women and the Politics of Rape Law Reform' (2003).

therefore could not be raped. Clearly, the failure by law officers to protect prostitutes is a socio-anthropological one, where, without deconstructing society's perception of commercial sex workers as a social ill and a symbol of moral degeneration,<sup>23</sup> rape against them will continue not to be seen as a crime. This is explained by a study in Southern Africa which revealed that commercial sex workers are disinclined to report rape out of fear and unsympathetic treatment by the police.<sup>24</sup>

In the current study, the view that the rape of commercial sex workers is a crime was generally endorsed. This is positive given that in most contexts people do not think raping a commercial sex worker is a crime. The findings are also interesting given that, in the 2012 review process by the Committee on the Elimination of All Forms of Discrimination Against Women (CEDAW), the government of Zimbabwe in its State Report acknowledged that in dealing with commercial sex work (prostitution) as a crime, the police will arrest more female prostitutes than male because of the perception that "women should not be found in certain places and at certain times."<sup>25</sup> The government admitted that this kind of thinking perpetuates discriminatory tendencies against women. One can also draw the conclusion that should a female prostitute be raped, it is highly unlikely that she will receive support from the police because they will consider that she was at a place where she ought not to have been, in other words a "wrong" place, and that she brought it on herself.

However, of note from the findings in the study is the fact that a significantly higher number of male respondents – [82%] compared to [78%] females - agreed with the fact that it is a crime to rape a commercial sex worker. These figures could be indicators of two things; first that men are more aware that rape is a crime if it is committed against any woman, regardless of whether she is a prostitute or not. Secondly, it could be a reflection that women have (unsurprisingly) negative attitudes towards sex workers or that they believe that sex workers will invite rape by suggesting availability for sex and hence should not cry foul when violated, or both. This then raises serious concerns for the need for the emancipation of women to desist from self-inflicted and internalised oppression and resist subordination.

There were some interesting differences due to age where, a significant number of those under 30 [85%] believed that it is a crime to rape a sex worker than those above 30 [77%]. This could be reflective of the conservative character of society, especially older generations, who do not condone commercial sex work, viewing it as prostitution and socially unacceptable behaviour.

More people in the middle class [19%] than in the working class [15%] thought that it is not a crime to rape a commercial sex worker. A number of them [5%] also said they did not know if raping a commercial sex worker is a crime. This appears to be a function of privilege, where some people think prostitution is a choice, and, hence, those who do it must be prepared for the consequences, including rape. Those of less privilege who are likely to be pushed to commercial sex work, however, seem more tolerant of the idea, and, hence, found rape a criminal act as it would expose people who are engaged in commercial sex work to further abuse than they had already suffered.

#### **4.1.4 Negotiation for sex**

<sup>23</sup> M. Richter, 'Sex Work & HIV and AIDS in SADC' Aids and Rights Alliance for Southern Africa (ARASA) p.6.

<sup>24</sup> M. Richter, 'Sex Work & HIV and AIDS in SADC' Aids and Rights Alliance for Southern Africa (ARASA) p.11.

<sup>25</sup> Committee on the Elimination of Discrimination Against Women, Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women Combined second to fifth periodic report of States parties Zimbabwe, Paragraph 105 CEDAW/C/ZWE/2-5 Available at <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G10/473/20/PDF/G1047320.pdf?OpenElement>.

A significantly higher number of males [93%] than females [85%] thought that women have a right to negotiate for sex. These findings were quite perplexing given that the assumption would be that women should know that they have a right to negotiate for sex. However, this could be explained by the assumption that women perceive having a right that one cannot effectively exercise as the equivalent of not having that right in the first place. This is reflected in that a significantly lower number of women [64%] as compared to that of men [72%] thought it was possible for women to actually exercise the right to negotiate for sex. This finding, of the low probability of women's ability to negotiate for sex, fell square within findings of pre-existing research which explains that; the lived reality of women's lives is that they mostly cannot exercise the right to negotiate for sex. Mungweni<sup>26</sup> argues that the ability of married Zimbabwean women to negotiate for safer sex is reduced by their inferior social, economic, legal, and political status, which makes them dependant on their male counterparts, and hence reduces their negotiating power.

Referring to women's negotiation skills in the employment sector, Babcock and Laschever<sup>27</sup> argue that the problem with women is not that they achieve lower outcomes when they negotiate, but rather that women do not negotiate as frequently as they should because they do not know when negotiation is possible. Furthermore, they do know when not to be afraid to negotiate assuming that society will react badly to a woman asserting her own needs. This assertion also rings true when it comes to women's ability to negotiate for sex where women think negotiation is impossible or are afraid to try given their socialisation. This socialisation suggests that a woman cannot refuse sexual advances, particularly if she is married to the man in question. Given that the majority of the women in this study were married, this could possibly explain why most of them also thought that negotiating for sex is not possible. It has also been argued that the commercialisation of lobola/bride price aggravates married women's inability to negotiate for sex given that men believe they "purchase" conjugal rights when they pay large sums of lobola and so the right to demand for sex -as and when the men need it -comes with the territory.<sup>28</sup>

Thus it is interesting that both the tertiary educated respondents and those with lower levels of education understood that women have a right to negotiate for sex. However, a lesser number of those without tertiary education [67%] than those with tertiary education [73%] believed that it is possible for women to exercise this right.

