

Unravelling Taboos

**Gender and Sexuality
in Namibia**

Edited by
Suzanne LaFont and Dianne Hubbard



**Gender Research and Advocacy Project
LEGAL ASSISTANCE CENTRE**

HIVOS

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LEGAL ASSISTANCE CENTRE

Windhoek
NAMIBIA

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“Is African tradition really detrimental to women? Where did people’s ideas about tradition come from? What is meant by tradition?”

– H Becker

“One sex worker in Katima Mulilo says that ... she will have sex without a condom after negotiating a higher price. It is chilling to think that clients are willing to pay more for unprotected sex – in essence, they are paying more to get HIV.”

– D LeBeau

“The pastor said, ‘You know as you are sitting here that there are women who have relationships with married men; some of you have even stolen money from your madams ... but you sit here with the difficulty that lesbians have relationships with each other ... but those people have been created by God ...’”

– E IKhaxas

“A male community worker explained, ‘Children who have been sexually molested are treated like people with leprosy. They suffer stigma. They are isolated in the community as if they are guilty.’”

– R Jewkes, H Rose-Junius, L Penn-Kekana

“A similarity between Afrikaner and Owambo men was the consistent use of the analogy “men are hunters”. They use this analogy as a way of expressing their sexual desires, sexual pursuits, and sexual conquests.”

– S Wise

“People from the earlier era were in some ways more enlightened than people today. Most children had involved themselves in sexual games that were played before puberty and, hence, could not lead to pregnancy. These games were a safe way to discover sex and parents would often cast a blind eye on them.”

– P Talavera

Chapter 1

An Overview of Gender and Sexuality in Namibia

Suzanne LaFont

Introduction

“Man Marries Two Sisters: I can handle both – Hubby” read a recent storyline in the *New Era*. The groom went on to say, “Everybody wants more than one car, house or cattle so why can I not desire more than one wife? ... It is my democratic right to have more than one wife and if the government respects human rights, it should not object to my marriage” (Tjiuma Kamberipa, quoted in *New Era*, 8 January 2007). Such sensationalistic news reporting and the subsequent quote from the groom highlight some of the issues relating to the concepts of gender equality, sexual rights, democracy and human rights in Namibia. This volume seeks to unravel the misconceptions, stereotypes and taboos surrounding these ideas and offers suggestions for ways to move forward.

The advent of Namibian independence in 1990 created the opportunity for vast political, economic and social changes. Liberation offered the hope for the realisation of other forms of freedom, such as the restructuring of gender roles and sexual liberation. In many ways the new Constitution and legal reform have reflected this atmosphere of equality and the expansion of personal liberty. However, independence has also fostered nationalism which in turn has fostered a self-consciousness about national identity and morality. The struggle for post-colonial national identity has sometimes involved the rejection of things foreign, including perceived immoral sexual attitudes and practices. At the same time, a reverence for ‘traditions’, including those that deny gender equality and sexual self-determination, is defended under the auspices of nationalism.¹

Human rights discourse is often at odds with the ‘new’ Namibian national identity and morality. There is a desire, especially among the young, to be modern, politically correct and Namibian, and at times it has not been easy to reconcile these sometimes contradictory notions in terms of national identity and statehood. The idea that human rights include gender equality and sexual rights conflicts with some perceptions of Namibian ‘traditional’ values. On one hand, with some issues such as gay rights, perceived Namibian-ness has been given preference over human rights. On the other hand, adultery and out-of-wedlock births enjoy a high level of social and political tolerance even though they are not Namibian ‘traditions’.

As the chapters in this volume reveal, women’s rights, gender roles and sexual rights have been debated and contested. Post-colonial debates on issues related to gender and sexuality have been extensive, with topics ranging from HIV/AIDS to polygyny. The HIV/AIDS pandemic has brought issues related to gender and sexuality out of the closet, while at the same time, former President Sam Nujoma’s infamous homophobic remarks have ensured that many gays and lesbians stay in the closet (or out of the country).

This chapter will introduce the other chapters in this volume, beginning with a brief description of pre-independence gender and sexuality, followed by a discussion of the dynamics of gender and sexuality in Namibia today.

History: Colonialism, Christianity and culture

The three major dynamics which shaped pre-independence gender and sexuality were colonisation, Christianity and the various local ideologies. Despite the hegemonic force of colonialism and the introduction of Christianity, local gender and sexual ideologies have evolved and survived. It is, however, impossible to discuss gender and sexual ideologies of ‘a’ national culture in Namibia due to the differences in beliefs among the diverse ethnic groups. Cross-cultural comparisons are also difficult because data about gender and sexuality were not collected in any systematic way during the pre-independence era. Despite these disclaimers, the findings of recent research shed light on past and current gender and sexual beliefs and behaviour.

In the chapter entitled “Past and Present Practices: Sexual Development in Namibia”, Philippe Talavera presents data from interviews about gender and sexuality with three generations of people in northern Namibia. He sought out elders and asked them about the sexual mores, attitudes and practices that were accepted when they were young. Talavera notes that sexuality was a rather taboo subject and, in general, parents did not discuss sex with their children. For example, in some cultures girls did not learn

about menstruation until it occurred, and boys knew nothing of wet dreams until they had them. If young people were told about sex, it was often put in a negative context – penises bite and premarital sex is lethal.

There were some ‘traditional’ sexual childhood games which are detailed by Talavera in the chapter entitled “The Myth of the Asexual Child in Namibia”. He found that some of Namibia’s ethnic groups allowed children to explore their sexuality with little adult interference. Talavera reports that childhood sexual games existed among the Himba, Herero, San, Kavango and Caprivians.² However, once young people reached puberty, sexual experimentation which could lead to pregnancy, was strictly forbidden.

Talavera also found that some ethnic groups prepared young people for marriage with initiation rites that included basic information about sex. He reports that gender roles during the ‘elders’ era’ were patriarchal. Marriages were arranged and girls were often married at a young age, usually shortly after their first menses. Therefore, it was not uncommon for husbands to be significantly older than their wives. Men, as heads of the household, were entitled to make decisions about the couple’s sexual and reproductive lives. Wives were not allowed to reject their husbands’ sexual advances; refusal was seen as justification for a beating. Husbands were formally and informally allowed to have multiple partners, while wives were expected to be monogamous.

Several authors note the changes resulting from the introduction of Christianity brought by British (1806), German (1842) and Finnish (1870) missionaries. The long-term effects of Christianity cannot be overstated, and conservative Christian morality continues to impact beliefs and practices about gender and sexuality. Christian doctrine from this period was patriarchal and puritanical and held a primitive view of African gender roles and sexuality. Many Christian missionaries in Namibia, as elsewhere, believed that African sexuality needed to be contained (Becker 2003). In order to accomplish this, a new moral order was promoted. The church discouraged ‘traditional’ practices and beliefs, and reinforced the existing silence on gender and sexuality.

In the chapter entitled “The Interrelationship of *Ohango* Ritual, Gender and Youth Status among the Owambo of North-Central Namibia”, Sayumi Yamakawa details how missionaries were influential in promoting female chastity, transforming or eliminating rituals related to initiations, and eroding women’s power. She describes the impact that missionaries had on transformation of *ohango*, which was once a female initiation ceremony. In the past, once a young woman participated in the *ohango*, she was considered ‘married’ and her child were ‘legitimate’. *Ohango* now refers to individual wedding ceremonies which have become elaborate, expensive affairs. This reduces marriage rates, increases the prevalence of ‘out-of-wedlock’ births and affects gender relations.

It is impossible to overemphasise the impact of colonialism on Namibia in general, and on Namibian gender and sexual relations specifically. Heike Becker, in the chapter entitled, “Making Tradition: A Historical Perspective on Gender in Namibia”, suggests that class, not gender, was the defining feature of power in pre-colonial Namibia and that many women held high positions. She reveals how ‘tradition’, gender and the State have interacted at different points in history and raises questions concerning current beliefs about Namibian ‘traditions’. Becker notes that the colonial administration refused to recognise women leaders and manipulated customary laws to suit their needs. Colonial officials promoted Western patriarchy, which reconfigured power within gender relations. Becker points out that the alliances of colonial administrators and male ‘traditional’ elites contributed to the idea of ancient ‘traditions’ within which men were defined as the exclusive holders of authority in the family, the community and the State. Under colonial law women were classified as minors; they could neither vote nor own land, and they needed their husbands’ permission to enter into legal contracts.

Legal issues: Gender equality and law reform

Dianne Hubbard, in the chapter entitled “Gender and Sexuality: The Law Reform Landscape”, analyses post-independence legal reforms and surveys the discourse on gender and sexuality relating to existing and proposed reforms. She points out that legal reform has not necessarily translated into attitudinal and behavioural changes. For example, the Married Persons Equality Act 1 of 1996 granted women equal legal status in their household, yet most women do not seem to enjoy equality within the family in practice; and while the Combating of Rape Act 8 of 2000 outlaws rape within marriage, most men still believe that their wives are obliged to provide them with sex.

Despite these reforms, many of the laws inherited from the white South African government concerning family and ‘morality’ are still in effect in Namibia today.³ Abortion, sex work and gay sex are criminalised under the old laws and the new government, claiming a moral high ground, seems determined to keep these actions and behaviours illegal. For instance, the move to repeal the Abortion and Sterilization Act of 1975 was unsuccessful. This Act criminalises abortion except under very strict circumstances and when government permission has been obtained. However, obtaining permission to have an abortion is a complicated process which can take a long time – sometimes so long that abortion is no longer an option. Recently it took two months, with the help of Legal Assistance Centre, for a 16-year-old rape victim to gain permission for an abortion.

Economic inequality has led to differences in terms of reproductive rights between the rich and the poor. Wealthy women seeking abortions can go to South Africa and receive a safe, legal abortion, while poor women who cannot afford to travel often have illegal abortions. Deaths due to unsafe, illegal abortions are thought to contribute to Namibia's high maternal mortality rates (abortion related deaths are counted as maternal mortality deaths). A draft Abortion and Sterilization Bill was supposed to be debated in 1996, but after three years of no progress the Bill was put on ice due to pressure from church and pro-life groups. However, Hubbard notes that in 2006, the Ministry of Gender Equality and Child Welfare recommended that the abortion issue should be put back on Cabinet's agenda.

In the chapter "Ideas about Equality: Gender, Sexuality and the Law", Hubbard examines how the Namibian government has responded to concepts of gender equality. She notes that although significant legal reform has taken place, debates surrounding such reforms have been fierce as male (and sometimes female) politicians resist what they perceive to be an erosion of 'traditional' male privilege. Hubbard exposes the fact that public opinion and ideas of 'tradition' have clouded the issue of gender equality. On one hand, public opinion has been used to justify inequality, such as with the issue of gay rights (discussed in detail later in this chapter), and on the other hand, the concept of gender neutrality has been upheld even when it contradicts social realities, as seen in the debates surrounding the Children's Status Act 6 of 2006. Hubbard's chapters underscore the importance of the efforts of the Legal Assistance Centre and other NGOs who fight for legal justice based on principles of human rights rather than public opinion.

Youth, gender and sexuality today

"If you are a virgin, you belong to the Stone Age and in order to fit in you must have had that sexual experience." (Zelda Beyers, age 17, quoted in Mongudhi 2004)

Despite the 'modern' ring to the above quote, several authors in this volume point out that young people in Namibia face a conservative government, churches and parents. Panduleni Hailonga-van Dijk, in her chapter entitled "Adolescent Sexuality: Negotiating between Tradition and Modernity", explores how young Namibians, especially those in urban areas, are caught between the new and the old morality. They are exposed to and must reconcile the in-your-face sexuality from the West, with public health campaigns which focus on the dangers of sex and the conservative messages from the church and government. On one hand, there seems to be a reconfiguring of sexual morality

due to desire by the young to be 'modern' On the other hand, their parents and the elders emphasise constraint and the importance of 'tradition'.

Many young Namibians are sexually active and it is believed that, increasingly, their sexual experiences are with older partners. Two forms of exceptionally unequal relationships have received a lot of attention in recent years: sugar daddy/mommy relationships and the sexual relationships between teachers and learners. The heightened consumerism which accompanied independence is seen as responsible for the sugar daddy/mommy phenomena. It is taken for granted that most of these intergenerational relationships involve young girls and older men, although it is also acknowledged that some young men have sugar mommies. Young girls and boys are supposedly seeking the three Cs: cash, cars and cell phones. On a more modest level, it is believed that they are also involved in these relationships to help support their families and pay their school fees. These liaisons raise moral issues relating to the sexual exploitation of young people by older men and women and the fact that most sugar daddies/mommies are presumed to be married. They are also blamed for increasing the transmission of HIV/AIDS because the inequality between the partners makes it difficult for young people to negotiate safe sex (Potkins 2005).

With regard to the sexual relationships between learners and teachers, while speaking at a workshop in 2001, Basic Education Deputy Minister Clara Bohitile said, "The silence and denial surrounding sexual abuse of learners is deafening" (Inambao 2002). She was referring to the fact that although these relationships are a well-known phenomenon, teachers who impregnate their students are not usually disciplined. In contrast, girls who become pregnant must leave school for a full year. According to statistics published by Ministry of Basic Education and Culture, in 2000, around 10 000 female students dropped out of school for various reasons, including pregnancy (Hamata 2001). Although *The Namibian* (20 August 2003) reported that between 1995 and 2002, 114 male teachers had been expelled for impregnating schoolgirls, this seems to be the exception rather than the rule. Of course, these dismissals involve only the cases that resulted in pregnancy and complaints were made. It can be safely assumed that many teacher/learner relationships are never discovered, do not result in pregnancy, or are settled informally with the girl's family because the teacher promises to support the girl and the child.

Although these relationships have been discussed and mentioned in newspaper articles and development reports, there has been no qualitative or quantitative research to determine the prevalence of or the dynamics involved in such relationships. Information, however, can be inferred from other sources. For example, it is believed that higher HIV prevalence rates among 15- to 19-year-old girls is due to intergenerational sexual relations. Boys in their own age group have much lower prevalence than older men (Edmondson 2004).

Mónica Ruiz-Casares in her chapter “*How did I become the parent?*”: Gendered Responses to New Responsibilities among Namibian Child-Headed Households” discusses the fact that Namibia is home to an increasing proportion of orphans who are growing to be adults in a context of significant social, economic and political change. Urbanisation, poverty, HIV/AIDS, migration and new residential patterns have caused an increase in child-headed households. New responsibilities place children in decision-making positions previously occupied by adults and men. Consequently, the traditional gendered division of chores and decision-making are challenging existing understandings of childhood and the rules governing family relations. The positive outcome is that this situation allows for children to reconfigure gender roles. It also forces them to mature quickly and take on adult responsibilities, thus increasing their survival skills. The downside is that child-headed households are vulnerable to economic exploitation and physical and sexual abuse. It is young girls who most often care for sick and dying relatives, and who are also more likely to engage in sexual transactions (implicit and explicit) in order to earn money to support themselves and their families.

The chapter “The Social Context of Child Rape in Namibia” by Rachel Jewkes, Hetty Rose-Junius and Loveday Penn-Kekana looks at child sexual abuse and rape through a gendered lens. Their research addresses recent concerns about the high prevalence of child rape in Namibia. The authors discuss the social context that provides space for, without actually legitimating, these acts. They argue that children are vulnerable because of cultural beliefs which create the ideological opportunities for child rape. The high status of men and pronounced age hierarchies leads to vulnerability by reducing girls’ ability to refuse sexual advances and fostering male control of women and children. Although their data reveal that communities claim to abhor child rape, perpetrators are not always condemned and are often protected, while their victims are sometimes blamed. They conclude that responses to child rape are highly inadequate and that advances in gender equity are crucial to positive change.

Family, gender and fertility

In Namibia many women shoulder the financial responsibility of their children, although, their annual income is, on average, 50 percent less than what men earn (Iipinge et al 2005). Thirty-nine percent of urban and 44 percent of rural households are headed by women. Female-headed households tend to be the poorest of the poor because they are dependent on one income and because childcare conflicts with income producing activities. Single mothers are often compelled to work in the informal sector

or take low-paying, dead-end, insecure employment, such as the production of handicrafts and domestic work.⁴

Securing child maintenance payments is notoriously difficult – men deny paternity, many men migrate and connections are lost, and it is difficult to determine a man's income if he works in agriculture or the informal economy. In addition to these problems, the magistrates' courts are understaffed and are often located far from rural areas. Even if a mother is able to obtain a court order for maintenance, the average payment per child per month was N\$76 the last time it was calculated.⁵

Despite economic hardships, children are highly valued. Martina Gockel-Frank in her chapter "The Gift from God: Reproductive Decisions and Conflicts of Women in Modern Namibia" presents findings from her ethnographic research in Khorixas. She found that several factors, including religious beliefs, traditions, gender roles and relations, knowledge about contraception and HIV/AIDS influence reproductive decisions. She explores attitudes towards child-raising, childlessness and the importance of having children, and details how reproductive goals have changed over time. She found that women want to have children, in or out of wedlock, and accept unplanned pregnancy as a fact of life or as her informants put it "the gift from God".

Since independence there has been an increase in unwed teenage pregnancies.⁶ This is attributed to the breakdown of 'traditional' sexual mores which forbid premarital sex. It has been reported that in urban areas, some young men insist that their girlfriends prove their fertility by having a baby before they marry. Too often, the young woman finds herself abandoned after the baby is born. When the woman forms a new relationship, she is expected to have another child with her new partner and so on and so on, only to be deserted by father after father. Her financial responsibilities grow with the number of children she bears, yet her ability to find employment and remain employed decreases due to increased child care responsibilities.

Julia Pauli in her chapter "We all have our own father!" *Reproduction, Marriage and Gender in Rural Northwest Namibia* also describes changing reproductive, sexual and marital patterns. Based on long-term field research, she found most births in Fransfontein were out-of-wedlock and that, on average, women have children with three partners. Her analysis reveals noticeable differences between women of different ages and economic status. Whereas older women were most likely to marry and have children with few partners, younger women have many more reproductive partners. This phenomenon has created a new pattern of sexual relations and partnerships.

Gender, sexuality and HIV/AIDS

The HIV/AIDS pandemic has prompted a discourse that would never have occurred prior to the disease. It has forced dialogues about gender and sexuality in a country where sex was a taboo subject and patriarchy was unquestioned. And although it remains taboo for some, and though much of the HIV/AIDS discourse is about the negative consequences of unprotected sex and/or the importance of abstinence, it has put the topic on the table. The response to the HIV/AIDS pandemic has created a space for further and more in-depth public discussions about gender and sexuality and prompted the development of sexual education programmes, although their implementation still seems to be a problem.

Many authors throughout the volume discuss various customs practiced by ethnic groups in Namibia which negatively impact women's sexual autonomy and, hence, make them vulnerable to HIV/AIDS. One such custom is *lobola*, the local word for bride price.⁷ In the past, *lobola* was commonly paid in the form of cattle and was an indication that a man had wealth and, hence, would be able to support his wife. It was also a gesture of respect and gratitude to the bride's family for raising his future bride. Today, *lobola* is more often seen as payment for a bride, meaning that the husband and his family have purchased the woman, including her future domestic production and children. This relegates wives to a rather powerless position within the family, promotes sexual and physical abuse, and limits her ability to negotiate safe sex. *Lobola* also creates hardships for men who find it is increasingly difficult to accumulate the necessary wealth to marry. This does not mean, however, that they forgo sex or parenthood; hence it contributes to the number of children being born out of wedlock.

Another cultural practice which increases women's exposure to HIV/AIDS is polygyny. Twelve percent of Namibian women live in polygynous unions; eight percent report having one co-wife and four percent report having two or more co-wives. Polygynous marriage is illegal under civil law but is legal under some customary laws. Today polygyny exposes women to HIV/AIDS because it increases the number of her husband's sexual partners, and there has been a move to outlaw it altogether. If it is outlawed, it would also be the end of levirate, a custom in which the brother of a deceased man 'inherits' his brother's wife. Traditionally, it is based in the idea that women need men's protection and it would be cruel of the family to leave a woman without a husband. Sororate, the custom in which a man marries his wife's sister or sisters, (usually after his wife has died or is proven sterile) is also practiced by of some Namibian's ethnic groups. Today, both of these practices are seen as contributing to the spread of HIV/AIDS among women because it increases the number of their sexual partners (Ovis 2005).

Lucy Steinitz and Diane Ashton, in their chapter entitled “The Face of AIDS is a Woman”, discuss these and other cultural practices that negatively impact women’s sexual autonomy. Steinitz and Ashton reveal that gender inequalities, violence in familial and in sexual relations, and the increase in female-headed households must be taken into consideration when analysing HIV transmission and the long-term impact of HIV/AIDS. They note that women constitute the majority of new HIV cases. Women are especially at risk because their weak social and economic position inhibits them from avoiding sex with an infected partner or demanding condom use. They also detail the biological, social and economic factors which have led to women’s high HIV prevalence rates.

Lucy Edwards in her chapter entitled “HIV/AIDS, Gender and Sexuality: Socio-Cultural Impediments to Women’s Sexual and Reproductive Autonomy” highlights how the feminisation of HIV/AIDS belies the rhetoric of empowerment. Her data confirm that gender inequality, female dependency and patriarchal control over women’s sexuality are key factors in the transmission of HIV. She details how, because of these factors, HIV/AIDS prevention campaigns based on assumptions of rational autonomous free choice have failed. She offers suggestions for policy measures that could transform conditions of gender inequality so that women could exercise autonomous choice about their sexuality.

Concerning commercial sex work, two issues have been at the forefront of public discourse: HIV/AIDS and legal reform. Commercial sex work is not as common as other forms of exchange-sex in Namibia. Existing research has not determined how many women are engaged in commercial sex work, and as with other forms of exchange-sex, there are a lot of grey areas involving situations under which Namibians have sex for money. Debie LeBeau in her chapter entitled “The economics of Sex Work: Implications for Sex Workers’ HIV Risk-taking and Legal Alternatives for Namibia” discusses the social, economic, political and legal aspects of sex work in Namibia. Her data confirm findings from research conducted by the Legal Assistance Centre. Both studies found that most sex workers know about sexual health risks and are aware that condom use lowers their chance of contracting or transmitting HIV. LeBeau’s research also reveals that sex workers who earn more money are able to demand condom use from their clients and/or partners, whereas impoverished sex workers who work in areas where there is high competition for clients are less likely to negotiate safer sex practices. She concludes that in order to mitigate the impact of HIV/AIDS, sex workers need programmes which focus on educating sex workers about their rights and empowering them to assert those rights. Most crucial is legislative reform in the form of decriminalisation, to provide legal protection and to empower sex workers to better negotiate safe sex practices.

By comparing rights and conditions of sex workers in New Zealand with those in Namibia, she makes a convincing argument for legal reform. The Combating of Immoral Practices Act 21 of 1980 which was passed during the colonial era has not been repealed. It criminalises soliciting sex, pandering, and keeping a brothel. The law is sex-specific, mentioning women but not men as those who potentially sell sex. Moves to decriminalise sex work have been met with strong resistance by the government and church organisations (LAC 2002).

Same-sex sexuality

There has been no greater debate regarding gender and sexuality in independent Namibia than the one about gay rights. The move to reform sodomy laws and protect the rights of LGBT (lesbian, gay, bisexual and transgender) people has been met with stiff resistance from church organisations and government. The discourse has focused on homosexuality as a foreign evil, un-African and sinful by those who are hostile to the gay rights movement, while supporters argue that inclusion, tolerance and human rights are important to democracy. There are marked differences between Namibia's ethnic groups in terms of the acceptance and tolerance of LGBT lifestyle and rights. In general, the Damara are more open than some of the other cultures, in particular the Owambo.

The Owambo politicians who dominate SWAPO have been at the forefront of gay-hate rhetoric. Verbal attacks have come in waves and the upper echelons of the government began to express their views in 1996 when President Nujoma exclaimed that, "Homosexuals must be condemned and rejected in our society". Such inflammatory statements were not met with silence. Sister Namibia, a feminist NGO (headed at the time by Elizabeth IKhaxas, a Namibian lesbian living openly with her partner), criticised Nujoma and sparked an ongoing war of words.

On 31 January 1997, SWAPO, to show support for their President, issued the following statement:

It should be noted that most of ardent supporters of this perverts [sic] are Europeans who imagine themselves to be the bulwark of civilization and enlightenment ...

... The moral values of our nation, as defended by the President, incorporate the fundamental principles of nature and should not be equated to the vile practices of homosexuals which has a backlash. Homosexuality and sexuality deserves a severe contempt and disdain from the Namibian people and should be uprooted totally as a practice (HRW 2003).

In response to the onslaught of attacks on the rights of LGBT people, The Rainbow Project (trp) was formed in February 1997. It remains the only organisation solely focusing on the rights of LGBT people, although supported by several other NGOs such as Sister Namibia and LAC. The project, run primarily by volunteers, runs workshops, organises lectures, does counselling and media work (Titus 1999). However, the periodic assaults by government officials have been somewhat effective. Ian Swartz, trp's head, explained to me that although the organisation has a large mailing list and some financial support from its members, many gays and lesbian are afraid to come out of the closet.

Despite the formation of trp and the international outcry condemning such blatant homophobia, SWAPO government officials continued to make anti-gay statements and went so far as to threaten to pass new legislation increasing punishments for gay sex (Maletsky 1998). In 1999 Jerry Ekandjo, the Minister of Home Affairs, announced that the police had been ordered "to eliminate all gays and lesbians" in Namibia (Simo 2001).⁸ The following year he claimed that the equality and freedom entrenched in the Namibian Constitution do not apply to homosexuals: "We never had *moffies* in mind when SWAPO drafted the Namibian Constitution 10 years ago" (Hamata 2000).⁹

In March 2001, President Nujoma told university students, "The Republic of Namibia does not allow homosexuality, lesbianism here. Police are ordered to arrest you, and deport you and imprison you too". In response, hundreds of Namibians, including members from 20 civil groups, marched through Windhoek to protest (HRW 2003; Reuters 2001). The verbal attacks by politicians continue – in 2005, on Heroes Day, Deputy Minister of Home Affairs and Immigration, Theopolina Mushelenga, gave a speech blaming gays for the HIV/AIDS pandemic.

From time to time, the political rhetoric has been accompanied by statements made by religious institutions. In 1998 the Christian Ecumenical Fellowship of Gobabis which represents several churches of various denominations submitted a statement formally rejecting gay rights. A portion of it read:

"Not only is homosexuality un-Biblical, it is also in direct opposition to our Namibian culture, indeed all cultures represented in our society. We fail to see why Namibia should be intimidated into accepting it as part of 'democracy'." (*The Namibian* 7 November 1998)

The official religious homophobia, however, did not last, and in 2001, the Council of Churches in Namibia (CCN) released a press statement which

“rejected any form of discrimination based on sexual orientation” (IRIN 2001). The statement, while encouraging, did not end the debate within the church nor was it embraced by all of its members. The church continues to be a powerful institution in Namibia and many Namibians believe that homosexuality is a sin.

Personal testimonies of lesbians interviewed by Elizabeth Khomas are detailed in her chapter entitled “Same-Sex Sexuality among Damara Women”. Their life stories illustrate the power of religious-based homophobia and how some women overcome cultural and religious institutions that challenge their sexual orientation and/or gender identity. Her informants described a variety of experiences in terms of being accepted in and outside of the church. One of her informants recounted:

“The pastor said, ‘You know as you are sitting here that there are women who have relationships with married men; some of you have even stolen money from your madams and came to this conference with it ... but you sit here with the difficulty that lesbians have relationships with each ... but those people have been created by God and must stay together with us who also have been created by God ...’”

Liz Frank, the head of Sister Namibia, reports growing support for the rights of gay and lesbian people in rural areas and the former black townships, the heart of religious Namibia (Rothchild 2000). The idea that many Namibians support gay rights is also evidenced by the numerous editorials appearing in *The Namibian* over the years (eg see *The Namibian* 11 December 1998).

Rob Lorway in his chapter “Breaking a Public Health Silence: HIV risk and male-male sexual practices in the Windhoek Urban Area” analyses how poverty, state-endorsed homophobic rhetoric, and the gay rights movement affect the beliefs of men involved in same-sex sexuality. Drawing upon his ethnographic fieldwork with gay, bisexual, and transgender Namibian youth, Lorway reveals that the sexuality and gender identity of these men is often fluid and defies conventional labels, and that HIV prevention programmes must take into account shifting gender and sexual identity. Lorway argues that the continued criminalisation of consensual sodomy inhibits gay men from seeking treatment for sexually-transmitted infections including HIV/AIDS. A related point is that although politicians have blamed gays for the HIV/AIDS pandemic, most prevention has focused on heterosexual transmission. By focusing on heterosexual transmission, current programmes are failing to reach men who have sex with men. Thus, some Namibian men who have sex with men believe that homosexual sex is safer than heterosexual sex.

Supporters of the gay rights movements believe that they have identified a pattern to the government's moral outrage. They suggest that attacking gay rights is a ploy used to draw attention away from larger problems facing the country and the shortcomings of promised economic prosperity. These tactics thwart efforts to investigate the larger systemic problems facing Namibia, such as persistent poverty and racial and economic inequality.

Power, gender and sexuality

Intimate partner abuse, whether physical violence, sexual misuse, verbal attacks or emotional deprivation, has a negative impact on women. While women in such abusive relationships often experience feelings of powerlessness and helplessness, Rose-Junius' research, presented in the chapter "Emotional Abuse and the Dynamics of Power and Control within Intimate Partner Relationships", shows that that Namibian women are not without inner strengths which sometimes allow them to escape their abusers. Based on literature and her own research, she examines the meaning of power and control in general, and specifically in Namibia.

The perceived increase in sexual violence is often attributed to alcohol and drug abuse. Sexual violence is often dismissed as individual aberrance rather than as a phenomenon produced by socio-economic circumstances which put young people, women or gays at risk. Young women in particular are at risk of sexual violence. According to a WHO study, one-third of Namibian girls who have had sex before the age of 15 report that they were forced and another 38 percent report that they were coerced, while only 30 percent of girls who had sex before the age of 15 report that it was not against their will (MoHSS 2004). Blaming alcohol and drugs for these figures will not help to protect young women. The establishment of the Woman and Child Protection Units has been welcomed; however, they do not concentrate on the prevention of violence. Again, the focus is on individuals rather than on structural systemic problems which produce violence.

In addition to gendered power structures, Namibia is still deeply influenced by the legacy of apartheid. Apartheid affected gender and sexuality by putting into effect laws prohibiting the social and sexual intercourse between whites and people of other "races". The most important pieces of legislation regarding gender and sexuality were the Prohibition of Mixed Marriages Act 55 of 1949, which banned marriage and cohabitation between whites and non-whites, and amendments to the Immorality Amendment Act of 1950 no 21 which went beyond the 1949 legislation and legally forbade sexual relations between whites and non-whites. This Act gave the police the power to spy on people, hunt them down, invade their homes, enter their

bedrooms and confiscate their bed sheets and underwear as evidence; some suspects were forced to undergo physical exams. These insidious methods may have curbed, but did not prevent, interracial intercourse. In South Africa as many as 20 000 people were prosecuted, convicted and jailed under this law until its repeal in 1985 (Iyer 2005).¹⁰ Presumably, this figure represents only the tip of the interracial sexual relations iceberg. Apartheid effectively pushed interracial gender and sexuality underground.

Much of today's interracial sexual activity is based on mutual exploitation and rarely sees the light of day, despite the fact that laws prohibiting sexual apartheid have been repealed. This is primarily due to vast economic inequalities between blacks and whites and the persistence of social separation, with whites and blacks often living, working, and socialising in separate spheres. Although class, rather than race, is becoming more important, the legacy of racial separation is still painfully evident in Windhoek. In areas such as Klein Windhoek and Ludwigsdorf, black domestic workers arrive in the morning to clean houses almost exclusively owned by whites. In the evening, they return to the former black township of Katutura, where white faces are a rarity. It is unusual to see interracial couples in towns and rarer still is to see them accompanied by interracial offspring. White men and women who become openly involved with black men and women are assumed to be foreigners. Most Namibian-German families, despite having lived in Namibia for several generations, are still intermarrying and producing blonde, blue-eyed children.

Sheila Wise's chapter "The Male 'Powersexual': An Exploratory Study of Manhood, Power, and Sexual Behaviour among Afrikaner and Owambo Men in Windhoek" explores elite men's ideas about manhood and power, and male sexual behaviour. Her research targets an understudied male population within the discourse on power and gender. She argues that an indigenous understanding of these concepts is critical if behaviour change is to become a reality.

Her research confirms that racial prejudice still exists among rich Afrikaner men. She found that sexual stereotypes persist alongside the construction of the 'other' in terms of sexual prowess, ability and behaviour. Interestingly, some of Wise's white informants appropriate African identity when describing their own sexual prowess – "You know what they say about African men ...". This is a sexual stereotype usually reserved for black, not white, African males. Most rich Afrikaner men claim to avoid sexual contact with black women; when presented with hypothetical scenarios of having sex with white and black women, some men admitted that they would not use or had not used a condom when having sex with white women, but that they would definitely wear a condom when/if they had sex with black women. This suggests that there is a perception among white Namibian

elites that HIV/AIDS is a 'black disease', a factor that could certainly reinforce racial sexual segregation, increase racial prejudice, and promote unsafe sex between whites.

Conclusion

In Namibia, gender and sexuality have been constructed and reconstructed by complex historical interactions among racial, political, economic, and religious forces. Since independence various sexual rights have been debated and changes have occurred. However, sexual rights have not necessarily expanded; in some areas they have remained the same, and in other areas, sexual liberties have actually contracted. Furthermore, legal reform has not necessarily translated into attitudinal and behavioural change.

The linchpin of the anti-apartheid movement was that apartheid was a violation of human rights, but now that Namibia has gained independence, human rights in terms of sexual rights is not at the forefront of the national agenda. There is a desire to be modern and politically correct, but there is also a desire to be Namibian. In this context, moves to promote a more equal society with regards to the gender and sexuality of women and LGBT people are seen as immoral and/or un-Namibian. Some Namibians view the international pressure to change their views about gender roles and sexuality as a form of post-colonial imperialism. In this, Namibia is not unique but provides an example of the global dialogue that is going on concerning the dynamics of, and conflicts between, human rights, cultural practices, gender equality and sexual rights (Chanock 2000; LaFont in press). Gender equality and sexual rights have not been widely accepted as part of today's human rights. In fact, they constitute one of the most contested arenas of human rights.

The chapters in this volume contain many concrete ideas and informed suggestions for the reformulation of policies and further actions and reforms that could promote behavioural change which would ultimately benefit all Namibians. We hope we have provided some of the basis for understanding that gender and sexuality are intrinsic, rather than marginal, to the future social, economic, and political health of the country.

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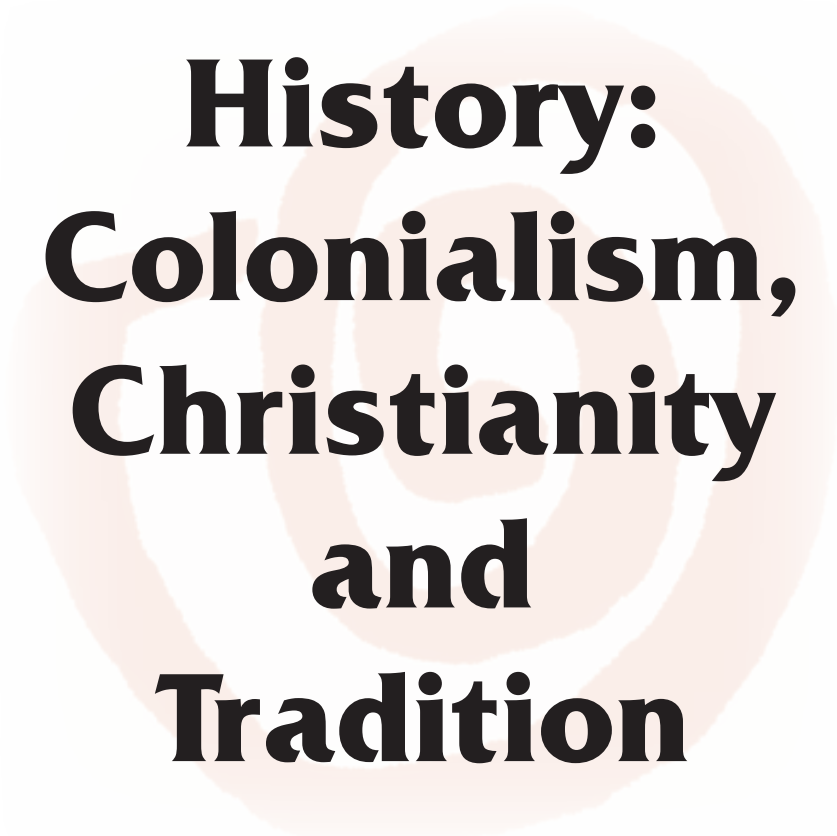
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ENDNOTES

- ¹ Becker, in this volume, questions the entire notion of the concept of 'tradition', arguing that because cultures are continuously evolving, the concept of 'traditions' is elusive. One has to be careful not to present a snapshot of a culture frozen in a time that the 'photographer' deemed to be the 'traditional era'.
- ² The presence of institutionalised childhood sexual exploration has not been studied among the Owambo or Damara>Nama.
- ³ Interestingly, the post-colonial South African government which inherited the same laws as Namibia, has one of the most liberally progressive constitutions which protects the rights of women and LGBT (lesbian, gay, bi-sexual and transgender) people.
- ⁴ Domestic workers in Windhoek earn between N\$50 and N\$80 per day, which works out to less than 10 euros per day, or about 163-261 euros a month.
- ⁵ This figure from ten years ago is the latest information available. There is no reason to believe that payments are much higher today.
- ⁶ 45,4 percent of women have begun childbearing by the time they reach 19 years of age (Ipinge et al 2005).
- ⁷ Bride price was and is still practiced in many cultures in Africa. Specific customs vary (eg bride wealth and bride service) but in all its forms, it involves a transfer of goods and/or services from the groom or his family to the bride or her family.
- ⁸ According to Phil ya Nangoloh, the Executive Director of the National Society for Human Rights in Namibia, the police took no action, yet several people were attacked (Simo 2001).
- ⁹ *Moffie* is a derogatory word used to describe a male homosexual or effeminate man.
- ¹⁰ According to court records, most cases involved European men and African women. Sentences were usually around six months in jail combined with caning (Farrell 2006).



**History:
Colonialism,
Christianity
and
Tradition**

Chapter 2

Making Tradition: A Historical Perspective on Gender in Namibia

Heike Becker

Introduction: A controversial law

On 20 May 1996 former Namibian President Sam Nujoma signed the Married Persons Equality Bill, which then became law as Act 1 of 1996. The Married Persons Equality Act fulfilled one of the main demands of the post-independence Namibian women's movements, as it did away with the husband's automatic 'marital power' and his position as the 'head of the family'. Under Roman Dutch Common Law, these powers were vested in the husband in every civil law marriage in Namibia before the passing of the Act.

The Married Persons Equality Bill caused a highly controversial discussion in Namibian politics and society. Parliamentarians across the party political spectrum, writers of letters to the editors of Namibian newspapers and callers to the country's phone-in radio programmes opposed the proposed reform in the strongest terms. Reservations were also raised by members of the public who attended nation-wide hearings to discuss the new law. The opponents employed 'African tradition' and the Bible for their cause; according to the commands of both African 'tradition' and Christianity, women and men could never be equal, or so their arguments went.¹ It must be noted, that the public opposition was staged exclusively by *male* parliamentarians, writers, callers and discussants.² No women's voices were ever raised publicly against the proposed reform. However, there were also high-ranking male politicians and other Namibian men who publicly expressed support for the proposed legislation.³ In the end, President Nujoma threw his personal weight behind the contested reform which meant that whether they supported it or not, all SWAPO parliamentarians had to vote in favour of the new law. I introduce this

essay with the controversy around the Married Persons Equality Bill because they exemplified contesting perspectives on gender and tradition in Namibian society and politics in the years following Namibian independence in 1990. The supporters of the bill argued that the statute was necessary in order to fulfil the requirements of the Namibian Constitution, ie to eliminate all discrimination on the grounds of sex (Art 10) and ensure equality within marriage (Art 14). Those opposed to the Bill argued that it would contravene God-given gender relations, which in the first place were determined by ancient African tradition. It appeared from the debate that in Namibian society and politics there was a widespread perception that ‘women’s rights’, ie gender equality and African tradition, particularly customary laws and the political-judicial institutions where they are administered, were eternal foes. Interestingly, this view was apparently shared, before and after 1990, between both supporters and opponents of gender equality. As the debate on the Married Persons Equality Bill showed, ‘our tradition’ was being employed to defend a status quo of gender inequality. Opponents of ‘women’s rights’ often maintained that African tradition and gender equality are incompatible. On the other hand, from before independence, the SWAPO Women’s Council had regarded “outdated traditional values” as a major stumbling block for women’s advancement in society (Becker 1995: 160; 170). After independence, SWAPO women politicians continued to single out ‘centuries-old’ traditions, culture, customary law and traditional authority structures as the main cause of women’s oppression (see, eg Ithana 1993: 12-13). This perception of tradition as detrimental to women was by no way confined to SWAPO women leaders. Throughout the 1990s, I heard it on many occasions during my research and informal conversations. Younger women in rural areas, particularly those who had obtained a fairly high level of formal education such as, teachers, pastors, government employees and activists from non-governmental organisations were often suspicious of tradition. Some called for an outright abolition of tradition, and especially customary law and traditional authorities, which they perceived as invariably patriarchal and discriminating against women.

Some thoughts about ‘tradition’

In this essay I investigate why supporters and opponents of gender equality seemed to share the perspective on tradition as allegedly invariably patriarchal, timeless and unchangeable. I address a set of interrelated questions, including: Is African tradition really detrimental to women? Where did people’s ideas about tradition come from? What is meant by tradition? South African anthropologist Mamphela Ramphele notes that “human beings are active agents in history and not just passive, hapless victims of circumstances”. (Ramphele

1990: 7) It follows that people can also change tradition, which is not as timeless, coherent and bounded as often believed. In their seminal work, the historians Eric Hobsbawm and Terence Ranger (1983) have shown how traditions have been, often purposefully, invented through the eclectic 'freezing' of certain precedents. Such invented traditions are marked by fixed norms, in contrast to flexible culture and social practices. It would be simplistic to regard an 'invented tradition' as merely a purposeful tool used by those in power, which has been translated into identity for general consumption. Yet, there is often an instrumentality to it. It may indeed serve to prevent reforms of social institutions, as the example of the married Persons equality debate has shown.

Historical studies of customary laws in Africa have shown the complex and often contradictory negotiation of tradition. In a well-known study of colonial Malawi and Zambia, Martin Chanock (1985) has demonstrated how these processes were characterised by claims and counterclaims. Elders and younger people, men and women, traditional and 'modern' elites and the rural poor have contested what is and should be tradition. That there is much competition over what constitutes tradition is now generally accepted in the academic literature. There are divergent views, however, about how traditions affect gender relations, and particularly about the role women play in the construction of tradition. Older views such as Cutrufelli's (1983: 13; 41) that "all African women are politically and economically dependent", and that in "the traditional society" the social organisation was based on the male control over access to women, have been criticised for their representation of women as invariably passive victims of male dominance (see eg Mohanty 1991: 58-9). Numerous studies have shown that women have been actively involved in the making and remaking of tradition in Africa.⁴ The researchers disagree, however, whether women's agency in the construction of tradition has been working to their benefit or detriment. Some authors have argued that a re-reading of gender relations in precolonial African societies indicates that gender relations were more egalitarian in the precolonial past, and have thus refuted the image of African tradition as oppressive. Marjorie Mbilinyi (1992: 40) agrees that there is evidence to this, but warns against creating a new myth of "a progressive tradition and a backward modernity". This would simply mirror the traditional/modern dichotomous thinking. A different view has been presented by Gisela Geisler (1997) who writes about female initiation in southern and eastern Africa that these rites are a part of 'women's culture', but serve primarily to perpetuate women's subordination to men. She claims, therefore, that African women as the custodians of tradition appear to be agents of their own subordination. On the other hand, the detailed Mozambican, Malawian and Zambian case studies by Signe Arnfred (1988), Pauline Peters (1997) and Kate Crehan (1997) have shown that

women, sometimes due to their age or elite status, have successfully invented, modified, or reinforced specific traditions to their advantage. It thus appears that any generalising analyses of gender and tradition prove to be of little value, but that gender aspects of the making and remaking of tradition need to be considered carefully in specific historical contexts.

A glance at precolonial gender in Namibia

The notion of the highly patriarchal past, which emerged so fiercely during the debate of the Married Persons Equality Bill, may well be inaccurate in several respects. Recent historical-anthropological research indicates that in the Namibian past certain women may have held much more power and influence than one is commonly made to believe today.

Women in many Namibian communities had access to property and were highly-valued as agricultural producers. In the example of Owambo, where the economy was based on a mixed agricultural-pastoral system, the value socially attached to men's products, ie cattle, was high because of its ritual significance. Women, however, contributed the bulk of subsistence through agriculture. They were, thus, visible in the sphere of production, which was integrated with the relations of reproduction. Elements of the matrilineal system, where people are seen as 'belonging' to their mother's family, not their father's, tempered the control a husband could evoke over his wife, or wives, and children. Divorce was frequent and easy to obtain in the absence of any substantial material transfer at marriage. Women played significant roles as healers, as well as in ritual and cultural performances, such as the ritual leaders (*ovapitifi*) of the *efundula* (the female initiation, often referred to as traditional wedding) in Oukwanyama. In Owambo at least, certain women were also actively involved in the transmission of oral history and traditions and enjoyed substantial measures of autonomy in their sexual and economic lives. Women were a minority among traditional rulers, but at least in the Kavango and in Owambo, queens and other female leaders were common. On the other hand, men, particularly male leaders, may not have been necessarily autocratic, 'virile' rulers (Becker 2006).⁵ While definite conclusions on power and gender in the precolonial past cannot be drawn, any generalisation of women's traditionally inferior position is questionable. In the past, gender might not have been even the most important determinant of a woman's or a man's identity or her or his margin of power. Gender was and still is entangled with other categories in most social and cultural situations. In the example of Owambo, those key categories included elite membership, age, or rank among the co-wives in a polygynous marriage. I have even found in my research in Owambo

that, shortly before the advent of colonial rule and Christianity, women of the royal families and other members of the traditional elite, gender as a social category played a rather negligible part, if at all. Belonging to the nobility was far more important for how individuals would see themselves, and the power they could exert, than being a 'woman' or a 'man' (Becker 2005).

Where, then, do contemporary ideas about traditional gender relations originate? Why are patriarchal social and cultural features commonly presented as indigenous ('traditional') in contemporary Namibia, in the face of copious indications that they might well be, first and foremost, the result of Christian cultural modernities and historical changes caused by colonisation? An anthropologist who has conducted research on heritage in Owambo has made an important finding in this respect. Fairweather (2003: 287) writes that many Owambo deploy the notion of tradition to express nostalgia for a time, "when people had proper respect for the church", instead of for a long-vanished pre-Christian time. This is also a valid observation for the dominant postcolonial perspectives on gender and tradition; contemporary values and aspirations are projected upon an imagined past.

The idea of traditional absolute male dominance versus absolute female subordination, thus, appears to be largely caused by the lack of a temporal dimension of both 'gender' and 'tradition'. Contrary to the notion of a fixed tradition, unchanged 'since time immemorial', living culture, including gender relations, is dynamic. Culture changes through internal developments of societies, not only through interactions between internal and external forces. Any image of an ahistoric static precolonial past (= tradition) disowns African societies of their history prior to the appearance of the colonial forces on the continent.

Remaking gender and tradition in colonial Namibia

With respect to the construction of power relations during the colonial period, a historian who has studied social change in northern Namibia has discussed the image of a lopsided 'long conversation' between the colonial rulers, other Western agents, such as the Christian missions and certain more powerful sections of local communities (McKittrick 1995: 80-81). In this section I provide an overview of the changes and continuities, and the part played by colonialism, Christianity and local elites in the reconstruction of gender and tradition during the colonial period.⁶

To begin, indications are that economic, cultural, social and political changes which occurred in the course of long-distance trade relations with

merchants to the Cape in the south and Portuguese Angola to the north of Namibia were detrimental to the power of women in politics and society even before the advent of formal colonisation. Exactly how these changes were suffused with gender assumptions is still open to speculation. However, there can be no doubt that the processes of militarisation and centralisation of authority and power, particularly among the Owambo in northern Namibia and the Nama/Oorlam communities in the south, resulted in new ideas and practices of femininities and masculinities. For instance, by the eve of colonisation in the late 19th century, most Owambo societies had developed militaristic and violent forms of masculinity which McKittrick (1999: 7) has described as “a gun culture linked to male power”. Women, on the other hand, almost everywhere were fast disappearing from positions of authority.

In a perception of ‘native’ policy as ‘male’, there was no room for powerful women. This extended to the administration’s dealings with traditional authorities. In 1941, for example, Kanuni, the female chief of the Kwangali in north-eastern Namibia was deposed by the Native Commissioner for Kavango and replaced by her brother Sivute. Her brother had launched false reports to the colonial administration suggesting that the people would prefer a male chief (Kampungu 1965: 371-373). The Native Commissioner for the Kavango, Harold Eedes, was only too ready to follow these suggestions since a woman ruling over men did not fit into his white-male early-to-mid 20th century perceptions of ‘male’ and ‘female’. According to the western gender ideology of Eedes’ time, women were presumably ‘weak’ and hence unable to exert the amount of pressure which the colonial administration expected a chief to put in order to maintain law and order.

Where the appointment of ‘native’ authorities was directly subject to decisions by the administration, ie in the “police zone” of southern and central Namibia, the colonial policy was even more blunt. The *Native Reserve Trust Fund Proclamation 9 of 1924* stipulated that the – not more than six – ‘native’ members representing the population of a “native reserve” had to be adult males elected by an all-male franchise.

The colonial officials argued that the exclusion of women from institutions of “legitimate native representation” was based on the colonial officials’ own interpretation of tradition and customs. On one occasion during the 1930s when Herero women at the Waterberg Reserve dared to make their grievances heard, an employee of the Assistant Native Commissioner’s office asserted that, had the old customs of the ‘natives’ still been in full force, the women would have been subjected to a “good hiding” by their husbands. He claimed that the social organisation of the ‘natives’ was patriarchal, and women, being regarded as minors, could not be allowed to intervene with the public affairs of the community. In the

administration's view this endangered the entire basis of the 'native' social and political system (Krüger 1996: 32).

The official's argument illustrates the administration's perceived need for gendered social control in the process of colonial State and class formation. As Margot Lovett (1989: 26) has pointed out, social control necessitated maintaining and strengthening those social relations of power and privilege on which precolonial societies were constructed. The colonial administration viewed the continued integrity of these hierarchies of authority as vital to ensuring the maintenance of social order and stability. The authority of male elders and chiefs over women and young people was deemed of utmost importance. The administration, therefore, promoted practices invoked by men, particularly those of authority, in the name of tradition.

This was especially true for the northern territories of Owambo, Kavango, Kaoko and Caprivi, where colonial rule was administered as a South African brand of indirect rule. Crucial to the system of indirect rule was the continued application of "ordinary native law and custom", as the administration perceived it, and the official recognition of indigenous rulers. Whenever the administration deemed it fit, however, this was combined with interference. Interventions ranged from the ordinary influence of administrators who made sure that "the different tribal heads have more or less come to look to the Native Affairs Staff for advice and guidance in determining their affairs" (UG No 33/1925; quoted in Olivier 1961: 195) to the deposal of 'uncooperative' chiefs, enforced by military violence if necessary.⁷

The colonial freezing and reinvention of 'native law and custom' much affected gender relations. The selective use of supposedly traditional law was exemplified in the efforts of colonial officials to prevent the migration of women out of Ovamboland. Women's mobility was seen as highly threatening to the traditional order. It was prohibited as presumably in breach of 'traditional laws and customs'.

Historian Patricia Hayes (1996: 372) argues that such thinking was not simply imposed from above. She maintains that it was reinforced through alliances between officials and conservative male elders and leaders, who in their turn drew selectively on African cultural precedents concerning gender norms. This appears to be true for the redefinition of traditional gender attributes shared between the colonial administration and male members of the traditional elite, and for the alternative new construction of gender by the Christian missions. It is apparent that both these ways of thinking about and re-enforcing gender perpetuated and reinforced male dominance. The missions redefined gender in the interface of tradition and Christianity. The new 'Christian' gender representations took the shape of the patriarchal ones in the missions' European home countries at that time (Becker 1997: 177). In the missionaries' view there was no space for pre-existing, local

forms of gender identities and practices. In Owambo, the female initiation ceremonies known as *efundula*, *ohango* or *olufuko* became particular issues in the contests over social control that emerged between the different male agents (Becker 2004).

That the re-construction of gender built upon earlier versions favoured by certain members of Namibian communities may explain why many, especially men, so readily and eagerly took up the colonial interpretations of tradition and custom.⁸ The colonial construction of gender further led to essentialist ideas of gender, as it isolated the category of 'women' from other social categories such as age, wealth and so forth. It negated social differences between women and between men, which had had very real consequences for their power and their identities. The idea was that 'women' were a social category whose place was in the 'tribal areas' producing agriculture or engaged in animal husbandry to subsidise the system of cheap male migrant labour. They were to be kept under the control of male traditional authorities. Women's place was to be in the domestic and traditional spheres of society, whereas men were to enter the public sphere, predominantly as migrant labourers. Women were silenced, as they were prevented from entering public fora, including those within the traditional structures. Traditional politics and jurisdiction were redefined as exclusively male domains

It would be wrong, however, to assume that women played no active part in the struggles over gender representations and practices. Information on women's strategies to cope with the changes is, unfortunately, scanty. Yet, there are indications that women attempted to make use of opportunities in newly-emerging traditions.

With respect to Owambo, for instance, historians have interpreted the refusal of young women to take part in the female initiation rituals as resistance against older forms of social control (Hayes 1992: 306; McKittrick 1995: 172-179). Women attempted to make use of the new value system introduced by the missions, which had indeed an ambivalent impact on women and gender relations. The spread of the 'Christian housewife' pattern and new puritan norms and values served to control women's labour and sexuality. However, changes created by the missions also provided new opportunities for, particularly younger, women, such as the chance to opt out of an unwanted polygynous marriage. It was also through mission societies, particularly the Finnish mission, that women first had a chance to obtain professional training, in nursing, for example, that enabled them to develop new perspectives within a changing society (Becker 1995: 105). Such developments seemingly contradicted the dominant theme of the colonial era where social, cultural, political and economic power became tied up with male-ness, whereas domesticity became the defining characteristic of female-ness, erasing earlier

differences between men and between women, which had been based on rank or age (Becker 2005).

