

Trans-hate at the core of gender based violence?

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Gender DynamiX is a human rights organisation, the only in South Africa focussing its work on the transgender, transsexual and gender non-conforming sector. The organisation was originally founded to work on a referring database system, collecting and archiving information from and about transgender people by transgender people to disseminate useful information (on request to other transgender people). Stealth living is in many trans¹ people in South Africa's viewpoint the ultimate goal, hence the lack of information and silence around the prevalence and visibility of transgender role models. What was initially seen as the goal of Gender DynamiX was quickly exceeded and we were contacted by trans people from all areas in the country, indicating a much greater need than collecting and disseminating information. Soon after its inception Gender DynamiX initiated workshops, seminars, participated in the larger LGBTI sector in activ-

1. I use the word trans freely in my writing, indicating and respecting trans includes transgender, transsexual, transvestite and gender non-conforming.

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She was selected by the [African Regional Sexuality Resource Centre \(ARSRC\)](#) based in Lagos, Nigeria for the 4th annual [Sexuality Leadership Development Fellowship](#) in July 2007, which included post-fellowship research. Her chosen research topic, *[Un]accessible shelters for LGT people in Cape Town* was, completed in December 2007 and was accepted by the Resource Centre for publication later this year (2009).

ism and contributed to the local and regional 'pool of knowledge' about transgender, transsexual and gender non-conforming information. Most importantly Gender DynamiX hosts a very informative website which serves in many trans people's lives as the first touch point to obtain information about medical and legal procedures.

South Africa is internationally acclaimed for its progressive constitution when it enshrined sexual orientation in it's' constitution in 1996. Many other important rights were celebrated for gay and lesbian people such as same-sex adoption rights and joint beneficiary on medical schemes and policies. South Africa became the fifth country in the world to celebrate same-sex marriages.

All these liberal and progressive rights are acknowledged amidst an undertone of extreme violence against women, minority groups and LGBTI² people. One in three South African women can expect to be raped in her lifetime - at least once. (Moffett, 2009) In documents and research reports one reads that a woman in South Africa is raped every 20 seconds. Vanessa Ludwig opened her keynote address at a fundraiser event (in aid to the End Hate³ campaign) in March 2008 with a very dramatic but high impact message. She stood in front of the microphone in silence for a few minutes, with a spotlight on her and a djembe⁴ drum

2. Most LGB(TI) organisations in South Africa claim they are LGBTI organisations, serving lesbian, gay, bisexual, transgender and intersex people and their needs. According to Gender DynamiX a very small number of those organisations cater adequately (or at all) for trans and intersex people to the level of information and services they need.

3. The End Hate campaign focuses on hate crimes against LGBTI people

4. African drum.

beating every 20 seconds. After working up to a point where one started to feel very uncomfortable, her first words to the audience were: 'Each time you hear the drum, another woman is being raped' and challenged the audience to shift their discomfort to anger.

We hear these shocking and powerful speeches, according to the numerous research reports from credible organisations such as the Medical Research Council, the Human Sciences Research Council and many more (Moffett, 2009) echoing the same astounding statistics.

In post apartheid South Africa with its freedom of speech more powerful presentations, NGO's mobilizing constituencies, ongoing workshops and awareness raising, campaigns such as the *One-in-Nine*, the *Rose has Thorns Campaign*, *Take the Night Back*, *16 Days of Activism*, *070707 Campaign* and many more events encourage women to 'come out'⁵. This has led to building a momentum where women initially courageously told their stories. Kwezi⁶, a HIV activist, felt no different in laying charges when she was raped. She exercised her (well informed) constitutional right. The justice she was hoping for turned on her. The system failed her dismally as she was silenced and, for her own safety, she now lives outside South Africa in exile. She does not feel safe in her own democratic country with all its newly gained freedom anymore. Was it because she challenged in court the same Jacob Zuma, who is now our President? The situation Kwezi finds herself in illuminates the 'victim who became victimized' discourse. As Moffett states: 'The 2006 rape trial of Jacob Zuma⁷... provided a clear demonstration of the shortfall between the rights women are guaranteed under the 1996 Constitution and the cultural, political, judicial and social backlash women risk should they lay claim to these rights'.

Illuminated above are clearly contradictions to the rights women are able to exercise and claim in South Africa against the rights written in the constitution. LGBTI people experience similar contradictions be-

5. 'Coming out' regarding HIV status, rape or being lesbian.