Although age did not seem to generally affect the belief that women have a right to negotiate for sex, a significant number of those below 30 [9%] said women have no rights as compared to those above 30 years of age [7%]. This is possibly explained by the fact that a higher number of those below 30 [31%] also went further to say that women could not exercise their rights to negotiate for or against sex than those above 30[24%]. It appears they read the inability to negotiate for sex to mean the same as the absence of that right.

As regards class, the majority of the respondents, across class divides believed that women have a right to negotiate for sex. However, more persons in the middle class than in the working class showed that they did not agree to women having the right to negotiate for sex. This also reflected in the responses to the question of whether women could actually exercise this right, with more people in the middle class indicating that they were unable to exercise their sexual rights than in the working class

#### **4.1.5 Male Rape**

<sup>26</sup> E. Nyamutsambah Mugweni, (2008) 'Empowering married Zimbabwean women to negotiate for safer sex' AIDS 2008 - XVII International AIDS Conference: Abstract no. WEPE0331.

<sup>27</sup> L. Babcock and S Laschever, (2003) "Women Don't Ask: Negotiation and the Gender Divide. Princeton: Princeton University Press.

<sup>28</sup> R. Dube (2012) 'Sold to the Highest Bidder: The role of Lobola in Modern Zimbabwe" Report Produced by the Research and Advocacy Unit, April 2012.

The question of whether a man can be raped by a woman or another man elicited interesting responses. A significantly higher number of men [84%] than women [78%] thought that men could be raped. This also correlated with the fact that a higher number of men [52%] than women [46%] believed that a boy can be raped. This sends across the message that society does acknowledge that men and boys can be sexually violated against their will. These statistics are also very enlightening coming from a society that has deep cultural beliefs that perpetuate a version of masculinity in which men are immune to victimisation, and, should they be so victimised, then they are perceived to have lost their manhood. The depth of the knowledge would need to be interrogated in a more qualitative research to understand whether this is a sign of increased gendered awareness on the nature of sexual violence or it is just a build-up of perceptions attributable to the wide coverage of the cases of so called “male rape.”<sup>29</sup> However, from those who claimed not to know if it was possible for a man to be raped, there were a greater number of men than women who said they do not know if men can be raped.

In the same manner that the majority of those with tertiary education thought that a man cannot be raped, a larger number of people who attained tertiary education [53%] said that a boy cannot be raped as compared to those without a tertiary education [33%]. This could be explained by the possibility that the tertiary educated people understood rape as it is provided for in our criminal law, which law does not state that it is possible for a male person to be raped.

A significant number of people under 30 [86%] than those over 30 [78%] said that males can be raped. This could possibly be attributed to the increasing discourse on male rape into which the younger generations are being socialised. This was however contradicted in the responses to the question on whether a boy can be raped with higher number of those above 30 [50%] than those under 30 [46%] noting that a boy can be raped, while a significantly higher number of those under 30 [47%] than those over 30 [36%] thought that a boy cannot be raped. This is hence one area that needs further clarity through a more qualitative analysis.

More people in the middle class than in the working class thought that males could be raped. A majority of the working class respondents [56%] also asserted that it is possible to rape a boy. However, many more people in the middle class [48%] also thought that a boy could not be raped and a slightly lower number [12%] indicated that they did not know.

Given the knowledge exhibited by the majority of respondents in the study to the existence of male rape, it appears there is a need for legal reforms to expand the definition of rape to include attacks on males. Legally, male rape does not exist as a criminal offence in Zimbabwe. When a man is sexually assaulted it is recorded as “aggravated indecent assault” whether committed by a male or female person.<sup>30</sup> Amongst the larger Zimbabwean population, the commonly recognised form of male rape is the sensationalised version of the rise of the female rapists.<sup>31</sup> However, male-on-male rape occurs more frequently than this type of rape. Male-on-male rape, particularly in prison is often regarded as sodomy, and by its very nature is shrouded in secrecy because of the stigma that Zimbabwean society attaches to sodomy and homosexuality. Consequently, most male victims of male-on-male rape hardly report for fear of revictimisation with such expressions such as “*akaitwa mukadzi nemumve murume/wambamba ngamandla wamenza umfazi wakhe*” “he was turned into a wife by another man” or “*akabatwa nengochani/wabanjwa*

<sup>29</sup> See: Mercy Makuwatsine, “*Can men be raped?*” ZimbabweMail <http://www.thezimbabwemail.com/opinion/9372-can-men-be-raped.html>; Steve Vickers, “Zimbabwe women accused of raping men ‘for rituals’” BBC News <http://www.bbc.co.uk/news/world-africa-15876968>;

<sup>30</sup> The Criminal Law (Codification and Reform) Act [Chapter 9:23] Act 23/2004, 6/2005 (s11), 9/2006 (s31) SIs 30A/2007 and 134/2007Section 66 (1) (a) (ii) if committed by a female and Section 66 (1) (b) (ii) if committed by a male person.