It comes as no surprise that the colonial constructions of gender by colonial officials and male indigenous elites on the one hand, and by the Christian missions on the other, had long-lasting effects on gender representations and practices. Rather than being a remnant of the past, what is today presented as tradition, in fact, reflects more the impact of the Christian missions and the complex and often contradictory interaction of the colonial administration's ideas about 'proper' gender relations with those of a conservative male elite among the indigenous communities.

There was no clear-cut divide between the precolonial and the colonial social formations. Precolonial structures and identities, including gender as a representation and relation of power, persisted into the colonial time. Yet, they also underwent fundamental change that continues to have repercussions even today.

Tradition and the gender politics of the liberation struggle

Another set of significant developments re-shaped ideas and practices of gender during the liberation struggle and thereafter. Similar to other former colonies in Africa that gained political independence after a long struggle for national liberation, the history of Namibian women's struggles has been inextricably linked with anticolonial struggles in the country. Women participated in anticolonial resistance from its very beginning. Later, organised women's movements emerged out of women's involvement in the struggle. It is, therefore, essential for any history of gender in Namibia to discuss the characteristics of the country's anticolonial and nationalist struggles, and how they interacted with changing representations and politics of gender and tradition.⁹

The debate surrounding the reform of the marriage law has shown how the proponents of gender equality and its opponents justified their arguments through reference to constitutional and human rights, and culture and tradition respectively. These perspectives were already very much part of the liberation struggle. From the beginning, SWAPO, like other southern African liberation movements, used a language of human rights, demanding an extension of (modern Western) liberal civil rights from the minority who were enjoying them, to the majority of the population who were excluded from these rights on racist grounds.

The human rights perspective against apartheid and colonialism was also employed by the nationalist movements in battles against contrived

‘custom and tradition’. These were often perceived as oppressive. The liberation struggle was waged not only against the South African colonial regime but also against its Namibian allies, such as chiefs and headmen who collaborated with the colonial administration.

In this situation the chieftaincy lost much of its influence; instead, in Owambo, which became the main zone of the liberation war, the Christian churches and SWAPO provided a sense of community and security, rather than the traditional authorities and the Ovamboland “second tier” (Bantustan) authorities. Already in the 1970s, Gerhard Töttemeyer (1978: 218) described the clash between the traditional elites allied to the colonial regime and the ‘modern’ elites, such as clerics and teachers, as a significant contributing factor to the liberation struggle in Owambo.

The early views on women’s rights emerged in exactly this context of modernisation as a project of liberation. The liberation movement, including its most active female members, almost invariably pointed to sexist oppression as being based primarily on ‘centuries-old’, ‘outdated’ values. Tradition was, thus, clearly perceived as fixed and unchanged ‘since times immemorial’. It was also regarded as being closely linked to the hated colonial regime.

Gender, tradition and the Constitution in postcolonial Namibia

The example of the debate and eventual passing of the Married Persons Equality Bill has exemplified that ‘gender equality’ is very much part of the national political discussion in independent Namibia. Since 1990, prominent female and male politicians, and particularly former President Sam Nujoma, have made public statements calling for the realisation of ‘women’s rights’, and later on a call for men to take up the challenge for change.

The strongest reference point employed by supporters of gender equality has been the Namibian Constitution, adopted by the Constitutional Assembly in February 1990. It would be difficult to overrate the prominent role that the Constitution has played in changes which are beginning to redress gender imbalances. Article 10 of the Constitution stipulates that all persons shall be equal before the law and prohibits any discrimination on grounds of sex. The Namibian Constitution goes beyond this simple equality provision but also makes provision for affirmative action for women (Art 23). Although affirmative action is not laid down as imperative, the Constitution explicitly authorises affirmative action measures, and names the “enactment of legislation to ensure equality of opportunity for women” as one of the Principles of State Policy (Art 95).

In December 1997 the Namibian government launched a National Gender Policy explicitly aimed at implementing “constitutional issues” (National Gender

Policy: para 2.1). On the one hand, the National Gender Policy acclaims the prominent role of the Namibian Constitution in the promotion of gender equality. On the other hand, the document expresses the conviction that “traditional and cultural behaviours” are to be blamed for the “beliefs that women must play secondary roles” (National Gender Policy: 4). Thus, the belief that tradition and gender equality are eternal foes was re-inscribed in Namibia’s seminal gender policy document.

Gender, tradition and authority in contemporary rural Namibia

There seems to be a general understanding that the changes since independence have mostly benefited urban women with formal employment but that very little has changed for rural women. Yet, is it really true that nothing has changed concerning gender in rural communities? Based on my research into gender and rural political and judicial decision-making, I question the simplified image of the rural-traditional versus urban-modern dualism of Namibian society.

Research into gender and traditional authority structures in four different regions of Namibia has shown that in the communities studied, most women and men interviewed were of the opinion that women should have a say in the political and judicial traditional authority structures.¹⁰ In those communities where women had already had access to traditional authority positions most people agreed that their position needed to be strengthened. Open opposition to the empowerment of women within the traditional authority was hardly voiced.

Across the country, women have been appointed from the mid-1990s to positions as headwomen, senior headwomen and traditional councillors, although their numbers are still very small. Women have also begun to be heard in customary court hearings and community meetings. The most striking developments we found was in the Ongandjera community in the north where women had only started to attend and speak at these meetings in 1989, and by 1997, women were the majority of the participants at most community gatherings, and two of the six Ngandjera *omalenga* (senior headmen/headwomen) were women at the time of the research. These women had been appointed in 1995 and 1996 respectively.

Without any doubt the recent changes concerning the participation of women in traditional authority structures were closely linked with the political changes Namibia had undergone. Changes of national society and politics were mirrored in the traditional structures, which people looked upon as an integral part of society. A new perspective on gender and decision-

making emerged after independence in rural areas, which largely referred to developments in central government politics. The argument went roughly along the following lines; if one can have women as Government ministers, one can also have them as traditional leaders. This argument forwarded by rural women, and some sections of male community members, dismissed the alleged antagonism of African tradition and constitutional gender equality. Unlike many urbanites on both sides of the traditional versus constitutional divide, many rural people did not regard the traditional system as separate from postcolonial society at large.

Many women felt that ‘independence’ meant far more than the political independence. To them independence was about, “everything changed for the better, and no one is discriminated against any longer” – as two retired teachers from Ongandjera put it.¹¹ Independence and the Constitution came to stand for a whole new set of norms and values, which Namibians started to integrate into their traditions. While the exact wording of Namibia’s supreme law remained unknown to the majority of Namibians, its spirit of gender equality reached an amazingly broad spectrum of people. This happened especially in Owambo where due to the area’s long-standing unequivocal support for SWAPO, people strongly identified with “our new Namibia”.

After independence, colonial representations of gender, and their reflection in structures of traditional authority and customary laws, began to change in many respects. At times these seemed to be contradictory. Take the case of the mid-1990s renegotiations in the Owambo communities about the payment (*ofuto*) in cases of premarital pregnancy. Many men perceived the payment as a penalty. They suggested that this customary law discriminated against them since it only ‘punished’ the man while the woman would ‘go free’, although she, too had ‘committed a crime’; in this perspective *ofuto* is seen as a penalty for socially non-approved conduct, ie premarital sexuality. Women, and also some men, on the other hand, understood *ofuto* as support for the expectant woman and the baby to be born, ie as child maintenance (Becker 1997: 167). In both perspectives, however, it was perceived as a transaction between individuals, rather than linking family groups; this individualisation clearly marks it as a ‘modern’ concept.

Beginning from the mid-1990s, new developments have indicated, however tentatively, a new turn: SWAPO and the Government appear to have gradually shifted towards more embracing references to local, traditional practices, in contrast to their earlier reluctance in this regard. As the memory of the apartheid regime’s [ab]use of cultural difference began to wane, debates over the values of the national and local community increasingly embraced notions of tradition and heritage. This recognition goes far beyond the realm of the State, for example the increasingly public female initiation ceremonies (*omafundula*), which have not only been resurrected in many

northern communities, but which have become visible in public culture, from television programmes to tourism enterprises and other attempts by elite Namibians to reclaim and display their 'roots'. Interestingly, *efundula* has also been linked to the contemporary problem of teenage pregnancies; different people have emphasised, for instance, that the decreasing age of the initiates is being caused by such concerns. Parents tend to have their daughters undergo initiation at an early age, so that pregnancy becomes socially acceptable, as young women who have gone through *efundula* are regarded as being 'married', even if they do not have a husband.¹²

In sum, the developments I have analysed in this section indicate moves away from colonial gender representations and practices, which directly or indirectly relate to an array of contemporary gender politics.

Concluding remarks on the making of gender and tradition in contemporary Namibia

In this essay I have shown the changing ways of linking tradition and gender during different periods of Namibian history. It has become clear that both colonialism and Christianity altered the ideas and practices of gender in fundamental ways and that the colonial State's relations of rule were deeply gendered. In addition, the alliances of colonial administrators, male traditional elites, and the Christian missions contributed to the creation of an image of an allegedly ancient, immutable tradition which defined authority in the family, the community and the State as exclusively male domains.

For roughly the first decade of independence, within the State and non-governmental organisations, the idea prevailed that postcolonial Namibia had to negate oppressive elements of 'culture and tradition' in order to promote gender equality. On the other hand, conservative traditionalists blamed the government for attempting to 'destroy' tradition. In the eyes of both its supporters and adversaries, the postcolonial State was conceived as being based on 'modern' human rights, which appear to be in direct opposition to traditional values. In this view local communities and individuals were perceived as passive recipients of the politics and policies of contemporary society.

In reality, however, rather than being immune to what was happening at the national level or simply adopting national values, residents of urban and rural areas redefined local values through the creative 'translation' of those promulgated in the public culture of contemporary Namibia. It appears that the influence of the postcolonial State and organised civil society on the reconstruction of gender was, and remains, an indirect one. For instance, the vaguely worded provisions of the *Traditional Authorities*

Act, which call for the promotion of women to positions of leadership, were known to hardly anyone we spoke to during the research. Rather, general constitutional notions of gender equality have been taken up and adjusted to their circumstances by rural communities, who were undergoing active processes of negotiation and renegotiation of their traditions.

I have drawn attention to rural people's visions and agency in the postcolonial era by showing some of the arguments for increasing the participation of women in traditional courts, forwarded by both traditional leaders and ordinary rural residents. Rural people do not only re-act, they also pro-act. Let us consider, for instance, the impact of actions by rural women in northern Namibia who shortly after independence began to lobby traditional authorities to change customary laws. In August 1993, more than a hundred women demonstrated against discriminatory inheritance laws at the highest Oukwanyama court in eastern Owambo (*The Namibian* 1993). This unprecedented event raised substantial alarm among politicians and academics and, in turn, launched a chain of law reforms 'from within' that within a couple of years improved women's rights to inherit land in all seven Namibian Owambo communities (Hinz 1997).

In the past few years the emerging debates about tradition and heritage have begun to cautiously shift away from the presupposed conflict of constitutional versus traditional values that prevailed during the 1990s. The moves towards a more appreciative perspective on local values and practices promise to take more seriously the aspirations and creativity of ordinary Namibians, and particularly of rural residents. However, it would be sadly disappointing if the scales would now be tipped towards a conservative traditionalism, dominated by individuals who use and abuse certain ideas of tradition in order to preserve a status quo of inequality, or, indeed, their personal interests.

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ENDNOTES

¹ In the remainder of this essay, I shall refer to tradition without inverted commas in the interest of readability. It still remains the case, though, that the notion of tradition is highly problematic, firstly, because it implies that the norms and practices considered traditional would be unchanged 'since time immemorial'. As they had supposedly been handed down from generation to generation, they assume unquestioned legitimacy. Another problem is of special significance in African contexts where 'traditional' has long had value-laden implications of 'primitiveness' in both colonial and modernisation ('development') perspectives. In the more recent postcolonial time, efforts such as the African renaissance movement have begun to refer to tradition in more positive terms. However, tradition is still thought of as the opposite to 'modernity', such as in 'traditional healers' who practice 'traditional medicine' (as opposed to 'doctors' who practice 'modern medicine') or 'traditional leaders' who practice 'traditional law' (as opposed to 'lawyers' who practice 'general law'). For more on the uses of tradition in colonial and apartheid southern Africa, see Spiegel & Boonzaier 1988.

² A number of these arguments have been compiled in an article, published by *Sister Namibia* (Becker 1996).

³ The Deputy Speaker of the National Assembly, Zephania Kameeta, made a powerful plea for the passing of the bill (31.10.1995; Debates of the National Assembly 1995, Vol 2: 169-172). Twenty-five NGOs formed a vocal NGO coalition to call for the speedy passing of the bill. This effort was joined by the government's Law Reform and Development Commission (LRDC) and the then Department of Women Affairs (DWA) in the Office of the President.

- ⁴ See eg Arnfred 1988; Peters 1997; Crehan 1997; Geisler 1997.
- ⁵ This point has been in a number of recent publications by anthropologists and historians who have researched gender relations and politics in historical perspective. See Becker 1995, 2004, 2005; Hayes 1992; Salokoski 1992.
- ⁶ The points I make in this section have been elaborated in more detail in previous publications; see, especially, Becker (2004, 2005, 2006).
- ⁷ Examples of forceful intervention are the 1917 death of the Kwanyama king (*ohamba*) Mandume yaNdemufayo in battle with the Ovamboland Expedition despatched by Pretoria to remove him; and the enforced deposal and exiling of King (*omukwanilwa*) lipumbu yaShilongo of Uukwambi in 1932. In both cases the administration replaced the kingship with a system of headmen-in-council.
- ⁸ For other African countries, this process has been described in some detail by, among others, Chanock (1985), Hay & Wright (1982), and Mann & Roberts (1991).
- ⁹ For a more detailed discussion of the gender politics of the Namibian nationalist struggle see Becker (1995).
- ¹⁰ *Traditional Authority* here refers to the institution of chieftainship, as defined in the *Traditional Authorities Act 17 of 1995*. Research was carried out in 1997 under the auspices of the Centre for Applied Social Sciences (CASS) and was supported by the Swedish International Development Authority (SIDA). The research sites were Ongandjera (Omusati region), Otjombinde (Omaheke), Hoachanas (Hardap) and Sambyu (Kavango). Many thanks are due to Piteimo Hainyanyula, Yamillah Katjirua, Theresa Basson and Justus Hausiku, who assisted the research. For a detailed analysis of the research, see Becker (2006).
- ¹¹ Interview, Liina Mpanda and Lahja Angolo, Okahao, 20 July 1997.
- ¹² For more on *efundula* in the past and present eras, see Becker (2004).

Chapter 3

Past and Present Practices: Sexual Development in Namibia

Philippe Talavera



Introduction

In Namibia, over the last 80 years, sexual attitudes have changed tremendously due to various developments such as the arrival of missionaries, the fight for independence, the building of a new nation, the new Constitution, changes in other laws and the HIV/AIDS pandemic. However, little research has been conducted to understand these changes in terms of their impact on sexuality. Understanding sexual development and how it has changed over time is a challenge. There is no reliable starting point, and because earlier surveys are either nonexistent or notoriously inaccurate, we cannot precisely measure the changes in sexual behaviour and attitudes that have taken place since mid-20th century (Nye 1999). Today's elders are the only reliable source of information regarding sexuality in the 1920s or 1940s. Yet, talking about such issues with old people is difficult.

The young generation is in many ways well-informed about sex either through their peers or the media. It is almost impossible to find a young boy or girl who cannot explain what sex is. However, they have difficulties addressing sex-related topics at home and recognise that there are generation gaps between themselves and their parents and grandparents. Elder people, on the other hand, complain about the reckless attitude of children nowadays and the fact that “they do not follow the old way”.

Methodology

The data presented in this chapter is part of a larger research project conducted by The Ombetja Yehinga Organisation (OYO), a nonprofit organisation which uses the arts to create social awareness in order to decrease the impact of the HIV/AIDS pandemic among young people in Kunene, Erongo and Khomas regions. Staff working for OYO are in constant contact with young people, either in schools or among youth groups. The topics we address with young people often revolve around gender, sex and sexuality.¹

It is important to remember that all cultures believe their views on sexuality are normal. Conducting research on sexuality in Namibia is difficult because the subject is something private or taboo and difficult to measure. Each individual experience is by definition personal. Attempting to generalise sexual behaviours is, therefore, always a risky venture. One can look for trends but it must be remembered that each story is unique and should be considered as such. Sex, sexual behaviour and sex-related vocabulary are extremely personal and the definitions of one individual may differ from the next person (Talavera 2002). A further complication of this research was the fact that it had to be conducted in the various Namibian languages. Do the words exist? Do they mean the same as in English? Do they have similar connotations in the different languages?

The findings presented here are based on data from research conducted over a period of more than two years in various regions in Namibia, consisting primarily of discussions with elders and young people. The methods were as follows:

- Unstructured interviews were conducted with elders at their homes. They involved only the interviewer, a translator and the interviewee. To keep the interviewees at ease, interviews were not audio recorded. The interviewer took notes as the discussion proceeded. Interviews were unstructured to allow for the flow of the conversation. Each interview lasted between one and three hours.
- Information was gathered from younger people in a non-structured way by OYO staff who were working with young people, both at schools and with youth groups. Data were collected during informal discussions and group meetings, and during the preparation of the *OYO* magazine and shows. This has been an ongoing process involving hundreds of participants.

This chapter will compare sexuality in three different settings: Kavango region, Caprivi region, and Oshana/Ohangwena regions.

TABLE 1: Number of interviews with adults and elders per region per age group (men)

Region	Age of the person interviewed			
	Under 40 years	40 to 60 years	60 to 70 years	Over 70 years
Kavango	2	2	6	2
Caprivi	8	6	0	0
Oshana/Ohangwena	1	3	3	1

TABLE 2: Number of interviews with adults and elders per region per age group (women)

Region	Age of the person interviewed			
	Under 40 years	40 to 60 years	60 to 70 years	Over 70 years
Kavango	1	8	12	2
Caprivi	13	2	3	3
Oshana/Ohangwena	0	11	2	3

TABLE 3: Number of interviews with adults and elders per region per categories

Region	Interviews conducted with				
	1 man only	More than 1 man	1 woman only	More than 1 woman	Men and women together
Kavango	2	2	4	3	7
Caprivi	5	3	3	7	2
Oshana/Ohangwena	6	0	5	4	1

TABLE 4: Additional questionnaire on masturbation with Oshiwambo-speaking respondents per age group

Respondents	Age of the person interviewed						
	Below 20 years	20 to 30 years	30 to 40 years	40 to 50 years	50 to 60 years	Over 60 years	Unknown
Men	0	3	3	1	1	0	1
Women	0	1	0	1	3	0	1

Findings

The presentation of the findings is divided into two eras: the situation over 60 years ago (considered by elders as tradition) and the situation nowadays (considered by youngsters as the modern situation). Findings from the different cultures are fairly different and worth looking at separately.

The situation over 60 years ago

In the Kavango Region

Over 60 years ago, polygyny existed as a privilege for the few rich men who could support more than one wife. First marriages were usually arranged by the families, thus, men and women had little say regarding the choice of their spouses. A man's family looked for a suitable family for their son to marry into. Often they would start looking when the son was still young. Two of our respondents reported that once they had found such a family, if someone in the family was pregnant the boy's mother would put her hand on the stomach of the pregnant woman and say, "If this is a girl, she will be my son's wife." The wife was, therefore, always much younger than the husband and might have been engaged even before her birth.

Children were not told about sex, although some of them would discover it by playing the 'small houses' game (see Talavera, this volume). Most girls would not know anything about sex before their marriage; however, before her first menstruation, a girl's grandmother would take her to the bush and explain to her that she must enlarge her vagina using the roots of a plant called *munconda* (by riverside communities) or *nboma* (by inland communities). The girl would chew the root and apply it to her finger. Since it is oily, it helped her insert her finger into her vagina. She would repeat the exercise daily until she could easily insert three fingers into her vagina. If she could not find the plant, she used the oily green leaves of a tree called *eromborora*. Eleven of our respondents reported that this technique eased the pain of first penetration.

If a girl had been engaged before birth or at an early age, the groom moved into the girl's household and performed domestic chores and supported his future family-in-law. They would then be able to see how he behaved and make sure that he was the right choice for their daughter. The man stayed in his in-laws' household for about a year. If he had not completed this duty before the marriage, he did it afterwards.

Once a girl experienced her first menses she would immediately inform her grandmother. She would be isolated and would not be seen by any man.

She would not share her cup or plate or eat from the same fire and pot as anyone else. It was believed that people who would eat from the same plate or cup would be sick (most respondents quoted coughing as the main problem; one said the person would become blind and another said that they would have eye problems). It was also believed that giving a girl her own fire and food would ensure that she would have a good reproductive life. One respondent added that the menstrual blood had to be discarded immediately since it could harm people and even kill the youngest children. The isolation period varied depending on the length of the respondent's menses. During this period, a girl would have many discussions with her grandmother, who explained her future duties as wife and mother, sex and sexuality, and the importance of obeying her husband.

At the end of the isolation period, the girl would be washed and her body would be covered with ashes to make her skin whiter and smoother, and a celebration with traditional dances and songs would take place. If the girl was engaged, this celebration would coincide with the traditional marriage. The girl and her groom would be united by their families. A traditional lotion called *rukura* would be applied to part or all of their bodies, and they would be declared husband and wife.

They would then be accompanied to their room by the girl's grandmother who would explain to them how to behave towards one another. She would explain to the girl about sex and what to expect, but also talk more generally about the couple's responsibilities towards one another as husband and wife. She would tell them that there should be only one round of sexual intercourse for the first night. She would draw a line either in the middle of the room or by the door which they could not cross.

The next morning the couple would have to wait for the grandmother to return, because they could not cross the line. The grandmother would ask how the night went and whether there were any problems. Two of the problems mentioned by respondents were when one party refused to have sex or the vagina was too small (in which case the grandmother would determine if the vagina was correctly enlarged and if it was not, the grandmother would use the root discussed above to enlarge it). Depending on the region, additional ceremonies were performed: the girl would have to cook porridge and give it to the children of the house to demonstrate that she could cook for the household; or the grandmother would bring a traditional lotion that the girl would have to apply on the womb of all the children from the household to prevent them from coughing; or all the children would have to drink a mixture containing a traditional herb called *nflagona*. An additional practice mentioned by most respondents involved determining the fertility of the groom. Three variations of this practice were described:

- In the morning the grandmother would give a white sheet to her granddaughter who would use it to collect some of the remaining semen from her vagina. The grandmother put it in the sun to dry. Once dried, if the sheet tore easily, it would mean that the semen was strong and the man would produce children. If it didn't tear, it would mean that the semen was weak and the man would not produce children.
- Before the wedding night the grandmother would collect a traditional root, crush it and put it in the bride's vagina. The next morning the bride would bring the root to her grandmother who inspected it and determined if the groom's semen was strong. (It was not possible at the time of the research to identify the root.)
- It was believed that if the groom's ejaculation was powerful the semen would go inside the vagina and the bed sheets would remain clean. If the groom's semen was weak some would come out of the vagina and the bed sheets would be stained. By looking at the bed sheets, the grandmother would know if the husband would produce children.

Regardless of the method, the goal was the same; to determine if the husband would produce children. If he had failed the test, the grandmother would wait for the first opportunity (such as the first quarrel) to send the husband away, telling him he was unworthy. The family would then look for another husband.

Variations of these rituals involved minor details in the description of the ceremony. For instance, inland it seems that the grandmother would not draw a line, however, the young couple would still wait for her to enter the room the next morning. Also, in cases of sexual problems, some male respondents said that they would talk to their grandfathers.

If a girl was not engaged before her first menses, she would be taken to the river or to a borehole and washed. The family would then invite all the neighbours to help find a suitable husband. It was rare that a girl would remain unmarried for two years after her first menses. Once married, men would decide when and where to have sex. Women were told by their grandmothers to obey and provide sex for their husbands.

In cases of polygyny, the first marriage was arranged but subsequent wives would be selected by the husband. However, he would still have to obtain permission from each girl's parents. Polygyny was both official and unofficial, and while men's extra-marital relationships were tolerated but not condoned, women were expected to remain monogamous. If it was discovered that a wife had sex with a married man, she would have to pay cattle to the man's wife, and her husband could divorce her and keep the children.

In the Caprivi Region

As in the Kavango, children could not talk about sex or sexuality with their parents or elders. They would usually discover it while playing 'small houses' or hide-and-peek, or when playing by the river (see Talavera, this volume).

When a girl reached a certain age (before menstruation), her grandmother asked her to undress. The grandmother would point out the different parts of her body and tell the girl that she needed to prepare herself because she was growing up. Unlike the Kavango culture, here preparing oneself did not mean enlarging the vagina. Girls were encouraged by their grandmothers to pull on the labia minora (called *maleze* in Silozi and *massino* in Subia) repeatedly.² The purpose of the procedure is to reduce the entrance of the vagina to increase the husband's pleasure. From a physiological point of view, this practice does not actually reduce the entrance to the vagina. However, increasing the size of labia minora increases the amount of sexual skin a man can feel and that is believed to give him more pleasure. Seventeen of our respondents confirmed that men also like to touch and feel the elongated labia minora during foreplay. Girls would do this in the evening, either alone or in a peer group. Some respondents reported that to ease the process girls used the ashes of a tree called *mulya* or mixed the ashes with Vaseline. The girls showed their progress to their grandmothers who decided when they were ready. If the girl did not manage to elongate the labia minora with her fingers, a horn was used (goat or calf). The girls would cut the extremity of the horn, insert the wide part of the horn at the entrance of the vagina and suck from the other side. The labia minora would then swell, allowing a girl pull it out. This was a painful process. It has been also reported that a grandmother, aunt, or witchdoctor would perform this procedure.

When menstruating for the first time, girls were taken to the bush by their grandmothers, where they were wiped. The wiping was an act to show that menstrual blood had a negative connotation and was considered dangerous. It was also done in order to reinforce the fact that girls were under the control of elders and men. Subordination of women was a very important part of the tradition. Women had to understand that if they did something wrong, they could be beaten by their husbands or the elders.

The menstruating girl was then hidden for one to two months at her grandmother's house (seclusion would not exceed two weeks if the girl was in school). While in hiding, she may not be seen by men (it was believed that her hair would turn red while the man would get a severe cough). Blankets, cups, or plates she used would be discarded or given to the grandparents (since their reproductive life was over, there was no risk for them); if a man used her blanket, cup, or plate, he would get seriously ill. At the end of the isolation period, her clothes must also be discarded.

While staying at her grandmother's house, she would have many lessons about life, sex and marriage. Her grandmother would teach her how to behave with her husband and his family, what is expected from her and how to care, not only for her own children, but for all her in-laws' children.

After this period, she was prepared for a ceremony. She was washed (some respondents referred to a medicine she took while being washed but it was not possible to identify the substance) and would wear new clothes and necklaces. The community was invited and there was a big feast. The main objective was to let everyone know that the girl was ready for marriage. It was likely to be less than two years after this before the girl married. Unlike in the Kavango culture, marriages were not pre-arranged so it was rare for the girl to be married just after her first mense. However, after her first menses, grandparents were much stricter and it was more difficult for girls to go out and have sex. One respondent explained that they would have sex while going to the bush to look for fruits. Since it was frightening to go to the bush alone, a boy would accompany her and sometimes they used the opportunity to engage in sex.

Boys did not go through any sort of initiation or ceremony. However, older boys often gave tips to younger boys. Several male respondents reported that boys would dig holes in the sand by the river and have sex with the hole, pretending that it was a vagina. They did it as a group, usually in the presence of older boys. It was described as a way to learn about sex before they had girlfriends. One respondent explained that boys in his village who were about 14 years old would call a girl around 12 years of age and ask her to have sex with their younger brother. They would observe the younger brother and explain to him how to behave with the girl (reported by only one respondent). In addition, older boys would tell their younger brothers that they have to masturbate in the river. If the semen floats, it means that it is weak and the boy is not ready to have sex. If it sinks, it means that the semen is strong (or alive) and the boy is ready to have sex (reported by all male respondents).

Most male respondents explained that they would select their own wives but their parents would have to ask permission from the girl's parents. Again, before the marriage, the girl would be called to her grandmother who would once more explain to her how to behave with her husband.

As in other regions, polygyny existed and was practiced by a few rich families. Married men here also made decisions regarding sex, and their wives could not refuse. If a wife did refuse, her husband was allowed to beat her. If he reported her to her parents, they would also beat her. It was acceptable for men to have extra-marital affairs, but not for women. However, the situation seemed less rigid here than in the Kavango Region. Many respondents reported that women had extra-marital relationships but had to make certain they were not discovered.

In the Oshana and Ohangwena Regions

At the time of writing, our research in these regions is not complete; thus, the preliminary findings are presented here.

Prior to the 1930s, it was strictly forbidden for women to become pregnant before marriage. Marriage would be arranged while girls were young, shortly after their first menses. A young man would select his future wife, approach his parents and her parents, and negotiate the marriage. In the Owambo culture, *lobola* in the form of cattle would be given in exchange for the girl. This custom was often referred to as “purchasing the wife”.

Contact between boys and girls was permitted, but it was strictly forbidden to have sex before marriage. In fact, unmarried pregnant girls were at risk of being burnt alive. One respondent, who was older than 75 years of age, witnessed this when he was a child. He reported that dry grass was tied all over the body of the pregnant girl. She was then taken to a certain place in the village where the dry grass was ignited, and she was publicly burnt to death. Our respondent felt it was a good system because it promoted good morals and values. A woman, also older than 75, also witnessed this ritual. A friend of hers became pregnant before marriage and was burnt. She explained that the whole village was invited. The boy who impregnated her was present and the community would shout insults at him and his family. The girl would then be burnt and the boy would be chased away from the community. Her parents insisted that she watch and told her that if she were to become pregnant before marriage, she too would be burnt. She concluded saying, “It was good to burn people because you can’t convince people to abstain without fear.” Another woman, over 70 years old, reported a similar story. Even though she had not witnessed it herself, she had heard about it from people in neighbouring villages. A woman between 45 and 50 years old, said that such burnings were practiced during the time of her mother and showed us the place where the last woman had been burnt. A woman over 70 years old reported that it was still done during the time of her mother, but not in her lifetime. However, during her youth, if a girl became pregnant before marriage, the baby would be killed at birth because it was believed that it would bewitch the whole family.

Due to the arrival of the missionaries, between the 1940s and 1990s, this tradition evolved from the pregnant girl being severely beaten to a tradition where the guilty boy (or his family) would have to pay one or two cattle to the girl’s family. Nowadays, although becoming pregnant before marriage is frowned upon, little is done when it happens.

When compared to the Kavango and Caprivi Regions, girls in the Oshana and Ohangwena Regions had fewer discussions with their grandmothers. No discussions about sex-related issues occurred with parents (only one

respondent said his parents gave him tips about sex when he got married). However, in the very old days, discussions were most common with peers and women had knowledge about masturbation. At the time, men could be sent to the South for mining and agriculture, leaving their wives alone for extended periods. Since it was strictly prohibited for women to have extramarital relationships, they developed techniques to satisfy their sexual feelings:

- A woman over 70 years old in Ohangwena Region explained that when her husband was away, she would use the tail of a calabash (*ompamba*) as a substitute penis. She would polish it and make sure it was smooth. It was shaped like a penis and would help her reach orgasm. She discovered this on her own and did not discuss it with family or with friends.
- A woman over 75 years old in Oshana Region explained that when her husband was away, she would fold rough cloths or paper into a penis shape and play with it. She was taught this technique by a female friend and had in turn told her female friends about it. She was adamant that this technique was passed from women to women in her community.
- A woman over 60 and possibly even 70 years old in Oshana Region explained that when her husband was away, she would make a penis-like object with clay, using the same technique she used to make traditional pots. It was not clear how she had learnt about the technique. However, a male respondent who was over 50 years of age, from another village, had also heard of it.

All of the female respondents reporting such knowledge were over 60 years old; none of the female respondents between the ages of 30 and 60 had heard of such things. They reported that women cannot satisfy themselves and are dependent on a man to reach orgasm. Women younger than 25 seemed more informed and knew about masturbation techniques, either by inserting their fingers or an artificial penis in their vaginas.

In the Oshana and Ohangwena regions, as in the Kavango and Caprivan cultures, polygyny existed, and men decided when and how to have sex. Married women could not refuse sex, except when menstruating. In the Owambo culture, not only was it acceptable for a man to beat his wife, it was considered a proof of love. As a 45-year-old woman stated, "If the man does not beat you, then he does not love you." A woman over 60 years old added, "The body of the woman, including her vagina, is the man's property. If he does not beat you, he does not love you. It shows you that he does not care about you." This belief is linked to the payment of *lobola* – the idea that the husband has purchased his wife.

The situation nowadays

Today there is not as much difference in sexual beliefs and behaviour from region to region. Sexuality among young people is deeply influenced by peers, school and the media. As in the past, parents do not speak openly about sex with their children. However, the ceremony following the first menstruation (with some exceptions noted in the Caprivi Region), when grandmothers sexually educated their granddaughters, has been lost.

At school, learners are supposed to learn about sex and sexuality, yet many teachers do not address these topics. While working on one of the issues of *OYO* magazine with learners in grade 12 from Mureti Secondary School in Opuwo, students were astonished to learn that pregnancy takes place in the uterus and not the vagina and that menstrual blood comes from the uterus; they all thought the vagina was bleeding (*OYO* 2004). In this case, it is obvious that learners had never been exposed to sex education. In other schools, sexual issues are addressed in a technical way which is of little relevance to the young people.

For young people, the main source of sexual information is their peers. However, if the peers are misinformed, this method of conveying information can promote myths and misconceptions. Peers are also often more likely to bully or pressure their friends rather than to give them information about safe sex. A 22-year-old Owambo-speaking male respondent explained, “When I was at school, guys who did not have a girlfriend were called *skomel* or masturbator. They were considered as either coward or gay. You had to have a girlfriend.”

This situation is worsened by the media. While the press, both written and audio-visual, has made an effort in the past few years to disseminate information regarding the transmission of HIV/AIDS and safe sex, it has often also reinforced gender and sexual stereotypes that may confuse young people.³

It is true to say that young people know much more about sex than their elders. Many young people, for example, know about numerous sexual positions, oral sex, anal sex and practices involving several sexual partners, such as “tournaments”. In spite of this knowledge, they are often more confused than their elders. For instance:

- While working on the topic of masturbation for *OYO* magazine, we heard about many myths (*OYO* 2003). Young people commented, “Masturbation exists, but people who are doing it are kind of mad”; “If I masturbate, I will become blind”; “If I masturbate, hair will grow in my hand”; and “If I masturbate, I won’t get children later.” Many young people believe that sperms are little babies and masturbating kills them.

- Many girls reported that when they menstruated for the first time, they were completely unprepared and had no idea about what was happening to them (OYO 2004).

Young people in urban areas are more sexually enlightened than youngsters in rural areas who have received information but may be unable to reconcile the information with their experiences. A young Caprivian man explained, “When you have sex with a girl for the first time it’s nice and quick because her vagina is small. After some time, her vagina becomes bigger and it’s more difficult to have quick sex. It’s not good anymore.” He had been told that sex had to be quick and the vagina had to be small. His strategy was to change partners often so that he could be in the situation of ‘the first time’. However, he was unable to confirm if having sex quickly was really giving him more sexual pleasure.

Discussion

Learning about sexuality 60 to 80 years ago: The tradition

A system based on fear and ignorance

Attitudes about sex in rural northern communities in the old days were primarily based on fear: fear of parents, fear of punishment and fear of death. When a girl became pregnant before marriage, she was severely beaten, and in the Owambo community she could be burnt alive publicly. Rituals and beliefs were in place to ensure that babies would not be born out-of-wedlock and that wives would be faithful. Hence, most children were born within marriage and siblings had the same fathers.

In the past, there were also many sexual myths. Besides the myths described elsewhere in this chapter, it is worth mentioning the following:

- In the Kavango culture, it was believed that if a man migrated to work and his wife cheated on him, he would be injured at work. If he was injured, his wife would be accused of infidelity.
- In the Kavango culture, some respondents reported that their grandparents told them that if they had sex, they would die. It was only after they had grown up that they were told the truth.
- In the Caprivi culture, some respondents said that their grandparents told them that boys’ penises bite. Again it was only once grown up that they discovered the truth.

- In the Caprivi culture, it was reported that a menstruating woman should not sleep in the same bed or share blankets with her husband because menstrual blood can kill.
- In the Owambo and Caprivi cultures, it was reported that you should have sex while pregnant because sperm is needed to strengthen the baby, especially in the early stage of the pregnancy. If you have sex at the late stage it would be a waste, and you would find semen on the baby at birth.

It was difficult for people to check the accuracy of these beliefs. Most people feared them to be true and this helped ensure that people would be faithful to one another and would not experiment.

A system more enlightened

People from the earlier era were in some ways more enlightened than people today.

- Most children had involved themselves in sexual games that were played before puberty and, hence, could not lead to pregnancy. These games were a safe way to discover sex and parents would often cast a blind eye on them.
- In most cultures girls had the opportunity to talk with their grandmothers, especially at the time of the menstruation ceremony. Although they learnt only what the grandmother would want them to learn, it was a tradition that allowed information to pass from one generation to the next.
- The Kavango tradition of girls enlarging their vaginas provided a way for them to discover their own bodies and prepare them for sexual intercourse, reducing fear and pain; it was done for the women's benefit.
- The Caprivian practice of elongating the labia minora was a way to prepare girls for sex. Although it was done for the sexual pleasure of men, several women respondents reported that they enjoyed it when their husbands touched this sensitive part of their body.
- In the Oshana and Ohangwena Regions, older women described masturbatory techniques and knew that women can have sexual pleasure on their own. They had a good understanding of their bodies and their bodies' reaction to stimulation.
- Many of the older female respondents knew about sexual pleasure and preferred long rather than short sexual intercourse. Women from the Kavango area explained that they were confident about sex, and that

it was enjoyable. Their view can be summarised by this quote from an older woman in the Caprivi: “When [he does sex] fast, is it stealing the woman or what? It is better slow. It’s your husband; you have time and you must take it slow ... You do it for pleasure.”

Learning about sexuality 30 to 60 years ago: The change

This is the generation who belong neither to the old system nor to the new one. Most older people in Kavango and Caprivi Regions explained they performed the first menstruation ceremony with some of their daughters but not all of them. Older respondents acknowledged that missionaries played a major role in disrupting traditional values and ceremonies by trying to replace them by their own beliefs. Finally foreigners, especially missionaries who moved to Namibia before independence, brought new ideas about human rights, claiming that women and children have rights but not explaining how to integrate this new knowledge into existing Namibian cultures.

In Kavango Region, none of the young female respondents of this generation had been married right after their first menses. Some had used the plant to enlarge their vaginas; others had not. Some had chosen their own husbands; others had not. They still needed permission from their parents to get married, but to a certain extent they could negotiate a choice of partner. Marriage became more of a church celebration. Neither women nor men had discussions about sex with their grandparents because this education ritual had been replaced by the church discourse with its religious contradictions. A 70-year-old man in Papama stated, “The church is teaching us that condoms are killing, but if you kill you go to jail for ten years. If you use condoms, you don’t go to jail for ten years. This is a contradiction I don’t understand.” Such confusion is worsened by the fact that the State promotes condom use, which can be seen as promoting something that kills. The same respondent added, “The church is saving souls while the government is saving lives. You don’t know which one to listen to.”

In the Caprivi Region, most of the girls of this generation were still being told to elongate their labia minora and most went through the first menstruation ceremony. However, the influence of Christianity is apparent; weddings have increasingly taken place in the church and discussions with the grandmothers about sex decreased, and in some places disappeared altogether. Alcohol also started to play a major role; people from this generation have had much easier access to it than their parents.

The greatest changes have occurred within the Owambo culture. As stated earlier, women over the age of 70 developed masturbatory techniques. Women between the ages of 30 to 60 had lost this knowledge. Sex became intimately linked with penile-vaginal penetration. It is also believed by this

generation that women do not have many sexual needs. As explained by an old Owambo man, “Men keep their semen inside, so they need to get it out. They need to have sex because it is inside – they have many sexual needs. Women, on the other hand, do not keep their blood inside. It is released every month through menstruation. Because it is released, they don’t have many sexual needs.” Similar misconceptions, suggesting men are more sexually urgent than women, have been frequently reported.

With the arrival of missionaries, sex became more of a taboo subject. Even friends stopped talking about it and exchanging ideas/experiences. People became more and more ignorant of sexual issues. While administering a questionnaire on masturbation, respondents answered the following question: Two young men (15-16 years old) go to look after goats in the cattle post. They are alone for several days. There is nobody around and they cannot find a girlfriend. However, they want to have sex. What is the best option: 1) They have sex with one another; 2) They have sex with a goat; or 3) They masturbate. Out of the six respondents between the ages of 45 and 55, four chose, “They have sex with a goat”, and two respondents answered, “none” despite the fact that “none” was not a choice provided by the questionnaire. Only respondents below the age of 35 chose masturbation as a preferred substitute to sex. These findings suggest that for the Owambo generation of change, sex is intimately linked to penile-vaginal penetration; penetration of a female goat is more acceptable than masturbation or homosexuality.

With the country opening to missionaries and with Namibians going into exile and mixing with other cultures, traditional systems were disrupted and new norms put in practice. However, little was done to try to integrate new norms within the traditional context. In most cases, new norms were imposed on people, regardless of how they conflicted with traditional norms. This generation is probably the least sexually enlightened. People in this age group have a limited understanding of sexuality and their own bodies. They limit themselves to few sexual practices and there is little sexual experimentation. Variety is found by multiplying the number of sexual partner rather than by multiplying sexual techniques with one partner or with oneself. The sexual act is quick, aimed at pleasuring the man/husband, and very little is understood about female sexuality and female sexual pleasure.

Learning about sexuality nowadays: The challenge

The current generation has been impacted by the changes discussed above. Yet, most changes have not been absolute; thus, this generation is also caught between traditional and modern norms. On one hand, children go to school, are educated, can read and write, and have access to information. On the other hand, topics linked to sex and sexuality are still taboo and

cannot be addressed at home. Children and women are told about their rights, including the right to sexual health, but they cannot assert these rights because men dominate them. Children and women are told how to use condoms and where to find them, but married women still cannot speak about condoms with their husbands and children cannot bring their condoms home. Young people know about foreplay, oral sex and various sexual techniques, yet they have quick sexual intercourse. There is still an enormous gap between what is learned and what is practiced.

Although it may seem that children nowadays know more about sex, there is evidence suggesting that this is not the case. They have some information, but they do not have the full picture. As stated earlier, many girls reported that they had no idea what was happening the first time they menstruated. Likewise, when many boys had wet dreams for the first time, they were surprised, afraid and embarrassed. While puberty is supposed to be part of the life-skills and biology curricula, it seems that many teachers do not talk about it. Many parents also do not talk about it with their children. As a result, bodily changes and new sexual feelings are often frightening.

To a large extent, more is being talked about, yet less is known. In the past, in the Kavango Region, people could not talk openly about sex, yet girls were preparing for sex by enlarging their vaginas, had talks with their grandmothers, and knew about menstruation and babies. Nowadays, boys and girls know a lot about sex, yet most girls do not prepare themselves for sex and report pain during first intercourse. In addition, young people have problems negotiating safe sex, and teenage pregnancy is on the rise (Mendelsohn et al 2003). Many children are born outside marriage and are raised by their grandparents or by single mothers.

Most elders reckon that young people do not listen to them and do not respect their authority. One respondent from Kavango explained, "If my grandchildren come to me, it's only to steal my pension money. They are not interested in what I have to say." Most young people believe that traditions and culture are from the past and they need to move forward. The clash between the generations is becoming more and more apparent.

Rights and freedom come with responsibility, and it seems that while some discussion has taken place with young people about their rights, there has been little discussion about their responsibilities. Young people have been given freedom but they have not been given the tools to enjoy this freedom safely and responsibly. Children have easy access to discos and alcohol, yet they do not know about teenage parenting and responsible drinking. Children want money, cell-phones and other commodities, yet they do not want to study and work for them.

Although elders complain that children are having sex at an earlier age, our findings do not support this belief. In the 1920s and 1940s, girls

married shortly after their first menses, hence, they started their sexual life at an early age. Nowadays, some girls still have sex shortly after their first menses, however they are not married and may have children out-of-wedlock. The main difference is that in the 1920s or 1940s women did not have access to condoms or contraceptives (some women refer to traditional plants they used to avoid childbearing). Nowadays, children have access to information, however, they do not seem to use it, as demonstrated by teenage pregnancy rates and HIV prevalence among young people. In 2004, prevalence rates for HIV were 9.9 percent for those under 20 years of age and 18.2 percent among 20-24-year-olds, similar to the rates reported in 2002 (MoHSS 2004).

Recommendations and conclusion

The very old generation had beliefs and customs that are unacceptable in terms of today's human rights. They had rules and regulations based on the morals and values that prevailed at the time. To a certain extent, they also had an understanding of the human body and its reactions to sexual stimulation.

The intermediate generation saw these traditional beliefs challenged. They did not adhere to the old ways, yet did not have time or space to develop a new and better system. Rules and regulations have been shaken and a lot of knowledge regarding the human body and its reaction to sexual stimulation has been lost.

The younger generation is trying to establish a new system, adopting a more Western model, and while progress has been made in terms of sexual knowledge, practices have not led yet to proper, healthy sexual behaviours. Experiencing sex is increasingly common, but safe practices have not yet been entirely adopted. Hence, many young people put themselves at risk of teenage pregnancy and sexually-transmitted infections, especially HIV/AIDS.

Although bridging the gap between generations seems difficult, it could be achieved through discussion. This would require a major change in Namibian society, including public discourse and debate about sex-related matters, and the desire of the different generations to come to a common understanding.

Our recommendation is to target the younger generation and support the changes they are going through. Discourse and education should build on existing knowledge, dispel existing myths and misconceptions, and promote healthy sexual practices. Demystifying and eroticising sex seem to be the best option for the younger generation. As explained by Watney (1987), "Changes in sexual behaviours cannot be forced. They can only be achieved through consent, consent which incorporates changes into the very structure of sexual fantasy. Hence, the urgent, the desperate need to

eroticise information about safe sex, if tens of thousands or more lives are not to be cruelly sacrificed on the twin altars of prudery.”

The youth, especially young girls, are extremely vulnerable. It is important to arm them properly at an early age and to educate them on sex-related matters. Talking about sex and sexual preferences should not reinforce existing taboos or criticise sex. It is natural for young boys and girls to want to discover sex, and their interest should be considered normal (Talavera 2002).

It is important for young people to understand how their sexuality has been constructed and influenced by society and cultural practices. Young people do not live in isolation; they are products of the past. They have inherited their grandparents' and great-grandparents' attitudes towards sex and their parents' confusion. Yet, through media and the opening of the country to the rest of the world, they are also exposed to ideas about modern sexuality. Sex education should not ignore those facts, but rather assess how to best merge them and promote healthy sexual practices.

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ENDNOTES

¹ Results of this survey will be published in 2007 in *Challenging the Namibian perception of sexuality, Volume 2*.

² The labia minora is the inner part of the vulva (which also comprises the labia majora, the clitoris, the urethra and the vestibule glands). The labia minora are smaller folds of hairless skin usually hidden between the labia majora. They surround the vestibule

or opening of the vagina. These folds are smooth and pigmented and at their upper ends they meet to form around the clitoris (Westheimer 2000)

- ³ Refer to the project 'The Caring Namibian Man', Ombetja Yehinga Organisation, 2005. For more information visit the organisation's website at www.ombetja.org.

Chapter 4

The Myth of the Asexual Child in Namibia

Philippe Talavera



Introduction

The chapter will describe and discuss childhood sexuality in Namibia, a country where little research has been conducted to understand the sexuality of children. The data presented here is based on research conducted primarily in Kunene North. I will argue that although Namibian children are believed to be asexual beings, in many cultures they were allowed to explore their sexuality through childhood games.

Methodology

Most of the data presented here have been collected as part of a wider research project aimed at understanding sex and sexuality among the Ovahimba and Ovaherero populations in Kunene North. The preliminary data were collected very informally between January 1999 and December 2000 while I was living in Opuwo and interacting almost on a daily basis with Ovahimba and Ovaherero people. Step by step information was recorded in diary form and later analysed. Preliminary theories were discussed with several officials in Opuwo. Based on these discussions, more than 30 informal interviews were conducted. The information from the interviews was usually recorded after, not during, the interview because we believed that the presence of writing or recording instruments would have biased the interviews.

Based on the findings of these initial interviews, guidelines and questionnaires were developed. In order to decrease the potential impact of the

presence of a white interviewer, it was decided to use local interviewers. All of the questions in the questionnaire were discussed extensively, and after every 10 to 15 questionnaires the findings were analysed and the questions were modified in order to make them more precise. In total, 67 people between the ages of 15 and 78 were formally interviewed.

To avoid assuming the meanings of sex and sexuality in Ovahimba and Ovaherero culture, open-ended questions were used. The order of the questions was constantly changed to avoid the assumption that hetero-procreative sex was the norm. For example, questions linked to heterosexuality were sometimes first, sometimes last. Some interviews started with bestiality, others with gay sex, etc. In order to try to determine whether trends existed, some questions were kept very general, eg “in your community” or “in your culture”. Other questions focused on personal histories in order to understand the general as well as the particular. Forty two interviews were conducted in rural areas and 39 in the urban area of Opuwo.

In addition to the interviews, other research instruments were developed. For example, during a training session in March 2001, teachers were asked to discuss terms used to denote sexual organs and activities. An extensive review of the literature was also undertaken, with 58 references on sexuality analysed, compared and contrasted with the survey results (see Talavera 2001). Priority was given to the analysis of the few existing Namibian documents relating to sexuality and the testimonies of older members of the communities (see Talavera et al 2000).

Information regarding other cultural groups was collected by conducting informal unstructured interviews, primarily with elder people. Interviews were unstructured so as not to interrupt the flow of conversation. Interviews with older people were conducted at their residences with only the interviewer, a translator and the interviewee present. The interviewer took notes as the discussion proceeded. Each interview lasted between one and three hours. In the Kavango region, 12 men and 23 women were interviewed. In the Caprivi region, 14 men and 21 women were interviewed. In the San community, 14 men and 16 women were interviewed. Interviews were conducted between 2004 and 2006.

Case study: Ovahimba and Ovaherero from Kunene North

The following data were collected during a one-year survey in Kunene North among the Ovahimba and Ovaherero by the then “Ombetja Yehinga / The Red Ribbon” programme, Kunene Regional Council (presently called Ombetja Yehinga Organisation) (see Talavera 2002).

Sexuality in early childhood – birth to age four

It is important to remember at this stage that the Ovahimba and Ovaherero cultural groups are fundamentally polygamous. Most Ovahimba men are polygynous; some men will marry two or more women. Marrying several women is a symbol of wealth. Headmen and wealthy community members demonstrate their status by publicly showing that they can support large families. Ngeendepi Muharukua, headman for Oukongo, explained that “depending on your wealth, you can marry three to four times. I myself have five wives ... If you can afford it, you marry several women. It is your responsibility as the man to feed your family, so you marry according to your wealth” (OYO 2006). *Lobola* has to be paid to the family of the bride, often leading to the perception that women have been ‘bought’. One of the main duties of a wife is to produce and raise healthy heirs.

In addition to official polygamy, unofficial sexual relationships are common. In the Ovahimba community, women often stay in the homestead while men travel, either with the livestock at times of drought or to attend meetings, funerals and other social events. Husbands and wives are, therefore, often separated. Husbands look for new wives, while wives may accept lovers. The Ovahimba community has developed a complex system in which formal and informal relationships are codified and follow strict rules (Talavera 2002).

Maternal contact

In the Ovahimba and Ovaherero culture children belong to their mothers. Caring for children is a women’s task and fathers are only occasionally involved with them. Mothers breastfeed their babies for one and a half to two years. Furthermore, until the age of four babies sleep in their mother’s hut, separate from their brothers or sisters. This fosters a close contact between a baby and his mother, both physically (breastfeeding) and in terms of space (housing). This lengthy, close relation has a calming effect on the baby.

When the father or another man comes to the hut to have sex with the mother, the baby is present. Almost all people who were interviewed acknowledged the presence of the baby while the couple is having sex, but all concluded saying, “It is of no consequence; the baby is sleeping.”

Marital relations always take place in the husband’s homestead, normally in a hut selected by the wife. The wife will often select her own hut so she can look after her baby. In the case of an extramarital relation, the sexual intercourse always takes place at the woman’s hut in her homestead. Once again the baby will be present. Therefore, between birth and four years of age, the young child is present when its mother is having

sex with its father or with her lover(s). This may, at a very early stage, create sexual memories and could explain the absence of a notion of sexual exclusivity in the culture. Possessiveness exists (the wife is “bought” by her husband), but sexual love is not exclusive.

The baby's role in the sexual dynamic

Babies are sometimes used to prevent the sexual act from occurring (Augustinio et al 2001). Several mothers explained that when their husbands come into their hut for sex, if they are not in the mood, their only weapon is “to put the baby between themselves and the husband”. One can easily imagine the scene, the crying baby held against its mother’s body, while the angry husband becomes frustrated.

The baby can thus become a member of the woman/man/baby triangle. The psychological consequences of this dynamic are unknown. Does it mean that the baby, until the age of four, moves from a passive sexual object (witnessing its parents having sex) to an active sexual object (preventing sexual contact between the parents, and staying alone with its mother after the event, possibly involved in close contact such as breastfeeding)? Even if the baby is not involved in the sexual intercourse per se, it is involved in the sexual environment.

This is complicated by the fact that during the day the baby remains with its mother and the other women in the homestead. The father is usually attending meetings, drinking, or looking after the cattle during the day. Older children also leave to look after cattle and small livestock. It is very common, therefore, to arrive at a homestead and find only women (the different wives, the husband’s sisters, relatives, etc) with all their babies. The babies will then pass from hand to hand and be looked after by the different women.

Therefore, right from an early stage, the Ovahimba male baby is living in a polygamous world. His first perceptions are linked to the presence of several women surrounding him and taking care of him. Unlike the model of the nuclear family (father, mother, child) found in western society, in the Ovahimba and Ovaherero society the norm is matrifocality (several women and the child), with the occasional presence of a father and lovers as unique male figures.