6. Her pseudonym throughout the rape trial and since, to protect her identity

7. Since the rape trial in 2006 Jacob Zuma was voted in to become South Africa's 3rd president since Democracy, April 2009.

tween written law and experienced life. Trans people find themselves even more on the fringe, rejected to a very isolated space on the far side of the boundaries of society where they are many times rejected from 'mainstream' society, yet not included in LGBTI groups or settings. Similar to how many lesbian and gay people's lived experience is in contradiction with our constitution, trans people find themselves in a liminal space where they are not included in heterosexual or homosexual spaces, and prejudiced against – yet our constitution makes provision for everyone in the *Rainbow Nation*.

On the evening of 2 June 2008 Daisy Dube, who proudly self identified as a drag queen was shot and died on the scene. A close friend, who was out the evening with Daisy confirmed the motivation for the killing was their gender identity and that they were not willing to subject themselves to ridicule. The shooting resulted after Daisy and her three friends challenged three homophobic men to refrain from calling them 'isitabane'⁸.

Not all hate crimes and gender based violence against transgender people results in murder. Not all hate crimes and gender based violence against transgender people in South Africa are reported. Many fear secondary victimisation from the police. A trans woman who was raped by a gang of six guys said she could not report the case at the police due to her fear of the police and the terrible things she heard about the police. Not only is police response humiliating, it is also extremely traumatic (Reid and Dirsuweit, 2009).

Another trans woman was in a house where the police performed a random drug raid, in July 2008. All the house mates were taken to the police station and upon being discovered as transsexual she was kept in the holding cells much longer than the others. She was 'body searched' by just about every police officer in the station and she also mentioned assault. She was never found guilty of drugs nor was any charge made against her. In 2007 an intersex woman was taken into a police station for a traffic offence. She was being body searched by every police officer in the station, assaulted and ended up with bruises. She reported the incident to Gender DynamiX; she did not want to lay a charge, neither wanted counselling as she said she just

8. Originally from the isiZulu term 'isitabane' which means hermaphrodite and is usually used in a derogatory way to refer to LGBT people in townships.

want to block out the ordeal.

Trans people also suffer abuse and violence at the hand of family members, due to their trans identity. One trans woman related how her dad and other male family members raped and assaulted her repeatedly in her early childhood as result of her 'effeminate behaviour' and called her moffie⁹. She was also forced to perform sexual acts with a dog to 'teach her a lesson'.

One trans woman told of a series of incidents which started four months after her gender reassignment surgery. Her house burnt down one night, while she was asleep inside, she fortunately woke up in time to save her own life, but the house burnt completely to the ground. Two months later her business was petrol-bombed and six months after that she was assaulted with a pick handle by her ex wife's lover. She suspected all these attempts on her life came from them.

25 December 2007 a trans woman reported she wanted to commit suicide as a result of rejection by her community and family. She was severely beaten up by her (then) wife's family members. At that stage doctors feared that she has lost partial eyesight in her right eye due to damage to her face.

Bullying and teasing at school is something many trans people can relate to. In some cases trans people told me teachers would 'join in' ridiculing them for the way they present themselves. One trans woman referred to an incident where a group of boys assaulted her one afternoon after school in the cloak rooms. Incidents like this lead to depression and underperformance. Many trans youth drop out from school at a young age due to intimidation, ridicule and ostracising.

Partners of transgender persons are also subject to transphobic violence and are equally vulnerable, yet are in some cases more invisible. Inasmuch as adequate statistics, information, structures and support for victims of gender based violence are not in existence in South Africa, for lesbian, gay and transgender people, it is even more premature to ask if partners or any SOFFA¹⁰ of transgender people will be recognised

9. Moffie – An Afrikaans derogatory term for a gay male that has been borrowed into South African English. Similar to the English equivalent 'faggot', first used as a derogatory term and now in the process of being reclaimed in certain communities.

10. Significant Other, Family, Friends and Allies.

and supported, or being counted in transphobic violent acts in hate crime statistics (Cook-Daniels, 2007).

Prevalence of gender based violence amongst any community is harmful. Many incidents in our recent past can be described in the words of Antje Schuhmann as 'violent statements of claiming control over women's bodies and their right of expression.' (2009). I want to argue that the violence that gays, lesbians and women in general face are mostly gender based and not sexual orientation based. The transgender community are directly exposed to this threat because of gender non-conformance¹¹ or cross gender behaviour and expression. It is therefore essential to advocate against this evil and to fight for the protection and rights of all citizens and especially so for LGBTI individuals.

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11. Taking for example the woman from Umlazi who was stripped naked and men in the village burned her shack down – because she was wearing trousers. She was not a lesbian. This form of oppression took place because she was not conforming to cultural expected norms.