<sup>31</sup> Perfect Mazani, “When the hunter becomes the hunted” ZBC <http://www.zbc.co.zw/news-categories/blogs-a-features/5553-when-the-hunter-becomes-the-hunted.html> ; The African Aristocrat, “*Another Zimbabwean man raped as notorious female attackers strike again*” The African Aristocrat <http://www.africanaristocrat.com/?p=2345>

*ingotshani*” “he was sexually assaulted by a homosexual” loosely thrown around, igniting feelings of shame in the victim.

It is not uncommon to criminalise male rape. South Africa is a good example as they have repealed the common law offence of rape and replaced it with a statutory definition under their Criminal Law (Sexual Offences and Related Matters) Amendment Act, 2007 (Act No. 32 of 2007) which applies to all genders (male, female and other) and defines rape in the following manner;

*“Any person (“A”) who unlawfully and intentionally commits an act of sexual penetration with a complainant (“B”), without the consent of B, is guilty of the offence of rape.”*

#### **4.1.6 Marital Rape**

Although more women [78%] than men [75%] thought that it is possible for a woman to be raped by her husband, a surprising number of men believed in the possibility of marital rape. However, of those who said they did not know if it was possible, men were a greater number as compared to women. Awareness around the criminality of marital rape could be attributed to the existence of a law, as provided for in the Criminal Law Codification and Reform Act, which states unequivocally that the fact that a victim of rape was the spouse of the person accused of rape does not suffice as a defence.<sup>32</sup> This is further supported by the Domestic Violence Act<sup>33</sup> which protects women from sexual abuse in intimate relationships with such abuse defined as “any conduct that humiliates, degrades or otherwise violates the sexual integrity of the complainant.” Effectively, the law makes it a criminal offence for a man to rape his wife.

However, the problem of marital rape remains underreported and unresolved. At the time of writing this report, the law criminalising marital rape has been in place since 2010, yet not a single conviction has successfully been secured in the courts. Part of the problem is the belief that a married woman cannot be raped by her husband because, when he pays lobola for her, he has also bought unrestricted rights of access to conjugal sex. The “so what...he is her husband” attitude prevents women from reporting cases of marital rape as they are often not taken seriously by the police or are advised to go back home and talk to their husbands because this is a “domestic issue.” Often when women try to report, they are interrogated as to why it had to come to that for the man to rape his own wife. The police dismiss such cases asking the woman “*waimbomunyimirei*” “why were you refusing him sex in the first place” perpetuating the belief that women should always say yes to sex.

The prevalence of this attitude in the wider society means that law enforcement officials such as the police, the prosecution and even the judiciary are not spared socialisation to these prejudices.

This leads to the tendency for men’s behaviour to be excused when marital rape occurs and interferes with the effective investigation, prosecution, and sentencing of cases of marital rape. This problem is not unique to Zimbabwe; it is a global phenomenon. Some South African judges have illustrated that they carry such prejudices onto the bench as reflected in their judgements. For instance in the case of S v Modise,<sup>34</sup> Judge Gura of the High Court of South Africa, Bophuthatswana Provincial Division dealing with a case of marital rape said;

*“This is a man whose wife joined him in bed, clad in panties and a nightdress. When life was still normal between them, they would ordinarily have made love. The appellant must, therefore, have been sexually aroused when his wife entered the blankets. The desire to make love to his wife must have overwhelmed him, hence his somewhat violent behaviour.”*

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<sup>32</sup> Section 68(a) of the Criminal Law Codification (and Reform) Act.

<sup>33</sup> The Domestic Violence Act [Chapter 5:16] Section 3 (2)(b)

<sup>34</sup> Ezekiel Modise v The State CA NO.: 113/06 Paragraph 19 Available on Saflii at <http://www.saflii.org/za/cases/ZANWHC/2007/73.pdf>

This example makes it clear that eliminating marital rape can only begin when Zimbabwe as a country recognises the need for gender equality and the rights of women. A change of mindsets, recognising women's right to negotiate for sex, within or outside marriage, will end rape. The law can only facilitate and reflect social change, but can seldom initiate nor guarantee the necessary change.

Although most of the respondents, whether with tertiary education [82%] or without [74%] thought that it is possible for a married woman to be raped by her husband, surprisingly significantly more people with tertiary education [7%] did not know if marital rape is possible than those without [4%].

Again, although the majority of respondents across all age groups indicated that marital rape exists with [78%] of those under 30 and [79%] of those above 30 attesting to this, it was disturbing to note that it was the under 30 group that had most persons who thought that there was no such thing as marital rape, [19%] as compared to [16%] for those over 30.

A greater number of persons in the middle class were of the notion that marital rape exists whilst a significantly high number of the working class did not agree with the same notion.

#### **4.1.7 Rapist Husband vs. Raped Wife**

The trajectory of society's perception of victims of sexual violence, and how they should be treated, as it emerged from the survey was worth noting. The findings of this research portrayed that patriarchy certainly disempowers women, but its institutions and values may be perpetuated by women more than they are by men as would be the presumption. The study sought to establish why women are treated as outcasts for being victims, and so the questionnaire juxtaposed two questions to the respondents. First, whether a married woman whose husband has been convicted of rape should remain married to him, and, second, whether a married man should remain with his wife after she has been raped.