The separation

At the age of four, babies are suddenly separated from their mothers. They are not allowed to sleep in the mother’s hut anymore and must join the huts of their brothers and sisters. The psychological contact with the mother is broken. From this stage onward, the child is becoming an autonomous

individual and will remain a member of the family but will have his or her own tasks to perform.

Sexuality in the child between the age of four and puberty

One of the most complex periods in the lives of the Ovahimba and Ovaherero is the one called *omuatje*, between four years old and adulthood (which is 18-20 years for men, when they become autonomous and can leave the paternal homestead, and usually until marriage for women).

The ouruwo game

Together with other children from the community, children will often play the *ouruwo*.

It is a complex game whereby children recreate their environment. Boys build little houses, following the model of their own homesteads (*ouruwo* is often translated as the “small houses”). Once the houses have been built, the children give themselves roles:

- The younger children, between the ages of four and 8-10, are male and female goats. As such, they will roam around, graze, be taken for watering and engage in reproductive acts.
- Older children, from 8-10 to 11-12 years old, are usually male and female cattle, donkeys and horses. Again, they roam around, are milked, looked after by the ‘parents’, and engage in reproductive acts.
- The oldest children, usually 13 or 14 years old, are the parents who inhabit the small houses.

The two first groups, playing animals, act as animals act naturally. Children know about the behaviour of animals very well, for they look after them, milk them and follow them. Male goats and bulls often mate, or try to mate, with the females. This is a phenomenon as natural as eating and sleeping. Therefore, playing the game also means mating, and there is the possibility of sexual intercourse with vaginal penetration, even between boys and girls of 4 to 6 years old. This has been confirmed by several respondents who said that their first penetrative experience was while playing the *ouruwo*.

It is interesting here to quote Segalen’s (1983: 130) work: “When they are very young, the children learn about reproduction by observing the farmyard life around them, the cow being taken to the bull, calves and lambs being born.” As a matter of fact, neither parents nor adolescents regard this early vaginal penetration as being a sexual act. It is purely a natural act performed

by animals; an act they witness every day of their lives. Sex is said to occur when there is ejaculation (and when it potentially leads to reproduction). A sexual act without ejaculation is not considered a sexual act. Therefore, the game is perceived by children as innocent (they replicate their environment) and by parents as unimportant.

More interesting and problematic is the association of such an act with sexual pleasure. It has been impossible to determine whether such acts are considered pleasurable or not, ie whether they were replicated again and again without sexual pleasure or because of the sexual pleasure. Given the frequency with which it is played, the sexual aspect of the game probably involves sexual pleasure. Younger boys may not have the ability to ejaculate, but the excitement and possible stimulation of various cutaneous areas called erogenic zones may be enough to lead to real sexual pleasure.

The older children become 'mothers' and 'fathers' within the game. Parents care for the flock and look after the other 'animals/children'. They also hunt, clean the yard and cook. Then, at the end of the day, after dinner, they go into small houses and have sex. Therefore, at an early stage in the child's mind, the relationships woman/ man or "male animal/ female animal" are heterosexual relations aimed at reproduction. This point is important because it also defines gender relations before and after marriage in adulthood.

The game in other communities

In the Kavango area

In the Kavango area there is a very similar game called *mantambo*. It also involves building small houses with sticks. Girls take maize from home and cook, while boys make little bows and arrows and hunt birds. Other children would be cocks, hens, dogs, or baboons. While in most cases the game just involves imitating the household and environment, in some cases, it provides an opportunity for children to experience sex. *Mantambo*, like *ourowo*, is practiced before puberty and is considered as non-sexual by adults.

In the Caprivi area

A similar game has been described as taking place in the Caprivi area. However, instead of calling it 'small house', it is called 'playing mother and father' or *madurini* in the local language. It also involves building small houses with grass, and cooking, fishing and eating. Children will assign themselves roles, usually mother, father, children, cocks and dogs. Children, cocks and

dogs stay outside the house while the parents go inside. In some cases this game provides an opportunity to experience sex. Some respondents explained that the game could be played between siblings while others said that sisters and brothers could not become mothers and fathers. The game is practiced before puberty, usually by children under the age of ten. There is no risk of pregnancy and it is not considered sexual by adults. A 50-year-old woman reports, "Before the age of 16, it is not real sex because there is no emotion or feeling; you just imitate."

Another common game in this area is hide-and-seek, locally called *mayipato*. Some children will run away to look for a hiding place. Others will count and will then go and look for their friends. Children could run away with their boyfriend/girlfriend and have sex while hiding. This was commonly reported, especially among children between the ages of 10 and 14. Many respondents explained this was how they experienced their first sexual intercourse.

Finally, boys and girls play games at the river where they swim, play and chase each other. In some cases, respondents said that these games could have a sexual component, with boys and girls having sex (see Talavera, this volume).

In the San community

Bushmen living in the Nye Nye conservancy area have reported a similar game, called *Tchia Khoe* (sexual game) or *Khui tjuahmi* (small house). The game may or may not involve building a small house with sticks and grass. Children gather food and pretend to cook, and primarily play at being mothers and fathers; less often they play at being children or animals. If there are four children, two boys and two girls, they will rather build two houses and play two families. After eating, the 'parents' will go in the house where they may have sex, as adults do. When the game does not involve building a small house, it is called 'sexual game', and children go by pairs into the bush in order to have sex.

Again, the children are young (pre-puberty) and the game is not considered by adults as real sex. However, if parents see their children playing the game, the parents will beat them and tell them they are not supposed to play it. Some San report that you can play the game with your siblings (especially if it involves building the house, cooking, etc) while others say you cannot play it with your siblings and must play it with neighbouring children.

Discussion: The sexual Namibian child

“The body and life itself is the world’s strangest thing. Why then should we be shocked or even surprised by anything that this strange mechanism does?” (Jorgensen 1967)

Is a game a sexual act?

In the case of the *ouruwo* or similar ‘small house’ games, the act of penile-vaginal penetration is described as replicating the children’s environment. Neither the children nor the parents described the game as sexual. It is the result of proper observation of the environment. Children have looked at the way animals behave and are able to replicate what they have seen. The older ones have looked at their parents having sex (perhaps, in the case of the Ovahimba/Ovaherero child, unconsciously remembering the early stages of their lives when they were present in the hut). It is a game based on observation ruled by the necessity to copy what has been learnt. With such a perspective, the game is not a sexual act. However, this would mean that the children are not conscious of what they observe in the field, particularly the sexual component of what they are copying. This view would deny them the ability to understand what sex is. As stated by Nye (1999), in the 20th century “the myth of the non-sexual child was shaken if not exploded by the first generation of sexologists, who found abundant evidence of sensuality, erotic attachment and even orgasms in children”.

It is likely that the game, at its inception, is aimed at replicating the environment. However, it is also likely that it becomes pleasurable and that, step by step, the pleasure involved becomes the reason to play the game. There is, therefore, probably a sort of movement forward and backward, from the game to the sexual intercourse and back.

How does the social environment interact with childhood sexuality?

The Ovahimba and Ovaherero cultural group is fundamentally animist. The religious system is based on the cult of the ancestors – mediums between the living and God. The system involves five generations, three living and two dead. The two dead ancestors mediate between the elder living male representative of the family and God. Under such a system, it is of outmost importance for each man to have male heirs. Thus, pressure is put on women to bear many children in order to ensure a pool of sons and grandsons.

The culture is highly orientated towards cattle-raising. Wealth is measured by the size of the herd. However, in order to manage large herds in the difficult semi-arid environment of the region, it is important to split them into different groups. Each group should then be looked after by a member of the family.

Based on these two facts, a polygamous system aiming at producing numerous children has developed, and children are given great care. They are raised in a female environment extremely close to and protected by their mothers. Once old and strong enough, boys will look after the cattle, living with them and following them to water points. Girls are objects to be exchanged for cattle and pressure is put on them to get married early and start a new cycle, while young men are encouraged to become autonomous and start raising their own family. Hence, from the beginning, it seems that the cultural environment is shaping the sexual mind of the child. On the other hand, the sexual impulse of the child probably contributes towards the maintenance of this system.

Trying to analyse, quantify, or compare sexual behaviours is always a difficult and subjective exercise. The following sentences are my personal interpretation, and should be considered as such. Because the male child is raised by a group of women, he wants to live with several women when he is old enough. Perhaps because the young man has witnessed his mother having sex with her husband and her lovers, he multiplies sexual objects. Because they live close to livestock, the young child is aware of and becomes involved in sexual relationships. Therefore, child sexuality is both the cause and the consequence of the social and familial Ovahimba and Ovaherero environments. A similar analysis can be extended to other cultural groups.

Why is the myth of the asexual child so embedded in Namibia?

Based on the evidence given above, it may seem paradoxical that the myth of the asexual child is so deeply embedded in Namibian culture. In the case of the Ovahimba and Ovaherero cultural group and of the *ouruwo* game now described, it appears obvious that the child is not an asexual being. The additional examples from the Kavango, Caprivi and San communities confirm these findings. The stigma associated with child sexuality in Namibia should be discouraged, because such child sexuality is merely the reflection of the body's normal impulses under a given social and agro-ecological environment.

Even if the *ouruwo* game exists only in Kunene North, it is very similar to other games that have been developed by children in other parts of the country. Although the presence of these games has not been studied among

other groups such as the Owambo and Damara-Nama, they are likely to exist. The behaviour of Ovahimba and Ovaherero children is not the exception, but rather a confirmation that sexuality is an inner personal experience that is shaped step by step in every individual from birth until death.

In Namibia, a society which is still relatively puritanical, it is difficult to discuss different sexualities. Sexuality is ultimately an individual experience, a compromise between inner instincts, romantic feelings and puritanical tendencies, which is heavily controlled by social regulations and laws, including religious morality. In such a context, especially when the social taboos are very strong, most people refrain from discussing sensitive issues. Hence, there is a convenient silence surrounding child sexuality.

Conclusion: Is denying sexuality to children a viable option?

In the era of HIV/AIDS, it seems the time has come to accept that long before puberty the child is capable of erotic feelings. The environment in which children grow shapes their future sexuality. Denying this fact will not change anything; the environment does not need our approval to influence the child. Understanding the process by which the environment, including the social environment, is shaping the individual psyche, including the libido, will allow psychologists, sociologists and other professionals involved in HIV/AIDS awareness campaigns to support “the development of a child capable of healthy sexual and reproductive functioning in adulthood” (Money 1968).

A 20-year-old male respondent from the Caprivi region explained that he was 5 years old when he first played the small houses game and 10 years old when he penetrated a girl while playing hide-and-seek. He was 17 years old when he used a condom for the first time because prior to that time he did not know about condoms. Hence, between the ages of 10 and 17, he had unprotected sex. He had received messages regarding abstinence, but no one had told him about condoms.

A proper understanding of sexuality among the Namibian population will have to start with an in-depth look at child development. The images carved into the memory of the baby associated with the environment will influence the games the child will become involved in and ultimately the behaviour of the adult. The children we were yesterday have made us the adults we are today. Denying our sexual identity as children is nothing less than denying our sexual identity as adults. Namibian society has to take responsibility for the healthy development of its own children.

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Chapter 5

The Interrelationship of *Ohango* Ritual, Gender and Youth Status among the Owambo of North-Central Namibia¹

Sayumi Yamakawa

Introduction

The Namibian National Youth Policy defines youth as those who fall in an age category of 15-30 years. In theory, those who are over 30 years of age are not regarded as youth but as adults.² However, people in Owambo communities do not automatically become adults based on their biological age; adult status for both men and women is attained only through marriage. To become married, Owambo youth need to go through the ritual of *ohango*.³ When referring to its present practice, the *ohango* ritual is translated as wedding. When referring to how it was practiced in the past, it is identified as the Owambo 'female initiation ritual'. What is suggested here is that the transformation of the *ohango* ritual from a female initiation ritual to a wedding ceremony is due to the unique history of Owambo communities.

Christianisation has been one of the most prominent socio-historical processes of transforming the *ohango* ritual. This transformation has resulted in a fundamental modification of the *ohango* practice in that it now involves both sexes while in the past it only involved females. Previously, parents tended to let their daughters participate in *ohango* when they reached puberty, however, it depended on a family's finances as to whether they were able to afford the ritual and feast. After the girls went through the ritual, they were recognised as mature and marriageable. Boys, however,

could only attain such a status when they had the economic resources such as livestock for their weddings. Thus, prior to Christianisation, the period between childhood and adulthood was shorter for Owambo women than it was for men.

The purpose of this chapter is twofold: One is to examine the cultural reinterpretation of the *ohango* ritual as a boundary marker between an individual's social status as a youth versus an adult; the other is to analyse the interrelationship between the cultural importance of *ohango* ritual and young people's understanding of the ritual in conjunction with other markers in contemporary youth lifestyles.⁴ First, I briefly describe the historical background of the *ohango* ritual in pre- and during the Christianisation/colonial period. Second, I consider the influence of the transformation of the *ohango* ritual on the reconstruction of female pre-marital status and suggest that such a transformation has created a space for female youth status to become parallel to male youth status. Despite the fact that youth status is still largely gendered within the categories of male and female, both genders are equally categorised as youth until they get married. Lastly, moving to the present context, I investigate the way in which young people use contemporary boundary markers such as schooling, fashion, and hairstyles to 'self-express' their identity of youth. At the same time, young people perceive the *ohango* not only as the beginning of adult status but rather as 'assurance' of the youth status for unmarried people. Applying the notion of 'tradition' to the *ohango* secures the social status of youth in a culturally valid manner and emphasises their ethnic identity. Interestingly, this youthful practice contributes to maintaining the cultural importance of the *ohango* ritual in Owambo communities.

Background of the *ohango* ritual in Owambo communities

Although the reliability of descriptions of *ohango* in the literature is in question due to the secretive nature of many parts of the ceremony, the following description is a compilation of the most reliable literature available. The underlying functions of the *ohango* female initiation ritual (often locally called a 'traditional marriage') was for the enhancement of female fertility, the recognition of full maturity, and the legitimisation of childbirth (Tuupainen 1970; McKittrick 2002; Miettinen 2005). Traditionally, pre-initiation pregnancy was considered a disgrace for girls, their families, and the entire community. A girl who became pregnant before *ohango* was not allowed to participate in the ceremony. In addition, in the ceremonies, all participants had to prove that they were not pregnant by passing a number of requirements, which

included arduous tasks such as corn stamping. Any signs of fatigue or collapse were taken as proof of pregnancy, for it was believed that a pregnant woman would not have the physical stamina to do heavy work for a sustained period of time (Loeb 1962: 244; Hahn 1928: 30). One Owambo proverb illustrates the social unacceptability of such pregnancies:

“(Omuntu) a fukala munini e dule ondjaba ya dja edimo [...] (A person) who married young is better than an elephant which has an abortion = A girl who married while very young is more important than a girl (ready for the initiation ceremony) who has had an abortion.” (Hasheela 1998: 1)

Ohango is a collective ceremony that dramatises participants' social acceptance of their roles, responsibilities and rights for their membership in their communities.⁵ Only after *ohango* were girls permitted to have a full sexual life and give birth legitimately, whether or not they were officially married (Tuupainen 1970; Becker 1998).⁶

Girls who completed the initiation ceremonies wore new clothing and changed their hairstyle so that their new status as mature women could be easily recognised. Initiated girls were also regarded as marriageable. In fact, initiated girls gained a unique status referred to as *omufuko*, which is similar to the concept of a 'bride' but did not necessarily require a groom. If a man's courtship was approved by a girl's parents and the engagement had occurred, the next step was a marriage feast, which could happen anytime after the *ohango*. On the other hand, if an initiated girl was not engaged or her fiancé could not provide an *oyonda* (wedding ox) for a wedding feast, it could take several years before the actual wedding feast took place. The wedding feast could take place at the home of the bride or the bridegroom, or in both places (Hahn 1928: 32).

The *ohango* had the power to transform a female's social status from unmarried (and thus immature) to marriageable (and thus mature). Due to the fear of pre-*ohango* pregnancy, parents wanted their daughters to participate in the *ohango* when they reached puberty (Loeb 1962: 244).⁷ Therefore, the *omugundjuka* (unmarried or youth) period of life for women was quite short. For men, the social status of 'adult' was attained when they had a wedding feast, a wife, and their own homestead. Men spent a longer period of their lives than women classified as a youths. It was not biological age but the obtainment of a wife that was required to become an *omusamane* (married man = mature person).⁸

The 'traditional' form of the *ohango* caused conflict between the local people and Christian missionaries, who regarded the ritual as one of the most problematic representations of paganism. The Finnish Mission Society

described the *ohango* as sinful and involving violence from which they felt they had to rescue Christian girls.⁹ The missionaries used the word ‘violence’ to describe the ‘tests’ in the initiation ceremony to justify their position. Even if a girl went through the *ohango* ceremony, missionaries considered them unmarried. The missionaries considered any children born to initiated girls without husbands the result of immoral sexual conduct, and therefore illegitimate. In contrast, children born to women after the initiation ceremony were considered legitimate by the Ovambo. Hence, although both Christian and Ovambo communities saw premarital pregnancy as unacceptable, there was a crucial difference between the Ovambo and missionaries in the interpretation of what was considered a valid marriage.

Missionaries viewed a church wedding as the only legitimate means of marking this change in status. The need to legitimate childbirth through the initiation ceremony in Ovambo communities and a church marriage in ‘Western’ culture served to link these two rites of passage by virtue of their a similar functions. Both rituals also had a significant impact on the social status of youth. For both the Ovambo ‘traditional’ *ohango* and the Christian wedding, the period of youth (before the ceremony) and adulthood (after the ceremony) was clearly distinguished, suggesting that both the *ohango* ritual and Christian wedding were forms of social control by which individual and group behaviour was regulated.

During the South African colonial period, there was conflict between missionaries and the colonial administration over Ovambo ‘traditional’ customs, including the *ohango*. For the purpose of maintaining social order in Ovambo communities, the South African colonial authorities used a pro-tradition strategy and established “temporary alliances between [colonial] officials and conservative male elders and leaders” (Hayes 1996: 372). The colonial authorities tried to preserve Ovambo ‘traditions’ to prevent local people from gaining new knowledge through missionaries’ formal education. They feared that such knowledge would bring undesirable consequences for the colonial State. However, the new ideas and values that Ovambo youth learned from the missionaries’ education appealed to them because of the unfavourable social conditions during the South African regime.

Research methodology and presentation of data

Fieldwork

This chapter is based on fieldwork carried out from December 2003 to May 2005 and from July to August 2006 in the Oniipa-Ondangwa area in north-central

Namibia, the region formerly called Owamboland. The two major methods used in the research were participant observation and informal interviews. Most of the fieldwork time was spent with young people who were in their late teens and early twenties. These young people, as almost all the other people I met in the research area, identify as Christians belonging to the Evangelical Lutheran Church of Namibia (ELCIN), which has its headquarter in Oniipa. While conducting the fieldwork, I travelled to other parts of the north-central region as well as the capital Windhoek, visiting families originally from the Owambo area. Nevertheless, the data presented in this chapter are not to be understood as representative of other Owambo communities because they come primarily from my experience of the Oniipa-Ondangwa area.

Terms and age categories in Owambo communities

The English words 'adolescent' and 'teenager' have frequently appeared in recent Namibian projects and information campaigns particularly those concerning sexual health and HIV/AIDS issues, but these terms are hardly ever used in local conversation. One reason for the unpopularity of the terms 'adolescent' and 'teenager' is that there are no equivalent terms in the Oshindonga language for the social statuses that these words represent. Local people use the words 'youth' and 'young people', because these terms appear often in political discourse at the national level and more easily fit the referential span of life called *omugundjuka* in Oshindonga.¹⁰

Transformation of ohango ritual and the idea of 'tradition'

According to the Ndonga-English dictionary, the English equivalent of the word *ohango* is wedding (ELCIN 1998). This translation is commonly used by local people when they speak with non-Oshiwambo speakers about the current form of the *ohango*. The current *ohango* (between Owambo persons), based on my experience and the information from informants, can be summarised as follows: On the Sunday a week before the marriage ceremony, the marrying couple must be present at the church service and their ceremony plan is announced to the congregation. Following the announcement, there is a party at the bride's home to which close relatives, neighbours, friends and other important people are invited to celebrate the successful beginning of the *ohango*. Some relatives arrive at the bride's home even before the announcement to help the bride's family with the *ohango* preparations, while other relatives and guests arrive between a few days before and the day of the wedding ceremony. These people stay until at least the wedding ceremony and main parties at both families' homes are done. Therefore, a 'proper' *ohango* is not only about the day of the ceremony in the church but the whole

week of celebration starting on the Sunday of the announcement. In addition, the more people involved in the process and the main parties, the more positive evaluation an *ohango* receives. After going through the whole process of the *ohango*, the *omukadhona* (girl) and the *omumati* (boy) become an *omukulukadhi* (married woman/wife) and an *omusamane* (married man/husband), and they are no longer regarded as *omugundjuka* (youth) but as *omukuluntu* (adult).

Meanwhile, the *ohango* as a female initiation ceremony is not practiced as an individual or collective event in present-day Oniipa-Ondangwa communities. However, it is still an event that has a communal characteristic, involving families and relatives, friends, neighbours, and possibly a whole village. Because of this social recognition generated through such a communal space of *ohango*, its power to transform the social status of a marrying couple from youths to adults remains the same for the current *ohango*. Though in both 'old' and 'current' *ohango*, an unmarried woman/girl (*omukadhona*) becomes a married woman/wife (*omukulukadhi*), in contemporary Owambo society males also participate in the *ohango* ceremony after which a boy/unmarried man (*omumati*) becomes a married man/husband (*omusamane*). Both women and men obtain married/mature status through the same ritual and at the same time. In addition, the period between puberty and the *ohango* for women has been considerably prolonged in comparison to when the *ohango* was a female initiation ritual. Previously, it was the parents who decided when their daughters participated in the *ohango*, which was typically around or near puberty, whether or not there was a prospective fiancée. However, neither women nor men participate in the *ohango* without having a fiancée. This equalises the pre-*ohango* period between men and women, which has contributed to the re-creation of the time period of *omugundjuka*.

My informants typically described the 'Owambo wedding' as an important event with "a long process" and with "too many people". Young informants particularly perceive the *ohango* to be one of the most important events representing an Owambo 'tradition,' (or 'culture' that is often used interchangeably with 'tradition'). Therefore, the idea of 'tradition' in this context is used to validate the cultural effectiveness of the power of the *ohango* wedding. Meanwhile, *ohango* is only used to refer to a female initiation ceremony when discussing it as it was practiced in the past, or as local people say, "[It was a] long long time ago, before Christianity came to us." Although the *ohango* female initiation ceremony is sometimes also called 'traditional' marriage, the idea of 'tradition' in this sense does not support a social appreciation of the practice, as is the case of the *ohango* wedding, but is utilised to stress the obsolete state of the *ohango* as an initiation ceremony. Thus, the way that local people use the idea of 'tradition' can be confusing due to its dual-oppositional meanings, but there is a clear difference in its

usage for the wedding and for the female initiation ceremony. The focus here, however, is not to compare the different ways in which the idea of 'tradition' is applied to the pre-Christian versus contemporary forms of the *ohango* ritual. The fact that the young people show their recognition for the cultural importance of the *ohango* explains their acceptance of the social status of youth. Simultaneously, it could also be a young person's claim on a youthful lifestyle and identity as a youth rather than as an Owambo.

Contemporary markers of youth status

We have seen the function of the *ohango* ritual as a boundary marker between the social statuses of youth and adulthood. The effect of the transformation of the *ohango* ritual on the extension of the female pre-marital period and the reconstruction of the generic status of youth has also been considered. Having gone through the transformation, young people value the cultural importance of the *ohango* ritual and maintain it as their 'tradition'. They make a clear distinction between the period before and after the *ohango* and use it to identify their position within their social network. However, unlike the old form of the *ohango*, the contemporary form no longer requires participants (marrying couples) to change their physical appearance including clothes and hairstyles to mark their new social status. Instead of emphasising their adult status, young people focus on their youthful attributes when communicating with others within and outside the local community. While the *ohango* ritual is regarded as a marker of the end of youth, Christian confirmation, educational levels and tastes in clothing, hairstyles, and music, continue to reinforce identification with youth. As youth accept the institutional boundaries of the *ohango*, confirmation, and education, they also generate particular symbols such as clothes and hairstyles that reflect their view on youth status. In order to defend their view, again, the idea of 'tradition' is applied to contrast a customary style of dressing and more modern youthful styles.

Christian confirmation

Christian confirmation marks the beginning of the youth period among the people in Owambo communities. Informants often utilise the knowledge that one has gone through a Christian confirmation to determine if he or she is classified as an *okanona* (child) or an *omugundjuka* (youth). At ELCIN (Evangelical Lutheran Church in Namibia), people are usually confirmed at the age of 15. Since the appropriate age for confirmation is suggested by the church, the ritual can be used to roughly determine if a person is under 15 years old or over. This method of marking the boundary between childhood and youth is considered appropriate by many informants.

Martha, and other young people, explains the criteria for being included in the category of youth by saying, “Okay, it’s like *okanona* is from 0 to 14, and from 15 or 16 is *omumati* (and *omukadhona*). People are confirmed when they become 15 and after the confirmation they are no more *okanona* [but *omugundjuka*].” Similarly, Monica also told me, “When you are confirmed at 15 years old, and you become *omugundjuka*. But then, after that it doesn’t matter whether you are 30 or 40, as long as you are not married you are still called *omugundjuka*.” Here the upper boundary between an *omugundjuka* (youth) and an *omukuluntu* (adult) is marked by marriage, which, according to the people in Oniipa, is the only way to move from being classified as a youth to becoming a respected adult in their society. Combining the local Owambo concept of relative age-grades with the Christian idea of marking the transition from childhood to youth creates a contemporary interpretation of when one becomes a youth. Thus, the words *omugundjuka* and youth generally refer to people who are confirmed but are not married and have a connotation of immaturity. Interestingly, neither Martha nor Monica, as with many other local people, identifies an upper age limit for being a youth nor do they apply the national definition of youth.

Education

Although not as obvious as the social recognition for ‘traditional’ practices such as the *ohango* and Christian confirmation, education in contemporary Owambo communities, as well as in Namibia as a whole, does have a certain effect on marking youth status. The association between youth and school has become common in political discourse, which creates a tendency to identify school learners as youth in general public discourse as well. A sense of belonging to the same age cohort is also mentioned by my informants in relation to secondary school graduation. It is common when young people talk about their friends that they refer to having attended the same educational grade together as a marker of a group of their connection.

Education is also a major factor that contributes to the perception of a successful young woman. There is a connection between higher educational attainment and lower fertility rates for women in this study. Pregnancy is regarded by female youth as a problematic event in that it places them in the culturally undefined social position of being neither a youth (because they have had a child, which is a marker of adulthood) nor an adult (because they have not yet married and so are still regarded as youth).

Although it is common in Owambo communities for young women to have a child (or children) before they get married, it is not preferred. Delaying childbearing as a result of pursuing a higher education is seen as a way to a socially and economically successful future. However, young men often

use fertility as a sign of manhood. While having impregnated a girl has little or no repercussions for a boy's educational attainment, girls are forced to leave school for a year or longer when they become pregnant. This indicates that there is a significant difference between male and female youths, and shows that the category of youth is in fact clearly gendered.

Clothes and hairstyles

Changes in clothes and hairstyles for women after the contemporary *ohango* are far less distinctive than they used to be when the *ohango* was a female initiation ceremony. Instead of focusing on after-*ohango*, the characteristics seen in the contemporary *ohango* is that youth of both genders have created a unique fashion. The following story exemplifies how clothes have not only a gendered component (as in most societies) but also are an age-grade representation for unmarried/youth versus married/adults.

It was a hot afternoon in January. I was with my female informants in my room, just relaxing and chatting about fashions, such as hip-hugger jeans, small sleeveless tops, etc. The conversation moved on to the then President Sam Nujoma's speech on the radio concerning girls' fashion. My informants joked:

“One day last year, he was talking on the radio: ‘These days, girls are not wearing properly.’ [He meant] You know, if you sit down your kaptanies (small panties) may be above your jeans.”

[Pauline replied] “Yeah, he also says, ‘and the girls wear this small top and people can see their tummies and navels. I cannot allow them to wear like that. It is not our tradition but American. We don't wear like that, it is not good.’”

[Maria added] “Yes, yes, so [President Nujoma continued], ‘If police find you wearing like that then you must pay N\$300 to the police; they will order you to pay.’ Ah, that President is funny and we laughed!”

The other girls smiled and nodded in agreement. Their justification for wearing such fashions is because they are not ‘big *memes*’ or ‘married women,’ who possibly have their own children. They laughed off the then President's criticism, but it was striking that all of the girls reacted in the same manner to the negative criticism by an authority figure. In keeping with cultural dictates, young people are able to ignore conservative norms. However, the same girls who feel it acceptable to wear ‘Western’ or ‘American’ clothes also criticised an older woman who was not dressed culturally appropriately. When Namutenya

and I were walking to the hospital at Onandjokwe, she suddenly said, “Look at that pregnant woman!” There was a woman probably in her late 20s making a phone call from a public phone. Namutenya frowned and continued, “She’s not supposed to wear that kind of dress. She is pregnant, she shouldn’t ahhhhhh.” The woman was in a sleeveless short dress just above her knees, which was tight enough for people to see that she was pregnant and was, “too short,” for a pregnant woman. Namutenya said that the woman should wear a “*kuku* (grandmother) dress” or a “*meme* (mother or mature woman) dress”. These dresses are often called ‘Owambo dress’. They have a loose-fitting design so that one’s bodyline is not visible. Another informant, Kelly, also said that it was inappropriate for a ‘*meme*’ to wear a short skirt. Young women in my research know the cultural norms of dress in their society. At the same time, however, they defend their youthful fashion by emphasising how a ‘*meme*’ should dress.

However, these young girls generally have a positive attitude toward the Owambo traditional clothing (*odhelela*), which is a vivid pink dress especially for a celebration and the girls do not mind wearing the dress on festive occasions. I also noticed a young female Owambo musician named Tunacky, who is known by many of my informants, wearing the pink Owambo dress on the cover of a CD she had recently released. The biggest difference in the perceptions of the *meme/kuku* dress versus the *odhelela* dress is that the former is associated with an everyday context while the latter with a special occasion. Nevertheless, both styles of dress embody characteristics of gender and ethnicity.

As for young men, they are also bound by men’s dress code. However, the difference in clothes and hairstyles before and after the *ohango* wedding is more obscure than for women, and it is gender based rather than age-grade. One of the most obvious culturally dictated hairstyles for men is the shorter the better to prove manhood. In 2004, Martin decided to grow his hair to have Rasta-style dreadlocks. After a while, his hair reached his ears, but he suddenly had it cut very short. When I asked him why he cut his hair, he explained:

“Ah, because of too much noise. People are talking too much. They started saying to me, ‘*Moffie, moffie* (gay, gay). Now you look like *botsotso* (criminal).’ And I say, ‘I look like a criminal maybe, but I’m not.’ But they say, ‘*Aa-e* [No], you are going to be a criminal,’ and what-what. It was just too much and I can’t stand it anymore.”

What Martin said reveals how a ‘proper man’ should look and how sexual orientation or ‘deviant’ behaviour is socially censored. Even if Martin, as a youth, is not regarded as a ‘man,’ the society demands that he show the aspect of a ‘proper man’ who is respected and married. He tries to conform to both local/cultural and global/modern youth values, although these two different ideas in this case are incompatible. Martin, as well as

other youths, told me that he would make another attempt to show his style because he is a youth who is immature and therefore can be 'silly'.

Looking after cattle or cooking?

Young men's resistance to cultural dictates is also seen in other domains, such as in the traditionally gendered task of looking after cattle. My male youth informants tell me that they do not want to be seen looking after cattle by people from town, and thus they go deep into the village. I told them that my understanding was that this was an important job. One of the youths immediately responded, "No, no, no, no, I will be ashamed, no, no," and the other youths nodded in agreement. It was not that they thought of the task as unimportant, but they rejected the image of 'rurality' and 'backwardness' which they associate with the activity. Looking after cattle does not fit their identity as a youth or 'contemporary' *omugunduka* who wants to wear Levi jeans and Converse sneakers.

On the other hand, women's conventional jobs, such as cooking, do not have a negative imagery among the youth. Rather, skills and knowledge of household chores are vital for 'proper' women who are 'qualified' for marriage. Generally, young women are proud of their gender-defined skills. Indeed, I was often teased about my lack of skills and knowledge of 'Owambo food' and was told I needed to learn to cook, or I would not be able to marry. However, young female informants and their friends frequently stated that they do not want to marry while in their early 20s. Rather than obtaining 'respectability' as such, they would prefer to enjoy the 'immaturity' of youth by wearing 'modern' or 'American' fashions, following 'trendy' music from within and outside Namibia, playing with mobile phones, travelling to Windhoek, hanging around with friends and boy/girlfriends, etc. Young Owambo people appreciate their traditions including the *ohango* ritual but they are in no hurry to leave the youth status that they will lose when married.

Discussion

In contemporary Owambo communities, as in the Oniipa area, the *ohango* is no longer practised for the purpose of allowing women to exercise their fertility or to make them marriageable. The meaning of the *ohango* has come to represent a wedding, which includes the whole process of before and after wedding ceremonies. In other words, the meaning of the *ohango* was changed to be politically correct in the Christian religious sense. Nonetheless, there is a continuity in the understanding of the *ohango* in terms

of its power to transform social statuses with a rigid distinction between pre- and post *ohango* stages. Because of the social control that the *ohango* ritual produces, the politicisation of the ritual is a result of its history. As Kelly and Kaplan (1990: 141) explain, “[A] history of rituals is a history of reproduction, contestation, transformation, and ... deconstruction of authority.” In the case of the *ohango* ritual, it has been a crucial scene of political contest among various social groups including the Owambo people versus missionaries and the South African colonial authorities, as well as older versus younger people within local communities

Among the Oshiwambo speakers, life events such as the Christian confirmation, schooling, and marriage are commonly used to explain the transformation from one life stage to another. One of the distinctive effects of these rites of passage is that they produce a sense of belonging among those who experience them together. In addition to life events, to become an adult in Owambo society requires mental, physical and material maturity. The Owambo category of adult (*omukuluntu*) has a strong connotation of respectability, which is derived from social recognition and acceptance rather than from legal responsibility and rights for one’s actions that are attached to the Western concept of an ‘adult’. By the same token, the status of youth in Owambo communities is neither defined according to biological age nor can it be automatically suspended based on one’s age. Individuals must choose to leave their status of a youth to become recognised as an adult by fulfilling a culturally valid criteria represented by the *ohango* ritual. However, the new form of the *ohango* has left a functional void in that it no longer provides a physical means to differentiate youth from adult, as well as no longer providing for age-grade cohorts. Therefore, youth use a combination of other contemporary markers, some of which are gendered, to differentiate themselves from adults as well as to re-make age-grade cohorts.

As shown earlier, young people use ‘traditional’ values associated with clothes and hairstyles, to distinguish themselves from adults. Their understanding of being a ‘youth’ is often defined on local, national and global levels. At each level, they use different criteria to identify themselves as youths. Pilkington and Johnson (2003: 265) discuss the idea that although youth lifestyles offer differentiation and affiliation, “lifestyles do not constitute or substitute ‘identities’ but *represent* them.” Youths in the Oniipa-Ondangwa area cultivate a youth lifestyle through the use of clothes, hairstyles, tastes in music and so on, some of which are ‘modern’ or ‘global’ while others are ‘traditional’. It is the youth cultural practice of ‘self-expression’ that differentiates them from other statuses and represents their multi-layered identity. The cover of Tunacky’s CD is a good example of the ‘self-expression’ that signifies different levels of identity as a youth, an *omugundjuka*, an Owambo, a Namibian, and as a woman.

The 'traditional' form of *ohango* was modified to fit the Christian model and to represent 'modernity,' although many cultural elements still remain in the whole process of the ritual. This 'modern' *ohango* is now further reinterpreted by young people as the 'tradition' that marks the beginning of adult status. Conversely, youth also recognise the *ohango* as a culturally valid apparatus for retaining their social status of youth. Young people use the 'tradition' of the *ohango* to accentuate their Owambo identity as well as to justify their social position. Referring to the *ohango* as Owambo 'tradition' is also deemed an effective strategy with which the youth can challenge conservative moral views among mature members of the communities. Therefore, on the one hand, the *ohango* ritual regulates the social attribution of Owambo youth; but on the other hand, young people use the power of the *ohango* ritual to manage their identity and social position as youth. Interestingly, this youthful practice contributes to maintaining and strengthening the cultural significance of the *ohango* ritual in Owambo communities.

Conclusion

This chapter has focused on the relationship between the *ohango* ritual and current youth status in Owambo communities by exploring the effect of the transformation of the ritual on the reconstruction of the category of youth. I have suggested that women's time of youth in Owambo communities has been extended due to the reinterpretation of the meaning of the ritual from a female initiation to a wedding through the history of Christianisation and colonisation. As a result, the current youth category is relevant equally to both unmarried males and females. This change in the cultural meaning of the *ohango* opened up a new space for women to have different life experiences from the previous generations.

However, such an equalisation of male and female youth status, to a large extent, does not necessarily result in the assimilation of ideas and experiences among youth that have been distinguished based on genders. Looking after cattle for boys and cooking for girls are only two examples of everyday practices that are understood by local people to be a social requirement to achieve proper manhood and womanhood. It is also young people themselves who define their genders as well as age-based boundaries by appropriating cultural norms such as clothes and hairstyles for married women. Therefore, my research has confirmed that the Owambo youth are in many aspects differentiated by gendered ideas but also gender.

The data presented in this chapter suggest that Owambo youth are not passive recipients of the social power and control. Rather, youth negotiate their social status by recognising the *ohango* wedding ritual as an

important Owambo 'tradition'. The link between the *ohango* and Owambo 'tradition' enables youth to secure their social position as well as the lifestyle associated with 'youth,' and gives them a sense of local, national, as well as ethnic identities. Because of the interrelation among the *ohango*, the idea of 'tradition' and youth lifestyle, youthful practice ultimately contributes to maintaining the cultural importance of the *ohango* ritual and 'tradition' in Owambo communities.

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ENDNOTES

- ¹ I would like to thank the Mie International Exchange Foundation for funding my PhD study. I am thankful to my informants and the people in Oniipa for their generous and warm help. Prof Pempelani Mufune and the Department of Sociology at the University of Namibia gave me great support during my fieldwork. I am also grateful to Dr Suzanne LaFont, the editor of this volume. Lastly, I would like to thank Dr Debie LeBeau for her invaluable help and comment on the earlier draft of this chapter.

- ² Mufune (2002) points out the problematic nature of defining ‘youth’ as a sociological category in his paper focusing on youth in Namibia, which is useful in grasping the overall picture surrounding the younger generations.
- ³ The indigenous language of the Owambo people, known generically as Oshiwambo, is a member of the Bantu language family. There are several dialects in Oshiwambo, such as Oshindonga among the Ondonga sub-group, Oshikwanyama among the UuKwanyama, and so on. I use Oshindonga words (eg *ohango*) throughout this chapter because my research was conducted in an Oshindonga speaking area.
- ⁴ In this paper, I use ‘adult’ and ‘adulthood’ to refer to the socially recognised status of maturity in Owambo communities.
- ⁵ See also Steegstra (2002) on the link between the girls’ initiation ritual, *dipo*, and the creation of gender and ethnic identity among the Krobo in Southern Ghana.
- ⁶ For detailed descriptions of Owambo female initiation ceremonies, see Hahn (1928), Loeb (1962), Tuupainen (1970), or Tönjes (1996).
- ⁷ Tuupainen (1970) indicates the age period of 16-30 as common for girls to have been initiated in “the old days,” suggesting the pre-Christian Ondonga communities (54). Similarly, McKittrick (2002) also discusses the context in which girls from ordinary families were generally sent to the initiation ceremony rather late in their 20s to early 30s in the late nineteenth century and early twentieth century (79-83).
- ⁸ Male initiation rituals were said to have ceased well before the end of the 19th century. In addition, young men often had an opportunity to fetch salt, which required a long trip and hard burden, and therefore, could be used as proof of manhood. This practice was later replaced by going outside their country (Owamboland) through the contract labour system during the South African colonial period.
- ⁹ NAN NAO vol 12, 6/2/1 (vol 2), Finnish Mission Society to NCO, 1944. Owambo men could reserve girls in their early childhood to be their wives, though the girl’s acceptance of the man’s courtship was needed for a marriage to proceed. In Oshiwambo language, only a man/men can be the subject of the verb ‘marry (*hokana*)’ in a positive sentence form. For example: *Omulumentu ota hokana omukiintu* (The man marries the woman). A woman/women can be a subject only if the sentence is in passive form: *Omukiintu ota hokanwa komulumentu* (The woman is being married by the man).
- ¹⁰ In the Oshindonga language, terms in common use for age categories are: *okanona* (child), *okamati* or *okamatyona* (small boy), *okakadhona* (small girl), *omugundjuka* (young person, youth), *omumati* (boy or unmarried man), *omukadhona* (girl or unmarried woman), *omukuluntu* (elder, adult, parent, or mature person), *omusamane* (married man, or head of the household), *omukulukadhi* (married woman or wife), and *omukulupe* (old person). In greetings and conversations, *meme*, *tate*, *tatekulu*, *kuku* are used as a respectful way to address a married or mature woman, a married or mature man, a more respected man such as a maternal uncle, headman or king, and an old person such as a grandmother or grandfather. Conversely, I was regarded as *omugundjuka* or *omukadhona*, but was addressed with or without *meme*. The number and variety of these terms show that relative age, gender and marital status are important attributes used in Owambo society to differentiate an individual’s social status. However, the distinction between an *okamati* and an *omumati*, for example, is not as clear as the one between an *omumati* and an *omusamane*. Some people think of a 16-year-old boy as an *okamati* but others might regard him as an *omumati*, depending on the age proximity between the persons. On the contrary, a man who has gone through his own *ohango* is always considered an *omusamane*, regardless of his age.



**Legal Issues:
Equality
and
Law Reform**

Chapter 6

Ideas about Equality: Gender, Sexuality and the Law

Dianne Hubbard

Consider the following incident. After independence, the Namibian government acknowledged the fact that the normal police stations were not adequate to deal with the widespread problem of violence against women and children. It then progressively established specialised police stations throughout the country to address this problem. The specialised police stations were called Woman and Child Protection Units. But in 2006, participants at a workshop in Oshakati raised objections to the name, arguing that women and children should not have “exclusive and absolute privileges” of having police units dedicated only for them, since men are “equally genuine victims of abuse”. Some participants even felt that the gender-biased name was unconstitutional.¹ Does equality simply mean treating men and women in identical ways in all circumstances? Does equality really require us to ignore the gendered nature of many social realities?

Men in Namibia are by and large very defensive about law reforms which they feel may somehow discriminate against or disadvantage men. As detailed in the previous chapter, religious and customary law justifications have been advanced in Parliament as arguments for clinging to the status quo. Even where progressive law reforms have been enacted to advance gender equality, the key points of debate in Parliament and in the public at large have almost always been based on concerns about the preservation of male power and proprietary sexual control over women. At the same time, the Supreme Court rulings on gender equality issues have shown a tendency to be deferential to “public opinion” as expressed in Parliament and in other institutions shaped by Namibian’s patriarchal past, thus further entrenching inequalities based on current norms.

This chapter will discuss some of the gender issues which have been the subject of court cases since independence, with a view to examining the concepts of gender equality which have been applied to these topics.

The legal meaning of equality between men and women

There is only a small body of jurisprudence on gender equality in Namibia. However, the decided cases have, on the most controversial issues, given a surprising amount of weight to “public opinion” as a source of values to guide Constitutional interpretation.

The Müller case

Article 10 of the Namibian Constitution states that “(1) All persons shall be equal before the law”, and “(2) No persons may be discriminated against on the grounds of sex, race, colour, ethnic origin, religion, creed or social or economic status.” In interpreting this provision, the Namibian courts have drawn a distinction between “differentiation” and “discrimination”.

The leading case on equality under Article 10(2), *Müller v President of the Republic of Namibia*, followed precedent in other jurisdictions by holding that “an element of unjust or unfair treatment” is inherent in the meaning of the word “discriminate”. Differentiation on one of the prohibited grounds will not amount to unfair discrimination if it bears a “rational connection” to a “legitimate purpose”. In order to determine whether unfair discrimination is present, the court will look at the purpose of the discrimination in question, the impact of the discrimination on the victim and on any previously disadvantaged groups in society, and whether the discrimination has the effect of impairing the victim’s human dignity (*Müller*: 203).

The subject of the *Müller* case was a gender question. When Mr Müller married Ms Engelhard, he wanted to adopt her surname, so that the two of them could operate their jewellery business under her more distinctive and well-established business name. Under Namibian law, she could have simply started using his surname if she wished – but he could assume her surname only by going through a formal name change procedure which involved extra effort and expense.

The Supreme Court ruled that this particular differentiation did not amount to unfair discrimination. Key factors were findings that:

- the complainant, a white male, was not a member of a prior disadvantaged group;²

- the aim of the name change formalities was not to impair the dignity of males or to disadvantage them;
- the legislature has a clear interest in the regulation of surnames; and
- the impact of the differentiation on the interests of the applicant was minimal since he could adopt his wife's surname by a procedure involving only minor inconvenience.

The Court noted that the legal provision in question “gave effect to a tradition of long standing in the Namibian community that the wife normally assumes the surname of the husband”, with the government being unaware of any other husband in Namibia who wanted to assume the surname of his wife (Müller: 204). Thus, the court gave particular weight to the status quo.³

The matter was subsequently referred to the United Nations Committee which oversees the International Covenant on Civil and Political Rights. This Committee ruled in March 2002 that the different procedures for dealing with surnames *do* amount to unfair sex discrimination in terms of the International Covenant, noting that long-standing tradition is not a sufficient justification for differential treatment between the sexes. The Committee gave the Namibian government 90 days to report on what it has done to rectify the problem. Mr Müller had already changed his name to Mr Engelhard by that stage (under the laws of his home country of Germany), but the underlying Namibian law has not yet been changed to remove the sex discrimination which was identified.⁴

The Frank case

The next major gender issue to be considered by the Namibian courts concerned a lesbian relationship. In the case of *Frank v Chairperson of the Immigration Selection Board*, the Supreme Court rejected the argument that the Immigration Board had violated the applicants' fundamental rights to equality by failing to accord their lesbian relationship equal status with the relationships of men and women who are legally married.

The Supreme Court's approach to Constitutional interpretation here was to start with the “plain meaning” of the words in the relevant Constitutional provision, guided by “the legal history, traditions and usages of the country concerned”, followed by a “value judgment” in any case where the Constitutional provision is not “absolute” (*Frank*: 133B-136A).⁵

In making such a value judgement, the Court stated that it must look to the “moral standards, established beliefs, social conditions, experiences and perceptions of the Namibian people, as expressed in their national institutions and Constitution” (*Frank* : 137). The Court also said that it was

appropriate to look at the emerging consensus of values in the international community, but that local norms should be given priority to avoid creating a perception that the courts are imposing foreign values on the Namibian people.⁶

The Court identified “the Namibian parliament, courts, tribal authorities, common law, statute law and tribal law, political parties, news media, trade unions, established Namibian churches and other relevant community-based organizations” as sources of expressions of Namibian values. It noted that “Parliament, being the chosen representatives of the people of Namibia, is one of the most important institutions to express the current day values of the people” (*Frank*: 137).⁷

However, the Court also expressed the need to exercise caution when considering the value of public opinion in Constitutional interpretation, recognising that public opinion is not always a source of information which can be trusted since it is not always based on “reason and true facts” (*Frank*: 138).

Applying a value judgement to the issue before it, the Court found that the Namibian Constitution makes no provision for the recognition of homosexual relationships as being equivalent to marriage, and that the Constitutional term “family” clearly does not contemplate that a homosexual relationship could be regarded as a “natural” or “fundamental” group unit. In ruling that Article 10 does not protect homosexual relationships, the Court found that “Namibian trends, contemporary opinions, norms and values tend in the opposite direction”. The main evidence cited for this conclusion was the absence of a legislative trend towards the recognition of same-sex relationships in Namibia, and statements by the President and one male Member of Parliament which argued strongly against the recognition of such relationships.⁸

The Court concluded that discrimination on the basis of sexual orientation in the context before it is not “unfair discrimination” according to the *Müller* test, saying that “Equality before the law for each person does not mean equality before the law for each person’s sexual relationships.” However, the Court emphasised that nothing in its judgement “justifies discrimination against homosexuals as individuals, or deprives them of the protection of other provisions of the Namibian Constitution” (*Frank*: 156).

The Myburgh case

The “absolute” approach to Constitutional interpretation was taken in the case of *Myburgh v Commercial Bank of Namibia*, which concerned a husband’s marital power over his wife. In this case, the Supreme Court held that this discriminatory concept was already automatically invalid by virtue of its unconstitutionality, even before it was overruled by Parliament with the *Married Persons Equality Act 1 of 1996*. Here the Court found “unfair discrim-

ination” on the grounds of sex, without finding it necessary to make any “value judgement”.

The Court noted that the differentiation in question is based on stereotyping “which does not take cognisance of the equal worth of women”, thus impairing the dignity of women as individuals and as a group. The Court concluded that this was “not an instance where meaning and content must still be given to the provisions of the Constitution”, stating that no value judgement is necessary to see that the common law rules on marital power are discriminatory and unconstitutional (*Myburgh*: 266B-I; 268D-E).

Some comments on the Namibian jurisprudence

These three cases (decided by a judiciary which is almost exclusively male) each assign a different role to tradition and public opinion, thus providing poor guidance on when existing notions of gender and sexuality will prevail over a new world re-fashioned in light of constitutional ideals. All the institutions cited in the *Frank* case as sources of Namibian values are male-dominated institutions, meaning that the courts are likely to look to “male” public opinion for guidance. For example, the Parliamentary debates around gender-related law reforms illustrate the reluctance of this institution to embrace women’s autonomy, particularly in sexual matters, as well as fears that “equality” will disadvantage men in unacceptable ways (see Hubbard this volume).

This court’s deference to public opinion as expressed in institutions such as Parliament also raises the danger of a mutually-reinforcing dialogue between the courts and Parliament; for example, the courts looked to Parliament’s lack of support for homosexual relationships in the *Frank* case, and Parliamentarians have subsequently cited the court’s judgement in the *Frank* case as a justification for continuing to exclude homosexual relationships from the protection of the law.

Constitutional analysis in other jurisdictions has pointed out that Constitutional protections enforced by the judiciary are particularly necessary to protect the *unpopular* rights of the minority. Parliament, as the representatives of the majority, can in theory be relied upon to enact laws based on the will and values of the majority. But the Constitution and the courts should be the source of protection for the rights of those who are most vulnerable – often because they want to express an opinion or engage in a practice which *departs* from society’s existing norms (see Tribe et al 2003).

For example, in South Africa the Constitutional Court decided a case very similar to Namibia’s *Frank* case, yet with the opposite outcome, holding that it is unconstitutional for immigration law to favour non-citizen spouses over non-citizen same-sex partners. The constitutional framework is different in South Africa, where discrimination on the grounds of sexual orientation

is explicitly forbidden. But in contrast to the *Frank* case, the South African court did not look for the endorsement of public opinion but found, on the contrary, that it is especially important to afford constitutional protection to those who are already vulnerable because of societal stereotyping or prejudice.⁹

Equalities and realities

The question of how to promote equality in an unequal world is a vexing one. As the debates discussed in the previous chapter illustrate, Parliament has sometimes applied simplistic understandings of gender equality to issues of family law reform. Treating people equally does not mean treating everyone in exactly the same way. It means treating people who are in similar situations in a similar way. But, like a hall of mirrors, this gives rise to additional questions about who is similar to whom, and in what ways.

US law professor Martha Fineman (1991) suggests that we need to recognise two kinds of equality. “Rule equality” means applying gender-blind rules to every situation, regardless of the social differences and inequalities involved. “Result equality” means tailoring the rules to fit the factual situation, so that the *result* is that men and women are placed in a comparable position.

This distinction is more commonly referred to as “formal” versus “substantive” equality. Formal equality means eliminating all gender-based distinctions. Substantive equality requires an examination of laws in their social context to see what approaches will best advance meaningful equality in real life. One South African commentator gives this explanation of the differences between the two concepts of equality:

“[F]ormal equality is blind to entrenched structural inequality. It ignores actual social and economic disparities between people and constructs standards that appear to be neutral, which in truth embody a set of particular needs and experiences which derive from socially privileged groups. Reliance on formal equality may therefore exacerbate inequality. Substantive equality, on the other hand, requires courts to examine the actual economic and social and political conditions of groups and individuals in order to determine whether the Constitution’s commitment to equality is being upheld.” (De Vos 2000: 68)¹⁰

An analysis based on substantive equality seeks to compensate for past inequalities (as in affirmative action schemes), and recognises that applying formal equality to an unequal reality may simply entrench the existing situation.

Parliamentary debates in Namibia have often focused on formal equality, without a sensitive examination of the underlying social realities. This problem came to the fore in Parliamentary debates around the *Children's Status Act 6 of 2006*, which addresses the relative rights and responsibilities of mothers and fathers when children are born outside marriage (see Hubbard this volume for a detailed account of these debates.) One question implicit in the discussions around the Bill was what weight to give to current social reality. Women's groups pointed to statistics indicating that only four percent of Namibian children under age 15 live with their fathers but not their mothers (when both parents are alive), while only 0,4 percent live with their fathers even after their mothers have died. (MoHSS 2003: 11-12)

The social fact that children born outside of marriage are generally cared for by their mothers and not their fathers arguably justifies giving mothers a procedural advantage over fathers by giving them custody as a starting point – as long as fathers have the right to approach a children's court and request custody, with the ultimate decision being based solely on the best interests of the child. It was contended that asking fathers to be the ones to go to court if they wanted custody would be the best way to avoid placing an impossible burden on Namibia's already overstretched courts. This procedural difference would be a variation of the one upheld by the court in the *Müller* case. However, as explained in detail in the previous chapter, this approach was rejected in favour of formal equality, with the final Act making no distinction between mothers and fathers.

The South African Constitutional Court considered precisely this issue in the case of *President of the Republic of South Africa v Hugo*. In 1994, South African President Nelson Mandela pardoned certain categories of prisoners who had not committed very serious crimes. A blanket pardon was given to mothers with minor children under the age of 12, while fathers of young children were eligible to apply for remission of sentence on an individual basis. The justification for the different procedures was that only a minority of South African fathers are actively involved in childcare. A male prisoner challenged the pardon on the grounds that it was unfair sex discrimination, and the Constitutional Court found that the different pardon procedures were not unconstitutional.

