



COUNCIL
FOR THE ADVANCEMENT OF THE
SOUTH AFRICAN
CONSTITUTION

MEDIA STATEMENT

10 February 2013

CASAC statement on death of Anene Booysen

CASAC expresses its deepest condolences to the family of Anene Booysen and the Community of Bredasdorp.

As a nation, we reel with anger and shock at this gang rape, mutilation and murder. This reminds us yet again of the continued presence of rape and other forms of sexual violence in our country. Booysen's death comes less than a year after reports of a teenager who suffers from mental disability was repeatedly gang raped in her community in Braamfischerville.

The year 2013 has hardly started and South Africa when we heard of the rape of a student of Tshwane University of Technology inside the premises of that institution as she and her friends tried to secure a place in the admission line early in the morning. The university authorities and the political principals of higher learning did not find it necessary to make any comment on this incident.

The tragic death of Booysen took place a few days after reports surfaced of a 13 year old from Limpopo who was married off to a healer. Her parents, it appears, accepted R5.000 as lobolo for the young girl who is said to suffer from epilepsy.

CASAC is heartened to see the outpour of grief and solidarity of South Africans from all walks of life after the Booysen outrage. We are also encouraged to see the police have moved swiftly in their investigation which has seen three suspects arrested for their alleged involvement in the rape, mutilation and murder of Booysen. We have also noted their swift action in the case of the 13 year old in Limpopo.

Nomboniso Gasa said:

"The high prevalence of rape and other forms of sexual violence raise fundamental questions about the Criminal Justice System in South Africa. There are hard and urgent questions that must be answered. Firstly, we must ask why, do we have such low levels of arrest and

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conviction of those responsible for these crimes? Why does it take so long for these cases to be resolved to an extent that in many instances, witnesses who were initially willing to come forward can no longer be found? Why is the criminal justice system failing South African children and women? What signals are being sent to rapists and others who molest children and women, if the conviction rates are so low? Does this not in fact, undermine the constitutional right that every citizen has to life and to live without fear? “

This is a time to mourn the loss of Anene Booysen and many other victims of sexual violence and abuse, who have remained nameless and whose experiences have been unreported. It is also a time to express alarm over the increasing brutality of the already violent crime of rape in South Africa. Anene Booyens mutilation confirms once again, that rape is not a crime of sex but a crime which uses sexual violence to exert power and subjugate another.

This multiple violation lays bare the centrality of violence in the lives of South African people. To address this pandemic, we must ask questions about the very foundations upon which South African society is built. Why are our levels of rape and other forms of abuse of girls, boys, children, women (including elderly women) so high? We ask: “What is it about South African society which promotes this culture of abuse?” Considering the alarmingly high levels of rape, to what extent is it a central focus of South African government? What support is given to NGOs and other structures who work for the creation of a supportive environment for those who have experienced violence and abuse? How much does our society invest in promoting the safety of children and women?

What drives men to commit these unspeakable crimes? How do the leaders of this society, including those in government, faith communities and others, play in ensuring that the values of human dignity and the rights of all persons are respected? Is it possible that the leaders of this society have not spoken with sufficient strength and frequency about sexual violence as a crime that is prevalent in our society?

South Africa needs to examine the multiple factors that are at play that may promote sexual violence and abuse in our society. These include the failure of the Justice System and the silence and denial of the crisis that is central in the lives of many South Africans.

Long after this young woman has been buried and the accused have been brought to trial, South Africa will need to confront its culture of violence. As a country, we need to examine the forms of abuse and violence, including indirect violence and see how all these feed into the culture of impunity. We need to look closely at the way in which victims and survivors are treated; the secondary and multiple forms of victimization that endure when those violated seek recourse in the criminal justice system. Each of these factors, need to be addressed with greater urgency than we have seen until now.

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The Chairperson of CASAC, Dr. Siphon Pityana, said:

“South Africa, send a clear message to rapists that South Africans deplore their acts of violence. The culture of sexual violence which is deeply embedded in our society requires a structural intervention that makes the freedoms enshrined in our constitution a reality for all us. We will monitor progress in this and other cases.”

CASAC will join the community of Bredasdorp and South Africans from all over in the march & say loud and clearly **“enough is enough”**.

For further comment:

Nomboniso Gasa

/083 451 9321