In relation to the first question, more men [38%] than women [22%] said that a woman should not stay with her husband if the husband is found guilty of rape. This meant that a great number of men did not think that a man convicted of rape deserved his wife's sympathy, and, so, if she chose to leave him, then she was justified in doing so. These responses also showed that women were more likely to stay with their husbands even though the husbands would have been convicted of rape. A large number of the men also said they did not know whether a male rapist should be abandoned by his wife.

The response to the question of whether a married man should keep his wife after she has been raped recorded a small margin in difference between the two groups, with the majority agreeing that he should. This response, however, did not tally with the findings of previous research in which actual victims of rape reported that they were sent away by their husbands for being raped; the study of a sample of women, focused on these women's experiences with politically motivated rape.<sup>35</sup> Most of the victims said that they had not reported their cases for fear of being abandoned by their spouses once the husbands found out that they had been raped.<sup>36</sup> This fear was not unfounded as four (4) of them had actually been divorced after the husbands knew of the rape.<sup>37</sup> This happened despite the fact that most of the women had been targeted for rape because of the political affiliation and activities of their husbands.<sup>38</sup>

However, of those who were of the view that a man should not remain with his wife after she has been raped more were women [21%] than men [18%]. Whether this is a case of women looking down upon their fellow women who have been raped or it is a case of women perpetuating the idea of a woman's

<sup>35</sup> 'No Hiding Place: Politically Motivated Rape of Women in Zimbabwe' Report Produced by the Research and Advocacy Unit (RAU) and the Zimbabwe Association of Doctors for Human Rights (ZADHR) December 2010 p.2.

<sup>36</sup> 'No Hiding Place' ibid p.13.

<sup>37</sup> No Hiding Place ibid p.14.

<sup>38</sup> No Hiding Place ibid p. 4.

sexual sanctity as her husband's property and his alone hence once she has been raped that sanctity would have been breached or it could be a case of women thinking that it is in the best interests of both husband and wife not to remain with each other after the woman has been raped is a subject of further analysis that can only be substantiated through qualitative research.

The level of education was not a factor in determining the response to whether a woman should remain with her rapist husband. Both the respondents with tertiary education and without thought that a woman should stay. A significantly higher number of both the tertiary and non-tertiary educated respondents also thought that a man should stay with his raped wife.

Most persons under the age of 30 indicated that they would not stay with a rapist, whilst also a reasonably large percentage [25%] did not know whether they could stay with a rapist or not. The majority of the over 30s [60%] said they would stay with a rapist. Again this resonates with the shifting socialisation of the two age groups, with the slightly older people exercising higher "tolerance" or "acceptance", while the younger people have become less tolerant of certain behaviour such as having a rapist for a husband or brother in law. Although the majority of the people in both age groups, [56%] of the under 30s and [66%] of those over 30 indicated that a man should remain with his wife after she has been raped, a significantly high number of persons under the age of 30 [28%] indicated that they did not know if they could stay with a rape victim.

More people in the middle class agreed to stay with the rapist than in the working class. Significantly more middle class respondents [64%] also said they would stay with a raped partner than those from the working class [53%].

#### ***4.1.8 Child Rape***

Significantly more men than women thought that when rape is perpetrated against a child it is not the child's fault. However, it was perplexing to see that almost [45%] of women responded saying that they did not know whose fault it would be when a child is raped. This response reveals the attitudes of most women who fail to realise that when a child is raped, it is always the fault of the perpetrators, and frequently they will try and protect the perpetrators be it a relation or their spouse, or if it is a stranger they may try and force a marriage to legitimise the 'illegal sex.'<sup>39</sup>

More men than women also said that they think if teenagers are raped it is likely to be their fault, but a significant number also said they do not know. This is not surprising given that it is mostly the men who engage teenagers in sex, either believing that the girls are of age or knowing that they are not of age, without qualms. These findings also explain why it is extremely difficult to enforce the law which prohibits statutory rape. For as long as society believes that a child who is a teenager can consent to sex, ignoring that whatever consent may be given is not full, well informed and well-reasoned consent, then we shall continue to have low reportage of statutory rape and high cases of victims of such rape marrying their rapists. In the responses to the survey question, it was clear that there is considerable confusion about who is a "minor." The law has not helped to clarify this either as there is contradictions within the law. Under the Legal Age of Majority Act<sup>40</sup> a minor is defined as a person under the age of 18 years. In the Children's Act,<sup>41</sup> a child is described as a person under the age of sixteen years. In the Criminal Law Code, statutory rape is also defined as sexual intercourse, anal intercourse or any other sexual conduct

<sup>39</sup> This reinforces the stereotype that any sex that a woman has outside marriage, with or without her consent is illegitimate but ceases to be so once the person she sleeps with has acquired the right to sleep with her through marriage.

<sup>40</sup> Now part of the General Laws Amendment Act, 2005 (Act 6/2005) February 03, 2006.