According to the South African court, it is necessary to look at the practical considerations involved. Since male prisoners outnumber female prisoners almost fifty-fold in South Africa, releasing the fathers of young children as well as the mothers would have meant the release of a very large number of prisoners. This might have produced a public outcry. And because fathers play a lesser role in childrearing, the release of male prisoners would not have contributed very significantly to the President's goal of serving the interests of children. In other words, the costs of such a move would have outweighed

the gains. The President's pardon did not restrict the rights of any fathers permanently. It did not stop any of them from applying to the President for remission of sentence on the basis of their own special circumstances. So the court found that there was discrimination in the sense that mothers and father were treated differently, but that this discrimination was not unfair – and therefore not unconstitutional. The different treatment was justifiable as a reasonable way to serve the best interests of the children involved.

A concurring judgement expanded on this theory, asserting that the discrimination was not unfair, even though it was based on a gender stereotype, because that stereotype is a social fact:

“In this case, mothers have been afforded an advantage on the basis of a proposition that is generally speaking true. There is no doubt that the goal of equality entrenched in our Constitution would be better served if the responsibilities for child rearing were more fairly shared between fathers and mothers. The simple fact of the matter is that at present they are not. Nor are they likely to be more evenly shared in the near future. For the moment, then, and for some time to come, mothers are going to carry greater burdens than fathers in the rearing of children. We cannot ignore this crucial fact in considering the impact of the discrimination in this case.” (*Hugo*: 49F-G)

The impact of the discrimination was that there was an advantage to some mothers who are part of a group which generally shoulders a disproportionate share of child care, while no fathers were substantially or permanently harmed. The impact and the social context rendered the differential treatment of men and women acceptable and constitutional. A dissenting opinion made the counter-argument that allowing the law to acknowledge gender stereotypes may help to perpetuate them and argued for formal equality:

“Mothers are no longer the ‘natural’ or ‘primary’ minders of young children in the eyes of the law, whatever tradition, prejudice, male chauvinism or privilege may maintain. Constitutionally the starting point is that parents are parents.” (*Hugo*: 39E)

The role of mothers versus fathers was also considered in the South African case *Fraser v Children's Court*, where an unmarried father challenged the Constitutionality of a statute which required that married mothers and fathers must both give consent to put their child up for adoption, while only the mother's consent was required in cases where the parents of the child were not married. The court agreed that this distinction was an unfair form

of discrimination between married fathers versus unmarried fathers, and between unmarried mothers versus unmarried fathers. The court gave Parliament two years in which to develop an alternative approach, but warned that a blanket rule which treated all parents equally would be just as unlikely to produce the desired result:

“Why should the consent of a father who has had a very casual encounter on a single occasion with the mother have the automatic right to refuse his consent to the adoption of a child born in consequence of such a relationship, in circumstances where he has shown no further interest in the child and the mother has been the sole source of support and love for that child? Conversely, why should the consent of the father not ordinarily be necessary in the case where both parents of the child have had a long and stable relationship over many years and have equally given love and support to the child to be adopted? Indeed, there may be cases where the father has been the more stable and more involved parent of such a child and the mother has been relatively uninterested in or uninvolved in the development of the child. Why should the consent of the mother in such a case be required and not that of the father?” (*Fraser*: para 49)

The court noted that statutory and judicial responses to these problems in other jurisdictions are “nuanced”, having regard to factors such as the duration and the stability of the relationship between the parents, the age of the child, the intensity or otherwise of the bonds between parent and child, the reasons why the relationship between the parents was not formalised by marriage and the best interests of the child. The Court also directed Parliament to note that “the question of parental rights in relation to adoption bears directly on the question of gender equality”:

“In considering appropriate legislative alternatives, parliament should be acutely sensitive to the deep disadvantage experienced by the single mothers in our society. Any legislative initiative should not exacerbate that disadvantage ... The task facing parliament is thus a challenging one.”¹¹ (*Fraser*: para 44)

Unfortunately, this kind of nuanced analysis is, to date, often missing in Namibian jurisprudence and Parliamentary debates.¹²

A law which takes account of unequal realities must also try to move towards the ideal of meaningful equality between men and women. Attempting to jump from a highly gendered social reality to a completely gender-

blind approach, as the *Children's Status Act* has done in respect of custody of children born outside marriage, may not be a sensible step forwards real gender equality.

There is a large plain of uncharted territory between the ideal and the actual. For example, many women in discussing the issue of child custody in the Children's Status Bill expressed their hope that someday men and women in Namibia, married or not, will play a genuinely equal role in childcare – but the same women pointed to the dangers of legislating today for a social ideal that is perhaps several generations away. The law can lead, but not if it moves so far ahead that the public can no longer see its light.

Similar issues will probably arise around issues such as proposals for paternity leave to correspond with the paid maternity leave already provided for mothers.¹³ In an issue such as this one, men and women can be differentiated on the basis of both biological fact (given that there is no limit to the number of children a man can father over any particular time period) and social reality (given that most Namibian men are not involved in the day-to-day care of their children, no matter how much one might wish for the situation to be different). The debate on when and in what ways women and men are similarly situated on this issue, and on how to tailor such a law to encourage more involvement between fathers and children, will be interesting.

It is important for the courts, the legislature and the public to develop deeper understandings of gender equality. The goal should not be to ensure that every law in Namibia is gender-neutral, but rather to ensure that past discrimination is remedied and harmful stereotypes and practices are eliminated.

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President of the Republic of South Africa and Another v Hugo 1997 (4) SA 1 (CC).

ENDNOTES

- ¹ William J Mbangula, "Police Unit seen as Biased against Men", *New Era*, 11 August 2006. According to this article, some participants complained that the personnel at these units are so female-dominated that men do not feel free to enter the offices. In the same article, it was reported by Minister of Presidential Affairs Dr Albert Kawana that incidents of domestic violence against men have increased since the passage of the law on domestic violence. One wonder if this is an accurate assessment of the situation, or if it is rather that men are still more likely than women to utilise legal tools, despite the establishment of institutions such as the Woman and Child Protection Units.
- ² The outcome might have been different if the argument had raised the corresponding discrimination against the wife of the applicant. (Bonthys 2000).
- ³ Since this case was decided, it has become increasingly common for prominent married urban women – such as Parliamentarians – to use their own surnames together with their husband's surnames in hyphenated form. There are even a few isolated instances where both husband and wife have adopted such hyphenated surnames.
- ⁴ UN Human Rights Committee, Communication No. 919/2000, CCPR/C/74/D/919/2000, 28 June 2002. The Committee said: "In view of the importance of the principle of equality between men and women, the argument of a long-standing tradition cannot be maintained as a general justification for different treatment of men and women, which is contrary to the Covenant" (para 6.8).
- ⁵ The court cited the portion of Article 6 which prohibits the death penalty as an example of an absolute provision (*Frank*: 137).
- ⁶ See *Frank*: 135-137; 141-142, quoting in part *Namunjepe and Others v Commanding Officer, Windhoek Prison & Another* 1999 NR 271 (SC), (O'Linn, J, writing for a majority of the Court). Other cases have also indicated that Constitutional interpretation must be

carried out in the context of Namibian values. For example, Berker, CJ, in a concurring judgement in the case of *Ex Parte Attorney General, Namibia: In re: Corporal Punishment by Organs of State* 1991 NR 178 (SC) stated that “the one major and basic consideration in arriving at a decision involves an enquiry into the generally held norms, approaches, moral standards, aspiration and a host of other established beliefs of the people of Namibia” (197).

⁷ The court also listed as sources of information about values: “debates in parliament and in regional statutory bodies and legislation passed by parliament; judicial or other commissions; public opinion as established in properly conducted opinion polls; evidence placed before Courts of law and judgements of Court; referenda; publications by experts” (*Frank*: 138).

⁸ The court stated: “... [T]he President of Namibia as well as the Minister of Home Affairs, have expressed themselves repeatedly in public against the recognition and encouragement of homosexual relationships. As far as they are concerned, homosexual relationships should not be encouraged because that would be against the traditions and values of the Namibian people and would undermine those traditions and values. It is a notorious fact of which this Court can take judicial notice that when the issue was brought up in Parliament, nobody on the Government benches, which represent 77 percent of the Namibian electorate, made any comment to the contrary.” (*Frank*: 150)

⁹ *National Coalition for Gay and Lesbian Equality & Others v Minister of Home Affairs & Others* 2000 (2) SA 1 (CC): 28C-29D. Unlike the Namibian court, which looked to Parliament as one source of societal norms, the South African Court noted that although the South African Parliament had shown a legislative trend in the direction of equality for all sexual orientations, it had not yet gone far enough in recognising same-sex life partnerships as relationships in law (25).

The South African Constitutional Court subsequently ruled that it would be a violation of the constitutional guarantees of dignity and equality not to give same-sex couples the opportunity to enjoy the same status, entitlements and responsibilities as heterosexual couples. The court gave the South African Parliament one year to remedy the situation, which it did by means of the *Civil Union Act 17 of 2006*. *Minister of Home Affairs and Another v Fourie and Another, with Doctors For Life International (first amicus curiae), John Jackson Smyth (second amicus curiae) and Marriage Alliance of South Africa (third amicus curiae)*, Case CCT 60/04, 1 Dec 2005; *Lesbian and Gay Equality Project and Eighteen Others v Minister of Home Affairs and Others*, Case CCT 10/04, 1 Dec 2005.

¹⁰ The South African *Hugo* case explained the distinction this way:

“[A]lthough a society which affords each human being equal treatment on the basis of equal worth and freedom is our goal, we cannot achieve that goal by insisting upon identical treatment in all circumstances before that goal is achieved. Each case, therefore, will require a careful and thorough understanding of the impact of the discriminatory action upon the particular people concerned to determine whether its overall impact is one which furthers the constitutional goal of equality or not. A classification which is unfair in one context may not necessarily be unfair in a different context.” (*Hugo*: 23F-G)

¹¹ The South African Parliament has applied a succession of rules which have tried to capture some of these nuances. See *Natural Fathers of Children Born out of Wedlock Act 86 of 1997*; *Adoption Matters Amendment Act 56 of 1998*, and *Children’s Act 38 of 2005*.

¹² For another analysis of the South African jurisprudence, see Albertyn and Goldblatt 1998. Another analysis of the contrasting approaches in South African and Namibian equality jurisprudence is contained in Cassidy 2002.

¹³ The Deputy Minister of Labour recently announced that his Ministry was hard at work on introducing paternity leave for men in Namibia because “men should also have the right to obtain leave to look after their babies”. Brigitte Weidlich, “SADC countries mull bringing social security systems into line”, *The Namibian*, 10 July 2006.

The Labour Act 6 of 1992 provides for three months of maternity leave for any woman who has been employed for at least one year by the same employer (section 41). This provision has been supplemented by the Social Security Act, which provides maternity benefits (80 percent of full pay up to a ceiling of N\$3000) through a mandatory combined scheme for sickness, maternity and death benefits financed by matching employer and employee contributions. (*Social Security Act 34 of 1994*). Neither Act makes any provision for paternity leave or parental leave.

None of the successive drafts of the proposed new labour law have made any provision for paternity leave, although a few Parliamentarians have raised this possibility. See Lindsay Dentlinger, “Paternity proposal prompts raised eyebrows in the NA”, *The Namibian*, 31 March 2004; “Paternity leave poser piques Saara”, *The Namibian*, 8 May 2002. According to the latter article, after Deputy Minister of Higher Education Hadino Hishongwa called for the introduction of paternity leave, Director General of National Planning Commission, Saara Kuugongelwa-Amadhila jokingly expressed the hope that “our very sensible men” will soon get the benefit of paternity leave “so that they can have more time to go to kambashus (shebeens) and come back and harass wives and their newborn babies who disturb them in the night”.

See also Matthew Burnett . “Is Namibia Prepared For Paternity Leave?” *The Namibian*, 25 June 2004 and “Pros and Cons to Paternity Leave”, *The Namibian*, 2 July 2004.

Chapter 7

Gender and Sexuality: The Law Reform Landscape

Dianne Hubbard

Changes to the law are not on their own sufficient to change gender dynamics in Namibia, but the legal framework of rights and responsibilities provides a statement of official values and combines with other forces to influence behaviour. The Parliamentary discussions surrounding legal changes pertaining to gender are informative, because they highlight some of the key areas of conflict and contention in gender relations in Namibia. This chapter sketches the relevant law reforms since independence and identifies some of the key areas of debate.

The starting point

The Namibian Constitution provides a strong backdrop for gender equality. It is one of the few constitutions in the world that uses gender-neutral language throughout. It forbids discrimination on the basis of sex, provides for equality in all aspects of marriage, and gives special emphasis to women in a provision authorising affirmative action. Furthermore, it explicitly states that customary law survives only to the extent that it does not conflict with the Constitution, meaning that customary law may not entail any form of sex discrimination. The Constitution also puts men and women in an identical position with respect to citizenship, including the acquisition of citizenship by marriage.

The Constitutional guarantees of equality are strong, but they do not work automatically. For purposes of continuity and clarity, all laws in force at the date of independence remain in force until they are explicitly repealed

or amended by Parliament, or declared unconstitutional by a competent court (Namibian Constitution: Art 69). There have been a handful of cases applying the Constitutional provision on sexual equality, detailed in the following chapter, but none of these have resulted in any meaningful changes to the laws affecting gender and family relations.

Internationally, Namibia is a signatory to the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the UN Convention on the Rights of the Child, with no reservations – a whole-hearted degree of commitment which is rare amongst the countries of the world. Regionally, Namibia has also adopted the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa.¹ But the provision of the Constitution which makes these conventions part of Namibia's domestic law remains untested.²

Law reform is the key mechanism for changing the legal landscape in which gender relations are playing out in Namibia, by bridging the gap between abstract principles and practical reality. Law reform can be pushed forward by court cases, although Parliament has sometimes resisted this impetus. The following sections provide a survey of law reforms pertaining to gender and sexuality since independence.

Affirmative action for women in the public sphere

There have been many significant law reforms concerning gender in the ten years since Namibia became independent, but an analysis of these reforms shows that action in the area of the traditionally 'public' sphere of political participation and formal employment has taken precedence over action concerning the traditionally 'private' spheres of household economy and family relationships (Hubbard 2002).

There have been several legal moves aimed at assisting women "to play a full, equal and effective role in the political, social, economic and cultural life of the nation" (Namibian Constitution: Art 23(3)), with attention to the political sphere coming first. The **Local Authorities Act 23 of 1992** applied affirmative action for women to local government elections, which had the effect of dramatically increasing women's presence on local councils. Individual affirmative action provisions have also been made applicable to a number of statutory bodies and boards – including bodies such as the Social Security Commission, the Namibia Sports Commission and the National Council for Higher Education.³

Even the **Traditional Authorities Act 17 of 1995**, which provided a procedure for official recognition of traditional authorities, required that they

“promote affirmative action amongst the members of that community”, particularly “by promoting women to positions of leadership”. (Following a pattern which is becoming more pronounced in recent years, the specific reference to “women” was deleted in favour of a more neutral reference to “promoting gender equality with regard to positions of leadership” when the 1995 Act was replaced by the *Traditional Authorities Act 25 of 2000*.)

Affirmative action for women was then extended to the economic sphere. The *Co-operatives Act 23 of 1996* requires that any co-operative which has a substantial number of women members must ensure that there is at least one woman on its board, as a means to increase the representation of women in management positions. It also provides for women-only co-operatives, as a way to help women become more comfortable with business management. This was followed by the *Affirmative Action (Employment) Act 29 of 1998*, which attempts to improve the representation of blacks, women and disabled persons in the formal workforce by requiring employers with more than 50 employees (dropping to 25 employees in 2007) to prepare affirmative action plans for increasing the presence of these designated groups.

Other law reforms in the field of labour have been aimed at removing discrimination and ensuring that women are not disadvantaged in the labour market by their role in childbearing. The *Labour Act 6 of 1992* prohibits discrimination in any aspect of employment on the basis of sex, marital status, family responsibilities and sexual orientation (amongst other things), as well as forbidding harassment on the same grounds. It also provides for three months of maternity leave for any woman who has been employed for at least one year by the same employer. A new Labour Bill currently under discussion is expected to strengthen the provisions on maternity leave, maternity benefits and sexual harassment, as well as providing an explicit prohibition on all forms of discrimination relating to pregnancy.

These gender-related law reforms have proved to be relatively uncontroversial, in comparison with the law reforms which touch upon intersections between gender, sexuality and family life. The discussion below will present a survey of these more intimate law reforms.

The first wave of family law reforms: Who’s the king of the castle?

The earliest law reforms relating to the more ‘private’ spheres involved laws which contained blatant gender discrimination and would certainly have been ruled unconstitutional.

The first family law reform took place at the intersection of the ‘public’ sphere of work and the ‘private’ sphere of the family, when the law on

income tax was reformed in 1991 and 1992 to remove discrimination against married women.⁴

The next family law reform was the *Married Persons Equality Act 1 of 1996*, which eliminated the discriminatory Roman-Dutch law concept of marital power previously applicable to civil marriages in Namibia. Marital power placed wives in a similar position as minors, while husbands had the right to administer the property of both spouses. Couples married ‘in community of property’ must now consult each other on most major financial transactions with husbands and wives being subject to identical powers and restraints, while husbands and wives married ‘out of community of property’ now have the right to deal with their separate property independently.

The Act is seldom utilised in practical terms. But the symbolic import of this Act is probably even more important than its practical provisions, as it sends out a clear message that husbands and wives in civil marriages are henceforth equal in the eyes of the law.

The most controversial aspect of this law reform – both inside and outside Parliament – was a provision stating that the law will no longer recognise the husband in a civil marriage as the “head of the household”. In fact, debate on this point was so fierce that additional language was added to the original Bill to emphasise the fact that the removal of the legal status of men as heads of household would not interfere with a family’s right to treat the male as the head of the household privately.⁵

The gender-based inequalities in customary marriage, which stem from a different source, were not addressed by this law – aside from giving husbands and wives in both civil and customary marriages equal powers of guardianship in respect of children of the marriage.

During the debate on the Bill, many Parliamentarians cited Biblical accounts of Adam and Eve to support the contention that a wife must be subservient to her husband (eg National Assembly, 31 October 1995; 1, 8 and 27 November 1995; National Council, 12 and 18 December 1995). Additional examples offered to support the idea that male supremacy is part of the natural order ranged from “Even with a game of cards, the king counts more than the queen” to “A hen cannot become a cock and it remains so” (National Council, 12 and 18 December 1995). One Parliamentarian asserted that “the leadership of the man in the family is natural, just as it is natural for a woman to give birth to a child” (National Council, 7 December 1995). Another similarly stated that “the husband should remain the head of the family ... This is natural and we cannot fight and change nature” (National Council, 13 December 1995).

On the other hand, there were female – and some male – voices in the Parliamentary debate which spoke in favour of sexual equality in the family:

“The discrimination and oppression of women is a cancer in the flesh of humanity. Men are part of that humanity and therefore this deadly disease affects all of us, men and women.” (National Assembly, 31 October 1995; male speaker)

“Nations are made up of women and men. It is only logical that for right decisions to be taken, both women and men should play an equal role ... One can hardly do much if half your body is paralysed.” (National Assembly, 8 November 1995; female speaker)

“We fought side by side to liberate this country with the hope to share the fruits of such liberation. Now that independence is here, you colleagues want to turn around and indirectly take over the role of the colonialists by oppressing and discriminating against women. If oppression and discrimination was the so sweet, what was the struggle for then, or was it only for you?” (National Council, 18 December 1995; female speaker)

Most interesting were the arguments based on culture and tradition which were marshalled on both sides of the debate. Cultural arguments to defend the status quo went as follows:

“Tradition, culture, civilization and religion dictate that there should be a senior manager in a well-structured family.” (National Assembly, 8 November 1995; male speaker)

“In many black communities in Namibia, if not in the whole of Africa, men must pay *lobola* in different forms to the family of his wife. Why do women not do the same if they are equal?” (National Council, 18 December 1995; male speaker)

Cultural arguments for sexual equality went along these lines:

“[S]ometimes people adhere to outdated notions even though the real lives they live have changed. Some people also call in the aid of customary law when it suits them, well aware that such laws are flexible, unwritten and can be manipulated by those who have the power and authority ... I am afraid that culture and religion are conveniently used as instruments by those who want to subject women to all forms of inequality.” (National Assembly, 8 November 1995; female speaker)

“To the traditional argument that the husband ought to be the head according to culture, my question is ‘which culture?’” (National Assembly, 14 November 1995; female speaker)

Similar concerns have surfaced outside Parliament. A study which compiled feedback from a selection of rural and urban areas indicates that rural men and women in particular do not have a good understanding of the provisions of the *Married Persons Equality Act*, even though many have heard of it (LeBeau 2004; LeBeau and Spence 2004). Many men are opposed to the law, or think that it gives women some advantage over men. Consider the following comments made by men who were asked about the law:

“This Act says a man and a woman in a family should be equal. They share things equally in their marriage. This Act to me seems as if it is there to make men feel inferior to women. This Act is more for women than men. I feel that we are no longer valued as we were in the past. They say it is equality in marriage but this Act is more one-sided.” (LeBeau 2004: 31)

“I do not agree with women being equal to men. I think men should remain as heads of households. Again, if we refer to the Bible story, a man, Adam, was created first by God and he was given the power to rule everything on earth! My wife should not have equal rights to me. I remain the head of the household and that’s all!” (LeBeau and Spence 2004: 51)

The debate highlights two concerns which have been voiced repeatedly in political and public discussions of family law issues. One is a fear that “equality” is not a means to empower women, but rather a way of disempowering men. The other is a clinging to perceptions of “tradition” and “custom” as justifications for retaining the status quo on family relationships.

Law reforms on gender-based violence: “bedroom affairs”

Namibia’s shocking level of gender-based violence has been a mobilising force for women’s organisations in many communities and has inspired strong statements from a range of high-level political figures.

Following on years of lobbying from a broad range of groups, Parliament passed the *Combating of Rape Act 8 of 2000*, one of the most progressive laws on rape in the world. This law contains a broad, gender-neutral definition of rape which covers a range of sexual acts committed in “coercive circumstances”, thus moving away from the concept of “consent” that has historically made the rape survivor feel as if she were the one on trial. The law sets stiff minimum sentences for rape, and gives increased protection

to children – both girls and boys. It also has a range of provisions aimed at meeting some of the needs of the rape survivor – such as increased protection for the survivor’s privacy and new procedures to ensure that the rape survivor has an opportunity to place information before the court at the bail hearing.

At a political level, the most contentious aspect of the law concerned marital rape. The Bill contained a provision which removed the previous bar to a wife laying a charge of rape against her husband, by stating that “No marriage or other relationship shall constitute a defence to a charge of rape”. This point inspired long and heated discussion. For example, a typical objection was that made by one Parliamentarian who doubted that rape could occur within marriage because “by nature the man feels that he has the right to have sexual intercourse with her” (National Assembly, 3 June 1999; male speaker).

The male Minister of Justice motivated this provision carefully, anticipating fears that the new rule would be misused by women to gain power over their husbands:

“I know that people’s first reaction to this proposal is often shock. There are people who think that wives must simply accept what their husbands want in the field of sex. I have no sympathy for people with such a view. Women don’t lose their rights when they get married. I however have some understanding for people who initially may not be in favour of this provision because they fear that such a provision can be misused. We are now coming in line with what other countries have done and the experience is that such fears for misuse are indeed unnecessary. My best argument in this regard is that a very large percentage of Namibians are in any event living together just as if they are married although they have not gone through a process recognised by the State. They were never protected by the previous rule against marital rape; yet we haven’t found them running to the police to lay false complaints every day.” (National Assembly, 3 June 1999)

The most eloquent defender was the female Director-General of Women Affairs, who saw the links between these fears and those expressed in connection with the *Married Persons Equality Act*:

“... I realise that many of my honourable male colleagues have problems with including marital rape. When we passed the Married Persons Equality Bill there were similar fears expressed by many men and some women that women will abuse the law. This has not happened as the law simply removed the acceptance that a woman

was her husband's property, and this has brought harmony and good partnership within marriage ...

... Hon. Members, I realise that there are mixed feelings about a man having sex with his wife against her will. Some people feel that forced sex within a marriage is wrong, but wondered if it should be called rape. I think we all should accept that it is wrong. Why should you force it? ... Having [forced] sexual intercourse with a woman – even in marriage – shows a lack of respect and damages her dignity as a human being.” (National Assembly, 18 November 2002)

The Parliamentary concerns about marital rape mirror more widespread public opinion, with many recent studies finding that significant proportions of men and women believe that husbands are entitled to have sex with their wives whenever they wish.⁶ This suggests that there is still a widespread perception that women are subordinate to men in marriage, with decision-making – at least about sexual matters – still based on patriarchal constructs. Ideas about sexual ownership appear to be deeply embedded in the Namibian psyche, and debates about rape within marriage have arisen around other family law issues, with some distinctions. For example, whereas many MPs were reluctant to recognise the existence of marital rape in 2000, during the debate on the Children's Status Bill in 2006 some were not only admitting the existence of marital rape but worrying about the rights of marital rapists as compared to men who raped women other than their wives.

The law reform on rape was followed by the ***Combating of Domestic Violence Act 4 of 2003***. This law covers a range of forms of domestic violence, including sexual violence, harassment, intimidation, economic violence and psychological violence. It covers violence between husbands and wives, parents and children, boyfriends and girlfriends, and close family members.

The law gives those who have suffered violence an alternative to laying criminal charges, by setting up a simple procedure for getting a protection order from a magistrate's court. A protection order is a court order directing the abuser to stop the violence. It can also prohibit the abuser from having any contact with the victim. In cases of physical violence, it can even order the abuser to leave the common home.

No new crimes are created by the law, but existing crimes between persons in a domestic relationship are classified as “domestic violence offences” and made subject to special provisions which encourage input from the victim on bail and sentencing, and protect the victim's privacy.

In Parliament, the proposed law aroused such heated debate that the Deputy Minister of Justice suggested that “the number of speakers who have

spoken is maybe a record since this Parliament started” (National Assembly, 25 November 2002). The discussion was extremely polarised by gender, and it seemed to be primarily about sex.⁷

Fears that the law would lead to “monitoring bedrooms” was a thread that ran throughout the debate. Some men also worried that the gender-neutral Bill did not do enough to protect men – especially against forms of “violence” such as wives who deprive their husbands of their “sexual rights” or use “witchcraft” to interfere with their husband’s sexual functions. For example, one male MP argued that the Bill was “not neutral, it is just aimed at one group” (men) because it covers “economic denial” but not “sexual denial”. He went on to say that wives are “contractually under obligation” to provide sex to their husbands. He elaborated on the seriousness of this problem, saying that it also leads to homosexuality:

“When you deny that somebody’s right, you are humiliating that person. You know that person has feelings and a psychological disturbance, and that person can go to hospital if you deny him [sex] perpetually. Therefore, it is violence, because it has the capacity to bring violence. The reaction is not predictable. It is painful, you cannot imagine how painful it is. [LAUGHTER] ... That requirement is exactly the same as bread. If you are denied bread, you are denied food. If you are denied sex which you have become accustomed to, you will not be normal, you will be abnormal. The origin of homosexuality was because in one way or another they were denied the right to a partner. In the absence of that they used what was available. But all these have the character of creating violence.”

He proposed that the definition of domestic violence should be amended to include “the unreasonable denial of sex” (National Assembly, 30 October 2002).

Another male MP claimed that wives use herbs or “juju” [witchcraft] on their husbands so that they “lose their erection”, saying that this causes the wives to start having affairs with other men, which in turn leads to domestic violence. One of his colleagues picked up on this, saying that “in the rural communities you find that it is not uncommon for a partner to disable the other’s phallus”, and that this will be said of a man who helps with household chores such as “washing nappies and underwear”. He proposed that the definition of domestic violence should include “disablement of phallus through physical harm or herbal or any traditional method”. The female Minister of Health responded in very practical terms by giving a medical lecture on erectile dysfunction, which inspired keen interest in the House (National Assembly, 30-31 October 2002).

These male concerns were summarised by a member of one of the opposition parties, who proposed amendments to the Bill that would define three new forms of domestic violence: (1) “deliberate denial of sexual intercourse in domestic relations” (with a caveat that condoms or other safe sex methods could be insisted upon if there was a suspicion that one of the partners was HIV positive); (2) “deliberate economic or financial exploitation” in a domestic relationship; and (3) causing impotency or accusing the other partner of causing impotency.

Female Parliamentarians in particular objected vociferously to these proposals, with one female MP being forced by the Chairperson to withdraw a statement that the MP in question and his male supporters were “killers”. However, another male MP supported his colleague by suggesting that women who deny sex to their husbands in this way are the cause of marital rape:

“The killing is taking place because of the quarrelling. There is rejection of your husband and he is forcing you until he rapes you because of your reluctance ... And you want to put your husband as a hostage of your own desire. ...”

The Deputy Minister of Justice called the opposition’s proposal “a stone age amendment in the 21st century”, and the proposed amendments were then rejected by a divided House (National Assembly, 27 March 2003).⁸

Despite the many points of debate, the Bill was eventually supported in both Houses by most MPs, both male and female. Here are examples of some of the statements of support:

“... [T]he Bill does not aim at making women get even with men, but rather at liberating those that are vulnerable in the privacy of their homes.” (National Assembly, 19 November 2002)

“Namibia has had enough of violence and now that we are independent everybody should enjoy freedom, including freedom of our homes.” (National Assembly, 22 November 2006)

“Violence, whatever form it takes particularly against women and children, must today undoubtedly rank as one of Namibia’s most severe human rights problems ... Honourable Members, these prophets calling this Bill interference in private affairs do not convince me. Domestic violence where it manifests itself must be rooted out and if need be even in private bedrooms.” (National Council, 28 April 2003)

While the Bill was being debated, a group of NGOs organised a demonstration at the opening of Parliament in 2003, urging speedy passage of the law. The police refused to allow the demonstrators to stand within sight of the official route to Parliament for this event, and an urgent application to the High Court challenging this restriction was unsuccessful. The restriction was enforced by armed members of the police and army who cocked their rifles and pointed them at the peaceful, unarmed demonstrators.⁹ But ironically, at the same moment, President Nujoma was inside the Parliament buildings emphasising the problem of domestic violence in his official speech:

“I would particularly like to express my concern about the recent spate of violent crimes directed against women and children. These crimes represent a gross violation of the fundamental rights of our citizens, while causing unwarranted damage to the good name of our country. These despicable acts of barbarism must therefore be roundly condemned and completely uprooted.”¹⁰

Rumour has it that the President’s personal support for the Bill was instrumental in its ultimate passage.

Maintenance: Paid by men and abused by women?

The next major family law reform to come through Parliament was the *Maintenance Act 9 of 2003*, which was debated at the same time as the law on domestic violence. The difficulty of securing child support from absent fathers has been regularly cited as a key issue affecting children’s welfare and women’s economic independence. The *Maintenance Act* made significant changes to the maintenance system to make it more efficient, but most of the basic principles around maintenance remained the same. The new law provides for the first time for the sharing of expenses incurred during pregnancy, and gives clear guidelines for deciding on how much maintenance should be paid for children’s basic needs. It also provides new methods of enforcement to use when maintenance orders are not obeyed. One issue that was clarified in the new law is that husbands and wives, and parents and children, owe each other a duty of support “notwithstanding anything to the contrary at customary law”.

During the Parliamentary debates, there were repeated allegations that women misuse the maintenance system – by having children just to get maintenance payments, by spending maintenance money on themselves or by demanding payment from men who are not in fact the fathers of the children.

Ironically, one of the strongest statements on this point came from a female MP (who was subsequently appointed as Deputy Minister of Women Affairs):

“[S]ome mothers claim maintenance money from their ex-partners and squander this money on other things, rather than using it for the benefit of the child it was claimed for. Moreover, these very mothers who claim money dump the children with their mothers while claiming money from the fathers, which the children do benefit from at all. It is equally true that those mothers refuse to give such children to their fathers who are financially strong and willing to take responsibility for the well-being of their children. This refusal comes as a means to suck money from the partner which, without any doubt, makes one think that mothers want to make business with the children ... I would like to propose that measures be taken to curb the milking of men ... ” (National Assembly, 6 March 2002)

Another female MP also gave strong emphasis to this point:

“I welcome the fact that the Bill lays responsibility for child maintenance on the shoulders of both parents. Men are not always to blame. Some women try to have as many children from different fathers as possible so that they can claim maintenance from all of them ... So, working mothers and those who can afford it should be made to take equal responsibility for their children. We are talking about gender equality here and not a one-way street where only one party should bear responsibility for child maintenance.” (National Assembly, 26 March 2002)

Most of the other speakers on this point were male. The following examples are typical of the suspicions expressed about women’s motives:

“It is quite clear that women keep the children hostage in order to receive money from men.” (National Assembly, 12 March 2002)

“We are tired of women who misbehave ... Some even make money from men by falling pregnant deliberately so that they can claim maintenance from the fathers ... Unfortunately, they don’t use this maintenance money to support their children, they dump them with the grandmothers while they spend the money on themselves, buying make-up in order to look for other men. (National Assembly, 12 March 2002)

“I am afraid that cases of mistaken paternity will become numerous, especially if the enforcement of this law proves to be effective. Would-be mothers would seal and secure their children’s future by deciding, only on the basis of income, not genetics, who the fathers of the children will be.” (National Assembly, 12 March 2002)

Such objections were anticipated, and the initial Bill already contained provisions which criminalised the abuse of maintenance money or the provision of false information in connection with a maintenance claim.

The Bill was referred to the Parliamentary Standing Committee on Human Resources, Equality and Gender Development, which held public hearings in 12 locations throughout the country in June 2002. The Committee report proposed several amendments to the Bill – most of which were technical in nature. However, one of these amendments proposed quarterly monitoring by social workers to prevent abuse of maintenance payments. This idea was considered impractical, but an amendment was made to authorise maintenance officers to investigate complaints of misuse of maintenance payments, and to make it clear that such complaints could be made by any person, including a social worker.¹¹

As in the case of other Bills discussed here, many Parliamentarians – particularly but not exclusively men – were concerned about what they perceived as being “gender neutrality”. The maintenance system, under both the old law and the new one, is gender-neutral on its face, but in practice is used almost exclusively by mothers seeking maintenance from absent fathers. Male MPs tried to ‘even the score’ by citing failings by mothers, to counterbalance the Bill’s obvious emphasis on fathers’ failure to take financial responsibility for their children:

“[I]t is commonly known that those should pay maintenance for the children are the men, but in most cases it excludes the woman who is working while the child is with the father. I think that we should also look into this situation, that mothers who are working should take responsibility for the children when they are under the custody of their fathers.” (National Assembly, 6 March 2002)

“[A]lthough fathers were regarded as the only culprits of child maintenance, I would like to recognise some loving and caring fathers who take care of sometimes more than ten children as single parents and these children are very well looked after without any assistance whatsoever from the different mothers of the children, while some mothers are even well-off.” (National Assembly, 4 April 2002)

In supporting the Bill, the Minister of Women Affairs emphasised its even-handedness, saying that “both parents have an equal responsibility towards their children”:

“I agree, it is true, there are some women who receive maintenance benefits and do not use it in the best interest of the children. At the same time, it is also true that there are men who do not maintain their children. It is a fact, and that is why this law is clearly focusing on both parents ... The maintenance law will empower both men and women who are suffering at the hands of other partners. A man who is not getting maintenance from his partner will benefit, and a woman who is not getting maintenance from her partner, will also benefit. Therefore, this law should not really be seen as a law for women, it is a national law because everybody is going to benefit.” (National Assembly, 6 March 2002)

When a female opposition MP suggested that the Bill would “strengthen the power of women within the family and society”, the male Minister of Justice once again noted that it was gender-neutral: “It doesn’t declare war against men, it is neutral gender and was, after all, drafted by men” (National Assembly, 12 March 2002). The male Deputy Minister of Justice also emphasised that “nowhere in the Bill can any person find gender bias in favour of one sex at the expense of the other ...” National Assembly, 8 April 2002).

The search for a sense of even-handedness eventually moved to reciprocity between parents and children, instead of between men and women. Several Parliamentarians worried about the maintenance of elderly parents by their children, arguing that the Bill was too focused on the reverse situation. (National Assembly, 13 March 2002). This was a typical statement:

“We as parents must be mindful of the fact that children may be vulnerable today and, therefore, be dependent on us for material and emotional care, but there will definitely come that inevitable day when the roles will be reversed.” (National Assembly, 13 March 2002)

By the end of the Second Reading debate in the National Assembly, the Deputy Minister of Justice was assuring the House that the Bill was not only intended “to face head on the irresponsible attitude of some of the parents, especially fathers” but also “equally intended to force irresponsible children who neglect to maintain their parents, our senior citizens” (National Assembly, 8 April 2002). The Parliamentary Standing Committee which dealt with the Bill recommended an amendment to clarify children’s duties to

maintain their parents, and the National Assembly approved an amendment giving reciprocal duties of support to parents and children who are subject to customary law.¹²

Customary law reforms: Foot-dragging and ducking

Reforms to gender-discriminatory aspects of customary law have been slow to come, probably because of the potential political ramifications of imposing change in this area. Almost seventeen years after independence, customary family law remains virtually untouched.

One of the most controversial topics in customary law is land rights. Land reform in the commercial farm sector preceded communal land reform, with the *Agricultural (Commercial) Land Reform Act 6 of 1995* being passed seven years before any legal reforms were enacted in respect of communal land. Overlapping with the law reforms on gender-based violence, in 2002 Parliament finally passed the *Communal Land Reform Act 5 of 2002* after multiple revisions and several years of debate. This law was a very large step forward in protecting women's rights to communal land tenure, and is the only major law reform to date in respect of customary law. In terms of this law, which came into operation on 1 March 2003, if a husband dies, his widow has a right to remain on the land if she wishes and is entitled to keep the land even if she re-marries. (The law is actually worded in gender-neutral fashion, but widowers were not historically forced off of the land when their wives died.) If there is no surviving spouse when the holder of the land right dies, then the land will be re-allocated to a child of the deceased identified by the Chief or Traditional Authority as being the rightful heir.

There was surprisingly little Parliamentary debate about the gender issues in this Bill, as the discussions centred on race and class issues, with little acknowledgement of the intersection of these points of discrimination with gender discrimination.¹³ There was praise for the law's protection of widows, and some limited acknowledgement of the economic role of women as subsistence farmers. The following were typical of the few statements about the impact of the new law on women:

“We have been seeing widows and orphans pushed to the tree trunks either by their relatives or by most of our traditional leaders or rules following the deaths of the dear husbands and fathers. The Bill is saying no to such practices.” (National Council, 22 March 2000)

“The Bill also eloquently addresses the problem faced by our old widows and orphans ... who are evicted from their land by families ... The Land Reform Bill is also very gender-sensitive since it puts spouses at par irrespective of whether the surviving spouse is a woman or a man. I would like to congratulate the Minister and her team in this regard. I would also like to caution my sisters out there in the rural areas. Sometimes we blame men but most of the time we are also the culprits of instigating or being used by some of the men in our families to evict these old widows. So, as women, we should also reverse the past of trying, as I always say, to drop the ladder on other women” (National Council, 22 March 2000)

One flaw in the provisions pertaining to women is that the law fails to address the disposition of the land in the case of a polygamous marriage. A second difficulty is that the law allows existing rights to communal land to be confirmed, thus, entrenching the existing situation with its bias towards men. Thirdly, although women technically have equal rights with men to be allocated communal land, there is nothing in the law to stimulate a departure from existing traditional practices which favour men in most circumstances. A fourth problem is that the law is not being uniformly implemented in practice, with some incidents of land-grabbing still being reported to the Legal Assistance Centre.

Yet, despite these problems, the protections for widows constitute a radical departure from previous practice. Because most Namibian communities are patrilocal, previously a widow was usually expected to return to the land held by her parents. This law reform, thus, implicitly recognises women as autonomous actors, rather than dependents of their husbands or fathers.

There is a danger of a reaction against the advances for women contained in this law. The Ministry of Lands and Resettlement announced in 2006 that it is proposing to amend the Act. At present, any person irrespective of gender can apply for a customary land right within the communal area where he or she resides. But this provision has recently received some criticism, especially from men who have suggested that married woman should not be able to apply for land in their own right. Others have said that single women should not be given land rights either, because of fears about what would happen to a single woman's land when she marries and moves to her husband's home-stead.

Another amendment under discussion would seek to introduce a cluster village land right, where the land rights would be registered in the name of the village head, with all of those living at the village falling under the village head's authority. This could lead to a situation where succession of the land tenure of village residents is determined in accordance with customary law

and insulated from the supervision of the Land Boards – thus, potentially discriminating against women.

Communal land is owned by the State. Thus, the *Communal Land Reform Act* assisted widows without actually changing customary law on inheritance. However, law reform on inheritance was stimulated by the 2003 case of *Berendt v Stuurman*. The background to this case is that Namibian statutes inherited from the colonial days apply different rules on inheritance to people of different races, depending partly on whether they are married under civil law or customary law. In addition, some customary laws on inheritance discriminate against women and certain children, such as younger children or children born outside of marriage. In the *Berendt* case, the High Court ruled that several provisions of the race-based rules on inheritance exhibited unconstitutional race discrimination and gave Parliament a deadline to replace these offensive sections with a new system.

Just before the deadline expired, Parliament passed a law intended to comply with this court order – the *Estates and Succession Amendment Act 15 of 2005*. But this law fell far short of the expectations raised by the court case. In essence, it says that the unconstitutional provisions of Namibian law are repealed, but that *the rules contained in those laws will continue to apply to the same people as before, just as if they had not been repealed*. In other words, Parliament complied with the court order in form, but not in substance. The only real change made by the law reform was to harmonise procedural issues for persons of all races, with the administrative process for handling deceased estates now depending on the value of the estate instead of on the race of the deceased. The government simply ducked the difficult question of how to respect custom whilst removing discrimination in the rules on inheritance. As one insider said off the record, “it was very political”. Meaningful law reform on this topic is a matter for the future.

Looking at other aspects of customary family law, the Law Reform and Development Commission has published recommendations on law reforms pertaining to the recognition of customary marriage and divorce (LRDC 2004a & b). The need to develop a system for formal legal recognition of customary marriages was emphasised by the CEDAW committee in response to Namibia’s first CEDAW report presented in 1997, but this was not sufficient to move the topic forward on the political agenda.¹⁴

The Law Reform and Development Commission has established a sub-committee which is currently considering law reform proposals on marital property in both civil and customary marriages (see LRDC 2003). There are also reportedly plans to set up another subcommittee to tackle the vexed issue of inheritance once again – with attention to the substantive issues this time around. However, neither of these initiatives has yet come to fruition. Law reforms in these areas would involve discussion of loaded topics such as

polygyny, *lobola* and decision-making within families and households – once again raising questions about women’s personal and sexual autonomy.

Children’s Status Act: Taking gender neutrality too far?

The *Children’s Status Act 6 of 2006* passed in late 2006 (but not yet in force) deals with the position of children born outside of marriage, and provides a simple procedure for appointing a guardian for any child whose legal custodian or guardian has died. This Bill was first introduced into Parliament in 2003, inspiring almost three years of debate before being passed.

One of the most controversial topics addressed by the law is parental rights over children born outside of marriage. The Bill initially proposed that the mother would have sole custody of such children from birth, with mothers and fathers then automatically acquiring joint custody when the child reached the age of seven.

After holding extensive public hearings throughout the country, a Standing Committee of the National Assembly recommended that sole custody of a child born outside marriage should vest in the mother. The father would have automatic rights of access and the right to apply to a children’s court to become the child’s custodian. But in the wake of objections from the Minister of Women Affairs and Child Welfare, the Committee issued a second report which recommended equal rights of custody for both parents simultaneously from the child’s birth. As a result of the ensuing debate between the Minister and the Committee – with a new President scheduled to take office shortly, raising the possibility of a Cabinet re-shuffle – the Bill was intentionally allowed to lapse.

A revised version of the Children’s Status Bill was tabled in October 2005 by the new Minister of the newly-renamed Ministry of Gender Equality and Child Welfare. The revised Bill, which still recommended equal custody for both parents, was passed by the National Assembly with relatively little debate. As a result, representatives of the NGO community organised leading a public demonstration asking the National Council to give further scrutiny to the Bill. The National Council referred the Bill to its own Standing Committee, which held additional public hearings in Windhoek.

A group of 31 NGOs, including the Council of Churches in Namibia, asserted that equal custody would be unworkable in practice. They argued that equal rights on paper would be unlikely to translate into equal practice, given the present social reality where it is rare for fathers to seek involvement in the day-to-day care of children born outside marriage.

Another argument put forward by these NGOs was that children born outside of marriage are usually born to parents who are not living in the same household, meaning that their situation is more similar to children of *divorced* parents than to children of parents who are married. In divorces under both civil law and customary law, custody of the children is usually given to one parent while the other parent has rights of contact and access. This arrangement helps to prevent disputes. Children born outside of marriage are entitled to the same degree of clarity about parental rights and responsibilities as children born to married parents. If the proposed law did not give this same degree of protection to all children in these similar situations, it would continue to discriminate against children born outside of marriage.

One solution proposed by the NGOs was to provide different approaches for unmarried parents, depending on whether or not they are cohabiting. If the parents are living together, they could have joint custody and equal guardianship if they wish, just like married parents. But if the parents are *not* sharing a common home, then one parent would have to take primary responsibility for the daily care of the child while the other parent would have access rights, just like children of divorced parents. The parents could agree between themselves on who would act as the primary custodian. If they were unable to agree, then the children's court could decide the question, based purely on what is in the best interests of the child. It was proposed that the mother should be the temporary custodian of the child until an agreement is registered or until a court decides the matter. The rationale was that a child should not at any stage be without a legal custodian, and only the mother (for obvious biological reasons) would definitely be present at the birth. The theory was that this fall-back position would protect the child as an interim measure, without prejudicing either parent.

This proposal was not ultimately accepted, although it appeared to find favour with the Minister of Gender Equality at one stage. The last set of amendments tabled in Parliament, after the Bill was considered by a Parliamentary Committee for a third time, proposed the following scheme on custody: Where a child's parents are unmarried, one of them must act as the primary custodian and guardian. The parents can make an oral or written agreement between themselves on who will act as the primary custodian. If no agreement is made, either parent (or someone acting on behalf of the child) can apply to the children's court for the appointment of a primary custodian. The person with physical custody of the child can make an application to any court (including a traditional tribunal) for interim custody, in the absence of the other parent, if the child's best interests are at risk. This interim order will remain in effect until the same court makes a final decision on custody. *There is no default position.* If the parents make no agreement and no one approaches the court to request legal custody of the child, then the child will

remain in legal limbo, without a legal custodian or guardian to make decisions on behalf of the child.

This final approach, which was accepted by Parliament, seems to bend over backwards to pretend that children have two identical parents, instead of a mother and a father. It is “gender-neutral” to a fault, despite the fact that childbearing and childrearing are not gender-blind activities in Namibia. In addition to the sex-based biological facts of childbearing and breastfeeding, societal problems such as domestic violence and the failure to provide child maintenance continue to have a gendered nature.

A similar debate about gender neutrality took place around the parental rights of rapists who had caused a pregnancy by means of the rape. The original Bill included a provision stating that “male perpetrators of rape which results in the conception of a child born outside marriage” would have no parental rights over the child but could be required to pay maintenance.

Since the *Combating of Rape Act* is gender-neutral, it is possible for women to be convicted of rape – although this usually involves a woman as an accomplice to a male rapist, or a woman who commits a sexual act other than intercourse (for obvious biological reasons). The NGO groups which lobbied around the Bill asserted that the limitation on parental rights should be limited to male perpetrators because (a) it will be very rare for a pregnancy to result from actions by a female rapist and (b) in such a rare event, there may be a need for the female rapist to care for the child for a time for the purposes of breastfeeding.¹⁵ But Parliamentarians were focused on the concern that any exclusion of rights based on a pregnancy resulting from rape should apply equally to male and female rapists. They made statements such as the following:

“This Bill is silent on rape committed by women. I want to know what happens if a woman rapes and falls pregnant, will she be given guardianship of that child?

Why this discrimination: are men being punished because they are men? ... We have had many incidents where women raped men.”¹⁶

The revised version of the Bill tabled in 2006 eliminated the restriction on the rights of rapist fathers altogether, which sparked further debate. The restriction of parental rights for rapists was at one stage eliminated altogether, and then eventually re-inserted in gender-neutral terms.¹⁷

A second concern which arose around this issue related to rape inside marriage versus rape outside marriage. Because the Bill concerned custody and guardianship rights for children born outside marriage, the proposed exclusion of rapists’ rights logically applied only to children born outside marriage. On this point, the submission based on input from the NGO groups

stated: “We do not propose limiting the rights of all fathers who are convicted of rape (or any other crime). But the situation is different where the ONLY connection between the child’s mother and father is that he is the rapist and she is the rape victim.”¹⁸ This approach inspired objections. For example, one Parliamentarian complained about this source of inequality, saying that “a husband who rapes his wife inside marriage has custody over his child, but a father who rapes a mother of a child born outside marriage would not have such a right to custody”. (National Council, 27 February 2006). As noted above, this argument assumed that marital rape occurs, whereas some MPs had previously denied that such a thing was possible.

The third point of debate on rape concerned approaches to crime and punishment. Women’s groups argued that denying parental rights to persons who have caused a pregnancy by means of rape was consistent with the long-standing principle that people should not be allowed to benefit from their own crimes.¹⁹ On the other hand, the National Society for Human Rights asserted that “a father who has raped the mother of his children and who consequently has been found guilty in a court of law and who has received the prescribed prison sentence and who has completed such a sentence can no longer be called ‘a rapist’.”²⁰ Others similarly said that someone who has served a prison sentence for rape should not be further punished by being denied rights over the child who is the fruit of that rape. The final version of the provision on rapists passed by Parliament did not permanently deprive any rapist of parental rights, but required rather that a children’s court first consider whether any such rights would be in the best interests of the child.²¹

As in other Parliamentary debates, these debates around parental rights bring to light male fears that equality for women will unfairly disadvantage men, inspiring in this instance an emphasis on ‘gender-neutrality’ that is not very well-suited to the social reality being addressed by the law.

Sexual orientation

The current trend in Namibian law reforms is to decrease legal protections relating to sexual orientation, and in fact to specifically exclude gay and lesbian relationships from important legal provisions.

The only explicit legal protection ever given to gays and lesbians was in the **Labour Act 6 of 1992**, which prohibited discrimination or harassment on the basis of sexual orientation (amongst other grounds). However, sexual orientation has been removed from the corresponding provision in all the successive Labour Bills which have been under discussion in recent years, and the current political climate of decreased tolerance for homosexuality means that it is unlikely to be reinstated.

The crime of “sodomy” is part of the Roman-Dutch common law inherited by Namibia at independence. (“Common law” means law developed through successive court cases instead of being stated in legislation.) Historically, sodomy was the legal label given to all manner of “unnatural” sexual offences – including masturbation, oral sex, anal intercourse between people of the same and opposite sex, sexual intercourse with animals, and even heterosexual intercourse between Christians and Jews.

Gradually, much of the broad content of “sodomy” fell away, and the prohibited activities were split into three separate crimes: sodomy, bestiality and a residual category of “unnatural sexual offences”. Today the common-law crimes of “sodomy” and “unnatural sexual offences” criminalise only sexual contact between males. Anal intercourse between males is all that is left of the once wider definition of “sodomy”, but “unnatural sexual offences” covers mutual masturbation, “sexual gratification obtained by friction between the legs of another person” and other unspecified sexual activity between men. None of these sexual acts are illegal if they take place between a man and a woman or between two women.

Why was sexual contact between women not criminalised? The answer is not clear. It was perhaps part of the general marginalisation of women. There are few reported court cases dealing with lesbians in South Africa or Namibia, and none in which women have been prosecuted for sexual acts with other women. Sexual activity between females simply seems to have received less attention from the predominately male lawmakers of the past.

Even though the *Combating of Rape Act 8 of 2000* expanded the definition of rape to include forcible sodomy, the common-law crime of sodomy was not repealed. The common-law crime criminalises anal intercourse between consenting adults, as well as forced anal intercourse. A repeal of the common law crime would have been largely symbolic in effect, since consensual sodomy is not prosecuted in practice. The failure to take this step was probably intended as a signal that homosexuality is not politically acceptable to the majority of Parliamentarians.²²

The Bible has been cited in Parliament on this point, with Adam and Eve presented as a symbol of heterosexual love in contrast to Sodom and Gomorra. One Parliamentarian argued that homosexuality is a result of Western influence, although he noted the irony that the Christian morals which he views as being opposed to homosexuality are also imported from the West (National Council, 6 April 2000).

The legal disapproval of gay and lesbian relationships became more pronounced in the *Combating of Domestic Violence Act 4 of 2003*, which is explicitly limited to romantic relationships between people “of different sexes”.²³ The Deputy Minister noted that the Bill covers cohabitating couples, as “we cannot ignore the fact that a large section of our people are living together

as if they are in a marriage relationship”, but ended his speech by emphasising that the Bill “does not give protection to any homosexual relationships”, because such relationships “are not recognised by the Namibian customs and traditions or by the laws of our Republic, as evidenced by the recent Supreme Court decision”, referring to the *Frank* case discussed in the following chapter. (National Assembly, 22 October 2002) Another Parliamentarian made a similar statement:

“... [W]hat is of utmost important is that the Domestic Violence Bill does not give protection to any homosexual relationship ... I am aware that there are some elements in our society who are exploring all possible avenues to further the agenda and interests of homosexuals. I wish to remind them that the law of the land is supreme and all other laws that were enacted and to be enacted by this lawmaking body should be binding. My argument can be attested to by the case of two women who wanted to be recognised as a married couple and were disqualified by a court decision because it is contrary to the Namibian customs and traditions [again referring to the *Frank* case discussed in the following chapter].” (National Assembly, 15 November 2002)

One opposition MP in the National Council proposed that the law *should* apply to romantic relationships between persons of the same sex:

“I am well aware that some of us are totally against romantic relationships between people of the same sexes and here I am referring to homosexuality and lesbianism. But it is something that exists and I must say that it is for me quite understandable why the legal drafter was omitting to address this specific issue because of perhaps how most of the members are feeling about this issue. But there are violent cases in such relationships going on and they need to be addressed since these people are also sometimes behaving very violently. My question is which act is going to be applied if there are violent cases between people who are of the same sex and they are living together intimately?” (National Council, 7 May 2003)

This proposal was reportedly met with loud objections from SWAPO MPs, who made comments such as “are you referring to *moffies*, not in Namibia”.²⁴ It did not make any headway.