<sup>41</sup> Section 2 on Interpretations of the Children's Act [Chapter 5:06] Acts 22/1971, 39/1973 (ss. 43 and 52), 43/1973 (s. 4), 18/1974, 44/1974 (s. 4), 26/1979, 15/1981 (s. 66), 29/1981 (s. 59), 15/1982;(s. 3), 11/1986 (s. 29), 24/1987 (s. 8), 2/1989 (s. 7), 20/1994(s. 3), 14/1995; 9/1997 (s. 10), 22/2001 (s. 4), 23/2001, 14/2002 (s. 4); R.G.N. 327/1977; S.I. 689/1979.

with a person aged below 14 years.<sup>42</sup> It does seem clear that the law does not adequately protect minors from sexual abuse.

The majority of people without tertiary education [62%] believed that it was never the child's fault if a child got raped, while a significant number of people with tertiary education [59%] as compared to those without [36%] did not know if the child is responsible if he or she is raped. The numbers shifted a bit when the dynamics changed, and the question was whether the child still would not be to blame if they were a teenager. The number of those with tertiary education who said it was the child's fault- when asked to consider that the victim was a teenager -increased by [3%], but equally a significant number of those with tertiary education [40%] believed that a teenager and children must be seen as equivalent at law and should therefore never be blamed for or seen as having consented to rape.

The responses yielded from persons under the age of 30 indicated that most of them did not know if it is the child's fault if the child gets raped as compared to the above-30 age group, with a majority of this group saying that it is not the child's fault. Most persons under the age of 30 did not know if it was the teenager's fault if she/he got raped, while those over 30 were clear that it is not the teenager's fault.

Many persons in the middle class did not know about child rape [53%] of the middle class indicated that they did not know whose fault it was likely to be if a child got raped. This is probably because their chances of experiencing or witnessing it are lower than those of the working class. This ignorance, whether real or manufactured; remained constant even when asked if the sentiments would differ if the child was a teenager. A majority [51%] of persons in the middle class still maintained that they did not know about child rape and whose fault it may be even if the child was a teenager. The working class group, however, seemed more knowledgeable, with a majority indicating that a child could never be at fault if they were raped, with the numbers decreasing slightly from [60%] to [50%] in relation to the rape of teenagers.

## **4.2 Awareness of consequences of rape**

### ***4.2.1 Reporting Rape***

In terms of reporting rape, the majority of those with tertiary education stated that a medical facility should be the first place for a victim of rape to report, while a significantly higher number of those without thought that the police should be the first port of call. It was disturbing however to see that a significant number of people with tertiary education [56%] said a rape victim should report the case within 48 hours, while those without [40%] said rape should be reported immediately. Although reporting within 48 hours would still enable the victim to receive interventions that could prevent pregnancy and the contraction of HIV/AIDS, it is always recommended that a victim of rape should report immediately to a medical facility.

It was also interesting to note that most persons below the age of 30 were more likely to report to the police and a medical facility first than those over 30. A significant but relatively lower number of persons under the age of 30 would report to other places after rape. More people under the age of 30 [54%] would report their rape cases within 24 hours with over [30%] of them stating that they would report immediately. However, a significant number [47%] of that same age group would only report within 48 hours, pointing to the need for increased education on when rape should be reported among the younger generations.

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<sup>42</sup> Section 64 (2) of the Criminal Law Code.

More persons in the middle class [54%] indicated that they would report to the medical facility first after rape than those in the working class [44%]. This is also in line with the levels of education in this group of people, presumably knowing that the earlier a victim receives medical attention the better their chances of healing, preventing pregnancy, and possibly preventing contracting HIV. A significant number of persons within the middle class [86%] highlighted that they would report a rape case within a period of 48 hours, with 31% of these indicating that they would report immediately after the rape occurred.

#### **4.2.3 Preventing Pregnancy**

The majority of respondents with tertiary education [61%] said they did not know if pregnancy could be prevented after rape, but, interestingly, of those without tertiary education, [47%] said it was possible to prevent pregnancy. However, a significantly higher number of those with tertiary education had both a *clear understanding* and a *partial understanding* of what preventing pregnancy meant, predominantly giving the example of administering the morning after pill. There was a significantly large group of those with tertiary education, however, who thought termination of pregnancy was the same as preventing pregnancy.

The study also revealed that a significant number of persons below the age of 30 [52%] did not know if pregnancy could be prevented after rape, whilst a significant number of those above 30 [46%] indicated they had knowledge on pregnancy prevention. Generally, most people under the age of 30 had a clear understanding on pregnancy prevention, including the use of the morning after pill.

A relatively higher number of persons in the middle class [49%] did not know if pregnancy can be prevented as compared to those in the working class, although, of those who did know if pregnancy could be prevented, a significant number of persons in the middle class showed a clearer and better understanding as compared to the working class. Those in the working class predominantly mistook termination of pregnancy to mean the same as prevention of pregnancy.

#### **4.2.4 Preventing HIV**

Significant numbers of both those with tertiary education [44%] and without [36%] did not know if contracting HIV could be prevented after rape.

This distressing finding did not get better as a function of age. Most persons under the age of 30 [44%] indicated that they did not know if HIV could be prevented as compared to the 35% of those over 30. A significantly higher number of under 30's than those over 30 also highlighted that HIV could not be prevented after rape. A significant number of persons under the age of 30 [32%] also chose not to respond.