Abortion and sex work: Topics on the far edge of the political agenda

There has been some government discussion of law reform on abortion and sex work, although both of these topics are still so hotly-contested that they have not yet actually resulted in explicit law reform proposals in Parliament. These seem to be areas where women's rights to bodily and sexual autonomy run head on into conflict with prevailing concepts of morality.

Abortion is currently governed by the restrictive *Abortion and Sterilization Act of 1975* which outlaws abortion in most circumstances unless:

- the pregnancy endangers the mother's life or poses a serious threat to her physical or mental health;
- there is a serious risk that the child will suffer from a serious, permanent physical or mental defect; or
- the pregnancy results from rape or incest.

A draft law on abortion which would have allowed abortion on demand in the early stages of a pregnancy was proposed by the Ministry of Health in 1996 and then withdrawn by the Minister in 1999 on the grounds that a majority of the Namibian population did not favour the law.²⁵ This conclusion on the Minister's part was not supported by any empirical research. Furthermore, the draft law was withdrawn in the face of a strong statement of concern from the CEDAW Committee about the current law on abortion and the high incidence of illegal abortions.²⁶

A government study published in 2000 contained information on abortion-related complications encountered at 17 hospitals between November 1995 and October 1998, but the methodology did not distinguish between induced abortions and spontaneous "abortions" (which are simply natural miscarriages). However, 57 percent of the 7 147 women studied were admitted to hospital with "incomplete abortions", which the study identified as an indication of induced abortions. There were 107 legal abortions among the cases studied, as well as a handful of women who admitted to the researchers that their pregnancies were unwanted or that they had attempted to terminate the pregnancy (MoHSS 2000).

In 2002 Minister of Health Dr Libertine Amathila stated that about 40 Namibian women travel to South Africa every month for legal abortions, and that statistics indicate that backstreet abortions in Namibia are on the rise. Nevertheless, she predicted that abortion would not be legalised in Namibia for at least the next 10 years because of pressure from religious groups. "I am not

ready to introduce that [law]. Maybe the next Minister will have the courage,” she said.²⁷

This issue may once again move forward, however, as a meeting convened by the Ministry of Gender Equality and Child Welfare in late 2006 recommended that the legalisation of abortion should be put on the agenda of the Cabinet for discussion again, because the problem of baby-dumping is on the increase and because young people are still undergoing backstreet abortions.²⁸

Sex work is governed by the *Combating of Immoral Practices Act 21 of 1980*, which criminalises a range of activities around prostitution without actually making sex for reward directly illegal. Although the laws in force could technically be used against clients as well as sex workers, only sex workers – who are predominately women – are prosecuted in practice. Municipal regulations forbidding soliciting and “loitering” are also directed against sex workers from time to time, sometimes selectively applied as a form of police harassment.

A High Court judgement in the 2002 *Hendricks* case found some of the legal prohibitions on sex work to be unconstitutional, but left the essential prohibitions intact. Several brothel workers who had been arrested challenged the provisions of the law which make it illegal for any person to keep a brothel or knowingly to live wholly or in part on the earnings of prostitution. The court held that the prohibition on the keeping of a brothel was a reasonable restriction on constitutional rights, as it is necessary in a democratic society and closely connected to the object of promoting and maintaining standards of decency and morality. However, the court relied on inaccurate assumptions about brothels and pimps, rather than on factual research about the Namibian situation.

The Legal Assistance Centre (2002) published the first national research report on sex workers, and a number of smaller-scale studies have appeared since then.²⁹ One result has been that sex workers are increasingly identified as an interest group, with sex work now beginning to be discussed in a human rights context.

In 2005, the National Council held hearings on sex work and went so far as to cautiously assert that “if” sex work were legalised, this would make it easier for public health intervention to minimise the spread of HIV through sex work.³⁰ When even this hesitant assertion caused a storm of protest in the National Council, further consideration of the issue was deferred until the committee completes the remainder of its mandate by investigating street children and other vulnerable persons.³¹

Law reform on both of these topics is likely to be a very long-term project.

Conclusion

This survey of gender-related law reform shows that Namibia as a nation has evidenced a serious commitment to making gender equality a reality in many spheres of life. However, this commitment is undermined in some areas by social conservatism and by male reluctance to sacrifice power and privilege, particularly in the family context. One of the challenges for the future will be to convince men (and women) that increased gender equality should be viewed, not as threat, but as an ultimate benefit for the nation and all its citizens.

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ENDNOTES

¹ Namibia has also agreed to the SADC Declaration on Gender and Development and the SADC Addendum on the Prevention and Eradication of Violence against Women and Children, but these documents are not legally binding.

² Article 144 of the Constitution states that “unless otherwise provided by this Constitution or Act of Parliament, ... international agreements binding upon Namibia ... shall form part of the law of Namibia” – but the import of this statement has not yet been explored in any actual case.

³ Reserving seats for women on public bodies is not standard practice. There are more boards and bodies *without* such affirmative action provisions than vice versa, and the practice of ensuring female representation on such bodies seems to have become *less* common in recent years.

⁴ See amendments to the *Income Tax Act 24 of 1981* made by Act 12 of 1991 (married women), Act 33 of 1991 (removal of gender distinctions regarding age in the provision affecting applicability of exemption of lump sum paid to retrenched employee), and Act 25 of 1992 (removal of remaining distinctions between men and women, and between married and single persons).

⁵ The original Bill stated that “the common law position of the husband as head of the family is abolished”. A subsequent proviso states that “nothing herein shall be construed to prevent a husband and wife from agreeing between themselves to assign to one of them, or both, any particular role or responsibility within the family.” *Married Persons Equality Act 1 of 1996*, section 3(b).

⁶ See Becker & Claassen 1996; LeBeau 1996; Rose-Junius et al, 1998; LeBeau et al 1999; MoHSS 2003; MoHSS 2004; Lebeau 2004; LeBeau and Spence 2004. A summary of the information on marital rape in these various studies is contained in Legal Assistance Centre 2007.

⁷ At one stage, the Minister of Women Affairs and Child Welfare (female) expressed her disappointment that “*many Members of Parliament, especially our male colleagues, have turned the Bill into a women's Bill*”, She also complained that “*it is common in this house that when you discuss issues that really touch women, there is laughter, jokes, there is no seriousness*” (National Assembly, 18 November 2002).

On the other hand, the Minister of Home Affairs (male) stated: "...[T]his Bill has been tabled by a male Minister and we are all concerned and want to soften the plight of the women folk who are traditionally oppressed. But listening to all the female colleagues who spoke, I don't know whether they really want the support of the men or not, because that is not the aim of the bill. We are here to combat this crime, which is domestic violence. But in all their speeches they are just targeting men and in that case they will force us to withdraw our support, and we are in the majority here. If we are serious that the Bill should pass, they not just come and complain about men. Otherwise I will withhold my support. We are not here to have a fight between male and female, it is everybody's Bill. We drafted it, we made our input, but in that case we will withdraw our support." (National Assembly, 21 November 2002).

- ⁸ But the issue of "sexual denial" was not yet dead. It came up once again in the National Council debate, this time with the interesting twist of being motivated by concern for women whose husbands are having extra-marital affairs. One male MP suggested that the definition of domestic violence should cover several problems stemming from adultery: sexual denial ("*some husbands nowadays have a common practice in Namibia to cohabit with other ladies in other places and don't care to visit their spouses for a period of even two years which results in denial of someone's sexual right*"), economic abuse in allowing the third party to the adultery to have financial control over family resources ("*men in most cases have their bank accounts managed by their mistresses*"), and the possibility of obtaining a protection order against the mistress "*who has contributed to such abuse*". (National Council, 28 April 2003). But these proposals were not actually added to the Bill, which was passed by the National Council without any further amendments.
- ⁹ Max Hamata, "High Court blocks access to Parliament" *The Namibian*, 12 February 2003; Tangeni Amupadhi, "Police accused of abusing power", *The Namibian*, 12 February 2003; Max Hamata, "Cops point guns at protesters", *The Namibian*, 12 February 2003.
- ¹⁰ Chrispin Inambao, "President Nujoma condemns violence against women and children", *The Namibian*, 12 February 2003.
- ¹¹ Ministry of Justice, Report of the Parliamentary Standing Committee on Human Resources, Equality and Gender Development, Maintenance Bill, 2002, Comments and action taken on the proposed amendments; section 9(4)(b)(ii) and (5). See also National Assembly, 23 April 2003.
- ¹² Report of the Parliamentary Standing Committee on Human Resources, Equality and Gender Development on the Maintenance Bill [B.1-2002], November 2002. The subsequent discussion in the National Council was very short, but followed similar lines as the National Assembly debate – praise for the Bill's even-handedness on the responsibilities of mothers and fathers, praise for attention to children's reciprocal duties to support their parents, criticism of women who dump children with their grandparents and more vocal criticism of mothers who abuse maintenance payments than of men who fail to pay maintenance – with the sharpest criticism of women coming from female MPs. Women were also blamed by one female MP for failing to take responsibility for contraception, and for indulging in such irresponsible sexual behaviour that they cannot identify the fathers of their children.
- ¹³ The Bill went through many different forms over a period of several years. The debate on the final version of the Bill is the only one that was examined in detail for comments about the protection for widows.

¹⁴ Convention on the Elimination of All Forms of Discrimination against Women, CEDAW/C/1997/II/L.1/Add.2, 14 July 1997, paragraphs 43 and 57.

¹⁵ Proposed Amendments to the Children’s Status Bill, submission to the National Council Standing Committee on Gender, Youth & Information, February 2006.

¹⁶ See Petros Kateeue, “Children’s Bill brings battle of the sexes into House”, *The Namibian*, 4 March 2004.

¹⁷ The National Assembly Committee which studied the Bill noted that “the majority of male participants were of the opinion that the words ‘male perpetrator’ should be replaced with ‘perpetrator’ to include women rapists, and to make the concept gender neutral.” The Committee recommended that the provision should be re-worded in gender-neutral terms. Report on the Children Status Bill by the Parliamentary Standing Committee on Human Resources, Social and Community Development, October 2004 at paragraph 6.10.

The second version of this committee report, also dated February 2006, recommended a weakened version of this provision, which would have excluded perpetrators of rape from having custody of a child (presumably a child born of the rape, although the wording does not make this clear) without affecting the rapist’s rights to guardianship or access. Report on the Children Status Bill by the Parliamentary Standing Committee on Human Resources, Social and Community Development, October 2004 (revised version), paragraph 19.

Some who made representations to the committee felt that if a rapist father can be required to pay maintenance, then he should also have parental rights. Astonishingly, the suggestion was put forward that a woman who falls pregnant from a rape should choose in the early stages of pregnancy either to reconcile with the rapist father so that he could have parental rights, or to have an abortion.

¹⁸ Proposed Amendments to the Children’s Status Bill, submission to the Minister of Gender Equality and Child Welfare, March 2006.

¹⁹ “Proposed amendments to the Children’s Status Bill” submitted to the National Council Standing Committee on Gender, Youth & Information by 31 NGOs.

²⁰ Letter to the Editor from Dorkas Philemon, National Society for Human Rights, *The Namibian*, 17 March 2006 at page 15.

²¹ In terms of the proposed amendments, people who have caused the conception of a child by means of rape would not be allowed to inherit from the child in the absence of a will. The child would, on the other hand, be allowed to inherit from the rapist parent, and the rapist parent would be legally liable to bear a share of the expenses of the child’s maintenance just like any other parent.

²² Such a reform would also remove one objection which has been put forward to the proposal to make condoms available to prisoners to reduce the chances of HIV infection.

²³ Definition of “domestic relationship” in section 3. The definition of marriage is not limited, in this way as only people of different sexes can marry in Namibia. But the limitation is applied to people who “live or have lived together in a relationship in the nature of marriage” and to people who are or were in an actual or a perceived intimate or romantic relationship.”

- ²⁴ “Moffies” is a derogatory term for male homosexuals. Petros Kuteeue, “Bill should deal with ‘same-sex’ situations”, 8 May 2003. These reported interjections do not appear in the Hansard. One SWAPO MP commented on record that “any life or love without opposite sexual partnership is immortal or dead”.
- ²⁵ See *The Namibian*, 20 April 1999 and 18 August 2000 (*The Weekender*).
- ²⁶ Convention on the Elimination of All Forms of Discrimination against Women, CEDAW/C/1997/II/L.1/Add.2, 14 July 1997, paragraphs 44 and 60. The Committee specifically asked the government to respond in its next report to the questions raised on abortion. See paragraph 60.
- ²⁷ Christof Maletsky, “Abortion ruled out”, *The Namibian*, 28 November 2002.
- ²⁸ “Minutes on the Follow-up Meeting on the National Workshop on the Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa, held on 14 June 2006 at Kalahari Sands Casino & Hotel”, section on Working Group No. 3: chaired by MOHSS”.
- ²⁹ For example, see LeBeau: this volume.
- ³⁰ National Council Standing Committee on Gender, Youth and Information, *Report of the investigation on the plight of sex workers, street kids and other vulnerable persons*, 2005.
- ³¹ See Frederick Philander, “NC Backtracks on Sex Report”, *Southern Times*, 12 December 2005; Frederick Philander, “NC Rejects Sex Report”, *Southern Times*, 9 December 2005; Frederick Philander, “NC Rejects Sex Report”, *New Era*, 8 December 2005; Denver Isaacs, “Prostitution findings raise hackles in National Council”, *The Namibian*, 8 December 2005.



**Youth,
Gender
and
Sexuality**

Chapter 8

Adolescent Sexuality: Negotiating between Tradition and Modernity

Panduleni Hailonga-van Dijk

Introduction¹

Culture has been defined as learned behaviour in any given society. It includes ideas, beliefs, habits, norms and values, and is passed down from one generation to another, often through the family. Social cultural norms and values regulate sexuality behaviour. However, this varies from place to place and generation to generation and depends on the different structures within society such as the significance of religion, kinship, the power of the State, moral codes to regulate divorce, marriage patterns and sexual permissiveness (Weeks 1986).

In Namibia, the historical processes of the interaction between the coloniser and colonised has resulted in a new hybrid society. Namibians incorporate new and old elements into their cultural practices, and this in turn influences adolescents (Bhabha 1990). In this chapter I will investigate how adolescents negotiate between tradition and modernity, and between the local and the global.

Negotiating between traditionalism and rapidly emerging modernism

Adolescent sexual reproductive behaviour has become an important topic to investigate due to the number of adolescents who are sexually active and are infected with the HIV/AIDS virus. Studies have revealed that 42% of the

15-19-year-olds have had sex at least once and 20% are currently sexually active (UNFPA 2005).

It is currently reported that 12% of the total infected people with the virus are in this age group, and although teenage pregnancy dropped to 18% in 2000 from 20% in 1992 among 15-19-year-olds, 39% of the 19-year-olds are mothers (UNFPA 2005).

Current Namibian societies reflect the legacies of colonialism, racism and the processes of globalisation. The political, economic and social structures were racially organised and based on the policy of divide and rule. Colonial authorities established their hegemony through ideological processes, in particular education, religious teachings, mass media and legislation. This created the belief within the psyche of the locals that anything traditional was inferior.

Independence in 1990 meant the end of colonialism and the creation of a new nation. There were those who remained in the country during the occupation (those who benefited and those who were victims of the apartheid system), as well as those who were in exile during the liberation struggle and those who migrated from other parts of the world to settle in Namibia. This diversity made it necessary for people to negotiate between the local and global and these processes have contributed to changes in the norms and values of society, creating a hybrid society.

The new government opted to become a secular state and continue with the capitalist system, which differed from the liberation struggle's ideology that supported a socialist system. Independence brought with it various changes; it enabled the formally excluded black population to have access to wealth and power and exposed the people to outside forces. The process was observed and summed up by a 40-year-old male key informant:

“There are so many changes that have taken place within the country since independence. For instance, there were all these different things that were there before independence ie cultural principles, religious principles, which were there. But I think to a certain degree with independence, people got a sense that everything is free.

We also had people and children who were coming from all corners of the world back to the country – parents, brothers and sisters coming from exile, who were exposed to different cultural practices. And the whole transformation that took place the first five years after independence, basically to a great degree contributed to the loose norms, cultural norms, confusion, value confusion where children were not clear as what to do

We have this whole issue that children have rights ... the parents have to enforce upon their children to adhere to all these changes,

and dynamics contributed to a certain degree to this whole thing of children feeling free and deciding to experiment with sex. And it is not only that we also look at this whole thing of the media you see, we all of a sudden were bombarded with different movies, from other cultures that show all those things. All these kind of things coming in have an influence on the children and the parents being conservative trying to hang on to old norms. And the children being open minded and so on and determined in their views to adopt some of these principles and this kind of broadens the gap between the parents and their children.

There are different elements one needs to look at here. You look at a situation where you had a closed, isolated community because of the apartheid system. Suddenly with independence preparation in 1989 we had an influx of people from all over the world to oversee our independence. For the first time Namibians got exposed to other people. UNTAG (United Nations Transitional Assistance Group) soldiers were coming in from all over the world, who had a lot of money and flashing it around. On the other hand, you had a people who were deprived (not having the money, not allowed to enter restaurants) and suddenly you had people throwing dollars all over the place and willing to take the young girls out and women went for that. You had relatives who were out of the country for more than 20-30 years. You kind of had a festive situation, jolly exciting period in which people felt like having fun.”²

This informant’s description of the independence period suggests that change was rapid in four key areas: (1) kinship and family (2) social and cultural values of the community (3) politics and (4) economics. These four key structures have all undergone changes to fit the new post-independence situation and have created a new hybrid context that is relevant to the social organisation of adolescent sexuality and reproductive behaviour. There are generational differences in the way Namibians think about and discuss issues such as sexuality, marriage, childbearing, power relations, gender relations and family relations.

Globalisation challenging social, cultural and sexual norms and values

Is local culture constrained by the dominance of mainstream American or European culture? Globalisation goes beyond culture and politics; it includes economics and is accelerated by the flows of goods, labour markets and

information. It is the processes of cultural change brought about through the media, which are relevant to this study. The role of the media is summarised by Szemann (1997: 3):

“The almost universal access to media images by individuals at all social levels makes resources available for the creation of new identities, the dreaming of dreams that were previously unavailable to ordinary people. Media has democratized the imagination, made it into a daily activity rather than one restricted to artistic elites.”

Cultural integration between the local and global is never an equal or neutral process. It is a result of historical processes, and the divide and rule policy employed by our colonisers has contributed to the negation of traditional practices and the fragmentation of Namibian nationalism. The circulation of cultural images from outside allows local communities to negotiate between local and global and create new hybrid identities. Currently, adolescents are largely attracted to western ways or foreign ways of doing things. As a female adolescent informant suggests: “Culture is disappearing, it is only those little kids and the older parents who know about culture, and most of us do not know anything about it. Now we listen [to] music, *kwaito*; it is our culture.”³

In contemporary society there is a closer and faster system of exchanging ideas and values, (through the electronic dissemination of information and images at great speed), which affect understandings of sexuality. The media whether electronic or printed, confronts people with new ways of understanding and looking at themselves, which are often in conflict with traditional mores and values. This is with the understanding that ‘tradition’ is not stagnant, and in contemporary society, a hybridised tradition has developed that has elements of indigenous, colonial, Christian and foreign cultures.

Like other countries around the globe, Namibia is tied into the global economy of capitalism, and is connected to the West by technological dependency and the consumer culture. Cultural globalisation includes ideas about clothing, music, food, and ideology and is accelerated by new communication technologies. It is currently challenging the role of religion and its control over sexuality. It is rearranging the environment within which sexuality operates and is redefining norms and values. This creates conflict between religion and norms and values.

The United Nations Population Fund (UNFPA 2005) reports that the average age of first sexual encounter is 18 years of age for men and 19 years of age for women, and by age 20 the majority of the Namibians are sexually active. Adolescent informants report a positive attitude toward premarital sex: as one 16-year-old girl from Katutura commented, “Sex is not really

bad; it is something good, and it is good to have and enjoy it. Not the one that you are forced into. If you want to have sex, protected sex, I do not find it a problem.” However, not all adolescents in the study have experienced sex. They all have different experiences and a minority are still virgins. As another 16-year-old from Katutura revealed: “I do not know anything about sex. I am still a virgin.” The researcher followed up with a question; “Will you want to wait until you are married?” The response was: “Maybe, maybe not, I am having a boyfriend and I am thinking of doing it.”¹⁴

Religious beliefs help us understand human existence and personal relationships. They have a strong influence on culture and provide the moral codes by which people live. In Namibia, missionaries began introducing Christianity in the 1840s and 1870s in the south-central and northern regions respectively. By the 1960s almost 95% of Namibians had embraced Christian beliefs. At least 90% of my adult informants have experienced strong family and community values as well as exposure to and respect for Christianity’s teachings. Today Christianity is an important element in their lives.

However, currently religion has not been able to counteract the socio-cultural norms and values, such as premarital sex, as promoted in the media. In particular, the youth culture increasingly supports and validates sexual surrender as a sign of love. This is partly due to the way the religious leaders approach the topic of sex; some are silent, while others preach in the abstract. This is in line with the belief that sexuality is a domain of adults and can only be addressed as part of adults’ discussion. The silences of many of the preachers and their inability to directly address the issue or contextualise it, has led to some confusion among adolescents. This is compounded by the lack of social programmes within the church to address adolescents’ needs. As a 17-year-old girl in a focus group discussion commented: “The church preaches the same thing all over. The preacher says do not use a condom. Jesus Christ is the condom. I really do not know what they mean by that”

Preaching in the abstract in an era of globalisation has not been helpful. As a result, some of the young members have not been able to reconcile their sexual behaviour or their sexual desire to their religious beliefs and affiliation. Subsequently there has been a feeling of alienation by the young members from the church. One adolescent girl noted:

“Young people these days do not go to church. They feel that the church is boring, neh! They want to be in the club where they can talk about everything. They will say in the church is all about Jesus Christ, as if you are oppressed, you are not allowed to say anything about sex. They feel that if you say anything about sex you are a sinner. The young people do not go to church anymore.”

The church has been unable to provide its members with answers to many questions as they relate to sexuality. Subsequently, the role of religion in the lives of adolescents is currently being challenged; as an institution it has become irrelevant and boring for some of them.⁵ Nonetheless, the study suggests that some adolescents practice abstinence because of their religious convictions. As one male noted:

“It is against the will of God, and I cannot just have sex because other people do it and all that stuff, but one thing you feel good, but in the end you feel bad. I have to wait until I get married.”

This statement confirmed the data from studies conducted elsewhere which suggest that church attendance and religious beliefs are protective factors against early sexual intercourse (Schreiter 2001). It is also reported that the presence of both parents and strict family rules contributes to the delay in sexual intercourse (Schreiter 2001).

While my adult informants do not find the church boring, they recognise the challenge of reconciling the expectations of the church and the temptations they are confronted with. The adult informants suggest that members of society attempt to uphold religious values, but they are confronted with conflicting or hybridised values. Although they embrace Christian principles, they are failing to live up to these principles. We can explain this in terms of the hybrid culture of Namibia. On the one hand, Namibians are trying to adhere and respect the culture, while at the same time trying to incorporate Christian teachings in their lives. For example, motherhood is an important aspect of Namibian culture and women gain status by proving their fertility. As a result, women have children out-of-wedlock knowing that they are disobeying the Christian value that children be born inside marriage, but adhering to the cultural expectation of motherhood.

In addition to proving fertility, out-of-wedlock birth rates have been affected by historical factors, such as laws that made it difficult for migrant workers to marry women in the city. This was one of the major factors contributing to the number of single mothers in urban areas and the cycle continues.

Local context and socio-cultural norms and values

Culture is not stagnant; it changes as it is exposed to external and internal forces, be they social, cultural, economic, political, or ideological. The changes affecting society have caused some people to refer to Namibia as a society at a crossroad.

“The problem with us in Namibia is our foundation has been shaken and now it is very shallow. If I can use the term crossroad, we are completely in a mess, the society is more in chaos. It is at a crossroad and there is no U-turn. As far as culture is concerned, there is no U-turn. How do we positively move forward with globalisation? The positive things are how to select the goodness of this time. If you say let us go back to *iiyugo* and *efundula* (traditional rites of passage), we cannot go back to the real one. However, one can create something similar, but the older people are no longer alive. The problem with culture; it is always changing. It does not stay still; it changes according to the generation and it is always changing.”
(key informant)

This informant struggles to define society, believing that the structures of our society are not strong enough and that there is dilution of traditional culture. He acknowledges the notion that as society changes, members need to adapt and accept this, and that although some ideas may originate from somewhere else, they are often modified to suit the local context.

In this study, 80% of adults believed in a notion of imagined cultural purity. However, the reality is that the current society is hybridised, and the notion of a pure culture or reverting to an authentic culture is an illusion. Thus, there is a need to recognise and make provision for the hybrid dynamics in any redesign of culture (Bhabha 1994).

As recently as the mid 1950s to the 1960s, premarital pregnancy was limited because societal norms negatively affected the families in which out-of-wedlock births occurred. There was also a sense of achievement when young girls remained virgins until they got married. A 63-year-old urban woman comments:

“My fiancé came from the city and he brought the cow, as part of the bridewealth. As practice, I had to see the cow and either accept it or reject it. I saw and realised that it was a baby cow. The city dweller man seems to have gone into his father’s kraal and taken out the baby cow. You know, I have kept my virginity, and I am worth more than that, I refuse the cow. Then he had to come back with another cow, they brought a real one, and then I told them that I accept this one, that they can celebrate as a sign that I have accepted the cow. During those times we were very proud and I did not even think for a minute that the man would leave me for someone else.”

Similarly, a 75-year-old rural woman commented:

“In the past you were afraid to have sex, and it was embarrassing to get a child before you were married ... Now it is no longer an issue, because everyone is having children [out-of-wedlock] left and right. Also the pills and condoms, it is just free *okakombo iilifa*.”⁶

Traditionally, a woman who had a child before marriage was symbolically killed. Later she was called derogatory names such as ‘slut’, and she forfeited her chance of getting married to a man her equal. Apparently, most of these women got married to older men whose wives were deceased and others migrated to the urban areas, where nobody knew their history so they did not feel the pressure of the community judging their past behaviour.⁷ Furthermore, in the past, adults ensured that there were limited chances for unmarried young people to engage in sexual activities.

Adolescents as hybridised subjects

The adolescents in this study are primarily first and second-generation urban dwellers, who have not had the benefit of living in a rural area. Thus, they have had limited experience with the extended family. Their relatives, who are themselves hybridised, at times attempt to impress ‘tradition’ upon young people. Yet, traditions have undergone changes due to colonialism, Christianity and the apartheid system. Social processes such as the influence of media, the fashion industry and consumerism influence these urban adolescents’ sense of identity. In addition, the characteristics of town are a reflection of modern change in Africa. Those who are in urban areas may see themselves as modern in comparison to those that live in rural areas. However, they are alienated from both modern development and traditional ways, and find themselves in between these dynamics.

Eslamieh (2006) has noted that individuals growing up in transitional societies, consisting of various ethnic groups and exposed to the outside world through the media and multinationals, often find it difficult to balance their tradition and the emerging modernity as fostered through the media and consumerism culture.

Adolescents are easily influenced or attracted to external forces for various reasons. Firstly, there is the fluidity of their identity, being neither a child nor an adult, and being in a process of self-discovery. Secondly, there is their curiosity and their readiness and willingness to learn about new things. Thirdly, there is the instability of traditional culture and the presence of western cultural hegemony and fourthly, adolescents have agency and the ability to influence culture and development. The combinations of these

factors allow adolescents to create their own hybrid identity. Besley (2002: 11) sheds some light on how youth can be considered to be ‘hybridised’:

“The notion of hybridisation as it applies to kids in the post-modern era refers to their negotiation of the local and global and the intrusion, imposition and inter-connectness of these spatial and cultural locations. Kids assemble their identities in the global market place on the basis of what their local culture predisposes them to make. They make individual choices that are reinforced by a market logic that creates for them a niche market”

Exposure to Americanisation and Europeanised identities gives adolescents leeway to detach themselves from their own local culture to a certain extent. There is a strong desire to be ‘American’ or ‘European’ or ‘modern’. Because of the media, adolescents are adopting value systems contrary to those of their parents and grandparents. Adolescents embrace modernity as represented in the media, magazines and music to define their own identity. This process is compounded by the current liberalised social environment, and by cultural bombardment through the mass media and the clothing industry that promotes new identities. Eventually, adolescents create a third space. For adolescents, to be modern is to wear trendy fashions, go to nightclubs, use alcohol and be sexually active. Their subculture includes values, styles, cultural tastes, and the use of ‘young’ dialect which is sometimes a mixture of local language and English or Afrikaans. For example, young people use terms such as *guys* and *chicks* (referring to girlfriends), *zallie* (referring to the mother), *toppie* (referring to the father). Adolescents use behaviour which differentiates them from their parents to manage their own transition from childhood to adulthood. However, mainstream adults in Namibia ignore adolescent subcultures.

While adolescents are influenced by American or European cultures, the environment they are living in is different. For example, they often lack the resources to buy trendy clothes or attend nightclubs. As a result, they devise ways to fulfil their desire to be modern, eg developing relationships with sugar daddies or pressuring their parents to provide the things they identify as modern.

Media and adolescents’ understanding of pleasure and enjoyment

In Namibia, the redefinition of adolescent sexuality has been a result of both internal and external forces; in particular it has been conveyed through

photo novels in the 70s, discotheques in the 80s and currently mass media especially television and music.⁸

Discotheques, photo novels and mass media have become important in the lives of adolescents and have defined their understanding of self and identity. These influences are particularly important because many adolescents in Namibia live in environments, such as Katutura, that have limited recreational facilities. In the absence of any recreational activity, young people derive their pleasure from discotheques, television and social gatherings.⁹

The establishment of discotheques in the township in the 1980s exposed adolescents and youth to new forms of entertainment and redefined socio-cultural norms. For example, being out late at night contradicted the disciplinary measure of being home by sunset. As one parent puts it, "When adults come home from wherever they have been to go to bed, their youngsters are preparing themselves to go out." Consequently, adult informants believed that the establishment of the discotheques/clubs in the township was the cause of major societal problems. As a 52-year-old urban women noted:

"When I grew up, there was no television and there were no clubs. However, they introduced clubs in Katutura which was not in line with the rules of the house. The child disappeared from home to go clubbing, without asking for permission, behaving as he or she wishes. And the rules of the club contradict the rules of the house. For example, when I grew up I was supposed to be home by sunset but with clubs, they all start operating around 20:00 in the evening, which is the time children are expected to be home."

Nonetheless, discotheques are viewed as part of the society's strategy to provide its members with enjoyment. Some Namibians associate discotheques with modernity while others believe that discotheques undermine parental authority. Adult informants perceive clubs as places that violate community norms. They find clubbing the cause of unruly behaviour among adolescents because of alcohol, drug abuse and adolescents' involvement in unprotected sexual activities. Adults think that once their adolescents are out of their sight visiting clubs, they are likely to misbehave. In contrast, adolescents view clubs as places of entertainment. To frequent them is part of their modern identity, associated with progressiveness. They recognise the discotheques as places of enjoyment and a chance to have freedom and personal liberty without the watchful eye of an adult. As a 16-year-old girl in an urban area commented: "A club is the place to entertain young people, it makes you feel young, gives you an opportunity to meet friends and will keep you off the streets and out of trouble."

It is through clubbing that adolescents reinforce their discourse of enjoyment and develop their own subculture identity. They take up clubbing and music to confirm their identity and to resist adults' discourses of passivity. In the rural areas the discotheque culture has not taken hold; however, *oudingoshos* – rural entertainment centres comprised of a number of shops joined together – have formed. At these centres, alcohol, music and some games such as gambling and snooker are available. In the beginning it was a disgrace for women or children to go to these places, but now it is common to see women, adolescents and youth there. These centres have contributed to similar changes as those seen in the urban areas, but to a more limited extent because in rural areas community norms are still strong.¹⁰

Mass media, especially music and television, may contribute to the new understanding of sexuality. Many of the programmes on television focus on unmarried heterosexual couples who are engaged in sexual activities, and there are no signs of any consequences such as pregnancy or a sexually transmitted disease (Moors 2000). While this refers to the USA, this situation is relevant to the Namibian situation where at least 95% of the television programmes are foreign movies, largely from Europe and the USA. The majority of the movies inform young people about the pleasure of sex, intimacy and romance (Moors 2000). Music videos and lyrics are explicit in their sexual content, and may contribute to the promotion of sexual experimentation. This challenges the adults' role in the lives of adolescents because adults generally prohibit adolescent sexuality. Laws and cultural norms also deny adolescent sexuality (Irvine 1994). This is in spite of the fact that the physical process of puberty announces the blossoming of adolescent sexuality.

The media helps promote the concept of the sexually active adolescent, and current societal structures such as family and church seem too weak to challenge the media. A 13-year-old adolescent boy in a focus group discussion commented:

“I think young kids are having sex, it might be because of nowadays this television thing. The kids are more attracted to it, see the things on television and say let me give it a try, let me try it out. For example, the advertisement of using a condom, it is very wild.”

Adolescents are not passive recipients of information; they interpret it as influenced by their local culture. Besides influencing their thoughts on sex, television and music also create awareness about global, social, economic and political situations.

Other adolescents find television confusing and are concerned about the double messages they receive from society. A 16-year-old girl in an urban area expressed it this way:

“We are very confused! It is very confusing, because the television is showing us that and the parents are saying do not believe in the TV. It is not like that, it is not real people. Even if people are kissing on the TV then they say switch off the TV, but you do see it in the street, or they say close your eyes when the TV is showing kisses.”

Similarly, key adult informants were of the view that television created confusion among adolescents. As one of them suggested:

“Today there is television and that is why they are more confused. During our time, there was no television. Today there is TV meaning they are more confused because most of the programmes we are seeing on TV are not really helpful. Young people they love to watch them, but these programmes are not educational.”

Urbanisation: The impact of the family on adolescents

“If you want to destroy a society, destroy its family.”

“If the society is in trouble, look at the family to get to the root cause.”
(TV interview on the family in Namibia, 1998)

The family is one important site where young members of society are taught about norms, values and behaviour of the society. These norms can be specifically related to adolescent sexuality and can include among other things: restriction on the times adolescents should go out, who they can be with, what they should wear, attitudes towards virginity and possible punishments if they are involved in premarital sex. Elders interviewed suggested that they grew up aware of the traditional means of regulating sexuality; social control ensured that members obeyed community norms. They knew when and under what circumstances to have sex.

The family has undergone changes, from being primarily extended to nuclear, and from being primarily male-headed households to female-headed families. Currently, child-headed households have developed because of HIV/AIDS (Yates et al 2006). This is partly due to the changes in the political system, economical structure, and socio-cultural norms and values. Moreover, rapid urbanisation, rural-urban migration and the war disrupted family and community networks, thus decreasing the relationship between adolescents and their extended families (Hailonga 2005). In addition, the

1970s and 1980s saw an increase in political activities including uprisings. This led to large numbers of people going into exile. It was also a time that saw an increase in urbanisation. All these factors affected the family structure (Hailonga 1997).

Family control has become weak and socialisation has shifted from the responsibility of the family and society to the education system. In particular, given the prevalence of female-headed households and absentee fathers, it is the mother figure (the biological mother or an adopting aunt or grandmother) who fulfils the role of both mother and father and is expected to provide sex education. In contemporary Namibian society, adolescents do not receive proper sex socialisation because women, who are supposed to take that responsibility, are facing financial, social, or cultural challenges. If young people receive any sex education, it is superficial and focuses on the prevention of pregnancy. Traditionally, sex was a taboo subject between biological parents and their children. Historically, sex education occurred through initiation ceremonies by an aunt or uncle. The social structures that provided sexuality education no longer exist (Worthmann et al 1987).

It is not only the family structure that influences adolescents, but also the family process. This reference to family process refers to the interactive relationship between the family and its adolescent members. Family process includes many aspects of family life: family cohesiveness, routines, traditions and rituals. Informants note that employment, the introduction of television in the urban areas and alcohol in both the rural and urban areas have all influenced the family process. These activities have replaced the family gathering in the evenings. Informants suggested that television contributes to lack of communication within households, and that it has replaced the role of adults in informing their children about issues pertaining to their lives. A 70-year-old rural man confirmed the impact of alcohol:

“Today’s children have not received proper guidance. We have not sat down with our children to guide them in the proper way. The parents are controlled by alcohol ... The problem we have is alcohol; it has messed up the society. Since they built those *shebeens* with foreign alcohol ... Parents started to spend few hours at the *shebeen*, later they spend most of the day at the *shebeen*. Now children are disrespectful, but the child since his birth has never received proper guidance and has not been shown how to behave accordingly. We have never spent time with our children, as we are spending time at the *shebeen*. It brought disrespect.”

Some older informants are of the opinion that the behaviour of adults has not been exemplary. A 75-year-old woman in the urban area noted:

“My daughter does not have order at all, it is all bad news. She is also raising her two children in that condition. She does not have morals at all. For instance, every time I visit her, there is a different man. She is raising her children badly, and the children do not know right or wrong.”

Adolescents who experienced parental support, connectedness to the family and a positive relationship with parents, and who were able to communicate with their parents, were likely to delay the onset of sexual experience or to act more responsibly. Studies conducted in the USA and Greece support this (Gouscounis 1991). Likewise, in this study, adolescents who had a good relationship with a parent believed that they would not become victims of unwanted pregnancies and had been acting responsibly. They were concerned about how the consequences of their actions would impact upon the important people in their lives.

According to the informants, the availability of contraceptives has contributed to a new understanding of sexual behaviour and freedom. An 80-year-old rural woman explained that *okakombo iilifa* is an expression that translates to “a baby goat feeding itself”, meaning that a person feeds him or herself while he or she is still supposed to be fed by the parents. It refers to a high degree of social freedom, suggesting that adolescents can behave as they please without social consequences. One of the informants, a 24-year-old unmarried woman, shed light on this belief: “Nowadays young people can go without being married. Like me, I am staying with my boyfriend.”

Norms and values of a neighbourhood play an important role in predicting early pregnancy in a non-marital union. Communities with poverty and lack of social controls are unlikely to limit early pregnancy (Waters et al 1997). Children learn and imitate what they see and experience around them (Bandura 1977). Thus, when young people grow up where it is socially acceptable for teenagers to bear children, and when there are no built-in deterrents such as guilt and shame to discourage the behaviour leading to early pregnancy, premarital pregnancy may be inevitable (Waters et al 1997).

During the focus group discussions, young women between the ages of 20-22 expressed the importance of having a child without being married. According to them: “It is important to have a child because if you feel nobody loves you, then you feel that your child will give you love back.” These young people are living in a society where most of their peers have children before they are married and motherhood increases one’s status in society. In addition, most of them have passed Grade 12 but have not been able to go to university and have been unemployed for the past two years. In a society where motherhood increases their social standing, this is the best option for them. Hof (1996) reports that women in Zimbabwe did not see premarital pregnancy

as a negative event. Although the women were poor, through pregnancy they gained respect, status, social responsibility and independence. On the other hand, some Namibian adolescents, especially those between 15 and 18 years of age, are not in favour of having children. One young person notes, "Sometimes they [our parents] got babies when they were 16 and 17 years old." Some young people stressed the importance of not wanting to become pregnant. One urban female adolescent expressed it this way:

"They [parents] all like saying, 'We have been through it. We also do not want you to repeat the same mistakes we did.' It does not mean that if they had kids at 16, we [are] all gonna do that. Look, we have survived ... and none of us have children at our age."

While these adolescents are not in favour of teen pregnancy and are influenced by their desire for careers, they have positive attitudes towards premarital sex, which has also been made easier through the availability of contraceptives.

Conclusion

This chapter has attempted to show the challenges adolescents face in negotiating between tradition and rapidly emerging modernism as promoted through globalisation. Most of the structures that impact upon adolescent sexual and reproductive behaviour have undergone changes due to historical processes. The current values of the society are drawn from the mixture of norms and values seen in the hybrid societies that are characteristics of many societies of the world, including Namibia.

Contemporary adolescents are exposed to global values through media, television, photo books, novels and discotheques. The dominant culture projected through these mediums has become important to them. Much media promotes adolescent discourses of enjoyment, exposing them to values not shared by adults. They are living in a hybrid society where cultural globalisation is playing a key role in the way they understand sexuality. They want to be different and to associate their identity with modernity. Premarital sex is a common phenomenon, and while this has consequences such as teen pregnancy and complications arising from illegal abortions, there is a sense of acceptance for young unmarried mothers. This is different from the experience of adults, who recall living in a society where they showed obedience towards older members of society and there were traditional means of regulating young people's sexuality. They benefited from the traditional practices, religious teachings and support from the extended family.

The family structure that was supposed to provide stability is itself undergoing changes. More than 50% of adolescents in Namibia are growing up with single mothers. The situation is further complicated by the advent of HIV/AIDS, which has created child-headed households, a phenomenon unknown in the region until recently. The other key structure that could assist in addressing the situation is the church. However, religious teachings are currently being challenged by globalisation as some adolescents are finding the church boring and irrelevant. Christian leaders still have a conservative attitude and address sexual issues in the abstract. As a result some of the younger members of society are attracted to the sexual values as promoted by the dominant culture.

This chapter has provided insight into the challenges facing adolescents in contemporary Namibian society. Adolescents are living in a society where the various structures – such as family, religion and education – are not in a position to provide strong guidance for the adolescents in a hybrid society. It is critical that attention be given to adolescents or youth as they are the future generation; 30% of the population under the age of 30 (Ministry of Health 1992). It is, therefore, imperative that future research look critically at how to create supportive structures that will assist adolescents in making responsible and informed decisions in a hybrid society.

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ENDNOTES

¹ This study is part of the broader research conducted for the PhD thesis defended in 2005 at the Institute of Social Studies in The Hague. The main aim of the thesis was to analyse the socio-historical aspects of adolescents' sexuality and reproductive behaviour in Namibia. The study was conducted both in urban and rural areas, among predominantly black Namibians. The study applied qualitative methods relying on case studies, personal experience, interviews and observations. More than 40 people between the ages of 12-82 years were interviewed for this study.

² Under the apartheid system blacks/coloureds were not allowed to enter restaurants.

³ *Kwaito* is a South African pop music and a mixture of the experience of the youth in the 90s: South African disco music, Hip-hop, R&B, Reggae and heavy doses of American and British 'house music' (<http://www.rage.co.za/kwaito>).

⁴ This response might have been influenced by the fact that it was in a group discussion and all the other girls were sexually active. Had interviews been conducted separately, the responses may have been different.

⁵ According to adolescent informants the boringness of the church was related to the main churches (Lutheran, Catholic and Anglican) and the traditional churches (main churches) and not so much to the new Pentecostal churches.

⁶ *Okakombo illifa* is an idiomatic expression referring to a baby goat feeding itself without the support or assistance of the adult. This is used in the context of the youth today who are viewed as not having respect for any adult, and who have a sense of freedom and doing whatever they want without consulting the adults.

- ⁷ Interview with Mrs L, a 75-year-old who lived all her life in the rural areas.
- ⁸ Photo novels or *kykbooks* were picture books in Afrikaans that began coming from South Africa in the 1970s and 1980s. These books focused on relationships and sexuality, depicting kissing, sleeping together and people who were partly naked. Adults disapproved of their content because they felt they were exposing their young to sex.
- ⁹ Apartheid laws redefined communities and identities of people. The geography of apartheid created townships with specific physical, spatial and socio-economic meaning. For example, the street and domestic space are blurred, and there are insufficient leisure activities, eg the whole of Katutura had only one playground, and the safety and accessibility of the open space enabled adolescents to play outside the house. Current townships have limited space for fun, the only activity for the youth is watching TV, and there is no private space and no area to go and take a walk, hence when a question was asked to the youth about how they spend their private time, they replied: TV, clubbing and going out. This “going out” often means being taken out by a sugar daddy for girls and for boys hanging out around the street corners and sometimes being involved in mischievous activities.
- ¹⁰ Initially these centres were a result of the indirect policy of underdevelopment. Under the South African government no shops were established in the rural areas, and locals created these centres to provide for basic needs (such as sugar, tea and cigarettes) which were not available in the rural areas. They eventually developed into socialising places.

Chapter 9

How Did I Become the Parent? **Gendered Responses to New Responsibilities among Namibian Child-headed Households**

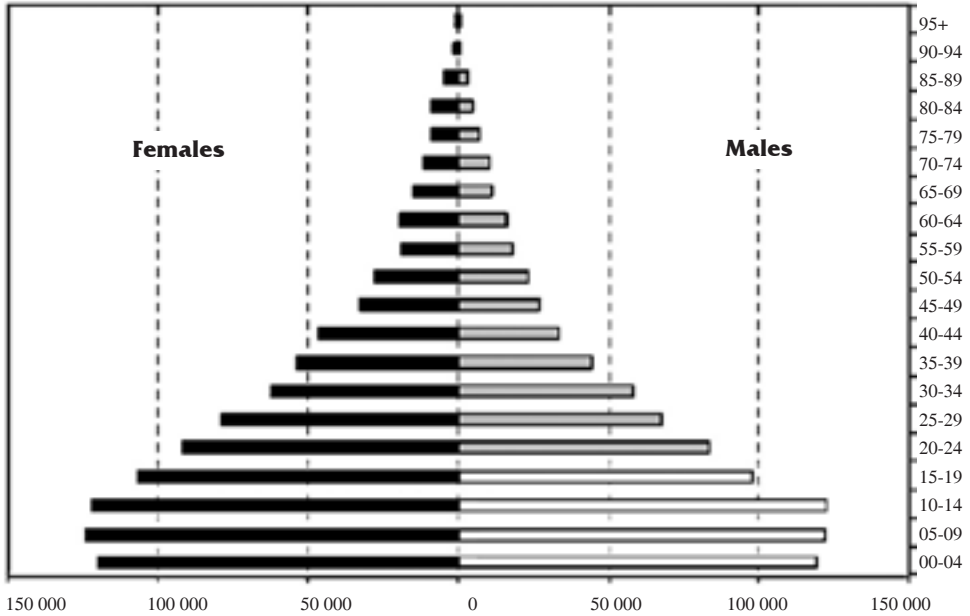
Mónica Ruiz-Casares

Advancing gender equality among Namibian youth

Today, Namibia has a very young face. According to the most recent demographic statistics, 40 percent of the population is under 15 years of age and half of the country's population has not reached 20 years of age (see Figure 1) (CBS 2003, 2006). This trend is expected to continue in the face of growing adult mortality, decreasing child mortality and high fertility rates (4.1 children per woman) (CBS 2006). Not only do children and adolescents constitute a large mass in the country, but they are growing to be adults in a context of significant social, economic and political change. Many children have to grow up without their parents, coached by relatives and friends; other children are already living by themselves.

While not uncommon for children in the northern regions to live away from one or both their biological parents when their parents are still alive, this living arrangement acquires special significance when one or both parents pass away. Currently, 12 percent of all children below the age of 15 have lost one parent, and one out of every 100 children within this age group has lost both parents (CBS 2003). The three regions included in the study upon which this chapter is based, Caprivi, Kavango and Omusati, have higher single orphan

FIGURE 1: Namibia's Population Pyramid (CBS 2006)



(SO) and double orphan (DO) rates than the national average. According to the most recent national census, 17,5 percent and 2,7 percent of children under 15 in Caprivi were orphaned by one and both parents respectively. The rates for Kavango (13,4 percent and 1,7 percent) and Omusati (14,6 percent and 1,4 percent) are also among the highest in the country.¹

The estimates made for the upcoming years are not more optimistic, with almost one in every five children under 18 in the country expected to lose her mother, father or both by the end of the decade (UNAIDS/UNICEF/USAID 2004). Additionally, it is estimated that at least 15 percent of all children are already living in families where a member is HIV-positive, exposing children to other infectious diseases, as well as the distress resulting from caring for ill family members and coping with stigma and death (Lithete et al 2000). Most orphans are absorbed into the extended family system, living primarily with aunts, uncles and grandparents (SIAPAC 2002). However, the last decades have seen major changes in household structure and family dynamics, including the emergence of child-headed households (CHHs). In general, a CHH is a domestic unit consisting of children “parented” by an elder sibling (UNICEF 1999). More specifically, and for the purposes of this study, an ‘unaccompanied’ CHH consists of one or more people who cook and eat together where the person primarily responsible for the daily running of the household is under 18 years or up to 21 if still in school and who is not the biological parent of children in the household.

While most households in this study emerged as a result of orphanhood, the research revealed the existence of many ‘accompanied’ CHHs near schools in Kavango and Omusati regions. These households included parents or other adults with little or no responsibility for the daily running of the household (eg elderly or sick). The definition of child-headed households thus includes households whose children are not orphans in the strict definition of the term, yet may be equally vulnerable due to the absence of an active caring adult.

As a result of HIV/AIDS, urbanisation, poverty and new residential patterns, girls, boys, young women and young men are taking on new responsibilities and even acting as heads of household. This phenomenon is shifting gender relations within families and communities. New responsibilities place children in decision-making positions previously occupied for the most part by adults, particularly men. At the same time, limited access to resources due to poverty and strained relationships may further hamper children’s ability to protect themselves against abuse and infection. Based on research I conducted with child-headed households in Kavango, Caprivi and Omusati regions, this chapter will explore the implications that these changes have for balancing gendered power among young Namibians.

Child-headed households in perspective

From the beginning of the HIV/AIDS pandemic, families and communities have been the first lines of response in sub-Saharan Africa. To this day most orphans and other children made vulnerable by HIV/AIDS are still living within their extended families (Foster 2000; UNICEF 2003). However, the emergence of orphan households headed by grandparents and siblings, along with increases in street children, households with orphans from two or more families, working children and school drop-out rates, are clear indications that the extended family is under stress (Ntozi 1997; Foster and Williamson 2000). As poverty, armed conflict and the AIDS pandemic spread, a number of countries have seen CHHs become more common, less transient and being headed by younger children (Foster et al 1997; Hunter 2000). CHHs emerge generally after the death of the mother, since “in AIDS-affected communities the father is likely to have predeceased his wife or to have abandoned the household on the death of his wife” (Grainger et al 2001: 34). Sometimes families neglect or exploit orphan relatives. Other times, unable to provide for the children, they cast them out. In some cases, CHHs emerge in response to the last wish of the deceased parent, or the preference of children themselves (Foster et al 1997; Grainger et al 2001).²

Foster and Makufa (1997) trace back the first cases of CHHs to the late 1980s in Uganda and Tanzania.³ Since then, CHHs have been the focus of

research in many other sub-Saharan African countries including Kenya, Rwanda, South Africa, Swaziland, Zambia and Zimbabwe.⁴ The first cases of CHHs in Namibia were documented in the late 1990s, becoming more prevalent thereafter (Kinghorn 2002; MOHSS/UNICEF 1998). In fact, the most recent census identified more than seven thousand households headed by 18-year-olds and younger children, primarily in the regions of Omusati and Oshana-Namaland (CBS 2004). This means that two percent of the households (where 1.7 percent of the country's population live) are headed by children, with a slightly larger proportion of girl-heads (55 percent versus 45 percent). Older adolescents (15-18 years of age) head four out of every five CHHs. Consistent with the overall population distribution in Namibia, as well as with the location of most of Namibia's orphans, three out of every four households headed by children are located in rural areas (UNICEF 2003). Half of the heads are students. Most these households get their income from farming (38 percent) or from wages and salaries (32 percent).⁵

Changes in the diverse rules of descent as well as of rules of residence have been reported to influence the weakening of kinship ties (Malan 1995).⁶ Migratory flows also change the composition of the household, severing kinship ties and the resources available to children in times of crisis (Coletta et al 1996). There is evidence that children from families with little regular contact with relatives are at greater risk of being abandoned if their current caregiver dies (Foster 2000; Foster and Williamson 2000).

Parentless children are a particularly vulnerable population. Not only do children carry the emotional burden of watching a loved one suffer and die, but they also experience the distress of the family unit collapsing, the stigma of AIDS associated with parental death, a decrease of attention and affection, and a severe decline in the family's economic power (Foster 1998; UNICEF 1999). As Steinitz and Ashton explain in this volume, girls are particularly disadvantaged, for they are usually the ones in the households to drop out of school, care for the sick and for younger siblings, and take on many adult tasks. Frequently, orphaned children fear that they have the disease themselves – and many do – yet protection from HIV/AIDS is often not a priority for those who struggle daily to survive. Additionally, children often lack adequate adult protection from sexual abuse from relatives and other males in their communities (Germann 2005; Hunter 2000). Oftentimes, all this results in exploitation; young children are overworked and underpaid. It also leads to dropping out of school, causes a serious deterioration in health and undermines children's hope for the future. To survive, many children engage in transactional sex, thereby exposing themselves to unwanted pregnancies and sexually transmissible infections (STIs). When these adolescents – the second generation of the AIDS pandemic – become pregnant, they will not have the assistance of parents and grandparent caregivers (Foster and

Germann 2002). Aware of this, a girl participating in my study of child-headed households advised other children to “abstain from drinking and sex because if you get in trouble, there is no one who is going to take care of you if you are not having parents or even relatives”.

Disadvantaged social environments do, however, have strengths and may open up new spaces for positive social change. Children living under difficult circumstances often develop practical survival and management skills, such as a sense of independence, the strength to cope with stress, the ability to make important decisions and to work hard, and social networking skills (Donald and Clacherty 2005; Germann 2005). Confronted with many responsibilities and limited resources, even before their parents pass away, many children are compelled to make decisions and to share chores and duties across gender and age groups in new ways. Nevertheless, even if children are making more decisions these days, there are still important cultural constraints towards children, youth and women’s empowerment in Namibia today (Kamminga 2000). The family violence and child abuse and neglect literature has repeatedly shown that unequal power relations make women and children more vulnerable to violence, abuse, exploitation and infection (Germain 2001). Imbalanced power manifests clearly in access to resources and decision-making. Even if engaging in employment or piece work and cultivation, children living by themselves often experience a decrease in income and face restrictions in obtaining and keeping property through inheritance and other ways. At the same time, they experience changes in decision-making in domestic, financial, sexual and community matters.