More persons in the middle class thought that HIV could be prevented as compared to those in the working class. However, of those who did not know if HIV could be prevented after rape, the numbers were similar for both the middle class [25%] and working class [25%] groups. Generally, a significantly higher number of persons in the middle class had a clear understanding of what HIV prevention after rape entails, in particular taking post exposure prophylaxis (PEP) than those in the working class.

There appears to be an information gap and a general lack of awareness about PEP; a procedure that could save many lives of victims, raising the need for more robust public education around this issue.

#### **4.2.5 Laws on Rape**

Education was not a factor in determining who knew what laws existed on rape in Zimbabwe as those without tertiary education displayed as fair understanding of the laws as those who had.

As regards age, most of the respondents showed an understanding of the laws on rape. However a significantly lower number of those under 30 [54%] than those over 30 [82%] showed some understanding of the laws on rape. A significant number of those under 30 also showed no understanding. Whether this could be a consequence of the levels of awareness or a deliberate disengagement with and lack of interest in these issues by the younger generations is a subject of further interrogation.

Although full understanding of the laws on rape was not that much different across the classes, a significantly higher number of persons in the middle class showed a partial understanding on the rape laws in Zimbabwe as compared to those in the working class, clearly articulating the different types of rape including marital rape and statutory rape. A higher number in the middle class as compared to the working class also chose not to respond.

#### **4.3 Harmful cultural practices**

The study also sought to establish whether elements of culture which constitute harmful cultural practices could have a bearing on the commission of sexual crimes by making women more susceptible to rape and other forms of sexual abuse. In the study, a significantly larger number of females [54%] showed some level of understanding of harmful cultural practices than men [45 %], while an even more significant number of men [11%] said they did not know what harmful cultural practices are.

The question on harmful cultural practices brought to the fore many issues; most importantly, the question made it necessary to define culture. However, clarifying what constitutes culture has been the subject of many theses. One useful definition identifies culture as "*a system of interrelated values active enough to influence and condition perception, judgment, communication, and behaviour in a given society.*"<sup>43</sup> With this definition in mind it is then interesting to note the number of examples that the respondents in the study identified as harmful cultural practices. These examples point to either:

1. A general lack of understanding of what constitutes a harmful cultural practice;
2. A broad understanding of culture to include behavioural patterns; or
3. A rich understanding of culture, not limited to traditional but also religious practices.

It was interesting to note that those with tertiary education [26%] and without it [29%] thought that harmful cultural practices do increase the chances of women getting rape while a majority said they did not know [68%] and [67%].

A significantly higher number of persons below the age of 30 [30%] than those over 30 [27%] agreed that there were some harmful practices such as child marriages within the communities that increased women and girls' susceptibility to rape. However, a slightly higher number under 30 [4%] as compared to over 30 [2%] indicated that there were no harmful practices that could make women more vulnerable to rape. The majority of the people for those under 30 [66%] and for those over 30 [72%] did not know if there are harmful cultural practices that make women susceptible to rape. This could be attributed to the fact that the subject of harmful cultural practices is a controversial one with uncomfortable cultural and societal

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<sup>43</sup>Ali Amin Mazrui (1986). *The Africans: A triple heritage*. Boston: Little, Brown.1986, 6<sup>th</sup> Ed p. 239.

implications; hence most people chose the safer route; to plead ignorance. It could also be a reflection of how society has normalized some practices, and has ceased to see the harm they visit upon society.

A significantly higher number of persons in the middle class than the working class indicated that they did not know of any harmful practices that increase susceptibility to rape. More people in the working class than in the middle class indicated that they knew of harmful practices that led to rape. However, in most cases, the examples of the practices given were poverty related, again speaking to the function of privilege and indicating that rape is more likely to occur amongst the poor than it is among the affluent or more privileged members of society.

#### **4.3.1 Traditional practices**

Regional<sup>44</sup> and international<sup>45</sup> human rights instruments encourage states to eliminate harmful cultural practices. Such practices are generally associated with the exercise of long-standing traditional and religious norms and values which cause harm to the physical and/or psychological well-being of all or some of the members of the society in which these values are recognised and practiced, in most cases-women. The traditional harmful practices which the respondents gave included:

- *Kuripa ngozi/ukublawula ingozi* (spirit appeasement) where a virgin is given to the family of the deceased to appease his spirit for whatever wrong was done by a member of the other family. She is then forcefully married into the family of the deceased.
- *Barika/isithembo* (polygamy) in which a man is allowed to have many wives and demand sex from each of them as and when he wants was also seen as making women susceptible to rape.
- *Chiramu/umlamu-* the practise of make-believe love between brothers-in-law and their young sisters-in-law was also identified as increasing the risk of these girls getting sexually abused. In most cases, it begins with the fondling of the breasts until the brother-in-law manages to have sex with the young girls. They are told not to report as this is all part of being “nice” to the brother in law and most young girls in their innocence will not report.
- *Madenhe/chikapa/ukhuthethela* amongst most Shona tribes and *chinamwari* among people of Malawian descent, in other words sex initiation where elderly women teach young girls how to perform sexually in order to satisfy their husbands in bed was also seen as exposing girls to sexual abuse.
- *kubatidza moto/ukuyakha umuzi* in which the younger brother of an infertile husband is given permission by a group of elders, behind the infertile man’s back and without the woman’s consent, to have sex with his sister in-law in order to make her pregnant and in other cultures allowing the father in law to sleep with his daughter in law in order for the marriage to be considered fully consummated also subjects women to rape.

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<sup>44</sup> See Article 4 (2)(d) of the Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa (The Maputo Protocol)-which describes harmful cultural practices as practices that legitimise and exacerbate the persistence and tolerance of violence against women.

<sup>45</sup> See Article 5 of the Convention on the Elimination of All Forms of Discrimination Against Women which requires all states to eradicate prejudices and practices based on the inferiority or superiority of either sex.

- *kugara/kugarwa nhaka/ukungenga* (widow inheritance) which nowadays has become a clandestine affair in which brothers of the deceased approach the widow, without other relatives' knowledge and approval and asks for sex also opens doors for women's abuse.
- *Roora/amalobolo* (bridal price/lobola) in particular the commercialisation of it with many families demanding exorbitant sums of money or material goods was also seen as a factor leading to the rape of women in marriages. Once lobola has been paid, there are expectations for a woman to agree to everything that the man wants, including sex with her husband when he wants it, this reduces the woman's ability to negotiate for sex leading to marital rape
- *kupisa guva/umbuyiso*, although rarely practised was identified as another factor leading to girls' rape. Under this practise all the girls in a family are taken to the river for virginity testing after their father's death. The mere act of another human being, male or female inserting their hands into the sexual organs of the girls without the girls' consent, constitutes sexual abuse.
- *un'anga/inyanga* (traditional healing), nowadays, the solution given by witchdoctors' to their clients that sleeping with virgins or young girls cures HIV/AIDS is one of the main causes of the rape of children as young as three years.

#### **4.3.2 Religious practices**

The respondents also pointed to religious practices such as early marriages (*kuzvarirwa-kuroodzwa/ukuzalelwa*) among the Apostolic Sects (Johane Masowe or Johane Marange), forced marriages, false prophecies, and dreams in the apostolic faith about who should become whose wife or that sex can be used for healing HIV/AIDS, and the religious teaching for women to be submissive as factors that increase women's chances of getting raped.

#### **4.3.3 The dangers of the extended family**

Outside these common practices, the respondents gave some interesting examples of practices that are part of traditional existence, centred in the definition of family to include not only the core family but also the extended family and the whole village. Ordinarily such practices should not be perceived as harmful. However, due to the social disruption and moral decay that has pervaded society, the continuation of such practices exposes people, in particular children, to sexual abuse. Amongst such practices was the practice of entrusting children/ minors into the care of the extended family or neighbours.

#### **4.3.4 Lifestyle and personal habits**

Some of the examples given by the respondents can only be explicable within the context of harmful cultural practices to the extent that they bring harm to the individuals who practise them. They are not really cultural or societal norms, but rather individuals' personal habits and lifestyle. These habits included pole dancing, the use of body enhancers such as appetito tablets, going to a club at night (especially among teenagers), women walking alone in dark places, getting drunk in a pub, and wearing revealing clothes.

#### **4.3.5 The woes of economic hardships, poverty and urbanisation**

Although these were raised under harmful cultural practices, certain living conditions that have been precipitated by poverty, urbanization, and housing shortages among other factors were also raised as creating conditions that expose women and girls to rape. For instance, respondents raised the lodging of families in one room as a factor contributing to the rape of women and girls by close relatives.

The respondents also gave examples of situations and practices brought on by harsh economic conditions and other social vices such as child trafficking, forced brides in exchanged for money, family disintegration and prostitution as exposing women and girls to rape.

#### **4.3.6 Societal attitudes**

Some societal attitudes also made their way into the “harmful cultural practices discourse.” These attitudes excuse bad behaviour by men, trivialise rape, and the criminality of the act of rape. For instance, the excuse given on behalf of men that they find women irresistible and provocative no matter what they are wearing was singled out as a factor that makes women susceptible to rape. The myth that women in relationships, whether married or not, should not refuse their men sex and the argument that women become more secure in their relationship if they agree to have as much sex as the man wants could lead to the rape of women. This is because society raises an expectation amongst men to demand for sex and expect to get it from the woman, either willingly or under duress. The respondents also pointed out that watching pornographic material with men makes women susceptible to rape. These factors sound apologetic for men, painting them as vulnerable creatures with no self-control while women are the provocateurs. Indeed because society accepts them as facts, when a woman is raped under those circumstances then she doubly becomes the victim, raped by the man and blamed by society for bringing the rape upon herself.

#### **4.3.7 Budding practices**

Throughout the study, the respondents also revealed that there are budding practices that are slowly becoming part of culture. However, it is difficult to establish a direct causal link between most of these practices and women’s susceptibility to rape. These practices include circumcision and sex education in schools.

From the examples given under this section, it appears as if religious and traditional beliefs as well as societal attitudes that are apologetic about the criminality of rape, and which try to justify the rapists’ actions and blame the victim, increase the likelihood of women getting raped. The silent culture that silences victims and protects perpetrators, the stigmatisation, the corruption in the justice system that causes rapists to be released without trial as long as they pay, police indifference to rape victims, and society’s tolerance of men’s rowdy behaviour do not make it any easier for the crime of rape to be fully punished as the grave crime that it is.