Cultural variations in access to resources and decision-making

Namibia is a vast and diverse country, home to some dozen very distinct ethnic groups. A common denominator, however, is the practices and beliefs that limit equal access of women and children to property and decision-making (Becker 1999; Lipinge et al 2004). Historically, children have been considered the primary responsibility of parents, and only secondly of the extended family. Young, single mothers often send children to live with relatives – usually grandmothers – in the rural areas while their parents seek or hold jobs in town. Purposeful fostering of children within the extended family can reduce the negative impact of orphanhood (Grainger et al 2001). Across ethnic groups, women have been and are still in charge of the daily running of the house, as well as raising children and cultivating. Child care is generally done by older females, although girls are also entrusted with this task. Children are often entrusted with a number of household chores including, in

the rural areas: cleaning, washing clothes, cooking, feeding animals, collecting firewood and water, buying and selling goods, child-minding and caring for the sick (Botelle 1992; LeBeau et al 2004a).⁷ In spite of the assistance provided by children, “children are increasingly seen as a burden (liability) rather than an asset” (Kamminga 2000: 7). Widespread poverty and ‘individualism’ seem to influence changes in caregiving structures and responsibilities, with fewer relatives willing to foster and more CHHs coming into existence.

Access to resources: Inheritance and property ownership

In general, Owambo, Kavango and Lozi women can own small livestock and household items but cannot own land, cattle, or buildings (Kamminga 2000; LeBeau et al 2004b). Cropland is generally returned to the headman after the death of the male head of household. While the dispossession of women and children of their land is not unheard of, some traditional authorities have started to waive the land transmission fee for widows and children so they can stay in their parental home. Property grabbing by relatives, particularly of valuable property (eg cattle) but also of smaller household items and clothing, is reported frequently. Cases of “child grabbing” by relatives when children are entitled to a pension from their parents, has also been noted (Thomas 2005). Across ethnic groups except the Nama, children born outside of marriage are not allowed to inherit from their fathers; only the Kavango and Lozi allow these children to inherit if they were recognised as the father’s before parental death (LeBeau et al 2004b).

Decision-making: Financial, domestic, community, sexual

Historically, decisions about the lives of children were made in private by adults in a fairly autocratic manner (Kamminga 2000). While this is slowly changing, children are generally not consulted on decisions affecting them or their communities. Clear hierarchies of power and children’s low social status are illustrated by children’s difficulty in communicating with adults, as well as in the strict discipline and physical punishment still being applied by teachers in schools. Likewise, Kamminga (2000) contends that only cases of extreme violence against children get the attention of traditional authorities or government officials. One can only imagine what the real figures will be; close to 400 rapes and attempted rapes of female (and male) juveniles were reported to the Namibian Police annually in 2003-2005, accounting for over one-third of all reported rape cases (unpublished statistics from Namibian Police). While women may have gained self-confidence as a result of independent decision-making due to male labour migration during the colonial period, resistance to changes further strengthening the position of women,

children and youth in society is strong (Hishongwa 1992, cited in Plattner 2002). Allowed to make certain decisions in the domestic sphere, many women still have limited control over their sexuality. Pressure to prove their fertility and, hence, womanhood sets women and girls at risk of unwanted pregnancies and STIs (UNAM and SARDC-WIDSAA 2005). Furthermore, as a result of lack of adult supervision and protection, children – particularly girls – are at increased risk of abuse. The exploitation of children by sugar daddies and mommies, through commercial sex work and in response to the myths surrounding the cure of AIDS (eg intercourse with a virgin cures the disease), pose additional risks to children and further reinforce their position of dependency and vulnerability.

Child-headed households in northern Namibia: A gendered analysis

The information presented in this chapter is based on in-depth interviews and observations conducted with 33 heads of household between 2002 and 2004. Given the transient nature of CHHs and the lack of a single, comprehensive national Orphan and Vulnerable Children (OVC) registry, a stratified non-random sampling strategy was used to identify participating households (Patton 1990; Tashakkori and Teddlie 1998).⁸ Cases were selected illustrating variation in gender, age, kinship system, location, type of household and orphan status, dimensions relevant to the impact of HIV/AIDS on orphans.⁹ Thus, participating girls and boys ranged from 9 to 21 years, and all but four households were headed by children who had lost one or both parents. Based on the analysis of epidemiological and demographic data, and interviews with researchers, policy makers and service providers, three regions were selected for inclusion in the study: Caprivi, Kavango and Omusati. The questionnaire was developed in consultation with local experts, pilot-tested and translated into Oshindonga, Rukwangali and Silozi. Interviews with heads of household were semi-structured and contained questions about family background, external sources of stress and support, living conditions and mental health. They were all conducted in the child's home language with the assistance of local women, trained specifically for the administration of this questionnaire. While a few interviews occurred in school premises, most of them took place in the child's home.

The average age of the head of the household was 17 years, although there was large variation (9-21 years). Two-thirds of the children lived in rural areas; two-thirds also were girls, were attending school, or had lost both parents. Indeed, most children had lost one or both parents – with fathers often passing away before mothers. The study identified the existence of

non-orphan households (10 percent of participants) in Kavango and Omusati regions. These households came into existence as a means to facilitate school access to children from remote rural areas. Most other unaccompanied households arose in response to lack of anyone to take children in either because of unavailability or distance (eg when relatives lived out of the country or had too many dependents already) or a decision by the children themselves. It was not unusual for adolescents and youth – sometimes encouraged by their eldest siblings – to prefer to remain in their parental home as a way to keep the siblings together, secure house and land, maintain their independence, and stay close to their friends and relatives. Some children, still, resent the fact that their relatives treated them badly or were unwilling to take them in. Although most children were still living in their parental home, 40 percent of interviewees reported property grabbing. Relatives often claimed cattle, beds, linen and cooking utensils, and on occasion dismantled the roofs to take away the zinc sheets. Children reported food and goods being stolen by neighbours too. “We don’t have locks and there are many thieves”, said a girl who had headed a household since the age of 16. Another girl in Katima Mulilo explained how sometimes their neighbours got into their shack and stole their food, but we “have no choice, because we don’t have many people [to go to]”.

Although most children felt safe at home, of the four who described their housing situation as dangerous or very dangerous, three were girls in urban locations. Sometimes girls are harassed by boys or men as they work or are followed by them back to their homes. A girl who used to pick up bottles with her sister for a living explained, “Sometimes, when there are no people there – big boys who are having bad behaviour who used to take our bottles. She [younger sister] can go alone; but if those boys are there, I go with her.” Aware of dangers, one girl in Omusati warned others against men’s proposals and advised caution and self-care, “If you look across the shop and find one guy who says ‘I want to fall in love with you’, don’t accept the proposal ... because maybe it brings a problem to you; you can accept the proposal from the guy, have sex with him, and you will also be infected. You will regret it.”

Most (two-thirds) children indicated that household income and social visits decreased after parental death and yearned for material assistance. While neighbours and relatives assist them with food and other goods now and again, seeking help is not always easy for children, as illustrated by the following quote from a girl in Omusati, head of household since she was 16 years old:

“When my mother was alive, because she’s an adult, she [could] go to the neighbours or to somebody else, maybe she can get help

but because now my mother passed away, it might be very difficult for me to go beg food because some people get tired of you; at this age, it is very difficult. Sometimes the kids can even go to school without eating because I am scared to go to people a lot of times begging for food.”

In the context of CHHs, almost all children contribute to the household in some way. Girls are often the ones to cook meals, clean the house and wash the clothes.¹⁰ Whenever there are no old-enough girls in the house, boys take on all these tasks. Other times, children split tasks among siblings irrespective of gender (eg a sister would cook lunch and an older brother, dinner). Maybe because no CHH owns any cattle, boys share cultivation with girls.¹¹ Likewise, childcare, which in other circumstances is entrusted mainly to women, is carried out partially by girls and boys of a range of ages. Similarly, the tasks of fetching water and collecting firewood are often split among the children, although girls tend to do it more often.¹² Besides running their own household, children often engage in activities to raise money and feed their siblings. Eighteen of the 33 children interviewed (54 percent), comprising a fairly even number of boys and girls, frequently work in exchange for money, food, or other goods. Most often, it is the oldest child who collects wood, fetches water, does domestic work, or cultivates fields for others. Those living in urban areas also do piece work such as collecting bottles for resale or unloading trucks at a local store (Ruiz-Casares 2006). The eldest children are also the ones to allocate the tasks at home according to capacity, as illustrated by the following quote from a 14-year-old girl looking after two other younger relatives:

“If you are the eldest one in the house, you can tell the kids how you can share the work at home – maybe you can say that someone must cook and the other one must fetch the wood. While, if you are the eldest one and the canal is very dangerous – if the kids fall in the water they can drown, then the eldest one must get the water.”

Children were primarily living with siblings, cousins, friends, and in three cases their own daughters and sons.¹³ Four of the girls and one of the boys interviewed were parents themselves, although only three of the girls were raising their children by themselves (ie no one lived with the other progenitor).¹⁴ One girl reported having an abortion at the age of 19. Girls reflected on the hardships of menstruating which often resulted in ridicule and gossip by classmates.¹⁵ Girls also commented on the implications of engaging in transactional sex, raising their siblings and having a baby (eg one of the girls dropped out of school as a result of her pregnancy). One

girl in Kavango, who headed a household since the age of 17, expressed it this way:

“Girls of our size feel bad if she gets pregnant and gets the disease [AIDS]. I know many people in that situation. I don’t know why they get the disease although I know that you get both pregnant and the disease when you sleep with somebody. [Other girls my age make a living] sleeping out with people to get something. I never had an opportunity to do it. I wouldn’t do it because I am afraid of getting infected. I learnt about AIDS transmission at school. I talk to my brother and sister about it. They ask me how people are getting it, and I tell them, ‘through sexual intercourse and sharing blades.’”

Not all children felt at ease talking about HIV/AIDS. In fact, only five children, boys and girls alike, mentioned “the disease” among the causes of parental death or the things that make youth upset. Though a minority, those who felt comfortable talking about it seemed to have at least basic knowledge regarding its modes of transmission and prevention. They had learnt about it at school or through public health education campaigns and community volunteers. Two reported discussing it openly with siblings and friends, were aware of the risk of “sexual intercourse with infected people” and had access to condoms. One child recounted how her mother had told her that she and one of her siblings were HIV positive, although the child never knew what caused her father’s death or how her brother became infected. She speculated, “Maybe when he was born, or when he was breastfed.”

While, in general, children were not aware of people treating them differently because of their parents’ cause of death, the stigma surrounding AIDS is illustrated by children’s feelings of sadness when others blame their parent’s death on AIDS and their frequent denial of such a connection. A girl in Omusati said, “They say that my parents died because of AIDS. My father was staying in Windhoek; he was not taking care of himself; he was the one to bring the disease to my mother.” The stigma leads some children to retreat and others to confront gossip. As an Owambo girl described, “Maybe they can come along to me and ask me, ‘Have you heard that [woman] is infected by disease?’ Then I can assist them [by] tell[ing] them, ‘No, I didn’t hear it, but you must go and ask her whether it is true or not before you spread the story’”.

In need of emotional support, one girl from Kavango described what makes girls her age happy by saying, “When a girl is having a boyfriend ... When someone tells you ‘I love you’, that feels good.” However, children often lack the time to establish a romantic relationship. A girl from Kavango who had been looking after her siblings for more than a year said, “There is

no way I can have a boyfriend because I am busy with [my] siblings and I don't have time to do fun." Other times, they wished they had mentoring in building and maintaining lasting relationships: "We need elder people to put my girlfriend and myself together, to teach us how we can live, trusting each other", explained a boy who had headed a household since the age of 17 and had impregnated his girlfriend. According to the children, on any given week, they receive advice and information from close friends and, to a lesser extent, relatives and other people in their social networks. Contrary to what Walker (2002) found among child-headed households in Zimbabwe, most of the children in my study had someone to turn to for emotional support. On average, children had four confidants and at least two of them would be in touch with the child weekly, if not more often. Children seem to feel more comfortable asking for help from people who are of their same sex. Strong gender roles in Namibia explain significant gender homogeneity among boys and girls and their friends, as well as with people who provide them with companionship, advice and instrumental support (Ruiz-Casares 2006).

Towards more balanced gender relations: Lessons learnt

The previous section illustrates the impact of gender and sexuality on CHHs in northern Namibia. Overall, lack of supervision, limited economic and social resources, and varying levels of involvement in decision-making may influence children's sexual safety, knowledge, and behaviour. Power differentials across age and social groups (eg between teachers and learners) and gender inequality are particularly threatening in the context of sexual relationships.

In Namibia, CHHs are generally headed by older adolescents, primarily girls (CBS 2004; SIAPAC 2002). Entrusted with the care of their younger siblings and relatives, young girls share a need for protection and support, while safeguarding their independence. Differences across accompanied and unaccompanied households, as well as parentless and non-parentless groups, suggest different community perceptions of children living by themselves. The mere existence of an adult, even if frail, old, or temporarily absent, seems to act as a protective mechanism for children's safety – their physical integrity and their few possessions. Although no child in the study admitted engaging in sex for compensation, the sexual exploitation of the girl-child – through sex work or the "sugar daddy" phenomenon – is more likely to occur in contexts of economic deprivation and lack of supervision. The distribution of household chores also varies; adults in CHHs, even if

elderly or sick, retain a role in leadership and decision-making and the performance of certain tasks (Ayieko 1998; Ruiz-Casares 2006).¹⁶

This study revealed a sexual division of labour in various subsistence and domestic activities, often putting pressure on older siblings and girls. Women and girls have a wider range of tasks to perform, and these are time- and energy-consuming activities, particularly since food processing is done by hand and distance to water sources can be large, especially during the dry season (Botelle 1992). While most of the children interviewed described their school attendance as regular, pregnancy, hunger and child-care made children miss school, drop out, arrive late or leave early. This is distressing because education has been linked to the empowerment of girls and improvements in family health, and several children acquired their knowledge about HIV transmission and prevention at school.

This study also documented shifts in the customary gendered distribution of labour, prompting children to split tasks among themselves and make decisions previously reserved for adults and men. Even if the changes in the distribution of chores occur because of need and are small, they nonetheless may strengthen sibling relationships and lead to more egalitarian mutual support systems in the future.

Additionally, the few people who turn to children for assistance create opportunities for children to feel capable and to develop a sense of connectedness and responsibility. While deferred reciprocity is often found among relatives and close friends, in general, equivalence of exchange is a good index of balanced power relations. Lack of reciprocity in relationships maintains substantial differences in access to power and resources, puts children in a position of subordination and potentially reinforces attitudes of dependency. Asymmetrical assistance may also lead adults (mostly relatives) to neglect their obligations – leaving children to fend for themselves, thus engendering or sustaining exploitative relations. In contrast, balanced power relations may more effectively protect girls and boys against abuse, unwanted pregnancy, STIs and violence.

In most cases, relatives did not ask children who they wanted to live with after their parents' death. Children wished it had been different, even though it was not uncommon for children to state that they would have chosen to stay in their parents' home anyway. Children's participation in decisions affecting them – according to their evolving capacities – promotes their own development and actively engages them in their communities. As Landsdown (2005a: 8) has noted, "Access to information necessary for their protection, opportunities to participate in key decision-making processes, and encouragement in speaking out can empower children to challenge abusive behaviour."

Several children in the study were parents themselves. Many adolescents in Namibia are sexually active, with 45 percent of women having their first

pregnancy by the age of 19 years (UNAM and SARDC-WIDSAA 2005). While the girls in the study did not comment on the conditions upon which they got pregnant, fear of abandonment by their sexual partners has been put forward as a reason for women of all ages to comply with men's requests to have sexual intercourse (Blythe et al 2006; Impett and Peplau 2002). It is also possible that lack of information or access to contraception contributes to these pregnancies.

Several children voiced their need for guidance and advice on the development and maintenance of relationships as well as on how to care for their younger siblings. In the absence of older caretakers and out of fear of negative social reactions and lack of confidentiality, children often kept sensitive issues, such as suicidal thoughts, to themselves (Ruiz-Casares 2006). Children often responded with silence or vagueness when asked the cause of parental death or of decreased visitations by relatives and community members, suggesting social perceptions of exclusion and low self-worth. Such behaviour raises questions about the quality and quantity of the emotional support and advice children receive. It is likely that children are afraid to report events such as sexual abuse or exploitation at work, and that they hide their lack of information about such sensitive issues and socially unacceptable behaviour.

Moving forward through research and action

Family responsibilities and dynamics change over time in response to crises (Madhavan 2004). Poverty, migration, HIV/AIDS and urbanisation are among the factors influencing changes in caregiving structures and social support networks in Namibia. In this chapter I have contended that CHH's declining access to material and social resources, imbalanced power relations and subordination to the decisions of others, makes children – and particularly girls – more vulnerable to violence, abuse and infection. Imbalanced power relations – between adults and children, men and women – set limits to children's protection from abuse and maintain structures of dependency that can hamper individual and community development. Along with raising concerns about vulnerability, abuse and structural dependency, these changes also reveal strengths and open up new spaces for balancing social relations and protecting children more effectively. Sensitivity to power and gender dynamics is likely to change the position children occupy in society, better preparing young generations for responsible and power-balancing attitudes and behaviour.

More research is needed to better understand sexual and other kinds of abuse and economic dependency, as well as the power-balancing effects of symmetrical social relations and new distributions of chores. In fact,

more research is needed to clarify whether deferred asymmetry should be considered an index of close, strong ties or of imbalanced power relations conducive to abuse and exploitation in Namibia. Reassessing the impact of reciprocity on child development within the Namibian cultural context is needed.

Policies and interventions aimed at supporting children – whether by improving the household economy, providing guidance and information, or facilitating school attendance and permanence – should recognise the impact of involving children in decision-making (Hart 1997). Creating opportunities for children’s meaningful involvement within the family and in the community (eg in research and as resources to and advocates for others), and promoting attitudes and spaces that respect children’s views and take their concerns seriously, are positive steps towards protecting them from all forms of abuse (Lansdown 2005a). Likewise, it is important to provide support in ways that do not promote dependency but rather enhance children’s self-confidence and make them aware of their rights and responsibilities in society. Creating safe spaces for children to be listened to compassionately, without judgment, and preparing children and youth to be sources of support to others, seem to be necessary steps towards better protecting children’s rights and strengthening communities.

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ENDNOTES

- 1 Somewhat in contrast, though indicating a stigma attached to AIDS, respondents in a recent survey conducted in eleven Namibian towns, including some in Kavango and Omusati regions, were in favour of offering care to children with parents or caretakers who are sick or have died from AIDS, but less than 5 percent had actually taken children affected by AIDS into their homes (Murray-Johnson et al 2005).
- 2 Whether to secure house and land or social ties, it is not uncommon for children to choose to remain by themselves, if old enough to cope. Unwillingness to split the sibling group often plays a role too. This has a stress-buffering effect, as previous research suggests that separation from siblings is a source of distress for orphans (Gilborn et al 2001; Nampanya-Serpell 1998).
- 3 It is important to clarify that the definition of CHH varies across studies, primarily as regards the age of the head and the presence of adults. Some studies utilise restrictive criteria, ie including only domestic groups headed by a child younger than 18 years. Others extend the age of the head up to 22 years and/or differentiate accompanied and unaccompanied households, allowing for the presence of not-able adults.
- 4 Many studies have focused on child-headed households in these countries, including Ayieko 1998; Brody, 2002; Chateerji et al 2005; Donald and Clacherty 2005; Germann 2005; IDASA 2004; Luzze 2002; Mullins 2005; Roalkwam 2005; Walker 2002.
- 5 This information should be used with caution. Besides problems that can emerge from coverage, response, and non-response errors (which potentially affect all data collection methods), caveats relate to a de facto census approach (eg every person was enumerated wherever s/he spent the Census Reference Night, even if that was a very unusual or transitional living arrangement; also, in the absence of the “usual” head of household, the person “next in line” in terms of responsibility was recorded). Additionally, for comparison purposes, the information just reported includes households headed, for instance, by a 17-year-old living with her own children, whereas no households comprising only minors and their own descendents were included in my study.
- 6 A diversity of rules of descent is found among ethnic groups in Namibia, namely, matrilineal (Ovambo and Kavango), patrilineal (Nama and Damara), cognatic (Fwe and Subia), and double reckoning (Herero and San). As for changes in residence patterns, neolocality, by which a man establishes his own household in a new place, rather than with his patrilineal or matrilineal relatives, is becoming more common.
- 7 Based on recent data provided by the Institute for Public Policy and Research (IPPR), LeBeau indicates how 18 percent of children nationwide do household chores and 15 percent care for the sick, while 23 percent of children nationwide fetch water and firewood (LeBeau et al 2004a).
- 8 While advocating for a more strength-based terminology, I use the expression OVC in line with the common wording of Namibian policies and programmes.
- 9 Children were identified with the assistance of social workers, traditional authorities, nurses, home-based care volunteers, church leaders, educational counselors, principals and teachers, community members, and children themselves. Case studies are particularly appropriate for the investigation of contextual conditions (Gillham 2000; Stake 1994; Yin 1994). The ability to explore and articulate the relationships between micro-processes

and perceptions and macro structural forces was strengthened by the use of multiple methods, both qualitative and quantitative (Ruiz-Casares 2006). The former included interviews with CHHs as well as key informants, and focus group discussions with home-based volunteers and caregivers and youth. Quantitative data were obtained from the Census Office as well as from mental health surveys administered to CHHs and a stratified random sample of 163 children in schools in Kavango and Caprivi.

- 10 While bearing in mind the larger number of females among household heads, sex displayed association with the performance of household tasks such as cooking meals ($\Gamma = .606$, $p = .026$, $s.e. = .178$, $\chi^2(10) = 18.892$, $p = .000$), cleaning the house ($\Gamma = .643$, $p = .017$, $s.e. = .170$, $\chi^2(5) = 12.833$, $p = .009$), and washing the clothes ($\Gamma = .669$, $p = .021$, $s.e. = .184$, $\chi^2(3) = 9.887$, $p = .010$).
- 11 Cattle herding is a task usually assigned to males.
- 12 This contrasts some with old descriptions of children's responsibilities. Thus, for instance, Sambyu boys were the ones to fetch water while it was a girl's task among the Kwangari (Gibson et al 1981).
- 13 Ranging in size from two to twelve members, on average children lived in groups of four. Aside from adults, most household members were aged six months to early twenties.
- 14 One girl had sent the baby to her grandmother and another one kept the youngest and sent the other one to live with the father of the child.
- 15 While menstruation has been linked to a time of female control over sexuality (LeBeau 2004), girls seem to experience it in a completely different way. Menstruation was described as a difficult time for girls as they often do not have toilet paper and end up using leaves, which are not very effective; this often shows and boys in class laugh at them, or others "maybe think they committed abortion if the flow is heavy" (Kavango, girl, 20).
- 16 Children's descriptions of tasks allocation revealed significant associations between the type of household (accompanied/unaccompanied) and who makes decisions about expenditures ($\Gamma = .926$, $p = .026$, $s.e. = .080$, $\chi^2(2) = 15.174$, $p = .001$), cooks the meals ($\Gamma = .927$, $p = .0439$, $s.e. = .091$, $\chi^2(2) = 10.438$, $p = .001$), and cleans the house ($\Gamma = 1.00$, $p = .110$, $s.e. = .000$, $\chi^2(1) = 14.345$, $p = .003$). Looking after the youngsters in the house, fetching wood and water, washing the clothes, herding (no households had cattle), cultivating the fields, buying goods, and holding an income-generating job outside of the house did not seem to be tied to adult presence (Ruiz-Casares 2006).

Chapter 10

The Social Context of Child Rape in Namibia

Rachel Jewkes, Hetty Rose-Junius and Loveday Penn-Kekana

Introduction

Child rape stirs strong passions. Anger at the act itself is compounded by the symbolic threat of child rape to the moral order of society. The media and politicians have been very quick to attribute the most prominent rapes to 'others' – desperate people with HIV seeking sexual cures or degenerate alcoholics (Jewkes 2004). Yet in a country like Namibia, which, like its neighbour South Africa, has particularly high levels of child sexual abuse, child rape is not a fringe activity of a small number of psychologically disturbed men or paedophiles (Garcia-Moreno et al 2005). Its very scale suggests that there are important aspects of society that, if not legitimating, at least provide space for these activities.

The World Report on Violence and Health identified child rape as an important public health problem associated with increased risk of sexual, reproductive and mental health problems, as well as risky behaviours such as smoking and alcohol abuse (Runyam et al 2002). International studies suggest that about 20 percent of girls and five to ten percent of boys experience some form of sexual abuse (Finkelhor 1994). The World Health Organisation estimated the prevalence of child sexual abuse disclosed by women aged 18-49 years in Windhoek to be 21.3 percent, the highest of any of the fifteen sites in their global study (Garcia-Moreno et al 2005). Research has shown that child abuse is more common in households which are economically disadvantaged, lack social support, or are located in communities with little

community cohesion. A range of social factors are also important, including cultural norms surrounding gender roles, parent-child relationships, the nature of the social welfare system (if any), and the extent of protection and responsiveness of the criminal justice system (Runyam et al 2002). Little is known about how best to prevent child rape and support victims. This is particularly true of Africa. Meursing et al (1995) commented that little formal research has been conducted on child rape in Sub-Saharan African. Some research has sought to describe the nature and magnitude of the problem, particularly in South Africa, and to identify factors statistically associated with child sexual abuse or aspects of prevention and treatment (eg Jewkes et al 2002; Brookes and Higson-Smith 2004). There has been very little research on child abuse in Namibia. In all countries, a notable feature of the literature on child sexual abuse, with the exception of Meursing's (1995) work, is its failure to discuss vulnerability to child sexual abuse through the lens of gendered power relations. While a substantial proportion of child rape is perpetrated by other children, male youths and women, adult men are most often the perpetrators and girls are most often the victims. Furthermore, there is often a failure to situate child rape within the broader context of childrearing. The development of a sociological understanding of child rape requires inquiry into the dynamics of sexual desires and the sexual activity of children, intergenerational perspectives on sexual desires, childrearing and social hierarchies. In this chapter, we will argue that no single factor can be held responsible for child rape and several factors intersect to create conditions of risk. We will examine aspects of the socio-cultural context of child rape by drawing on findings of ethnographic research conducted in Namibia. We will explore the gendered nature of the violation and, in so doing, seek to enhance understanding of this deeply emotive issue.

Methodology

The data were collected from September to October 2002 in Windhoek, the capital city with a population of 250 000 people. All cases of abuse of women and children in Windhoek are referred to the Woman and Child Protection Unit (WCPU), which is a one-stop centre with police, social workers and health services available 24 hours a day. The data collected for this study were part of a larger study that also included research in South Africa and is reported in Jewkes et al (2005).

Forty-seven people were interviewed. Fourteen interviews were conducted with boys and girls who had been sexually abused, and nine interviews were conducted with parents or guardians. These cases were identified, and the individuals approached, through the Windhoek WCPU.

They were supplemented by interviews with 16 key informants: two police officers, one nurse who ran a children's home, one social worker from the Windhoek WCPU, five NGO staff, two teachers, two traditional healers, two traditional chiefs and a priest. Eight men and women from the community were also interviewed. Interviews were conducted with people who spoke Afrikaans, Nama-Damara, Herero and Oshivambo.

The scope of interviews varied. Service providers talked about their cases, how abuse links with HIV, the vulnerability of children and the limitations of the services. Abused children spoke of their experiences and discussed adult-child relationships in general, with precautions taken to ensure that their confidentiality was not breached. Men, women and young people without any special knowledge of child rape were also interviewed about childrearing, their perceptions of child rape, links between child rape and HIV, services provided to victims and barriers to using those services. The scope of enquiry outlined in the research proposal guided the data analysis and analytic induction was used. After informants had given consent, interviews were tape recorded or notes were taken. All tapes were transcribed and translated into English and all interview notes were written up. The interviews were coded by the first two authors.

The researchers used the WHO Guidelines for Ethical Research on Violence Against Women, as well as advice from other child rape researchers. We recognised that it was important to avoid secondary victimisation and have systems in place if a current case of child rape was disclosed to the researcher. All of these concerns were addressed both in the design and implementation of this study. Informants were told that participation was voluntary and that if they declined to be interviewed, they would not be adversely affected. We obtained verbal consent for interviews because it was deemed least intrusive. Children were approached only after parental consent was granted.

Children who had been abused had to be interviewed with great sensitivity to avoid re-traumatising the victim. It was important to give the children (who were teenagers) a chance to voice their experiences. The interviews were conducted by trained social workers; two worked for the WCPU and two had previously worked there. They were, therefore, familiar with the field, knowing what is and what is not appropriate when talking with abused children and their families. Meetings of research team members were held regularly. Support of interviewees was one of the main subjects discussed, and all interviewers reported on each interview they had done. The team leader, herself a former social worker specialising on child rape, was satisfied that no one was unduly traumatised by the interviews and that all necessary support was provided. Parents and children said they welcomed the opportunity to discuss how they had managed to work through the trauma.

Findings

Sexuality and sexual desirability of children: Normal but not to be encouraged

Discourse and practices related to sex and sexuality in southern Africa are characterised by the interplay of two very contrasting sets of ideas. On one hand, there are notions of sexual repression that have their roots in Christian teachings and the Western discourses which have been articulately critiqued by Foucault (1976). A contrasting set of ideas have their roots in southern African cultural traditions and are characterised by a degree of openness about sex. Scholars have described ‘sex play’ that sometimes includes penetration as common amongst girls and boys from about six or seven years of age until early teenage years (Longmore 1959; Mager 1999: 129). The normality of sexualised play and joking between (and within) generations appeared to create space for ambiguity about the boundary between acceptable and unacceptable practices. Caregivers, girls and possibly even the boys or men could find boundaries of ‘normal’ play crossed without warning. A 16-year-old Namibian boy molested his nine year-old step-sister for more than a year before his step-mother decided that his actions were abnormal and did something to stop him. His step-mother said she knew her son had sexual feelings for her daughter, but thought these were fairly normal because he had seen the girl in the house wearing only her panties. The mother revealed that before the girl was raped, she observed sexual touching and teasing for a long time but she did nothing because she did not see this as abnormal.

Were the sexual feelings he had for his step-sister abnormal? Most people interviewed found it unthinkable that an adult man would desire a child, but ‘teenagers’ were not thought of as children in this respect. ‘Teenage girls’ bodies were constructed as highly sensual and a ‘natural’ object of male desire. The word ‘teenager’ was used loosely in the interviews to refer to children from about nine years of age and explain abuse of them. One Herero informant spoke of the ‘normality’ of men acting on feelings of desire for their young female relatives, and suggested that in the past this form of incest was not taboo. He explained:

“[sexually desiring girls] ... is normal. Herero men are proud of their manhood and of their status in society. They are also expected to show it by being manly towards women, even young women. By that I do not mean they must use [have sex with] young girls, but it happens and I know the community often turns a blind eye. Yes, it can be accepted as normal ... Our girls mature earlier than their

brothers ... It used to be [accepted for men to be attracted to girls within the family]. Family men could even take their nieces as brides at an early age, but I do not think so any more.”

Informants agreed that it is common for teenage girls to have relationships with older men, so-called sugar daddies. In general, society does not condone these, however, in many poorer households these relationships are accepted and sometimes encouraged if they are advantageous for the girl's family. Discussions about men's desire for 'fresh' teenage bodies revealed a perception that male sexual desire was inevitable, but 'provoked' by women. One informant explained that the male desire could happen when a female child joked with them, sat on them, or sat close to them. Another interviewee mentioned that “men look at things like body build, breasts and hips and legs that are fully developed and that turns them on. If girls are sexily dressed, it may stir things in men's minds ... Girls should know these dangers.” Thus, women and girls are responsible for controlling men's sexual desires and blamed for any ensuing acts of molestation or rape (cf Meursing et al 1995 on Zimbabwe).

'Respect' and the social position of men and children

In Namibia social relations are governed by a hierarchy based on gender and age. Notions of 'respect' dictate appropriate speech and action. 'Respect' operates differently between regions and social groups, but there are substantial commonalities throughout southern Africa. Understanding how 'respect' relates to the hierarchical positions of men and women is crucial for understanding how girls respond to sexual advances from men. Our informants suggested that some of the elaborate rituals of respect for adults still exist even as children struggle to make sense of them in the context of their more modern lives. In the next two excerpts two girls (15 and 19 years of age) talk about their position in the hierarchy and its implications for their lives:

“In my culture children have no status and if you are a girl child you have even less status. I must always remember that and wait until an adult addresses me before I dare to speak. If it is a man, I must ask to address him, keep my eyes cast down too and bow if he gives me something. That shows respect ... Respect must come from both sides. If an adult is very rude or swears at me and offends me, I am allowed not to do what he or she expects, but it will remain very difficult for me because we are strictly taught to respect all adults.”

“You must show respect towards adults. For example ... don’t quarrel with an adult ... although they reveal bad attitudes towards you and even use foul language against you. It is not easy. Children get no respect as humans from adults ... [you have to respect] all of them, but I think respect must be mutual, not all of them deserve it. They are rude and sometimes ignore us as children.”

Informants disagreed about how long young people were supposed to observe the rules of respect. Some said strict rules of respect applied until the teenage years, whereas others said they governed relations between older and younger people throughout one’s life. Demonstrations of respect to adults included always being polite, greeting them, being obedient, listening, being trustworthy, not talking back, not talking when adults talk, allowing adults to go ahead in a queue, letting adults eat first and going with adults when told to. Whilst all informants discussed respect in very similar ways, those from Oshivambo, Herero and Nama-Damara backgrounds described practices that created almost complete spatial separation between girls and adult men. Girls were not allowed to make eye contact or speak directly to men. Men and boys, we were told, were respected more than women and girls.

Rules of respect were enforced through a range of punishments. These included being ignored, not being played with, denied food, locked in a room, confined to the home or yard, threatened that the ancestors will punish them or a *tokolosh* (magical evil creature) get them, not allowed to go to school, being scolded and given a “good” beating. Some children were sent away from Windhoek to live on farms with aunts and uncles. Our informant indicated that children were frequently beaten by their mothers, fathers, or uncles; indeed, any adult was allowed to beat a child, except teachers, who did so anyway. One adult man explained, “I believe in a good hiding when necessary, not to damage a child’s eye with a stick or to hit him that he bleeds, just a decent spanking.”

Several children mentioned that their parents or caregivers were very strict, always found fault and gave instructions rather than asking children what they wanted; as a result, they could not approach them to talk about their problems. Teenagers were adamant that respect should operate in two directions – from child to adult and adult to child. Yet, ‘respect’ shown to children seemed to be quite different from that shown to adults. Rather than being a code of unquestioning obedience and subservience, it was closer to the use of the term in colloquial English, ie adults not being rude, swearing, or offending children (Magwaza 1997). An 18-year-old girl complained, “If I feel an adult does not respect me, I would not respect him or her but my parents disagree. They say adults are adults and children are

children.” Several service providers believed that rules of respect made children vulnerable to rape as a respectful child was expected to obey an adult. It is easy to imagine that some ‘respectful’ children would find it hard to refuse sexual advances from a father or uncle.

Uncontrollable desire and dangerous men

The status of adult men who are at the apex of the age/gender hierarchy was often such that their actions went without question. The responsibility for preventing a socially unacceptable act such as rape, was thus placed on the female victim who could be criticised, ostracised, or otherwise punished. Ideas about the uncontrollability and dangerousness of men were important, both in instilling in women an understanding of why they had to look after themselves by respecting men, and for absolving men from guilt. The idea that men who are sexually aroused are unable to control themselves is used as an excuse for rape and has been discussed in other Southern African literature on sexuality (Meursing et al 1995; Wood et al 1998).

From the analysis of our data, it was apparent that the threat of men was perceived in terms of power, privilege, unpredictability and their inability to control themselves when sexually aroused. Some men were said to rape because they held a position of power. Some informants suggested that powerful men perceived sex as an entitlement of their position. For example, if policemen rape female children in jail, the act would constitute a gendered performance of ‘power over women’. Child rape as an instrument in the manufacture of gender hierarchy was evident in several of the accounts of rape. The data more strongly supported the argument that a desire to achieve power over women motivated many cases of rape, even when accounts were ostensibly couched in terms of ‘entitlement’ to sex. For example, a Namibian father, who had become estranged from his wife, told his daughter, “You live under my roof”, and therefore she should have sex with him. We suggest that with child rape, it is entitlement to control that is important, rather than entitlement to sex – with rape being both a performance and instrument of control. Rape as punishment was a recurring theme in cases of child rape; it was often done to punish the child’s mother. Punishment and the use of rape to display control over women probably overlapped with other motivations in cases of father/daughter incest. A 19-year-old Namibian woman described being raped by her father as punishment:

“My friend Frances and I ... arrived home at 4:00 a.m. When we entered my father called us but my friend just walked on. When I got to the room he asked me to close [the door] and undress. ‘I want to see whether you have had sex with the guys, apparently

you are looking for sex'. My father forced me to suck his penis. He was violent. He insert[ed] his penis into my vagina, I tried to scream and he said he would call my siblings to come and watch what we do. Thus, I kept silence until he satisfied himself."

Our data suggest that alcohol may create vulnerability to rape, but it is in no respects an underlying cause. Accounts of child rape showed that perpetrators were often drunk or that alcohol played some other role in creating vulnerability. Indeed, alcohol was often featured in the rape of women of all ages (Jewkes and Abrahams 2002). The relationship between alcohol and violence against women in general is complex (Jewkes 2002). The observation of one informant is quite pertinent: "People don't think when they are drunk. They just do things." Alcohol removed layers of inhibition which otherwise may have been in place, making it more likely that acts such as rape would occur. Alcohol also created opportunities for rape and in some instances reduced the likelihood of being caught; some of the male and female youths who were raped had had their alcoholic drinks spiked with drugs and did not know who raped them. In one case, the young man was out at night because his violent, drunk father had made home intolerable. Another informant spoke of children being vulnerable to abuse if their mothers get drunk and then do not know where they are. It was rarely mentioned, but clearly lack of a strong parental presence and supervision created vulnerability in children.

Rape and fantasies of male power

Opportunity to rape emerged as a very important theme in discussions of child rape. Although violent men may find risk-taking exciting, rapists often seemed to assault victims when they did not think they would get caught. Perpetrators often indicated that they take precautions to reduce the risk of being caught or subjected to strong sanctions. This type of rapist may be different in important respects from those discussed above, where rape is seen as an instrument of communication with the victim (or her mother). Here, the act may be primarily a device for communication with oneself (the rapist). In understanding such rapists, it is useful to draw on Moore's (1994) theories of thwarted male identity, with rape used to reconfirm fantasies of male powerfulness which may have been threatened by a sense of powerlessness stemming from structural factors (eg poverty, race and/or unemployment). We would add experiences of victimisation in childhood create vulnerability both within and beyond the arena of gender (eg Jewkes et al in press).

How did communities and families perceive child abusers?

“The community is getting very uptight and they want to correct things violently ... They promise violence if they find such a person [a child rapist]. It looks as if the community reacts more strongly when a small child is raped than when it is an adult woman. I have seen marches on TV by angry women when a child is raped, but I have not seen it when an adult woman is raped.” (Male community worker)

“Men [who rape children] are outcasts in my culture. We consider it a very serious crime, but there are people who will protect them, like a wife or family member. They will deny it because they know he may even be killed by the child’s uncles ... child abuse and child rapes are serious. It is only when the girls are teenagers that people may think they are guilty too. I tell my girls to look after themselves, because they can also be seen as looking for trouble if they wear sexy dresses, and if they are out late at night, or if they drink with men. It is just like that.” (Father)

Perceptions of people who sexually abuse children and the children who are victims form important parts of the context of child rape. When asked, in general, how child abusers were viewed in the communities, a unanimous view was expressed. One woman from the community explained, “Rape is seen as unacceptable in this community. Every time it happens the community is filled with disgust.” Informants asserted that rapists would not be trusted ever again, no one would leave their children with them, and women would not marry them. However, the actual responses to rapists were more complicated than this. In several cases, we were told that the abuser’s family became very angry when charges were laid with the police. Discussion of whether one would be blamed for reporting child rape to the police was a recurring theme in the interviews, indicating that strong views were held on both sides and many people view reporting child rape to the police as inappropriate.

Three common responses to child rape were described. One was to make a police report and pursue a court case or report it to the Chief for a traditional court case; a second response was to do nothing; and a third response was to accept material goods, usually livestock or money, as a compensation payment. In addition, traditional healers described magical vengeance, and one man told how his niece was raped when she was 12 years old and was forced by her family to marry the rapist.

How abusers were perceived seemed to depend on the circumstances of the rape and the age of the child. There was general agreement that the rape of a 5-year-old would be viewed differently from that of a 15-year-old. Community action seemed to be focused on the rapists of small children. If the older girls were sexually active or “walked around at night”, opinion was that they “asked for it”. Such ideas were even expressed by the mothers of children who had been raped. There was some discussion about whether a family member who raped other family members should be reported to the police or be dealt with by families. Many people in the community held the latter view. Some mothers were quite ambiguous about where their ultimate responsibility should lie when faced with incest. One woman explained that she scolded her daughter after she disclosed that she had been abused. She did not report the abuse in order to protect the man in her family.

Several interviewees indicated that maintaining established gender hierarchies and family structures were more important than taking action against an abuser. It is hard to know to what extent these were rational responses or whether their responses were examples of individual and community level cognitive dissonance; child rape was “bad” when it affects others, but that internal (and also public) discourses of justification, rationalisation, alternate priorities and simple denial took over when it hit too close to home. Nonetheless, it is hard to escape the conclusion that child rape was viewed as bad, but not always terribly bad.

Sexually abused children

“When it is a small child, like the 3-year-old and the 8-year-old that happened in December in Okahandja, then I am sure all of us know that the rapist is to blame totally. I think there are times when she is ten years and older that people will wonder whether she could not avoid it. She could cry for help. She could avoid the dangerous situation. I do not know and then also if she was already a girl who had sex before, or if she drinks with the man she surely could see the danger. In my community, girls are believed to be more and earlier matured than boys. They will be blamed too.”
(Adult male)

In contrast to the way men who abused were treated, blame of all but the youngest victims was a recurring observation in the interviews. Some of the children were blamed by others, and some blamed themselves. The mother of the 16-year-old girl who was drugged and raped at a party, admitted that she blamed her daughter, even though she recognised her

daughter had learning difficulties. A 3-year-old boy, who was raped when sleeping, was beaten by his father when he found out. The mother of a girl who was impregnated through rape when she was 13 had, two years later, still not forgiven her. These sorts of responses are very similar to those described by Meursing et al (1995). Several informants commented, with surprise, that the police had not blamed them when they sought help.

Several informants indicated that raped children were stigmatised. One 14-year-old rape survivor said that older women (aunties) told their daughters not to play with her anymore, and that her mother was sending her to stay with her grandmother to go to school the next year to get away from the community. The girls at her school had been told she had taken money from the man who raped her and then lied. A male community worker explained, "Children who have been sexually molested are treated like people with leprosy. They suffer stigma. They are isolated in the community as if they are guilty." One girl withdrew a charge because she was frightened the school would find out if the case went ahead and she would be ridiculed. She attempted suicide. This is similar to research findings on incest in Botswana which showed that many women prefer to keep the crime of incest a family secret rather than face stigmatisation in the community (WLSA 2002).

Discussion

In this chapter, we have set out to reflect on aspects of the social context of child rape in Namibia. We do not claim to explain or generate theory on why some adults and boys sexually abuse children, so much as to provide an interpretive account of the social context in which the multifaceted set of acts referred to as child sexual abuse occur. When asked why child rape occurred, many people said quite simply they did not know; they did not have any idea why men rape children. Nonetheless, many others expressed strong views on this topic. Child rape had been in the news, and many informants had discussed it and formed views which reflected, to a greater or lesser degree, experience from cases encountered or known of from the community, gossip from friends, views and prejudices regarding social relations, and comments from the media. Running through the discourse on child rape were striking images of provocative girls, uncontrollable urges and dangerous men. Underlying these were quite complex dynamics of power, status and gender socialisation.

Informants represented child rape as overwhelmingly a female problem. Not only were girls the majority of victims, but girls were primarily held to be accountable for it. In most cases discussed, men were excused for either behaving "like men do", or the act itself was portrayed as being less serious

than it might appear, chiefly because a woman was said to have ‘caused’ it or to be so vulnerable that it was inevitable. This is similar to observations from Zimbabwe where rape is very close to ‘normal’ male behaviour (Taylor and Stewart 1991). Child rape is predominantly an act of the power of men over women. Analyses that fail to pay attention to its gendered nature are clearly limited.

Whilst some of the abuse described to us may occurred in the grey area between sexualised play and abuse, the status of women and girl children in the community was by far the greatest source of vulnerability to child sexual abuse. Whilst other authors have argued that rules of ‘respect’ *per se* may render children vulnerable to abuse, we would suggest that these merely reflect a deep-rooted system of patriarchy and that the source of girl children’s vulnerability for the most part lies in this ideology. Thus, child rape often becomes an instrument in the manufacture of gendered hierarchy, even if it is not the immediate reason for the rape. It is also a mode of communication; both communication about power relations to the victim and to oneself in a self-assessment of masculinity.

Representation of child rape and danger in our societies and communities is complicated by the plural and shifting nature of discourses. Whilst most people would deny that society, communities and families permitted the rape of children, the fact that it was not automatically seen by all as a good reason for a woman to leave her husband, a neighbour to report to the police, a teacher to override a parent’s views, or a policeman to take a suspect into custody, is indicative of a more general ambivalence about the nature of the offence and its seriousness (discussed further in Jewkes et al 2005). We suggest that this stems from widespread perceptions of the legitimacy of men exercising power over women and children. It may be an oversimplification to say that opposition to child rape was superficial, but the study findings suggest that in many specific circumstances protecting children is a lesser priority than other things and that prevention of child rape is linked to improvements in the social position of women and girls, and the struggle for the recognition of women’s rights. In a very practical sense, much more advocacy is needed to change the way child rape is viewed and to challenge the status quo regarding the hierarchy of priorities of professionals and social institutions, including churches.

In conclusion, although child rape in Namibia should not be seen as a unified category with a single cause, it cannot be understood without reflecting on the gendered nature of the violation. Patriarchal ideas render girls vulnerable to abuse through legitimising displays of male power in private, and sometimes public spaces. These acts serve to manufacture gender hierarchies and communicate about gender power relations. Child rape is represented as an overwhelmingly female problem, with conspic-

uously feminised blame. This suggests that the prevention of child rape must be intimately linked to efforts to transform the status of women and children in society.

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Reproduction and Marriage

Chapter 11

The Gift from God: Reproductive Decisions and Conflicts of Women in Modern Namibia – Case Study of Khorixas, Kunene South

Martina Gockel-Frank

Introduction

“I gave birth to 13 children before I got sterilised after the last born. I accepted them as a gift from our Heavenly Father and tried my best to raise them all.” (Erica, 68)¹

Erica’s notion of children being a gift from God became a central theme of my fieldwork in Khorixas, Kunene South, on which the data for this chapter are based.² My research focused on fertility, one of the main factors in demographic research. I worked primarily with the women in Khorixas, trying to understand their hopes and concerns. I also wanted to research the difference between the lives of mothers in small villages and mothers living in more urban places and investigate what influences their reproductive decisions. Some of the factors which seem to have an effect on the number of children women bear relate to their personal and economic situation, religious and traditional beliefs, gender roles and relations, and their knowledge about contraception and HIV/AIDS. My research is still continuing as this article is being written, thus in this chapter I will present a short summary of my preliminary findings and figures.

Background information: The town of Khorixas

Khorixas is a small town on the road to the tourist attractions of the Petrified Forest and Twyfelfontein. The town is divided into three parts. The so-called 'town' is situated north of the main road and houses the commercial places such as the gas station, the supermarket, bank, post office, repair station, some smaller shops, as well as the town's bigger houses. All of the white families (about six) live in this part of Khorixas. Most of the people live south of the main road behind the bed of the Unib River. Houses here are made of brick and differ in size from one to more than four rooms and have electricity and water connections. Behind this location and a small hill is the third part of Khorixas called Donkerhoek (dark corner). As the name reveals, there is no electricity and water has to be collected at two public points. Here people from all over Namibia build their houses with whatever they have and can find. No one knows exactly how many people live in this part of the town, but according to Town Council officials in an interview I conducted in March 2006, the population of Khorixas is estimated at between "5 000 and 6 000".

Khorixas used to be the administrative capital of Damaraland. Consequently most of its inhabitants are Damara and it is one of the few towns which is still ruled by the United Democratic Front (UDF).³ In 1999 Khorixas lost its status of administrative capital and Opuwo became the capital of the Kunene region (Talavera 2002: 48).

Methodology

As a social anthropologist I lived in the location of Khorixas from June 2005 until May 2006 with my husband and our 2-year-old son.⁴ My work is part of a larger research project called Arid Climate Adaptation and Cultural Innovation in Africa (ACACIA) based at the University of Cologne, Germany, and funded by the Deutsche Forschungsgemeinschaft (DFG; German National Science Foundation). ACACIA is working in close collaboration with UNAM, Windhoek.

Living in the location for nearly one year was a good starting point for conducting participant observation. The first month my family and I stayed with a 34-year-old single mother of two boys while our own house was renovated. This helped us learn about the town and its inhabitants very quickly. I soon began conducting 10- to 15-minute introductory interviews with more than 200 women of all ages. This introduced me to the women in Khorixas and allowed me to discuss my research goals with them. My research was invaluablely enhanced by my assistant, a 30-year-old Herero woman who is fluent in Otjiherero, Khoekhoegowab, English and Afrikaans.

After the first short interviews, we conducted about 30 in-depth interviews primarily with women in their reproductive years (between 15 and 49), older women and experts on different topics of my research (eg teachers, doctors and nurses). Eight group discussions, each with between five and seven female participants of one age group, added to our understanding. We also developed a questionnaire consisting of more than 150 questions. From February until May 2006, we visited 80 households where we asked all the female members over the age of 15 every single question and filled in the questionnaire.⁵ My husband, with the aid of another helpful assistant, began to conduct in-depth interviews with men in April 2006 to learn about their opinions and beliefs.

The following sections of this article will present research data on the factors influencing women's reproductive behaviour. These will then be discussed and the conclusion will offer some thoughts about further research and recommendations for action.

Factors influencing women's reproductive decisions

“Everybody loves babies and regards them as a gift from God.”
(Jane, 34)

Religion

Of the more than 400 people interviewed in Khorixas, all were more or less practising members of a church, meaning that they attended church services, sang in church choirs and took the sacraments. All regarded religion as important for their lives. The biggest church community in Khorixas is the Evangelical Lutheran Church with about 6 000 estimated members in the town and surrounding district. As a consequence of the Odendaal Plan, many Riemvasmakers who are Catholic live here.⁶ Thus, the Catholic Church has the second largest congregation in Khorixas.⁷ Furthermore there are several Pentecostal churches among them New Temple, Moria of Africa (these two have most members), Eben Ezer and Christ Love Ministry. The latter is quite a young congregation which only started in Khorixas in 2005. Except for the Lutheran services, women constitute the majority of members in the other services. It is also the female members who, besides the different pastors, do most of the work (cf Isaak 1997: 68).

While church membership alone does not reveal much about the influence faith has on an individual's life, most women 50 years and older viewed children as a gift from God and accepted them as they came. Seventy percent

of all the women interviewed agreed with the church rule against abortion, even in difficult situations of the mother, and thought the baby had to be born and raised. While young women (between 20 and 40) still mentioned children as gifts from God, some of them believed that, in general, abortion should not be allowed, but felt that there should be exceptions, for example after rape, especially when the victim was in a difficult economic situation.

The fact that the older generation regarded children as a gift from God might influence the attitude of young girls and women who did not fear a pregnancy because in most cases there was an older family member raising or helping to raise the baby.

Pentecostalism

“I was very sick and decided to go to those people and ask them for help. After they had prayed for me, I felt better. That is why I repented and joined their church.” (Woman in her mid-30s)

“It is nice when you feel lonely you can go there. There is always something going on and we are singing and dancing a lot.” (Gertrud, 21)

Pentecostal churches play a significant role in helping people to solve problems and offering new values. This is especially important because of the ongoing process of urbanisation during which people often are confronted with a social vacuum (Droogers 1994: 47). In the Pentecostal churches, as in traditional African religions, religion is part of everyday life (Mbiti 1974). The church also provides a feeling of belonging in times of struggle (for example, because the family is not around) and boredom (when no jobs are available). In addition, the church helps maintain a high level of social control (Gierse-Arsten 2005: 31-35). Social control seems, in general, very high in a town like Khorixas. Even though it is larger than a village, most people know each other, if not personally – at least through gossip. Faith is part of everyday life and the Bible offers answers even to profound questions about life.

At first glance, strict rules like sexual abstinence before marriage and being faithful to one partner might help to provide protection against HIV/AIDS and having too many children outside marriage. Though these rules and social controls exist, it is not clear that membership in a Pentecostal church translates into higher protection from HIV/AIDS or too many children from different partners. For example, in Khorixas the strict rules did not really apply for teenagers: “You know how they are and it is difficult to control them.” In order not to lose teenage members, the church allows them more freedom. They do not adhere to the dress code but wear trousers, short skirts,

jewellery and hair extensions. Some openly talked about their boyfriends.⁸ Furthermore, in many cases where a woman was a member of the Pentecostal church, her partner was not, meaning he was not bound to any church rules. Some in-depth interviews revealed that partners who met in these churches got married and trusted each other. Without doing an HIV/AIDS test, they had sex without condoms just because both were members of the same church.

Living and economic situation

“No, I don’t want more kids because we are already suffering and life is so expensive. My mother is selling some Jabula [homemade beer] just to have something for the little children.” (Lili, 21, who has a 1-year-old son)

The major problem for all the people interviewed was the high unemployment rate. After the capital of the Kunene region changed from Khorixas to Opuwo, the job offers decreased. In about two-thirds of the households visited no member had paid employment. In a household like Lili’s, ten people lived on the monthly N\$300 pension money from Lili’s father who after having had a stroke was partly paralysed and unable to work. Marianne, Lili’s 24-year-old sister, had returned from Swakopmund a couple of months ago before the birth of her second baby because she did not succeed in starting a career at the coast. The extremely low N\$150 per month she earned as a domestic worker was not enough to feed her so she sometimes had to ask her mother to send a few dollars for food.

Poverty was so intense that there were some families who did not have enough money to pay for water and electricity. Even for those people with paid work such as cleaners in the lodge, shop assistants, or domestic workers, salaries of about N\$500 per month were much too low to support a family. Households like Lili’s lived mainly on meilie pap (maize flour cooked in water). Those families who had relatives on the surrounding farms were lucky to get meat at least once in a while.

While all of the older women with many children (eight and above) stated that it was much easier to support a family in former times, many of the younger women (younger than 40) declared that without their parent’s support they could not feed their children. Some of them tried small businesses in the informal sector like selling sweets, alcohol, tobacco, or wood but often failed because there was not enough income to buy stock. Nevertheless, the desire to acquire consumer goods was voiced. On top of the list were cell phones which were bought as soon as there was a little bit of money, although one mother had to beg afterwards for some food for her children.