### **5. CONCLUSIONS**

The study revealed interesting findings about how people view rape including that:

- Most people had a good understanding of what rape is and they based it on cultural implications;
- Most of the respondents blamed culture for rape and a relatively higher number of persons thought that it was always the perpetrator’s fault if rape occurred;

- Many people who blamed culture for rape also viewed dressing as a contributory factor to rape;
- The majority of the people do not know if raping a commercial sex worker is a crime or not and many of them blame cultural violations against these workers.
- Most of the people who blamed culture believed that marital rape exists;
- Most people thought it was not the child's fault if the child got raped, however more thought differently if the child was a teenager;
- Many people believed that a boy can be raped;
- Most of the people indicated that the first port of call after rape is the police, with a significant number also saying a medical facility but both groups were agreed that the report should be made within 48 hours;
- Very few people knew that pregnancy could be prevented after rape;
- Even fewer people knew that HIV could be prevented after rape;
- Most people knew that there are laws that prohibit rape including marital rape and statutory rape;
- Many people did not know of harmful cultural practices that make women susceptible to rape.

## **RECOMMENDATIONS**

- *There is a need for increased public education especially areas that could reduce/ mitigate the horrific effects of rape on the victims such as HIV prevention through post exposure prophylaxis (PEP) and pregnancy prevention;*
- *There is also need to emphasise the need for victims to report rape immediately after rape occurs, although within 48 hours the interventions mentioned above would still possibly work;*
- *There is a real need to strengthen efforts at increasing awareness on what cultural practices constitute harmful cultural practices and reducing the continued practice of such harmful cultural practices;*
- *There needs to be a shift in societal reasoning so that victims are never blamed for being raped and perpetrators never excused for committing rape.*

## Appendix 1

### Questionnaire on sexual violence

<b>Name of interviewer</b>							
<b>Date</b>							
<b>Name</b>							
<b>Age</b>							
<b>Marital Status</b>		<b>Single</b>	<b>Married</b>	<b>Separated</b>	<b>Divorced</b>	<b>Widowed</b>	
<b>Sex</b>		<b>Male</b>		<b>Female</b>			
<b>Level of Education</b>		<b>None</b>	<b>Primary</b>	<b>Secondary</b>	<b>Tertiary</b>		
<b>Profession/Occupation</b>							
<b>District</b>							
<b>Province</b>							
<b>1. Perceptions of sexual violence</b>							
1.1	<b>What does rape mean to you?</b>						
1.2	<b>If a woman is raped whose fault is it likely to be?</b>						

		YES	NO	DON'T KNOW
1.3	If a woman dresses in a particular manner (e.g. dressing in revealing clothes) does that make her susceptible to rape?			
1.4	Is it a crime to rape a commercial sexual worker?			
1.5	Do you think women have a right to negotiate for sex or refuse sex?			
1.6	Do you think women can exercise their right to negotiate for sex?			
1.7	Can a man be raped by a woman or another man?			
1.8	Can a married woman be raped by her husband?			
1.9	Should a married woman remain with her husband after he has been convicted of rape?			
1.10	Should a married man remain with his wife after she has been raped?			
<b>2. Child Rape</b>				
		YES	NO	DON'T KNOW
2.1	If a child is raped is it likely to be their fault?			
2.2.	Would your response be different if the child was a teenager?			
2.3.	Should you report to the police if a girl is impregnated and/or married before she is 16?			

2.4.	Can a boy be raped by a woman or a man?			
<b>3. Awareness</b>				
Where is the first place that someone should go to once they are raped?	POLICE	MEDICAL FACILITY	OTHER	
Do you know the time frame within which you are supposed to report the rape?	Immediately	24 hours	48 hours	72 hours
3.3	Can a pregnancy be prevented after a rape?	YES	NO	DON'T KNOW
	If so, how			
3.4	Can HIV be prevented after a rape?	YES	NO	DON'T KNOW
	If so, how?			
3.5	What are the laws in Zimbabwe on rape?			
3.6	Are there any harmful practices that make women susceptible to rape?	YES	NO	DON'T KNOW

	<b>If so, what are they?</b>
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<b>4. Experiences with sexual violence</b>					
<b>4.1</b>	<b>Have you ever been raped?</b>	YES		NO	
<b>4.2</b>	<b>Who raped you?</b>	<b>FAMILY MEMBER</b>	<b>NEIGHBOUR</b>	<b>STRANGER</b>	<b>OTHER (SPECIFY)</b>
<b>4.3</b>	<b>Did you report the rape to the police?</b>	YES		NO	
<b>4.4</b>	<b>What was your family/friends' reaction to the rape?</b>				
<b>4.5</b>	<b>Did you receive medical attention?</b>	YES		NO	
<b>4.6</b>	<b>Did you receive psycho-social support?</b>	YES		NO	
<b>4.7</b>	<b>What was your first point of seeking help?</b>	<b>FAMILY</b>	<b>POLICE</b>	<b>MEDICAL FACILITY</b>	<b>OTHER</b>

4.8	<b>What else do you think would have helped you to come to terms with the rape?</b>				