The majority of the women did own a radio or watched TV at their own or other people's places.

Plans for and ideas about life

“It was my biggest mistake to get my baby so early because I wanted to go on with my studies and find a nice job. That does not mean that I do not love her, it was simply too early and now everything is so difficult.” (Gertrud, 21, who has a 2-year-old daughter)

“I was always dreaming of getting married to an economically well-off man, having my own house and family. Now I'm married, having a good husband and three children. I would say I'm still poor – but happy.” (Christine, 53)

The quotes above quite clearly illustrate the difference of ideals between the generations. Whereas women over 50 mostly wished to have their own family, the younger women (especially those between 20 and 35) dreamt about a good job, preferably becoming a teacher, lawyer, or medical doctor.

For most of the above 50-year-olds, their wish had come true, yet they did not mention motherhood or marriage when asked about the best time of their lives; instead they usually mentioned their childhood or teenage years. Perhaps this was because of the workload connected with family life or because of abusive or unfaithful husbands. The younger women all dreamt about a good job. Eighty percent of all women including the older generations stated that a good job is more important than children but they only talked about the chronology, meaning that a good job should be found *before* having children. Being childless is a problem, as one 33-year-old woman explained, “They [other women] wonder how I can stay for six years with a boyfriend without having a baby. I should go and get some. I only adopted my sister's daughter, but I still pray that our Lord might give me my own baby.” Many feel that by a certain stage in a woman's life motherhood should be achieved.

Only eight percent of the women replied that children are unimportant and that they could imagine a life without children. These were either very young women, such as schoolgirls without children, or women with more than two children living under very poor conditions. When asked why children were important, 30 percent answered that they are simply part of life, 20 percent gave other reasons like “they are cute”, “something will be still left from you after your death” or “to have company”. Most interviewees stated that their family is more important than friends. Jealousy because

of men or material wealth seemed to often hinder true friendship. Thirty percent of the women stated that children are important because they will assist and look after them later on. Even if there was, in general, no preference for sons or daughters, mothers had more confidence in daughters when it came to support in later years. The women commented: "Once a boy has a girlfriend he is lost to his mother. He will give everything to his girlfriend and her family." This seemed to be true because it was usually the woman's mother who lived with a couple in the same household.

Most women even in their late 40s dreamt about marriage. However, this did not seem to be a realistic goal. Only 15-20 percent of all women (mostly from the older generation and from Pentecostal churches) were married. Generally, husbands and wives had been together for many years and usually had all their children before they got married. Marriage usually occurred when people were in their late 30s or older. The younger women would like to get married earlier in their life and would also like to have another baby in the marriage because "you have to pay your wedding dress" by giving your husband, who has paid for the wedding, a baby and because "children bring love in the marriage, without them there is nothing". Although marriage does not automatically mean faithfulness, women revealed that they felt safer because of the legal status. Most of them did not know about the different forms of marriage such as in or out of community of property.⁹

Three to four children seemed to be the right number of children for most women even if they had already more (cf UNICEF 1991: 70). Only very young women, most of them not yet mothers, mentioned the ideal of having only one or two children. A reason for wanting three or four was the fear that a child might die and the women did not want to be without children. The exception was only the old women (60 and above) who replied that any number of children would be fine.

Knowledge about contraception

"While we were working on the white people's farm, we were supposed to get the injection according to our white boss's order."
(woman, mid-50s)

"After giving birth to my 13th child the doctors told me that they had also done the operation [for sterilisation]. Me, I would have also accepted more kids if it was the will of our Heavenly Father." (Erica, 68)

Women whose reproductive years were prior to independence often had similar experiences as the women quoted above. Decisions about sterili-

sation were not made by women but by (white) doctors. According to the Principal Medical Officer (PMO) of the Khorixas Hospital sterilisations are hardly ever performed today and only if it is the woman's wish. Among the women interviewed, there were only two married women who asked for sterilisation. One did so after the birth of her 14th baby, at the age of 44. The other woman, who was well-educated, was sterilised at the age of 34 after the birth of her fourth child, a wished-for son. During the six years the current PMO has been practising in Khorixas, there has not been a single request for male sterilisation.

When asked to list all methods that prevent pregnancy, sterilisation was only mentioned twice, by a 17-year-old high school girl and a 65-year-old sterilised woman. In addition, condoms were hardly ever mentioned in this context. Condoms only became widely known through HIV/AIDS campaigns, hence they are not highly associated with contraception. The most popular contraceptive is the injection, because women feel it is safer than, for example, the pill which was only used by ten percent of the women. Some young women, mostly members of the Pentecostal churches and some of the old grandmothers, mentioned abstinence when asked about contraception. Other methods – such as diaphragm, foam and withdrawal – were never mentioned and only ten women mentioned the loop (an intrauterine device).

Thirty-five percent of the women learned about contraception from the nurses while they were at the hospital giving birth to their first baby. Ten percent of the teenagers could not mention a single method to prevent pregnancy. They remembered that they might have heard about something at school, but they had forgotten what they had learned.

Sex education and contraception were still not topics to be openly talked about in the family. Young teenagers agreed that it was still difficult to talk about these things with their mothers. Most women (between 20 and 35) were not told by their mothers or caretakers how to become pregnant or prevent pregnancy. The majority of the women thought they were very sick or dying when they experienced their first menstruation. Sometimes it was an older sister who informed them about sex and contraception, but most of the women only learned about it at school. Women in their late 40s and older grew up with the fairytale that babies were brought by airplanes. This is interesting because even today few planes fly over Khorixas – where did all these kids come from in the olden days?

Contraception was also not discussed with partners. A woman in her mid 30s commented: "Whites talk about it but not us." Young women often answered: "I can decide alone what I do with my body." Although most of the women claimed that the men would leave them when they became pregnant or gave birth, they seemed to be afraid that the men would also leave them if there was no child. With regard to contraception, many "accidents" happened.

A 50-year-old woman with 14 children reported: “I got pregnant even though I was using the injection. They even sent me to Windhoek because of that and concluded that my blood is probably too strong for the contraception.” And a 35-year-old woman with six children explained: “I was on the farm while the injection expired; that’s why I am pregnant again. It is hard, because we are even suffering now.”

Many women who tried to use the injection stopped again because they experienced problems such as too much bleeding, high blood pressure and a general feeling of weakness. Those who stopped using the injection usually did not use anything else. This might be due to a feeling that it was taboo to talk in more detail about contraception or because of a lack of information. Nevertheless, the majority of women felt that they had enough information about contraception even though they experienced the above-mentioned problems or became pregnant while using the pill because they did not know that vomiting can create problems with its effectiveness. One conclusion that could be drawn here is that contraception is only of little importance.

Old women mentioned abstinence as the only thing they could do in the olden days to prevent pregnancies. After the birth of a baby, some women even moved in with their mothers again to stay away from their partners. Today, sexual abstinence of six months after giving birth is an ideal but many women, even old grandmothers, confessed that they did not adhere to this time period – mostly out of fear that the husband or boyfriend would look for another sexual partner.

Gender roles and relations

Sixty-five percent of the women interviewed stated that it is important to live with a man. Men were supposed to give support and assistance. But they added, “only when married”, because otherwise it is living in sin. In many cases, the reason was again a religious one: “God made humans to live together as husband and wife.”

Half of the women stated that the most important task in a woman’s life was to have children and to take care of them. Only few women, mostly those who were working and between the ages of 30 and 45 and young women (under 20) thought that men and women were both responsible for raising kids. This might be one of the reasons why only a few women claimed maintenance from the fathers of their children. They felt it was their duty to take care of them, so it was pointless to ask something from the fathers if they were not giving it voluntarily. There was still a lack of information when it came to the new laws. They asked, “Can I claim something from a man who is not even working” (cf LeBeau and Spence 2004: 29).

While believing that raising children is the main duty in a woman's life, all the women reported that it is important for a girl to attend school and have a good education. As mentioned earlier, education and work are of great importance, but there should still be children. In everyday life, women seemed to be very self-confident and open in front of men, working together in offices, shops and on construction sites, and girls and boys flirting together openly in the streets. Yet, this openness ends behind closed doors. Although the majority of women claimed that they talked with their partner about HIV/AIDS, they also complained that there was always quarrelling about the use of condoms and that they sometimes gave in only because they were tired of the quarrels. Even though they knew their rights, it was still the man as head of the household who decided important things. "That's how we learned and see it from our parents."

Being economically dependent on a man was also mentioned as a reason why women stayed with abusive partners. Ninety-five percent of the women stated that they could not imagine having a baby with a violent man. In reality, partner violence seemed to be part of everyday life. For older women (50 and above) beatings were a normalised experience. They talked quite openly about it because they knew it was the same at their neighbour's house. Paula, a 66-year-old informant, stated: "He was coming back home late in the night and I knew he was coming from another woman, but the first thing he did was beating me. I think he was full of shame. That's why he did it." "Divorce was not very common and we were supposed to stay with a man. Keep quiet and stay in the house" (group discussion with women aged 45 and older). Younger women had more difficulty talking about a partner who was beating them. They knew that the man was committing a criminal act, but they felt too weak and too dependent to protect themselves.

The most frequent reasons given for why men beat women were shame and jealousy, and of course, alcohol. When asked how women can protect themselves the older generation often answered: "fighting back", "keep quiet" and "not arguing". Younger women talked about leaving such a man and reporting him to the police. An interview with a female officer from the Woman and Child Protection Unit (WCPU) in Khorixas revealed that it was still rare, especially for married women, to report domestic violence. Some women went to the police immediately after the physical abuse only to return a couple of days later to withdraw the case. The same was true when it came to rape within marriage. Even though women regarded it as a criminal offence, it seemed to be difficult for a married woman to report her own husband. Still, a lot of shame was connected with such an experience. Women were ashamed to report their children's father and they feared losing the economic support from the husband. Again, alcohol was mentioned as a prominent reason why men raped. Mothers worried about their daughters

being raped and some women preferred having sons because they saw them as less vulnerable. Their fears were not unfounded. According to information from the Khorixas police and WCPU, over the last 15 years in one third of all the reported rape cases the victim was a minor. In a very well-known case that happened in 2004, a 2-year-old girl was raped and killed by two men who had been drinking with the girl's mother the whole evening and who later argued that they had smoked *dagga* (marijuana) causing things to appear bigger than they were in reality.¹⁰

Knowledge about HIV/AIDS

“One evening my nephew came to my house with a girl about whom I even heard rumours that she is sick. He was looking for a place to sleep with her. I asked him if they will use a condom. He started to talk with the girl but later on he told me that she is not willing to use one. I told him that he should leave her out. But he told me he already paid her and that he wants to have sex with her. Then it cannot be in my house that's what I told him. They went. When I met him the next morning I asked him if they had sex. He told me, 'Yes'. But that he was only paying her 20 dollars because she did not want to use a condom instead of the 40 she wanted in the beginning. 'Then you have bought you the disease for a very cheap price,' I replied to him and really he is now sick.” (Anna, 38)

All of the women have heard of HIV/AIDS. Old women (over 70) often did not know it by name, but they knew about “a new disease which is killing the people”. Their lack of knowledge was distressing because it was these women who were often caring for young people who already lost their parents or whose parents worked somewhere else. The majority of women learned about the virus at school, via the media (mainly the radio as not everybody owned a TV and only very few people read newspapers), at the hospital, or through others. No one reported learning about the disease from her own family. This suggested that although HIV/AIDS messages are everywhere (posters in front of the hospital, the AIDS ribbon in front of every school and commercials on the radio), it was still not being discussed at home.

Experts are convinced that there is enough information and that the rising infection rates are due to the fact that people do not want to change their behaviour, but there seem to be some gaps in community knowledge. For example, although all the women feared HIV/AIDS when thinking about a new pregnancy, 30 percent of them were ill-informed about mother-to-child

transmission during pregnancy, while giving birth and while breastfeeding. All the women interviewed, except for a few grandmothers over 70 years of age, reported that they knew how they could get the disease. Yet, about 50 percent of the women were not sure whether or not they would buy food from an infected person who is not yet sick. According to 40 percent of the interviewees, an HIV/AIDS positive teacher, although not yet sick, should not be allowed to teach. They feared infections would be transmitted through sexual relationships between teachers and learners, and they were also concerned that an infected teacher would be no longer able to concentrate on his/her job.

Seventy percent of the women knew that a blood test was the only way to truly be certain about their own status. Some women mentioned symptoms like coughing, sores on the skin and diarrhoea. In general, there was a lot of speculation about who is infected: "She used to be nice fat but look at her now. I wonder if she is not having the disease." Abstinence or fidelity was mentioned only by 20 percent of the women as a protection against HIV/AIDS, whereas 65 percent identified the use of condoms. This group also claimed to use condoms. However, only 15 percent of the women stated that they always used a condom. The rest of the interviewees reported using condoms often or "only in special cases", like with a new boyfriend. Some teenagers reasoned: "I am his first girlfriend; he is my first boyfriend so we don't need condoms." Seventy percent of the women admitted that they had had sex without using a condom. The reason in most cases was the man's unwillingness. Christa, a 35-year-old Pentecostal woman, reported: "My husband does not like condoms." A 24-year-old woman stated: "We are now a couple for quite some months and my boyfriend thinks we don't need condoms any more." During an HIV/AIDS awareness campaign, a woman in her early 40s complained: "My husband fears that I want to bewitch him when I take out a condom." During a group discussion, 19-24-year-old women reported: "There is always quarrels, like the boyfriend is asking you whether you have been unfaithful, whether you are having another boyfriend or why do you want this stuff? And then you are sometimes simply tired of arguing and leave them [the condoms]."

Condom use was difficult to negotiate, particularly for women in long-lasting relationships, even when the couple lived in two different households – for example, a woman lived in Khorixas with her school-aged children while her husband was living with the younger children and a female helper on a farm or staying in another town because of his work. Men accused the women of unfaithfulness if they wanted to use condoms.

Both sexes believed that women are more likely than men to get infected with HIV/AIDS. Women thought this because they did not trust the men. They thought one infected man would infect many women, because

men are not as faithful as women. All the women believed that men have a higher tendency than women to have more than one partner. Some men thought more women were infected because they regarded themselves as being only carriers of the virus meaning that they handed over the disease to the woman when having intercourse. Some explained that when they were, for example, 100 percent positive they would give about 70 percent of the infection to the woman during the sexual act and remain with only 30 percent themselves.

With reference to HIV/AIDS, alcohol abuse was again mentioned as a problem. Nurses revealed that they sometimes had women come to the hospital in the morning who did not know if they had sex during the night or with how many different men. "How will they use a condom?" (cf UNDP 1999: 48). Apart from the medical staff, all of the interviewees of both sexes agreed that alcohol increases risky behaviour.

Even though everybody knew someone who had the virus or had already passed away from the disease, most of the younger interviewees had never seen a person in the last weeks before his or her death. This may contribute to risky behaviour because the fear is not strong enough (cf Gronemeyer and Rompel 2003: 43).

Conclusion

The religious belief that children are a gift from God is still influencing most of the women in Khorixas. Even when the mothers have to survive under difficult economic situations, children are an important part of their lives. They need them for company in times of jealousy and rely on them for support in their old age. Although many women dream of having a good job, only a few of them experience the difficulty of combining a demanding job with childcare because most of the women are unemployed or have family members who help care for the children. Because marriages are rare and fathers are often absent, it is mothers and sisters who usually assist young mothers. The support from family members makes it easier to raise many children. Problems with contraceptives, a lack of knowledge about contraceptive options and difficulties speaking openly about sexual matters in the private sphere contribute to the fact that mothers bear more children than they want.

Though information on HIV/AIDS is available in Khorixas, there are still misunderstandings and gaps in public knowledge. Only a few people attend HIV/AIDS awareness meetings so it may be beneficial if HIV/AIDS information were disseminated by responsible people visiting private households and working with families to open up and discuss the issue. There is a lack of trust in people (even nurses) from the community, thus, a mobile team from

a neutral place like Windhoek or Otjiwarongo offering HIV/AIDS tests once every two months in the location would be a helpful, although perhaps a more expensive, alternative to get people take the test.

Communication between men and women is difficult, even for the younger generations. Although young women know their rights, they are often unable to assert them with their partners. It might be helpful to conduct workshops for men and explain that equal rights for women do not mean fewer rights for men. Communication between two equally strong partners helps them both lead better lives and also prevents the spread of diseases like HIV/AIDS.

Finally, it would be useful if similar research were conducted outside Khorixas to see if, as I suspect, the findings here can be generalised. It would be interesting to know if the often-heard statement “People in Khorixas are not willing to work together and assist each other” is really true.

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ENDNOTES

- ¹ In order to protect the interviewed women and preserve their anonymity all names have been changed, however, the ages remain correct.
- ² From 2003 until 2004 my project leaders, Drs Julia Pauli and Michael Schnegg, carried out demographic research in the small community of Fransfontein about 28 km outside Khorixas. They decided it would be worthwhile to conduct similar research in Khorixas. Another reason for choosing this site is the fact that more and more people in southern Africa move to more urban places like Khorixas (Social Sciences Division University of Namibia et al 1995: 31). Despite this, most research is conducted in small villages and remote places.
- ³ This party is traditionally the Damara party, meaning that it is mainly Damara who vote for it and who are members of the party. Current head of the party is Justus Garoëb who is at the same time King of the Damara.
- ⁴ In all Namibian towns the place where the majority of the people live is called “the location”. White people do not usually live in this part of a town.
- ⁵ Household is here defined as a group of people living together and normally sharing food and cooking together.
- ⁶ In order to implement their policy of apartheid also in Southwest Africa (today Namibia) the South African Union founded the Odendaal Commission in the 1960s. According to the Odendaal Plan the black and coloured ethnic groups of the country were forced to settle in separate homelands. The Riemvasmakers are of South African origin. As a consequence of the Odendaal Plan they were forced to move to Damaraland in the 1970s. They settled west of Khorixas in De Riet, a place which, at the time, had no infrastructure.
- ⁷ In May 2006 the office of the Catholic Church in Khorixas reported having about 4 000 members.
- ⁸ Very orthodox Christian congregations often give a special status to the youth. Individuals get accepted as members of the church through baptism, which is usually only administered to adults. It is therefore acceptable if young, not yet baptised people cross borders because the strict church rules do not yet fully apply to them. Compare Gockel (1990) on the Amish People, a Christian group with Swiss-German origin living in North America.
- ⁹ Civil law in Namibia used to allow a husband power over his wife and all her property even if she obtained the property, wealth, etc before the marriage. The Married Persons Equality Act 1 of 1996 provides women married in community of property with equal rights within marriage (LeBeau and Ipinge 2004: 11-12).
- ¹⁰ Interview with the mother and other female relatives of the victim.

Chapter 12

“We all have our own father!” **Reproduction, Marriage and Gender in Rural North-West Namibia**

Julia Pauli

Introduction¹

“We all have our own father!” the boy proclaimed, smiling, in a matter-of-fact voice. Together with my assistant Valery, I was sitting in front of his mother’s house, engaged in a long and detailed narration about some of the things that had happened in the mother’s life, especially the births of her five children from five different fathers. Until his remark the boy had been listening quietly. I smiled back at him and nodded. Everybody present agreed that the boy’s comment was an important piece of information if I wanted to understand family life and parenthood in Fransfontein, Kunene South.

A few months later, my husband Michael and his assistant Jorries were conducting interviews with older married couples on changes in marriage expenses. On their way to one of the communal farms surrounding Fransfontein they met a relative of Jorries. The old lady stopped her donkey cart. She had heard of Michael’s and Jorries’ interviews from other relatives. With a bitter undertone, she said that one should better ask the young people what had happened to marriage: “They have ruined the whole thing!”

As the two vignettes show, changes in parenthood, partnership and marriage are central to the lives of the people of Fransfontein and its surroundings. Who is fathering and mothering whose child and with what consequences is being discussed intensively. Similarly, a tremendous increase in marriage costs during the last decades is being observed and commented upon by the people, who draw a link between constantly increasing wedding expenses and a sharp decline in marriage rates. As one friend of ours, himself struggling very hard to get together the money and support for his wedding, remarked: "Today, you don't see a poor man marrying."

Some of the multiple connections between rising non-marital birth rates, increasing multiple reproductive partners, ie a woman giving birth to children from different fathers, and declining marriage rates will be traced here. My analysis is historically situated and focuses on the more profound changes these social and demographic phenomena went through during the 20th century, acknowledging that the results presented here are only partial observations. My focus is on the lives and experiences of women. However, 'women' is a rather diverse category. Fifteen years ago feminist anthropologist Micaela di Leonardo cautioned us not to perceive differences only between gender categories, eg differences between men and women, but also differences within gender categories (di Leonardo 1991). Although a significant decline in marriage rates and a strong increase in out-of-wedlock births is a general characteristic of the region, there are many different groups of women with varying characteristics: some women want to marry but cannot afford it; some women do not want to marry although they could afford it – they prefer more flexible conjugal arrangements; and some women want to marry and do marry. These are just a few of the possible variations. Gender, or what it means to be a woman in this context, is strongly influenced by age, generation and economic status. This embeddedness of gender, as di Leonardo (1991) calls it, is central to my analysis.

To understand the extent of the changes I am describing, I will analyse quantitative data from an ethnographic survey which will then be complemented by qualitative information on the life histories of two generations of women. In the following section some background information on out-of-wedlock births and the many connections these may have to marriage is given. For the purpose of this research out-of-wedlock births are defined as those births where the mother of the child is unmarried at the time of the birth. I will then present a short overview of changes in marriage and out-of-wedlock rates for Namibia in general and for some selected areas and ethnic groups more specifically. My own findings follow and are concluded with suggestions for future areas of research.

Background information

Depending on varying historical and social conditions the meaning and treatment of so-called 'illegitimate' children and their parents have been discussed in moral, social, political, demographic, economic and legal terms (cf Reekie 1998). These could range from severe punishment of single mothers for their 'misbehaviour', eg in Victorian England, to a perception of normality of non-marital births in an urban US neighbourhood in the 1960s (Stack 1970). Very often though, and especially in contexts where Christian norms are pervasive, non-marital births have been perceived negatively as an expression of loose morals or loose social structures. Such a moral stance takes marriage and births occurring within marriage as its normative ideal. Other forms of births (and sexual interactions) are perceived as (negative) deviations. But what is a marital and a non-marital birth? As much as the definitions of marriage vary between cultures, so do the definitions of non-marital births vary.

For parts of southern Africa it has been observed that (customary) marriage is often a process taking years rather than a single event (Helle-Valle 1999; Murray 1981; Radcliff-Brown 1987). Fatherhood is defined socially and not necessarily biological. Both fatherhood and marriage may depend on the status of bridewealth payments. Accordingly, it might be highly complicated to define a child as being born inside or outside wedlock.² Further, in many regions births and children are welcomed and desired independently of their parent's marital status upon their birth (Upton 2001). Gordon describes Okombahe, Namibia at the end of the 1960s: "It is preferable to have a dozen illegitimate children by different fathers than to be married and barren" (Gordon 1972: 132). These perceptions and practices lead to weak or even non-existing links between marriage and childbearing, an observation Upton has also made for Botswana: "Marriage and childbearing have become increasingly separate domains of life" (Upton 2001: 354). In these accounts marriage does not provide the social frame in which childbearing should occur. Marriage is still important but for other reasons, eg as a way to express wealth and elite status.

Yet, although it is often acknowledged that out-of-wedlock births are generally not stigmatised locally, there exists a growing awareness of increasing rates of premarital, non-marital and extramarital births and affairs (Chimere-Dan 1997; Griffiths 1997; Shemeikka et al 2005). These perceptions do not solely focus on Christian marriages. Declining rates of common law, customary and religious marriages are all included here.³ Given this background – a generally high value placed on fertility and children independently of their parent's marital status at their births, combined with an

ongoing decrease in marriage rates – I want to ask the following questions: (1) What are the specific local conditions under which such a decrease in marriage rates occurs? and (2) How do individuals both actively shape and are shaped by these changes, eg in respect to their reproductive behaviours. Before presenting my own results I will discuss developments of marriage and fertility for other parts of Namibia.

Cultural variations

Although the evidence is rather incomplete, some general trends can be traced for Namibia. Both a decline in marriage rates and an increase in children born out-of-wedlock are reported for a number of different cultural settings and regions within the country, and also for neighbouring countries such as Botswana (Garey and Townsend 1996; Griffiths 1998; Schapera 1933; Upton 2001). Before taking a more detailed perspective, I will first look at Namibia in general.

According to the 1992 Namibia Demographic and Health Survey, Namibia has very high proportions of unmarried women at the end of their childbearing years compared with most of sub-Saharan Africa (Raitis 1994: 112). Furthermore, the total fertility rate, a common demographic measure used to compare childbearing behaviour of unmarried women, is only one child lower than that of all women, and many women give birth before marriage (Raitis 1994: 116). In a similar vein and using the same data set, Gage (1998: 25) reports that 37 percent of all births in the last five years preceding the survey were premarital births. In his analysis of the data set Chimere-Dan (1997) adds the high incidents of non-marital teenage pregnancies in Namibia (and other southern African countries) and links these developments to the long-term effects of colonialism and forced labour migration which pressured many Namibian families to split and live in separate locations. He argues that this increased the number of female-headed households in both rural and urban areas. The necessity for formal marital unions declined while motherhood remained valuable. He notes that, “Many unmarried but socially successful mothers became important role models especially to young women who found this a reason to believe that childbearing outside a conventional marital union is no longer stigmatised and makes social and economic sense.” (1997: 9).

The female perception that it can be an advantage not to marry, along with declines in marriage rates, is reflected in several accounts throughout Namibia. In their study of eight congregations in the Omusati and Oshikoto administrative regions, north-central Namibia, Shemeikka et al (2005: 103) find that many young women try to protect their independence by remaining

unmarried. Similarly, in Iken's (1999: 179-183) study on Nama woman-headed households in southern Namibia, women give a number of reasons why they prefer to remain unmarried. Among women with regular incomes and well-paid jobs, the fear of losing decision-making power, especially in economic matters, can be a strong force against marrying. Moreover, the women interviewed by Iken have definite views about marriage and the requirements for a marriage partner – not all men are perceived as equally suitable. Iken (1999: 181) stresses that such arguments "... point to the potential for conflicting gender roles and new directions in gender relations". Situating these developments in historical perspectives Iken (1999: 172) writes: "Single motherhood reportedly became a more common feature among the Nama and other communities in Namibia and southern Africa after 1918, and went hand in hand with a declining marriage rate." However, until the 1960s marriage remained a rather normative event in the life course of most women interviewed by Iken (1999: 180), and only in the last decades does an accelerating increase of the percentage of never-married women and men become visible.

By the 1920s and 1930s Krüger and Henrichsen (1998: 167-168) report an increase of temporary cohabitations and children born out-of-wedlock, paralleling a decrease in civil and church marriages in so called Herero 'reserves'. As Chimere-Dan, Krüger and Henrichsen (1998: 167) relate these changes to the influences of colonialism and Christianisation on the local population, one reason given by missionaries for the decline of marriages is the high *ovitunja* (morning gift), ie 'the price paid by a bridegroom to his bride's family'. This leads to another prominent argument in the explanation of declining marriage rates/increasing out-of-wedlock births.

Getting married in Namibia is often very expensive – even if no bride-wealth has to be paid. Such increases in wedding costs and a paralleling reduction in marriage rates can be found for several Namibian regions. In her study on Kwanyama people in rural Ohangwena region and urban Walvis Bay, Tersbøl (2002) shows that costly church weddings are perceived as the most ideal and prestigious of all marriage types today. Few people are able to afford these weddings though, especially given the high unemployment rates. Tersbøl (2002: 357) notes that, "Without resources, without a job, and without a house, a man cannot marry. This situation leaves men in a social and cultural limbo. The basic building stones of male identity and masculinity are unavailable to men."

In his study on Damara people from Otjimbingwe and Sesfontein in the 1980s, Fuller (1993: 297) comes to very similar conclusions: "Unemployed young men are unable to gather the necessary wealth – animals for slaughter, traditional beer and store-bought liquor, a dress for the bride and food for the reception – that a marriage requires. As a result, sexual unions remain

informal, lacking the consent of the community.” Fuller’s conclusions are further supported by Gordon’s findings on Damara people from Okombahe in the 1960s. Gordon (1972: 79) clearly describes marriage as an expression of elite status and not as a normative frame for childbearing: “Teacher’s daughters marry teachers or wealthy men, not only because of common philosophical interests, but also to increase the potential of resource combination . . . Marriage alliances now tend to be made with people who have above average, or potentially good resources, in an effort to achieve maximal utilisation. Kinship alliances become an important criterion for demarcating superior lifestyles because of this family-centredness.”⁴ This goes hand in hand with Fuller’s (1993: 234) observation that the ideal is to marry someone whose family is at least of equal economic and social status.

Gordon (1972: 131) also provides some statistical information on the development of marriage and out-of-wedlock births. For two periods in time (1929-1934 and 1965-70) the number of marriages in the Marriage Registers of the Evangelical Lutheran Church in Okombahe have remained more or less stable (first time period: 47 marriages; second time period: 42 marriages). However, Gordon estimates that the population has doubled during this time indicating a strong decline in marriage rates.⁵ Paralleling this decline, Gordon further reports a steep increase in out-of-wedlock births. Again, Gordon (1972: 132) uses church records and finds a steady increase of ‘illegitimate births’. Whereas 21 percent of all births in 1929-30 were born out-of-wedlock, this number continually increased to 88.7 percent in 1969-70. Gordon (1972: 39) links these developments to a rise in female-headed households. Importantly he observes that these types of households should not be perceived as disorganised or broken structures but, quite the contrary, as thriving and functioning units. Iken (1999) comes to similar conclusions in her study on Nama female-headed households.

Before presenting my research, I will summarise the main findings so far. Virtually all of the literature I have reviewed observes a decrease in marriages rates and an increase in out-of-wedlock births. As explanations for these developments at least three main lines of arguments are given. These are then linked to the specific socio-economic and political processes of different groups, time periods and regions.

The first line of arguments focuses on increased female autonomy. Acknowledging the many negative effects colonialism and Christianisation had on the lives of Namibian women and men, some authors, such as Chimere-Dan, Gordon, Iken, and Shemeikka et al, also demonstrate that women were not simply passive victims. Some Namibian women emerged who have the bargaining power to make independent decisions, especially in regards to marriage and childbearing. It seems that this is a national rather than an ethnically bounded process, as the diversity of the above

accounts shows. Permanent income opportunities for some women are central in this development. However, given the centrality of income in this process it is also evident that not everybody is able to participate as Tersbøl's work demonstrates. A growing number of young men – and women – are excluded from income, wealth and marriage.

A second line of arguments deals with the development of marriage costs. Although there are important cultural variations, eg if bridewealth payments do or do not exist, almost all authors agree that there has been a significant increase in marriage costs. Some authors, such as Gordon, explicitly connect these developments to the emergence and maintenance of local elites. Marriage has become an expression of a certain elite lifestyle and as such serves to mark the border between a small minority of wealthy and married persons and an overwhelming majority of more or less poor and unmarried persons.

Finally, a third cluster of arguments tackles the continuous importance of childbearing for both male and female identity (eg Chimere-Dan, Gordon, Iken, Tersbøl). Although marriage may be perceived as undesirable (first line of arguments) or as unaffordable (second line of arguments) both women and men should have children. As a consequence, out-of-wedlock births are rising. All three lines of arguments will be of importance for the following discussion of my results.

Presentation of the research

The findings presented here are based on 18 months of field research in Fransfontein and its surroundings, Kunene South. Together with my colleague and husband Michael Schnegg and our daughter Liliana, I lived and worked in the area from May 2003-September 2004 and August-September 2005.⁶

During our research we collected different kinds of information. Typical for ethnographic research 'participant observation' has been very important in our approach. Many Fransfonteiners welcomed us in their homes and allowed us to share their everyday lives. We participated in many engagement and wedding celebrations and documented this vibrant part of Namibian life. Several women of different ages were willing to talk with me in depth about their lives, which has resulted in 15 detailed life histories.⁷ To better understand the many meanings of marriage I conducted focus group discussions with married and unmarried women. Although my focus lies on the perceptions, actions and attitudes of women, in August 2005, I interviewed a number of married and unmarried men on their experiences regarding marriage, partnership and reproductive decision-making.⁸ In addition to these qualitative data, I used a regional ethnographic survey as

the second source of information. With the help of 14 local interviewers, who received two weeks of interview training prior to the survey, from May to June 2004, we visited and interviewed 329 households in the area.⁹

One hundred and thirty-seven households are located in the settlement of Fransfontein, which offers its inhabitants several small shops and *shebeens*, a primary school since 1964, a school hostel, a church hostel, a Protestant church, a traditional authority, a local government, a small health clinic and a police station. Another 161 households are located on the communal area surrounding Fransfontein. For both Fransfontein and the surrounding area, we visited all existing households at the time of the survey. Finally, residents from another 29 households were interviewed at the workers' location on commercial farms which border the communal area. The decision to include all three types of livelihoods stems from our ethnographic observations. Although life differs on commercial farms, communal farms and in the settlement of Fransfontein, there are multiple social links between the three settings.¹⁰ To get a more comprehensive picture, and before focusing on specific findings relating to marriage and childbearing, I will give some basic social and economic background information.

Income is very unevenly distributed and economic stratification is pronounced. Only a small group of people can be classified as wealthy, mainly better-paid government employers, especially teachers, and a few wealthy livestock owners. Wealth is expressed in ownership of livestock and other property such as cars, furniture, houses, clothes, shoes and wedding celebrations. Other households manage to survive when they restrict themselves to the basic necessities. Many female-headed households fall into this group. Often, the female head has a permanent small income as a domestic worker for the hostels and school or through receiving a monthly old age pension. When asked to describe her economic situation one of the women falling into this group remarked: "I would say I am in between. That's it ... Not that poor, not that rich – but I have just everything that I can say I need." Finally, there is the large group of women and men who have no steady income. Most of them are attached to households that have at least some access to income, but every additional member may also increase the pressure on and vulnerability of these households. The most vulnerable and poor households lack any sort of access to cash income and completely rely on survival by sharing.

Although ethnic identity and belonging are problematic issues in post-apartheid Namibia, they remain central topics in everyday life. The majority of people consider themselves as Damara (63 percent), followed by Herero (13 percent) and Nama (9 percent). Elsewhere we have elaborated in more detail on the historical background that explains the current ethnic constellation in the region (cf Bollig et al 2006).

A third characteristic feature of life in the region is a high level of mobility. People have moved to their place of residence approximately seven years (median 7.0) prior to the survey. However, remarkable variations exist. There are older people who have lived for several decades in the area (eg married people born from 1916-1934 have lived about 23 years (median) in the region (N=63)). Then there are young and unmarried people, eg born from 1975-1984, with a median number of three years (N=191) as residents. In general, if someone is married mobility seems to cease, independent of the age of the person. Ever married people have lived for more time permanently in the area than never married people. There is only one group which deviates from this trend. Unmarried women born from 1945-1954 and, to a slightly lesser extent, from 1955-1964 have spent more time living permanently in the area than their married counterparts.¹¹ If one interprets patterns of mobility as an indicator for specific survival strategies, namely as responses to ceased or limited resources, then these women obviously have encountered something that stopped their necessity to move. The centrality of this finding becomes even more evident when understood in the context of changing reproductive, conjugal and economic patterns.

Before going into these details it is necessary to provide some information on marriage in the Fransfontein region. Almost all marriages discussed here are church marriages. The beginning of Fransfontein as a permanent settlement is linked to the activities of the German Rhenish Mission and especially missionary Riechmann, who in 1891 started to live in Fransfontein (Riechmann 1899; Riechmann 1900). A church was built in the following years and as early as the turn of the century marriage registers do exist for Fransfontein. The overwhelming majority of the population is Protestant, followed by Roman Catholics. Membership in Pentecostal churches is still limited to a few families. Out of the 209 marriages we recorded, only 5 percent are customary law marriages. The remaining 95 percent are either church marriages and, in a handful of cases, magistrate marriages. Similar to other Namibian regions, magistrate marriages are perceived as not very desirable, or as a friend described it, "not the real thing" (eg Pendelton 1993; Tersbøl 2002). All people who are married solely by customary law are recent migrants, most often from the area around Rundu who work as herders for communal farmers.

Table 1 provides information on the development of marriage, out-of-wedlock births and the number of reproductive partners. Only women with at least one birth are included here which reduces the number of women from 388 to 341 women. Especially in the last cohort (1975-1984) many women have not yet given birth.¹²

TABLE 1: Distribution of out-of-wedlock births, percent married, and average number of reproductive partners (women only), N=341

Women born between	# Women	% Births out of wedlock	% Married	Average # reproductive partners	
				ever married	never married
1916-34	35	55%	80%	1,7	*
1935-44	44	81%	59%	2,4	3,5
1945-54	47	90%	29%	1,9	3,0
1955-64	57	91%	38%	2,5	2,9
1965-74	68	93%	(22%)	**	**
1975-84	90	97%	(5%)	**	**

* Not enough cases

** Still in childbearing age

Reflecting on the results in Table 1, at least three trends become apparent: (1) the number of out-of-wedlock births has increased steadily and remained for the last decades at a very high level of around 90 percent of all births being out-of-wedlock; (2) the percentage of married women has decreased continuously; and (3) unmarried women have significantly more reproductive partners than married women. Of course, the first and the second points are related. One could argue that part of the affect might be explained due to a rise in age at marriage. Because marriage has become so expensive, people have to marry later in order to accumulate enough wealth to afford a wedding. However, the average age at marriage has not changed and is around 34 years for all women born until from 1916 until 1964.¹³

I argue that only additional analysis of reproductive strategies will shed further light on these developments. It is remarkable that there are no significant variations of average age at first birth. Independently of their age, women start childbearing around the age of 20, no matter if they were born in the 1920s or the 1960s. Women who were born between 1916 and 1934 had given birth to their first child in the 1940s and 1950s. Many of these women have children with only one man and the number of children is very high. A variation of this pattern is a group of women who have one or two children with one man and then meet someone else and stay with this person for the rest of their childbearing years (and longer). Again, the number of children is very high. Most of these women have married. However, several women of this group have never married but are nevertheless very similar in their

reproductive behaviour to the married women of this age (one or two reproductive partners and many children). Locally, this reproductive and conjugal pattern is called 'the old people's way'.

For women born in the 1930s things change; there is still a group of women who, similar to their mothers, have few reproductive partners, many children and are most likely married. But a growing number of women who have given birth to their first child at the end of the 1950s or the beginning of the 1960s no longer follow this pattern. These women have many more children born out-of-wedlock, are less likely to ever marry, and have, on average, between three to four reproductive partners. The 'everybody has his/her own father' pattern emerges, as reported by the boy at the beginning of this chapter. The number of reproductive partners declines slightly for women born from 1945-1964. This is paralleled in a decline of the average age at last birth and can be related to the increased availability and use of contraceptives starting in the 1970s.

Three life histories allow a better understanding of these substantial changes in childbearing and conjugal histories. To guard the anonymity of the women, I will follow the approach McClusky (2001) laid out in her ethnography on domestic violence in southern Mexico. I will not present the life stories of individuals but will merge characteristic elements of life stories of groups of individuals which will then be merged into fictive, yet exemplary, women from two generations.

Anna was born in 1923 on a commercial farm owned by a German. Her parents were farm workers. After her birth her parents had to move to another commercial farm near Kamanjab. There she grew up and met her husband, Petrus, who was six years older and employed as a driver. At the age of thirty, in 1953, she married Petrus. I asked her if it was economically difficult for her to marry. She said, "No." Both families helped finance the wedding and the expenses were not as high as they are today. Moreover, both her husband and she had an income as farm workers. Although it was a low income, it nevertheless helped to pay some of the expenses. Before their marriage, three of their children were already born. Five more children followed, and from 1947 to 1964 Anna gave birth to four boys and four girls. Both Anna and Petrus have children only with each other and with no other partners. Before their retirement, Anna and Petrus worked on several other commercial farms. They were not forced to live in separate locations. Today they are living together with some of their children and many young grandchildren on one of the communal farms near Fransfontein.

The life of Anna's two older daughters is rather different. The first daughter, Maria, was born in 1950. She started school at age ten, very similar to most of the women of her age. She did well in school and got the chance to continue schooling. In grade ten, she became pregnant and, in 1970 she

gave birth to a daughter. She had to interrupt her schooling but with the help of her family, who took care of her daughter, she was later able to finish. After having lived and worked in different towns of Namibia, Maria got the chance to work as a teacher in Khorixas. There she met Hendrik, a colleague of hers. Together they have two more daughters, born in 1976 and 1979. Hendrik has fathered four more children with other women. In 1989, they got married. It was a big and splendid celebration, as the many pictures taken show. There was an engagement, the 'asking-ritual', several months before the wedding. Many guests from all over Namibia were invited to the wedding. There was a reception with nice food and alcohol at a local school hall. Several goats, sheep and cows were slaughtered. Maria is proud of her wedding. She stresses that to marry is an important way to get respect from other people. When people see the wedding ring, they know that she is not just anybody. When she attends weddings, she will get special treatment, eg receive a piece of the wedding cake, a privilege only granted to married persons in Fransfontein.

Her sister Ester, who is one year younger, says she never wanted to marry. Like Maria, Ester did well in school. In 1970, after finishing school she gave birth to her first boy. Similar to Maria, Ester had to work in different regions of Namibia to make a living. In Windhoek, she worked as a waitress and met the father of her second child, a boy born in 1972. A year later she got the chance for permanent employment as a hostel worker in Fransfontein. There she met the father of her next two boys, born in 1975 and 1977. However, the relationship was very problematic. The man was unemployed, "living off her money" as Ester says; he drank too much and even beat her. She separated from him in the 1980s. I asked her how she feels about men and marriage today and she replied, "Men? I don't even have doubts about men anymore. You know the father of my first child, the father of my second child, the father of my last two children, they all disappointed me very, very much. It's maybe from there on that I got a feeling of 'no' to marriage." She then stressed that she is able to feed herself and her children and that there is no need for living with a man who is not supportive.¹⁴ All three women equally stress the importance children have in their lives. As one of them says, "All children are welcomed." They vividly describe the joys of being a mother and a grandmother. However, when we asked women how many children would be an optimal number for a woman, differences between generations became visible. On average, women responded that four children is a good number, but older women wanted more children (on average five) than younger women in their twenties and thirties (on average three children).

Several of the issues I have discussed earlier are exemplified and extended by the qualitative and quantitative data presented here. Research

has shown that out-of-wedlock children are as welcomed as children born within a marriage, and the Fransfontein case is no exception. Changes in gender roles, especially relating to issues of female autonomy, are also prominent. Different aspects of migration and mobility play an important role here. If migration stops, it is most likely to be connected to permanent income possibilities, as can be seen in both Maria's and Ester's accounts. Before, I have mentioned that women born between 1945-54 and between 1955-64 stopped moving and migrating in search of employment rather early in their lives, even if they were not married. A closer look at the occupational situation of these women helps to understand why. Forty one percent of all women currently living in Fransfontein and born from 1945-54 are employed as hostel workers or domestic servants for the school. Although not as high, 26 percent of women born from 1955-1964 are employed as hostel workers. Additionally, 13 percent of women born 1955-1964 are teachers. For all previous and following cohorts the situation is rather different. Older women have most likely been farm workers, whereas the vast majority of younger women are unemployed. The access to independent income for women plays a crucial role in changes in marriage and reproductive patterns. However, income varies and responses by women also vary. High income, such as that earned by teachers, most likely leads to marriage with economically equal men. As Gordon (1972) has observed for Okombahe more than thirty years ago – teachers marry teachers. And when they marry, it is not going to be a simple, low budget marriage. Maria's account is an example.¹⁵ Low, yet permanent income, such as that of hostel workers, usually does not lead to marriage. The fear and danger of men 'living from the women's income' is too great. It is preferable to separate, live alone with one's children and look for someone more supportive than to stay with an abusive partner as Ester's account demonstrates.

Discussion

I would like to briefly come back to the two questions I posed at the beginning, namely the specific local conditions under which marriage rates decreased and the way local people, especially women, both actively shape and are shaped by these changes. In the Fransfontein area, marriage rates have decreased for multiple reasons. The inauguration of a primary school in Fransfontein in 1964 has been an important opening up of income opportunities for women. This has led, among other things, to an increased bargaining power of some women in terms of conjugal and reproductive decision-making. For these women, children are still desired, marriage not necessarily so. Parallel to this development emerging local elites have

increasingly used weddings as an expression of status and wealth. This has raised wedding expenses to a level that the vast majority of the population simply cannot afford. For people with limited resources who would like to marry, women and men alike, it is almost impossible to do so. Consequently, today there are several different conjugal patterns and groups, eg women who want to marry but lack an adequate partner; couples who would like to marry but lack income; economically independent women who don't want to marry; and wealthy couples who are married. This local diversity has to be kept in mind when reflecting on the implications the findings may have for the knowledge of gender and sexuality in Namibia.

Di Leonardo's (1991) insights on differences and inequalities within gender categories, mentioned in the introduction, are especially important here. It is rather difficult to make general statements on the lives of women – and men – in the region. Other social categories, especially age and class, are intertwined with gender categories. During our stay in Fransfontein, there were moments when I was virtually overwhelmed by the diversity and variations we observed. But gender, reproduction and conjugal histories are not random. My aim has been to show how specific local conditions, which, of course, are always influenced by the wider political and economic landscape, have shaped and are being shaped by diverse people and groups of people. The agency and actions (reproductive/conjugal) of different groups of women has been my focus here. I have restricted myself to women who are in their 40s or older, all of them at the end or past childbearing age. Reproductive and conjugal decision-making for women still in their childbearing age is another important issue, especially given the spread of HIV/AIDS. However, such an analysis has to be historically embedded, which has been my aim here. Elsewhere we demonstrate that some patterns are rather different today, while others resemble the results presented here (Pauli and Schnegg 2006).

The Fransfontein case shows that a group of women behave and make decisions rather independently of their male partners. In accordance with Chimere-Dan's (1997) conclusion, these women are role models for younger women. Iken (1999) situates similar findings in the wider context of changes and conflicts over gender roles. What are the male perceptions and actions? Obviously, I have not raised such issues here but want to briefly tackle them in my conclusion.

Conclusion

Although there is little doubt that independent female incomes and an increase in female agency, as described here, are very laudable developments, it is rather unclear how Namibian men deal with such changes. Tersbøl (2002)

writes of the ‘cultural limbo’ unemployed men are experiencing. Women with independent incomes and independent decision-making power can be a heavy challenge for men lacking these attributes. Many women I have interviewed describe incidences of domestic violence and alcohol abuse. However, only some men mistreat their female partners. Not every unemployed and economically marginalised man abuses his children and female partner. The non-violent men could be important role models for other men, by exhibiting alternative modes of conflict resolution other than violence. Yet, there exists rather limited knowledge on these men. Which men are abusing their children and their female partners? And as important – which men do not act violently? What groups of men would become visible through a historic and ethnographic analysis similar to the one undertaken here? The study of masculinities is a growing field within anthropology (cf Gutmann 1997) and could be an inspiration for Namibian research in this respect.

There is almost no negative discourse on illegitimacy in the region. A rising importance of Pentecostal churches and a more rigorous Christian doctrine and practice could change this. As my overview has shown, high rates of children born out-of-wedlock are a nationwide phenomenon. How does the perception and treatment of these children – and their parents – change in social environments that view marriage as the main or only social frame for childbearing?

Finally, more research on the multiple links between reproductive and conjugal decision-making is needed for other regions of Namibia. Although my overview indicates that there are a number of parallels between the cases discussed here and developments in other regions (Iken (1999) for southern Namibia; Tersbøl (2002) for north-central Namibia) it would be important to better understand if and how customary marriage deviates from these patterns.

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ENDNOTES

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² Murray (1981) gives a detailed description of an extended family and their varying claims and rejections on the status of the children.

³ As early as the 1930s Schapera (1933), focusing on customary marriages among migrating Tswana communities, commented on a growing gap between marriage rates and pregnancies resulting in an increase in the number of unmarried women with children. These developments have to be understood in the context of massive changes to family structures and other socio-political and economic institutions, such as colonialism, the labour migration system and Christianisation forced upon local livelihoods. For an ethnographically and historically rich account of these processes relating to marriage, gender and family, cf also Griffiths 1997.

⁴ Like Gordon (1972), Fuller (1993) links marriage to economic strategies. Analysing the dynamics of appearance and disappearance of cross-cousin marriages through time, Fuller is able to show how marriage was used as an adaptive response among the Damara people in varying times of stress.

⁵ I only found one exception to the general trend of declining marriage rates. In his long-term study on Katutura, starting in the 1960s and continuing until the 1990s, Pendleton (1993: 86) reports a strong increase in magistrate and church marriages. For church marriages he concludes, "The increase in church marriages in Katutura between before and now probably reflects the greater ability for some to pay for church marriages today." The data provided only tackled the absolute numbers of magistrate and church marriages from 1933 until 1968. However, and unlike the information provided by Gordon (1972), development of population size is neither given nor reflected upon, which makes Pendleton's conclusions problematic.

⁶ The project focuses on the demographic, social, political and economic transformations the region went through during the 20th century from both an ethnographic and a historical

perspective. The project is part of the interdisciplinary research project ACACIA (SFB 389) which is based at the Universities of Cologne and Bonn, Germany and funded by the German National Science Foundation (Deutsche Forschungsgemeinschaft). In Namibia, Dr Christo Botha from the UNAM has been our counterpart and provided very important assistance. On many occasions Dr Beatrice Sandelowsky (TUCSIN) supported our research project and local members of the research team.

7 The region we are studying is not ethnically and linguistically homogeneous. This has caused some language problems. Right from the beginning of our research, we started to learn Khoekhoegowab and acquired basic skills. These have been supplemented by the support of our research assistants. Apart from Khoekhoegowab, some interviews have been conducted in English, Afrikaans and German, depending on the background of the person interviewed.

8 Other data that will not be discussed here are historical sources, especially church registers for more than 100 years, social network data on types of sharing, several expert interviews, and extensive genealogies and family histories.

9 Our refusal rate was extremely low (below 5 percent). Many Fransfonteiners have clearly stated that they would have been less willing to answer our questions if we had worked with assistants who are not from Fransfontein. Moreover, it was probably helpful that we had lived in Fransfontein for almost a year when we started with the survey. Many people were acquainted with us by then and had an idea about our research.

10 The household questionnaire included a census and questions on household survival strategies. After finishing the household questions, we interviewed all household members 15 years or older individually on health, social and demographic issues, eg reproductive, marital and conjugal histories and personal networks. In sum, we talked with 750 individuals, 388 women and 362 men.

11 Median number of years for married women born from 1945-54: 9 years (N=15), from 1955-1964: 7 years (N=22). Median number of years for unmarried women born from 1945-54: 15 years (N=32), from 1955-1964: 10 years (N=38).

12 The cohorts were formed on the basis of 10-year intervals, starting with women at least 10 years old at the time of the survey and going backwards in time. Rarely do women of 10-14 years of age give birth, but it does occur. The oldest cohort is larger than the others. The oldest woman we were able to interview was born in 1916. It would have been possible to take women born from 1916-1924 as the first cohort, but there are only a few cases so I decided to expand this cohort (1916-1934).

13 Given this average age at marriage, only women 40 years or older at the time of the survey are included. In a way, average marriage age is also misleading because of significant variations of age at marriage within cohorts.

14 These three life stories capture only some of the patterns. For example, because of space limitations, I have not elaborated on women with much more insecure economic backgrounds or on younger women still in childbearing age. As might be expected, the perspectives and strategies of these women vary, especially since the tragic spread of HIV/AIDS.

15 Other groups with access to cash income and big, splendid wedding celebrations are migrants, such as those working in the fishing industry and members of the political elite, especially traditional authorities and local government employees.



**HIV/AIDS:
Gender
and
Survival**

Chapter 13

The Face of HIV is a Woman: Recommendations for Action

Lucy Y Steinitz and Diane Ashton

Introduction

“A woman dies alone in a crowded rural hospital, abandoned by her husband and family because she is infected with HIV.

A mother waits to hear the results of a test that will tell her whether she has passed the HIV virus to her young child.

A grandmother struggles to feed her five grandchildren, who have already lost their mother to advanced HIV complications, while caring for their bedridden father.”

(Henry 1996)

These women are examples of what the Society of Women Against AIDS in Africa calls the “triple jeopardy” of HIV for women. Triple jeopardy means that, as individuals, women are disproportionately at risk of contracting HIV because of a host of biological, social and economic factors that make them vulnerable to infection. As mothers, women can pass on the virus to their children. As society’s traditional caregivers, women and girls are almost invariably expected to care for their husbands and other family members who are ill with HIV, while also finding a way to support the rest of their family (Henry 1996). As our own experience has shown, this is true

even when women and girls were infected by the very people (husbands, boyfriends, mothers, etc) for whom they are expected to care. (Henry 1996).

Namibia has one of the highest HIV infection rates in the world, and women have become the face of HIV in this country. The primary means of HIV transmission throughout sub-Saharan Africa is heterosexual intercourse.¹ Mother-to-child transmission is also prevalent, although declining with the growing availability of medications that prevent infants from becoming infected from their mothers.² Overall, women comprise an increasing proportion of the HIV-infected population all over Africa. Women are especially at risk for contracting HIV because, as a rule, their relatively weak social and economic positions inhibit them from avoiding sex with an infected partner or enforcing the use of condoms. In addition, because of their low socio-economic status, many women are often forced to ensure their own survival and that of their children by having sex in exchange of food, gifts, or money.

A critical development in the HIV pandemic has been the decisive shift from a predominantly male epidemic in resource-rich countries during the early 1980s to one in which HIV infections are disproportionately distributed among women and girls in resource-poor settings. In sub-Saharan Africa, women make up 57 percent of adults living with HIV. The gender gap is especially pronounced among young women between the ages of 15 and 24, who are three times more likely to be infected than young men their age (UNAIDS/WHO 2005).

Background issues

Why are HIV prevalence rates highest in southern Africa?

Are Africans somehow less “moral” in their sexual practices? No empirical evidence supports this simplistic and judgmental interpretation. By contrast, Kelly (2001) and others offer several alternate explanations which, tragically, describe Namibia’s situation very well (Lampthey et al 2006). The majority of people in southern Africa (especially women) lack sufficient resources to meet their daily needs; hence, they suffer from poor nutrition, including under-nourishment and vitamin and trace-element deficiencies. Unhygienic conditions, in addition to unsafe water, often lead to heavy loads of parasites. All of these factors combine to create chronic poor health, making one ripe for infection.

Secondly, the populations of southern Africa are characterised by high physical mobility. Men in particular travel around in search of opportunities to earn money. This level of mobility is caused by many factors, including the absence of job opportunities in rural areas, the presence of short-term

or seasonal work in different areas of the country, rural populations with limited education, increasing population density in rural areas and a dry climate with long periods of no agricultural activity. This mobility does not foster long-term monogamous relationships, but rather tends to promote casual sex and perhaps even more significantly, concurrent multiple partnerships. The resulting loss of family cohesion fosters an atmosphere where young people no longer see a viable future for themselves (ie they become fatalistic), and instead are motivated by needs of the moment (eg food and pleasure), regardless of the long-term consequences (Johns Hopkins Bloomberg School of Public Health 2003). While many young people around the world share this sentiment, in only a few countries are the chances as great as in Namibia that this can result HIV infection.

Another explanation for the high rates of HIV infection in southern Africa is the prevalence of gender inequality, such that women have little or no control over their own bodies when it comes to sexual activity. Family violence is also far too real for many women, both wives and young girls. A woman's attempts to say "no" to unwanted sexual advances can result in significant physical violence.

HIV prevalence in Namibia

Every two years, Namibia's Ministry of Health and Social Services conducts a survey of women attending antenatal care at one of the country's district or regional hospitals to determine the rate of HIV amongst pregnant women. Collected blood samples are tested anonymously (neither the woman nor the technician is able to identify what sample belongs to whom), in accordance with standards set by the World Health Organization (WHO).

According to the 2004 HIV sentinel sero-survey, HIV prevalence in Namibia varies by region from 9 percent to 43 percent, with an overall estimated 20 percent "crude prevalence rate for sexually active adults."³ In other words, one out of five Namibians aged 15-49 is HIV positive, making Namibia one of the top five HIV-affected countries in the world.⁴ Namibia's epidemic is generalised, meaning that the high prevalence rate occurs throughout the country and not just within certain high-risk groups, and infection rates have not yet peaked in Namibia. More recent research on generalised epidemics focuses on the more widespread incidence of multiple concurrent sexual partners, rather than mutual monogamy, sequential relationships, or even a high reliance on commercial sex workers, in conjunction with the absence of widespread male circumcision, both of which are high vectors for transmission (Cassell et al 2006).

Sadly, even when these explanations for the high HIV prevalence in southern Africa are recognised, the issues remain difficult to address. Resource-

limited countries with high rates of infection face the biggest challenges, as government and NGO infrastructures are often underdeveloped and slow to shift their focus away from nation-building and other perceived priorities in order to scale up their response to HIV.

Why should people care?

HIV threatens to destroy entire communities which, for most Africans, are the life-blood of their identity and social structure. HIV kills where it hurts the community most, by targeting those who provide for their children and extended families. Families are often stretched to the breaking point as they struggle to care for the ill, bury the dead and provide for those left behind. In a married couple, if one partner dies the other is likely to die soon too. If the husband dies first, the widow may be blamed for his death by his relatives. Moreover, it is common practice among some ethnic groups in Namibia for the husband's relatives to take all of his possessions, leaving little or nothing for the widow and children.

HIV also takes a significant economic toll on communities and the country as a whole. In professions experiencing shortages in skilled personnel – for example, nursing and teaching in particular – HIV only serves to exacerbate these shortages. The quality of education children receive and the availability of medical care available throughout the country are significantly impacted by HIV-related deaths, and will continue to affect quality of life.

While high HIV prevalence occurs more often in low- and middle-income countries than in very poor countries (eg it is higher in Botswana and Namibia than nearby Angola), it seems that the have-nots are most at risk within high-prevalence countries. Hence, some researchers comment on the relationship between HIV and poverty as a two-edged sword (LeBeau et al 1999). Poverty contributes to a rise in infections, and once infected, people become more marginalised and even poorer than they were prior to becoming positive. As a result of increased poverty, affected family members, including orphans, find themselves in situations of increased vulnerability for contracting HIV in the future. And who are the poorest members of Namibian society? Most often, they are women who lack the education and means to find steady employment, but must, nevertheless, take responsibility to care for their children and other family members. As a consequence, women are often less able to protect themselves against violence or exploitation. Faced with the need to survive, a woman may feel she has no other choice than, for example, to take on a “sugar daddy” who will provide support in exchange for sexual favours but also may put her at risk for HIV infection. Such unequal relationships increase women's

risk of contracting HIV. LeBeau et al (1999) found that a woman's ability (or lack thereof) to make decisions in an intimate relationship influences her sexual risk-taking behaviour. The more unequal the relationship is, the more difficult it is for the woman to exercise control over her sexual activity.

Physical, social and cultural issues

Why are women at higher risk than men?

Several hypotheses have been advanced to explain the increasing prevalence rates among women. First, there are the biological factors to consider (Global Coalition on Women and AIDS nd; WHO 2006):

1. The vagina has a greater area of susceptible tissue compared with the penis (especially circumcised penises, where the more fragile foreskin has been removed).
2. The vagina often sustains micro-trauma during intercourse. The likelihood of infection increases if the sex is forced, as in rape or other forms of violence when abrasions are more likely to occur.
3. A girl whose body has not yet matured or who is pregnant may be at greater risk of HIV transmission due to the increased fragility of the vagina.
4. During sex, men produce and leave more secretions in a woman's body, increasing exposure time and chances of infection if the male partner is HIV-positive.

There are also social, cultural and economic factors to consider:

1. When people are poor, they tend to make decisions that emphasise short-term gains (food, sustenance) over long-term wellbeing (ie staying free of HIV). How many of us would not steal or risk our health if this was the only way we knew how to feed our children?
2. The sexual initiation of young women often occurs through intercourse with older men who are sexually experienced and at high risk of being HIV-positive.
3. Women must also face the social expectation and family pressure to bear children. By having unprotected sex in order to become pregnant, women place themselves and any subsequent children at risk (SAT 2001).

4. Many women lack control over their livelihoods. For example, while women make up the vast majority of Namibia's subsistence farmers, many lack the ability to own or have user rights to the land they live on (Iipinge and LeBeau 2005). This makes them dependent on others for economic survival.
5. Women are often unemployed or engaged in informal sectors where they are employed in less profitable economic activities than men. Once again, this limits their choices of how to earn money to support themselves or their families.
6. In many low-income settings, some women resort to transactional sex in which they exchange sex for money or in-kind support.
7. Women are virtually absent from positions of traditional leadership, political participation and decision-making. Headwomen and female traditional councillors exist in some communities, but traditional courts are still dominated by men (MGECW 2004).
8. Traditional marriage and divorce are governed by traditional law and may discriminate against women and children in terms of inheritance of marital property.

To more fully understand the origins, spread and impact of HIV, special attention must also be paid to the underlying impact of gender on society and culture. Gender is a social and cultural construct that differentiates women from men and defines the ways in which women and men interact with each other. Gender is the widely shared expectations and norms within a society about male and female behaviour, characteristics and roles. The next section will explore the previously identified cultural and economic factors contributing to the high HIV prevalence in Namibia, but from this gender perspective.

Through the gender lens: The impact of HIV on society and culture

In Namibia there is a widespread belief that men are superior to and should dominate women (Ashton et al 2006). This belief persists despite the Namibian constitution and many other laws that purport women's equality. All of the different cultural groups in the country exhibit gender inequality, ranging "from relative equality to rigid inequality" (Iipinge and LeBeau 2005). In the major cultural groups, women are responsible for household chores but are allowed limited decision-making power within either the household or the community (Ashton et al 2006). Surveys have shown that while men recognise this discrimination, they do not want it changed (Iipinge and LeBeau 2005).

The National Gender Study found that the majority of people surveyed from across Namibia preferred male to female children (Ipinge et al 2000). This was due in part to perceptions that male children will be able to look after parents in their old age more effectively than female children. However, the ability of men to do so is related to the socio-cultural factors that keep women from securing sources of income relative to men, so this preference remains linked to culture. Men hold the power to determine what cultural practices and beliefs will define their culture, while women have less opportunity to define and contribute to their culture, even as these cultures grow and change (Ashton et al 2006).

The belief in male dominance negates women's rights in many ways, both in society and in the bedroom. Men's control over women's sexuality – for example, men deciding when, where and with whom to have sex – greatly contributes to the spread of HIV. Women are frequently more at risk than men because they do not have the power to insist on having sex with a condom or to enforce or ensure monogamy. Women's vulnerability is further exacerbated by the existence of certain cultural practices relating to the definition of masculinity, including beliefs about the desirability of "dry sex," women's status within extended family systems (where a wife can be forced to have sex whenever her husband wants it), and the practice of wife inheritance, where a widow is "transferred" to a surviving brother of the deceased husband, whether or not the woman wants this to happen.⁵

Men's dominance over women's sexuality can also lead to violence, which spreads the disease further (Ipinge et al 2004). A culture of silence surrounds the issue of sexual abuse, making it difficult to identify and address. Sexual abuse of young girls may even be sanctioned by some cultural traditions in southern Africa (SAT 2001) (also see Jewkes et al this volume).

Hlatshwayo and Stein (1997) have argued that the major means of HIV prevention, such as condom use and monogamy, are controlled by men. Studies in Windhoek and Caprivi reveal limited condom use because men have control over decisions relating to sexual practice, and often do not want to use them: "Culturally, we do not use condoms" (Ipinge et al 2004). Inevitably, this places women at greater risk for unwanted pregnancies and sexually transmitted infections, including HIV. Comments made about being asked to use condoms reveal the mistrust women and men bear towards each other. For example, a man might be suspicious of his wife asking him to use a male condom, ie "doesn't she trust me?" If suggested by the man, the woman may question his fidelity. Although female condoms (femidoms) exist, they are difficult for many women to access and to use, and are easily detectable by men during sex (and thus often opposed by them).

Even if civil law in Namibia no longer sanctions multiple marriages, polygamous relationships (technically known as long-term concurrent sexual

partnerships) still persist under customary law, especially across Namibia's northern regions. Now the titles are changing; the second and third women are no longer called wives but are girlfriends, lovers, or the ones who keep the "small house" away from home. To have many children – which is still the main aim of sex for many men – a man needs multiple wives or mistresses (Ashton et al 2006). Some of the female respondents in Talavera's (2002) study confirmed this social order. A 38-year-old woman said, "A man has full responsibility. He can do whatever he wants with his social life. He can have girlfriends and relations outside of marriage. He must just make sure there won't be any problems between him, his wives, and the girlfriends" (Talavera 2002: 47).

Both women and men generally concede that men are the ones who create the most problems between the sexes because they do not treat women with respect (Ipinge et al 2004). Follow-up research also determined that a large amount of distrust exists between women and men, and that women are unable to negotiate safer sexual relationships (Ipinge et al 2004). Indeed, all data indicated the control men have over women in sexual relationships, though they may engage in power-sharing in other areas such as household finances (Ipinge et al 2004).

UNAIDS found that unequal gender relations affected the way messages are communicated and understood in relation to HIV prevention and care (Airhihenbuwa et al 2000). For example, one study conducted at the University of Namibia suggested that females tend to associate sharing love and reproduction with sexual intercourse, whereas males emphasised the recreational aspects of having sex (Friedman 2002).

Through her work at Catholic AIDS Action (1998-2004), Steinitz periodically asked various groups of young peer educators, "On whom would they focus their prevention education and behaviour change?" "On women and girls," they usually said, expecting that Steinitz would be pleased because they understood so clearly that women and girls are more infected and affected by the disease. One thin, young woman once raised her hand in opposition. "On men and boys," she whispered, "because they have the power to change things".

Care-giving and treatment issues

Globally, up to 90 percent of the care for the ill is provided in the home by women and girls (Global Coalition on Women and AIDS 2004). This is in addition to the many tasks they already perform, including taking care of children and the elderly, cooking, cleaning, and in rural areas, fetching water and firewood. Women also make up most of the home care volunteers at the community level, both for family members and community members

who are ill (including those ill with HIV), and for the care and support of orphans. Most home-based care volunteers in Namibia are women in their mid-thirties to mid-fifties who live in rural communities and engage in subsistence agriculture but are not formally employed. Typically, these volunteers can read and write at primary school level but only in their local language. It is assumed that many of the volunteers are themselves HIV positive, but this cannot be ascertained (Steinitz 2003).

In Namibia, six non-governmental organisations run training programmes and provide supervision and support for their home-based care volunteers, almost all of whom are women.⁶ When asked, the volunteers reported that they are motivated to do this work based on their cultural and religious values. They stated, “Our tradition teaches us to care for our neighbours and helping others is an expression of our Christian identity” (Steinitz 2003). Even after several years, efforts to fully incorporate men as caregivers are still at the beginning stages, although. Catholic AIDS Action and ELCIN AIDS ACTION periodically run special outreach and training programmes geared towards men.

Unfortunately, the value of the time, energy and resources required to perform this unpaid work is rarely recognised by governments and senior decision-makers, despite its critical contribution to the overall national economy and society in general. To the degree that the volunteers’ labour is taken for granted, this is a form of gendered identity that may also be considered a form of gender exploitation. Too often, these care-giving tasks are simply taken for granted as “women’s work”.

In Africa, 150 000 people lose their lives every month to a completely avoidable disease (Lamprey et al 2006). As HIV continues its relentless march through African communities and into families’ homes, it is claiming the lives of the very people who are trying to earn a livelihood in order to support themselves and their family members. Systematically, families and communities are being destroyed. When there is no place else to live, where can those who are ill or orphaned go? While it is not a new phenomenon that sick family members and children traditionally return to the family homestead in times of need, this practice is occurring more than ever before. Thus, the weight of the responsibility to provide care in one’s own home to people living with HIV and the ever-growing number of orphans is falling more and more on older people – mostly women. Indeed, grandparents are coming out of retirement to become Africa’s newest mothers and fathers.

Research has found that in sub-Saharan Africa, the majority of orphans – whether orphaned as a result of HIV or for other reasons – are cared for by older women (UNAIDS et al 2004). Namibia’s experience follows this trend, with the vast majority of Namibia’s orphans now living in the north, mostly with elderly relatives (NPC 2001). Grandparents provide economic, social

and psychological support, but often are too poor to provide financial support. Despite their critical role, in most situations older people are excluded from the planning processes, resource allocation, and programme implementation of government and NGO policies (*The Namibian* 7 October 2005).

When it comes to caring for orphans, older people confront another two-edged sword. The greater the needs of those under their care, the less time older people have to devote to their own income generating opportunities, much less take care of themselves as part of their own well-deserved retirement. Older caregivers are increasingly exposed to illnesses through their caring roles, which can jeopardise their own health and that of grandchildren in their households. Caregivers also come into close contact with body fluids and the blood of the sick, potentially exposing themselves to infection with HIV. Notable is the fact that data of those aged 50 and above are not recorded in the bi-annual sero-prevalence surveys conducted by the Ministry of Health and Social Services. Consequently, the enormous impact of HIV on older people – both infected and affected by HIV – remains largely unrecognised (HelpAge International 2006).

Some encouraging news: Women and treatment

According to new research, women in Namibia are more likely to get HIV-related treatment and to remain on treatment (CHS March 2006). Both the 2004 and 2005 Catholic Health Services (CHS) reports show that many more women accept Voluntary Counselling and Testing (21 percent male and 79 percent female), as well as anti-retroviral therapy (35 percent male and 65 percent female), especially in the northern sites. Even when taking into consideration the higher disease burden among women, these statistics show disproportionate accessing of services by gender.

What might be some of the main reasons that women are more likely to access and remain on treatment? Historically, the Prevention of Mother-to-Child Transmission (PMTCT) has offered an active canvassing ground and golden opportunity for women to be put on treatment. Moreover, Kangudie (2006) suggests that the VCT setting may not be as male-friendly as it could be. Moreover, he says, stigma may be too high among men, with the result that they seek treatment only once they reach an advanced stage in the disease. Consequently, men also show a higher death rate after starting treatment (usually in the first 3 months). Another explanation for the disproportionate accessing of HIV-related services by men compared to women is that in the north, where most CHS hospitals are based, 60 percent of households are headed by women. In addition, a significant number of northern men often leave for months at a time to work in Windhoek, in the mines, or at the coast. Finally, because mothers are the traditional caregivers in the household, the

health-seeking behaviour of women is deemed to be better than that of men (Kangudie 2006).

Government response

Does the Namibian government recognise that women and girls are particularly at risk for HIV infection and disproportionately affected as caregivers for those with HIV-related illnesses and orphans? One way to measure Namibia's strong governmental commitment to addressing the HIV epidemic in the country is in the number of policies and procedures that have been developed to ensure the widespread and equitable access to information about and treatment for HIV. Namibia's rapid roll-out of life-saving Anti-Retroviral Treatments (ARTs) during 2003 places Namibia among the few countries worldwide that met the World Health Organization's 3-by-5 goals (ie three million people on ARTs by 2005).

Moreover, the Republic of Namibia's *National Strategic Plan on HIV/AIDS* (Medium-Term Plan III: 2004-2009) targets specific populations for messages of prevention and care. Under "special populations" (section 2.2), the long list of particularly vulnerable groups for whom the government seeks targeted interventions includes women and girls due to their previously disadvantaged status and some cultural practices. Gender-specific approaches are not highlighted, however. Thus, the designated list of activities designed to reach these special populations refers only to mainstreaming gender into HIV programming, and to the writing, translation and distribution of Information, Education and Communication (IEC) materials for behaviour change, rather than targeting women (or men) for specific interventions or support.

It is said that hindsight is always 20/20. When looking back at the Medium Term Plan III work plan, it is clear that there are some other necessary strategies that could have been included in the plan but are absent. Examples are:

- targeting men and men's relationship to women in order to change men's behaviour and reduce male dominance over women;
- ensuring that women are placed in key decision-making positions to assess, plan and take leadership responsibility for the interventions that target them and those under their care;
- involving more NGOs and other civil society groups – especially women's groups – in critical decision-making roles; and
- ensuring special outreach mechanisms, training and support to women in their care-giving roles (mother, sister, aunt, daughter, volunteer and

grandmother) to orphaned and vulnerable children and to people living with HIV and other diseases.

Namibia can be proud; a lot *is* being done. But the gap must be closed between men and women in this society as it concerns HIV-related issues. The best laws and policies require constant follow-up and enforcement.

When a woman is raped

One important example of why follow-up and enforcement are so crucial is when a woman is raped. When she reports to one of the country's Women and Child Protection Units that she has been raped, the woman is supposed to be examined and screened for the administration of Post Exposure Prophylaxis (PEP), which reduces the chances of HIV infection if the woman was exposed. Moreover, treatment should also be given to prevent pregnancy and sexually transmitted infections. The examination would reveal the woman's eligibility for this life-saving treatment within the prescribed requirements. The first requirement for PEP is that it is started as soon as possible after that the rape has occurred, preferably within hours. When more than 72 hours have passed since the rape occurred, PEP is no longer effective and, therefore, will no longer be given. The woman must also receive counseling and testing for HIV. Obviously, if she is already HIV-positive, PEP will not work and the treatment will be stopped as soon as test results are available.

The reality, however, is that the Namibian public generally does not know about PEP, and hence are likely to miss the 72-hour "window of opportunity" in reporting the rape to a Woman and Child Protection Unit. If a rape victim comes in too late, PEP can no longer be administered because the HIV virus, if present, will have already invaded the woman's cells. Moreover, it is the doctor's prerogative whether or not to offer PEP and for various reasons, treatment is not always offered. An additional barrier to accessing PEP is that women who report a rape must first get a police statement in order to qualify for the treatment. Obtaining a police statement can be very time-consuming and problematic (especially within the narrow 72-hour window), particularly if the woman lives in a rural area and has to travel long distances. So, while the policy and the intentions are good, significant problems remain with the implementation.⁷

Recommendations

In a speech given in April 2005, Stephen Lewis, UN Special Envoy for HIV/AIDS in Africa, made some provocative comments about the impact of HIV on women. He said:

“Let me be clear: what we have here is the most ferocious assault ever made by a communicable disease on women’s health, and there is just no concerted coalition of forces to go to the barricades on women’s behalf ... This must become a movement for social change. ... We’re looking towards the day when governments are finally made to understand that women constitute half of everything that affects humankind, and must therefore be engaged in absolutely everything. Why would it not be possible to build a movement, committed to the rights of women, in the first instance amongst nursing and medical faculties across the world, and take the world by storm? You have resources, knowledge and influence available to no others. The terrible problem is that you’ve never marshalled your collective capacities.”

With the background provided by the research presented thus far, and in the spirit of Stephen Lewis’ sentiment, the following actions are urged:

1. *Break the silence, get past the noise*

Overall, Namibia has good laws and policies. Too often, however, they exist only on paper. Even though the Namibian Constitution says that women are equal to men, in actual practice most Namibians do not believe it – and do not act it either. When will Namibians start “walking the talk” in terms of women’s equality? If people do not know their rights and/or their rights are not enforced, they are meaningless. And as long as women are afraid to exercise their rights, whether for fear of being ostracised by family and friends or because the legal system covertly “punishes” them by making it difficult to press charges, women will remain vulnerable.

It is imperative that the laws and policies which are on the books be enforced, and done so in a fair and sensitive manner that is not prejudiced against women. This includes zero tolerance of all violence against women and girls within the family, community and society. It also necessitates strengthening the Woman and Child Protection Units, providing police protection and safe places for women to seek shelter, and ensuring the availability of PEP for victims of rape.

2. Keep good cultural practices, change the bad ones

Traditional leaders are in a strong position to help bring about change. Cultural practices and beliefs that discriminate against women and cause them to be vulnerable to HIV can – and should – be changed. Culture is not stagnant; it has changed and continues to do so. Therefore, high-level workshops with traditional, religious and political leaders, especially at the local and regional level, can be held to reinforce the best in local culture, as well as to identify and promote changes to those cultural practices and beliefs that currently discriminate against women.

Meaningful prevention programming for women requires a new strategy, one that has at its heart the concept of empowerment by creating programmes that help women gain control over their economic, social and sexual lives. For HIV prevention, empowerment can take the forms of economic opportunities to lessen women's dependence, while seeking social and political advancement to give women self-determination.

3. Give women HIV prevention methods they can control

It is imperative that adolescent girls and women have the knowledge and means to prevent HIV infection. Women must have a stronger voice in terms of deciding when, where and with whom they want to engage in sex, which will require more training in communication skills and more respect from partners that “no” means “NO”, as well as improved barrier methods that protect against HIV and other sexually transmitted infections. Female condoms (Femidoms) offer one option, and while not ideal, they should be more widely available. Globally, research is currently underway to develop a new category of prophylactics called microbicides that would offer better protection against many STIs, including HIV. Unfortunately, the research is proceeding too slowly for the millions of women who are dying needlessly each year.

4. Integrate gender awareness but also give gender issues special attention

Gender mainstreaming is based on the recognition that the organisations implementing policies and programmes in response to HIV, and the communities where these programmes and policies are being implemented are themselves gender-affected structures. The ways in which power and resources are shared between men and women in a community are implicitly or explicitly prescribed by the gender structure of the community and its organisations. For example, much of the work that women do within the home – farming the land, caring for other family members and keeping

up the home – is unpaid and therefore less valued by others than the work that men generally do outside the home. HIV programmes and AIDS service organisations are affected by the same social, cultural, political and economic context as everyone else in the society. Consequently, although women may be most affected by HIV, they are not the key decision-makers at community, regional, or national level in terms of HIV-related policies, programmes, or activities (SAT 2001).

Stephen Lewis (2005: 126) stated, “Once you’ve mainstreamed gender, it’s everybody’s business and nobody’s business. Everyone’s accountable and no one’s accountable. Gender mainstreaming might work if we had what the sports and financial enthusiasts call a ‘level playing field’; that is to say, if there were real equity and equality between women and men. Then gender mainstreaming becomes a way of maintaining that equality. But when you start from such gross inequality, mainstreaming simply entrenches the disparities. Hence the need for a totally separate vehicle until that hallowed day ... when equality is achieved.”

Gender mainstreaming is indeed necessary, and can serve to encourage parity in organisational leadership, planning and policy development. At the same time, however, it can be contraindicated when conditions are such that mainstreaming would be counterproductive to progress in the fight against HIV.

5. Look inward

Ultimately, one cannot change others, and can only work to change oneself. Each person must start where he or she has the opportunity: in one’s own life and one’s personal relationships – with self and partners, children and friends. It is easy to think, “But I am just a drop in the bucket.” Yet in a desert country like Namibia, people know well how valuable each drop is and understand that when the drops are added together, this land becomes productive and beautiful, giving everyone hope for tomorrow.

A final message

The face of HIV is a woman, because disproportionately women are infected and affected by the HIV/AIDS pandemic. But each of us – women and men alike – have the power to change this. We can reduce the spread of HIV through our own behaviours and our education of others; we can promote access to Anti-Retroviral Treatment in order to prolong life and maintain family support; and we can share in our care of the sick and of orphans, thus, ensuring a stronger, fairer and more resilient Namibian future.

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ENDNOTES

- ¹ For the purpose of clarity, the authors have chosen to use the term HIV to refer to the entire continuum of the HIV and AIDS disease (ie the presence of the Human Immunodeficiency Virus or HIV through to the advanced stages of disease known as AIDS – Acquired Immune Deficiency Syndrome).
- ² In Namibia, women receiving Prevention of Mother-to-Child Transmission (PMTCT) treatment are given a single dose of nevirapine when going into labour. The newborn child is given a dose of liquid nevirapine within 72 hours of birth, and a second dose one week after birth. (Republic of Namibia, Ministry of Health and Social Services 2004).
- ³ Republic of Namibia, Ministry of Health and Social Services, Report of the 2004 National HIV Sentinel Survey.
- ⁴ Internationally, statistics for HIV prevalence generally refer to adults between the ages of 15 to 49. This is not meant to imply that people over age 49 are not sexually active; rather, this age range is used for adults in order for comparison of infection rates between countries to be possible.
- ⁵ Dry sex is a sexual practice that involves penetrative vaginal sex in which the woman has a dry vagina. Sometimes herbs or toothpaste are used to increase the dryness. This increased friction which is preferred by some men, increases the risks of sexually transmitted infections, including HIV (WHO 2005).
- ⁶ These Namibian organisations are: The Namibian Red Cross Society, Catholic AIDS Action, ELCIN (Evangelical Lutheran Church in Namibia) AIDS Action, TKMOAMS (Tate Kalungu Mweneka Omukithi wo “AIDS” Moshilongo Shetu), ELCAP (Evangelical Lutheran Church in the Republic in Namibia AIDS Programme) and AFM AIDS (Apostolic Faith Mission) Action.
- ⁷ From conversations Lucy Steinitz had with key administrators and advocates who are knowledgeable about PEP the programme in Namibia.

Chapter 14

HIV/AIDS, Gender and Sexuality: Socio-Cultural Impediments to Women's Sexual and Reproductive Autonomy

Lucy Edwards

Introduction

More than 11 years have passed since the Cairo International Conference on Population and Development (ICPD) recognised that women's reproductive health is inextricably linked to gender equality and women's empowerment. Today, we are still confronted with startling statistics that illustrate women's continued subordination. Statistics on rape, gender-based violence and the feminisation of HIV/AIDS pose serious questions about how we move beyond the rhetoric of empowerment so that woman can actually make free and autonomous choices about their own fertility and sexuality.

The agency versus structure debate in the social sciences underlies the different accounts of gender and sexuality in Namibia. In the debate on HIV/AIDS, the role of the subject is central to how we understand women's vulnerability to HIV/AIDS infection. The feminisation of HIV/AIDS raises questions about the extent to which individual human subjects are able to exercise autonomous choice over their sexuality and fertility.

The socio-cultural construction of sexuality in Namibia remains relatively unexplored. Despite the linkages between HIV/AIDS and existing sexual cultures, there is a reluctance to deal with the social and cultural dimensions of human sexuality. Our research strongly suggests that the role of individual

human agency that has come to the foreground of social analysis may be somewhat overstated. Despite high levels of knowledge about modes of HIV/AIDS transmission and prevention, many poor women lack control over their own sexuality because economic dependency, sexual violence, and patriarchal sexual ideologies and practices diminish their ability to express their own sexual preferences and desires. This includes the right to say no to sex, to decide when they want sex, with whom they want sex, the size of the sexual networks they are part of and the right to insist on protected sex.

To counter Afro-pessimism, various representations of gender in Namibia links women's oppression to the colonial legacy. There is a silence about the trajectory of female oppression and economic dependency that have their roots in pre-colonial African patriarchy. Colonialism exacerbated this dependency. In both pre-colonial and colonial societies women's bodies provided the source of wealth accumulation. In many pre-colonial Namibian societies women provided the main source of agricultural and domestic labour. Women were responsible for household food production and their fertility produced future generations of labour. In colonial society women's labour in the subsistence economy subsidised cheap male migrant labour to the market economy. Control over the female body, therefore, meant control over a primary source of wealth creation.

The individual's right to make choices about his/her own body should be part and parcel of a free and democratic society in which the individual's personal liberties and dignity are respected. These rights include (Mustapha 2000: 113):

- To decide freely and responsibly on all aspects of one's sexuality, including the right to choose one's sexual orientation, when to have sex and whom to have it with.
- The protection and promotion of sexual reproductive health.
- To exercise sexuality free from discrimination and coercion.
- To expect and demand equality, full consent and mutual respect.

In Namibia many women cannot exercise these rights because sexuality and fertility are not simply matters of rational individual free choice but are embedded in a complex set of social, economic and cultural relationships. Our findings confirm the findings of other studies done in Namibia and elsewhere; what happens to women bodies is often an outcome of unequal relations of power (Saunders 2002).

HIV/AIDS has become a metaphor for such inequalities. Widespread sexual violence such as rape diminishes women's control over their sexuality and places them at extreme risk of HIV infection. However there are also

other insidious forms of control over women's bodies that stem from women's economic dependency and the socio-cultural regulation of their sexuality and fertility. Male control over women's bodies is legitimised by culture and tradition. Women often do not contest these forms of control because they are dependent, fear being ostracised or labelled un-African.

Background

From the outset we wanted to ascertain the links between increased female urban migration and risky survival strategies that increase women's susceptibility to HIV infection. Since Namibia's independence there has been a substantial increase in rural-urban migration which currently stands at 4 percent (Republic of Namibia 2003). Most rural migrants who flock to the urban centres come from the populous northern regions of the country. They come as a result of a number of push and pull factors. Core factors in migration are economic displacement and the desirability of urban lifestyles. The majority come to the urban centres in search of employment or educational opportunities. They often first move into informal settlements on the outskirts of the cities and towns that act as reception centres for new migrants.

Since independence there has been an increase in female migration (Frayne and Pendleton 2003). This was facilitated by the abolition of colonial restrictions on black women's mobility (Winterveldt 2002). Although men still form the dominant category of migrants (55 percent), females are also migrating in large numbers (45 percent) (Frayne and Pendleton 2003). Given the fact that women are economically marginalised and that most of women's labour is unpaid or underpaid, there is a need to explore female migrants' survival strategies and its implications for the spread of HIV/AIDS. We hypothesised that female migrants engage in risky survival strategies that contribute towards the spread of HIV/AIDS.

Methodology

This paper is primarily based on a study of HIV/AIDS and gender that was conducted by !Nara Training Centre in 2004. Additional information was obtained from an oral history project on traditional forms of marriage that is currently being conducted together with UNAM students.

Our research methods included fieldwork and desk study. The desk study was used to survey the relevant documents. The literature helped define the research questions, determine the scope and design the study. Fieldwork conducted to test the hypothesis was carried out in some of the informal

settlements of Windhoek. We applied both qualitative and quantitative data collection techniques.

A total of 17 researchers collected the quantitative data by using a survey questionnaire. The baseline survey was carried out to gather information on the target population's knowledge, attitudes and sexual behaviour. The baseline survey also provided demographic and socio-economic data which permitted correlations between sexual attitudes, behaviour and socio-cultural circumstances. A total of 712 interviews were conducted in four different informal settlements around Windhoek.

We also used qualitative research methods to gain depth and to further explore sensitive issues. The methods employed were focus group discussions (FGD), key informant interviews (KII), mobility mapping, and income and expenditure matrices. During focus group discussions men and women were separated because experience has shown that in mixed groups men tend to dominate. Male interviewers conducted the key informant interviews and focus group discussions with men, while female interviewers conducted them with women. Despite the separation of the sexes women still displayed reluctance to discuss sexual matters.

Limitations of the study

There were methodological and conceptual limitations to our study that may be worth mentioning for the sake of future research. Firstly, because the research population came from different ethnic, cultural and language groups, some concepts may have been differentially understood. Secondly, while elements of traditional patriarchal sexual cultures are still widespread in Namibia, Christian morality and its sexual norms are also present. The extent to which one or the other dominates consciousness is difficult to ascertain since we could not explore the complex relationship between sexual cultures, individual consciousness and individual sexual behaviour. Thirdly, the notion of being married can be extremely relative and situational. The concept of marriage is often loosely applied based on a continuum that ranges from formal marriage to temporary and intermittent cohabitation. One researcher reported one case in the field where the woman insisted that the man was her husband, while he denied this. The boundary between stable union and casual sexual relations may therefore be quite fluid and differently understood even by people who are part of the same sexual union.

Marriage is not always a very formal ceremony. In some cultures, people will be regarded as married once the man and the woman's parents have agreed that they could marry in the future. In other cultures, young women historically went through collective initiation ceremonies that legitimate

sexual activity and childbearing without being married to a particular man because the initiation ceremony was considered a collective marriage without husbands (Becker 1995: 71).

Another dilemma revolved around the use of the term boyfriend, which may be used to denote both romantic affiliations between unmarried couples as well as transactional relations where sex is exchanged for gifts or money. At times it is difficult to distinguish between the two.

Lastly, we dealt with many different language groups and in some instances, people could not be interviewed in their home language. Interviews were then conducted in another language, such as English or Afrikaans. The responses were then translated into English for analysis. Although there was no evidence that the process distorted the data, it remains a possibility.

Findings

From the literature and the empirical evidence the factors that contribute towards the spread HIV can be summarised as follows:

TABLE 1: Factors that contribute towards the spread of HIV/AIDS

Biological factors	Personal factors	Structural factors
HIV/AIDS is primarily spread through heterosexual intercourse.	Lack of condom use	Poverty increases the incidence of transactional sex and multi-partner sexual relationships as a survival strategy.
The second most common form of HIV/AIDS transmission is Mother-to-Child Transmission (MTCT) during childbirth.	Inconsistent condom use	Migration/mobility increases the incidence of casual and transactional sex. It also increases the size of sexual networks.
HIV-1C spreads rapidly through heterosexual populations, causes bigger epidemics and mutates faster.	Multi-partner and concurrent-partner sexual relationships	Gender inequality places women in a vulnerable position since they are less able to negotiate safe sex. It also increases the incidence of sexual coercion and violence against women.
Poor nutrition increases susceptibility to infection, it also raises the viral loads that increases infectiousness.	Alcohol abuse resulting in risky sexual behaviour	Cultural practices like polygamy, wife-lending and wife inheritance increase the possibility of HIV exposure.
Co-infection: People who have contracted other STIs are more susceptible to HIV infection.	Individual fertility goals	
Vaginal trauma caused by male preference for dry sex increases the risk of infection. ¹	Stability of the sexual union	
Due to greater vaginal surface women have twice the possibility of HIV infection than men.	Balance of power in sexual relationships	
There is a greater concentration of HIV in penile seminal fluids than in vaginal secretions; this increases women's risk of infection.	Individual assertiveness	
	Negotiation skills	

Source: Adapted from Jackson 2002:85-86.

The relationship between knowledge, awareness and sexual behaviour

Results from our first study are consistent with findings elsewhere and indicate that HIV/AIDS awareness is very high where the incidence of HIV infection is high (United Nations Secretariat 2002). In our study 99 percent of respondents had heard of HIV/AIDS (Edwards 2004). There were gender differences in how women and men assessed their knowledge about HIV/AIDS. Women consistently reported less knowledge about HIV/AIDS than men. Forty-three percent of all respondents said that they knew someone living with HIV/AIDS. Even more people (71 percent) knew of someone who had died of HIV/AIDS.

Respondents were very aware of how one could protect oneself against HIV/AIDS infection. Ninety one percent agreed that using a condom could prevent HIV infection. When asked what preventative measures they would recommend, 64 percent recommended the use of condoms. Twenty percent recommended sexual fidelity and 13 recommended abstinence. Only seven percent said that they did not know what to do. People were also very aware of other forms of transmission and prevention such as avoiding contact with contaminated blood and other body fluids.

One of our key research questions was why, despite high levels of knowledge and awareness, people engaged in risky sexual practices. There are indications from the survey results that people are responding to the safe sex messages but not in sufficient numbers to stop and reverse the spread of HIV. Both focus group participants and key informants were of the opinion that people do not use knowledge to change behaviour. Some informants suggest that traditional beliefs make it impossible to take the information seriously because ABC (Abstinence, Be faithful and use Condoms) messages clashed with traditional sexual cultures. We will explore some of these aspects later. Other informants argued that people were careless and fatalistic and, therefore, believed that if they were to die of AIDS it would be their fate as it is preordained. Some informants complained that people did not internalise the information to change behaviour. Personal lifestyle factors also influence sexual behaviour, ie widespread alcohol abuse results in carelessness when it comes to safe sex. In addition, it was suggested that some people still believed that AIDS came about as a result of witchcraft and prostitution or that some people simply do not understand the prevention campaign messages.

Our results show that there is not an automatic link between awareness, knowledge and sexual behaviour. There is a general view that campaign messages are largely ignored because they are unrealistic. Of the ABC messages, condom use is the most preferred prevention technique. Despite this, condom use is inconsistent and mainly subject to male preference.²

One key informant captured this disjuncture between awareness and the lack of prevention measures as follows:

“Usually people tend to fear when they suspect they have been infected when they lose weight or when their partner is sick or has died. However, I fail to understand why people never fear contracting HIV during sex.” (male key informant from Greenwell Matongo)

Abstinence as a choice

ABC prevention campaigns forge a link between sex and marital monogamy. However, our data revealed that this reflects the experience of the minority of Namibians. Seventy eight percent of respondents in our study reported that they were sexually active. The gender disaggregated data show that 80 percent of all men and 74 percent of all women were sexually active while only 13 percent were married.

There are complex socio-cultural factors related to abstinence. Culturally abstinence is regarded as unnatural. Since sexuality is also central to gender identities, there is pressure, particularly on men, to prove manhood through sexual activity.

Abstinence is also difficult for women inside and outside stable unions because many rely on male patronage for survival. Female dependency on male patronage was a recurring theme and often the primary reason cited for the lack of women’s sexual autonomy. This dependency was confirmed when we investigated the source of female livelihoods compared to that of men. The top three sources of income for women were petty informal market trading, transfers from husbands/boyfriends or other relatives as well as other remittances.

Since there are greater income differentials between men and women and because men have more access to the labour market opportunities, men tend to be less dependent on others for their survival.³ For men, the most important sources of income reported were self-employment (mainly as handymen and work as artisans), wages from casual employment and remittances. Focus group discussions revealed that men generally had more market related skills from which they could derive an income.

The irony is perhaps that although most people migrated to the city in search of employment, only 3 percent of the research population could secure fulltime paid employment. The rest survived on informal sector trading, casual employment or remittances. Despite the fact that most people in the research population were poor, there were still gender differentials, women were poorer and more dependent than men.

A focus group discussion comprising seven women was conducted. Participants were given 50 stones each representing their total income and 50 representing their total expenditure. They divided these stones according to their income and expenditure. The following emerged as sources of income.

TABLE 2: Sources of income

Sources of income	How informants rated their source of income						
	No. 1	No. 2	No. 3	No. 4	No. 5	No. 6	No. 7
Selling "Kapana" (roasted meat)	3	3	6	15	5	0	4
Selling products	6	2	6	2	5	18	0
Sewing	1	2	3	0	5	0	10
Selling drinks (<i>oshikundu</i>) and fruits	4	12	7	7	5	10	16
Selling liquor	9	10	5	7	0	5	9
Selling dried spinach from the northern part of Namibia	1	9	6	2	0	7	0
Selling candles, wood and paraffin	6	8	11	0	15	0	0
Teaching literacy classes	5	0	0	0	0	0	0
Kindergarten	3	0	0	0	0	0	0
Support from boyfriends	11	4	4	17	15	10	10
Support from other sexual partners	1	0	2	0	0	0	1

Despite the fact that some women are self-employed and are engaged in income generating activities, they still rely on male remittances. This economic dependency is a key factor in women's ability to make autonomous decisions about their sexuality and whether they can abstain from sex or not. With few opportunities to gain income many poor women can only trade sex for survival and the trade-off is often to defer immediate suffering as a result of hunger for future suffering as a result of HIV and AIDS. This choice may appear to be very rational to those whose immediate survival is under threat. As many informants maintained, that prevention campaign messages of abstinence hold little value to women who are impoverished and have no independent livelihoods.

Being faithful and polygamous sexual cultures

Our findings show that there are different understandings of the concept of faithfulness and that it does not necessarily mean monogamy. There is, therefore, not a homogenous notion of faithfulness that applies to all groups

in the same way. People enter into different types of sexual relationships and the Christian monogamous marriage is not the only or even the most common form of sexual union.

Only through Christianisation did monogamy present itself as a sexual norm. Historically polygamous marriage was the most desirable form of marriage in most Namibian cultures and even where people converted to Christianity they continued to practice polygamy.

Amongst our research population male initiated multi-partner sexual relations were justified as “the ways of the forefathers” by many different respondents. The polygamous marriage historically had social prestige and provided men with the legitimacy to control the labour and fertility of women.

“A wealthy man was identified as a man with many wives. The competition in the tribe was economic; husbands used their wives as productivity units.” (Shipeta 2005).

In the oral history project one key informant summed up cultural tolerance of polygamous sex as follows:

“Cheating outside the home is not regarded as a problem as long as he comes home, but to bring the girlfriend home was not allowed in Herero culture. Sometimes the first wife may not like the other women her husband has married, she allowed him to marry because of Herero customary law.” (Kuundje 2005).

Another man said, “A man is regarded as a bull and a bull is not limited to one cow” (Kahimise 2005).

Key informant interviews and focus group discussions in our main study provided some explanations for why people engage in multiple partner sexual relations despite the risks involved. The patriarchal nature of Namibian society results in different sexual norms for men and women. Some people therefore regard faithfulness as only applicable to women and not men. Becker (1995: 72) argues that historically in Ovambo, Herero and Nama cultures women were expected to be faithful to their husbands and polygyny institutionalised male promiscuity. Adultery was therefore only an offence committed by one man against another. During interviews many respondents invoked the authoritative force of tradition to justify current patriarchal sexual cultures and male initiated concurrent multi-partner sexual relationships.

Women’s acceptance of male promiscuity was often accounted for in terms of their own socialisation, their acceptance of tradition, their economic dependence on men, and their fear of physical violence (even femicide). Informants were generally of the opinion that women would stick to one

partner, except those who abused alcohol or are forced into transactional sex to secure survival. In addition migration (as discussed below) plays an important role in multi-partner sexual relationships. Non-monogamous sex increases the size of sexual networks and the rate of change in sexual partners. Both fuel the spread of HIV. This partly explains the feminisation of HIV/AIDS and why married women in the SADC region are six times more at risk of contracting HIV/AIDS than single women (Tibinyane 2003).

Male migration

Although male migrants arrive in Windhoek alone, they often leave behind female partners in the rural areas. As illustrated in the male migration biographies, they often enter into new sexual relationships with other partners in the areas they migrate to. This increases the possibility of males becoming infected, but also the possibility of them infecting the female partners they have left behind in rural areas.

Male migration stories⁴

Participant 1 is 24 and comes from Oshekasheka village in Oshana region. He came to Windhoek with his parents in the year 2000, to look for further study opportunities or alternatively, to find a job. They live in Okuryangava, and he is unemployed but his parents are both employed in Windhoek. They have water, electricity and a flushing toilet. He felt that the life in Windhoek was good and in 2001, he took a course at Rössing Foundation. He has one girlfriend in Owamboland, and another new one in Windhoek, but is not cohabiting. He has one child with his girlfriend in Owamboland who lives with her mother, and they always see each other when he goes there on vacation.

Participant 2 is 26 and came from likokola village in Omusati region. He came to Windhoek in 2002 looking for a job and opportunities to further his education. He came alone and stayed with his aunt in Kilimanjaro in Katutura. They have communal water and toilet but no electricity. He completed his grade 12 at TUCSIN in 2002. He is unemployed and his girlfriend is up north, in likokola village. He sees his girlfriend when he visits the north. He feels that the living conditions in Windhoek are good although he is unemployed.

Participant 3 is 47 and comes from Onamukulo village in Ohangwena region. He first came to the south of the Cordon Fence in 1976 and worked in Grootfontein and Tsumeb. In 1985 his nephew invited him to start working in Windhoek. He came to Grysblok, leaving his girlfriend up north. His living conditions were good. He was working and had a good relationship with the house owner. The house had running water, electricity and a flush toilet. But in 1989 when the house owner's girlfriend moved in, things changed and he had to move to Oshandumbala. The housing conditions were the same as before, with basic municipal services available. During this time, he had six children with six different girlfriends in the north. The "permanent" girlfriend used to visit him during holidays. Again the relationship with the house owner got ugly and he had to move to Okuryangava in 1993. In Okuryangava, they had water and a toilet shared by the whole community and no electricity. He married a woman from Owamboland. His wife visits him regularly, and he also makes frequent visits to her. He is still employed and has 20 children (17 before marriage) from 19 mothers. His wife is still up north. Some of his children's mothers live in Windhoek.

Participant 4 is 28 and was born in Okahandja in Otjozondjupa region. He moved to Windhoek alone in 1999 in search of employment. He stayed with an uncle in Babylon and visited Okahandja regularly. He is currently self-employed as a plumber. He lives with a girlfriend and has another in Okahandja whom he visits about three times a month. He has one child with each partner. His girlfriend in Windhoek lives with him in Rykman's Dorp. He feels that the conditions in Windhoek are not really that good because they have no electricity or water, toilets are shared, and he does not secure work often.

Female migration

Women often enter into serial monogamous or concurrent multi-partner sexual relations to retain male patronage because of dependency on male incomes. Individual female migration biographies show that after the loss of a partner through divorce, desertion, or death, women find other male partners. The picture becomes more daunting if we consider the possibility that some of those partners could have died of HIV related causes.

Female migration stories⁵

Participant 1 came from Odimbwa to Windhoek in 1986. This was during the war and she was sought by the South Africans. She was forced to separate from her husband because he was a collaborator. She lived in an Ovambo location and in 1988 moved to Shandumbala to share a rented room with her boyfriend. She also got a job. In 1989 she separated from her boyfriend and moved to Greenwell Matongo with her eight children. She is very happy with her current living conditions and feels very proud because she owns her own property. She is currently single because her live-in boyfriend was married and she is tired of dating married men.

Participant 2 came from Ohalushu and joined her husband with her child in Windhoek in 1989. Her husband lived in Okuryangava, but he passed away in 1997. She was forced to move to Greenwell Matongo in 1998 because she could not afford to pay for the house. She is unemployed with four children but she is involved in a small business. She makes use of communal facilities such as water and toilets by contributing a certain amount monthly.

Participant 3 came from Oshikuku to Windhoek in 1997. She visited her brother who rented a room in Wanaheda. She later moved with him to Greenwell Matongo. In 2000 she got a job and moved in with her boyfriend who passed away in 2001. She works at an HIV/AIDS caring organisation. She is happy with her living conditions.

Participant 4 is 34 and was born in Ohangwena region. Her brother invited her to Windhoek in 1996 after realising that she did not have a source of income and was just cultivating the fields. She got a job in a bar but soon resigned, as the owner did not pay her. She got a boyfriend and moved in with him. She currently sells alcohol in her boyfriend's shebeen and works casually for a literacy program. They have water and toilet facilities shared among the community.

Participant 5 is 29, from Omusati region and came to Windhoek in 1999. She came to her boyfriend's place as she did not like the living conditions in her village in Omusati. There she had no access to clean water, no proper sanitation and the health facility was some distance away. She sells alcohol in a shebeen belonging to her boyfriend. She expressed the opinion that more young women than men are migrating to Windhoek for new means of survival.

Safe sex: Condom use

Of all the prescriptions in the ABC rule, condom use is the one most practiced by the research population. Condoms are accessible and acceptable but condom use is still inconsistent and dependent upon male preference. It places women at a disadvantaged position in protecting themselves. Men have greater control over condom use because of the availability of the male condom. This explains why men in different types of relationships consistently reported higher condom use than women. In casual relationships or relationships with non-permanent partners 90 percent of male and 55 percent of female respondents reported condom use with casual partners, while 93 percent of males and 52 percent of females reported condom use with other partners.

Informants in our key interviews constantly referred to the gendered nature of condom use. They reported a male preference for “skin on skin”. In addition female dependency and intimate partner violence severely curtail women’s ability to assert their preference for condoms or to negotiate safe sex. Thus far HIV/AIDS prevention campaigns have resulted in the free or cheap distribution of primarily male condoms. This gives men more control over their use.

Within relationships there is a stability continuum that influences condom use. The more permanent the relationship, the lower the level of condom use, and conversely, the more casual the relationship, the greater the probability of condom use. Condom use is also regarded as a matter of trust. If people insist on condom use in stable or long-term relationships it could be construed as a lack of trust.

Our study also revealed some areas of ignorance with regard to condom use. Some informants reported that people regarded condoms with suspicion and see them as a European ploy to curb African population growth. Others had concerns about the safety of condoms as they suspected that their lubricants could cause damage to the reproductive system. Some people, especially women, believed that if men ejaculate outside the vagina they will not need condoms because they cannot be infected by the seminal fluids.

There are high-risk groups with little bargaining power to negotiate condom use. These include women in stable unions where polygamy and other forms of non-monogamous sex are practiced as well as women who enter into transactional sexual relations or who use sex as means of securing a livelihood. The challenge lies in providing women with safe sex options they can control such as the female condom or other female-initiated prevention methods like microbicides.⁶

Seventy-five percent of all men and 91 percent of all women agreed that a woman could refuse to have sex with her husband if he does not wear a

condom. This suggests the recognition of married women's sexual autonomy and therefore their right to have sex when they choose. The paradox however comes through when the wife's right to choose is juxtaposed against the husband's rights to demand unprotected sex from their wives. Seventy four percent of all men and 43 percent of all women thought that a man had a right to have sexual intercourse with his wife without a condom.

Culture of violence, fear and silence

There is a culture of silence about sexuality in Namibia. Despite the fact that sexual intercourse is the main mode of HIV transmission, people still seem unable to discuss sex at public and inter-personal levels. Through key informant interviews and focus group discussions, we probed power within relationships, sexuality and HIV/AIDS. The results showed the dominance of patriarchy in shaping individual sexuality. Because men are regarded as the heads of households and due to women's economic dependency, women felt that they cannot discuss sexual matters openly and freely. They feared violence from sexual partners if they were to attempt to discuss or assert their sexual and reproductive preferences. Violence creates fear and silence.

Women are often not aware of their sexual and reproductive rights. Without this knowledge and a voice, women cannot begin to assert such rights. In Oshikwanyama women's expected silence is summed up in the saying *Oxuxwa yo ghadi iha ilili* (a hen does not crow), meaning it is the man, the cock, who crows or who determines the nature of the sexual encounter (Nakale 2005). In Herero culture it is forbidden for a woman to place her hands on her hips. This will be interpreted as a woman's desire to take the lead sexually. A girl or woman who does this will be severely reprimanded by her parents and siblings for such suggestive body language.

HIV/AIDS and fertility goals

Fertility desires play a role in the lack of condom use. Men and women may have unprotected sex because of their desire to bear children since fatherhood and motherhood are so closely linked to socially constructed gender identities. As a result of the stigma surrounding HIV positive status, some women may choose to fall pregnant to show good health and to avoid abandonment as a result of their HIV positive status.

Some key informants felt that fertility decisions and the use of contraceptives should be the woman's choice. Others felt that it should be a decision for both partners to be made on the basis of equality. We were interested in finding out why women choose to become pregnant despite the risk of HIV infection and mother-to child transmission. It emerged that sex, marriage

and procreation are seen as a package deal that belong together. Children often form the basis for male cash transfers to females. Women who do not produce children are “just eating the man’s money”. Informants, therefore, argued that some women may fall pregnant to ensure male cash transfers as a means of income.

Informants also thought that women engage in unprotected sex to show loyalty. It was reported that some women are still too shy to procure and use contraception despite being sexually active. Some women rejected contraceptives because they feared that they could harm their bodies. Other women reported using contraceptives secretly because their partners would not agree to contraceptive use.

Cultural pressure may also influence fertility decisions. In some cultures bridewealth (*lobola*) historically had to be returned to the man’s family in cases of divorce or infertility. In some instances infertility provided sufficient grounds for a man to divorce his wife (Kuundje 2005). This places additional pressure on women in customary marriages to remain married and also to prove fertility, since divorce or infertility may have negative consequences for her family who would have to return the bridewealth. In the past, in cases of infertility the woman’s family had to provide an additional daughter (often the woman’s younger sister or cousin) to compensate the man in order to avoid the repayment of bridewealth (Kahimise 2005).

Gender, HIV/AIDS testing and notification

One of the key reasons why people continue to spread HIV/AIDS is because many are not aware of their HIV positive status. Testing therefore becomes an important part of any prevention strategy. Our research revealed that women are more willing to go for voluntary testing than men. Thirty seven percent of all respondents reported that they had gone for HIV/AIDS tests, of which only 51 percent returned to receive the test results. Sixty three percent never had a test. A total of 61 percent (52 percent of men and 71 percent of women) who went for tests and received the results said that they altered their sexual behaviour after they received their test results.

Conclusions

There is not an automatic or linear link between awareness and behaviour modification. From the outset we wanted to ascertain the links between increased female migration and risky survival strategies that increase women’s vulnerability to HIV. In the process of the research, we discovered

that female migrants are, in fact, vulnerable because of patriarchal sexual cultures combined with their economic dependency on men. Despite relatively high levels of knowledge and awareness of HIV/AIDS prevention and transmission, women are often unable to assert their own sexual and reproductive choices because of complex socio-cultural factors. There are also other high-risk groups such as women in stable or permanent sexual unions where polygynous sexual cultures are common.

The research findings point to multiple intersections between HIV/AIDS, gender and social class. Many women are also caught up in the oppressive grip of a patriarchy that shapes both the political economy and cultural norms in which sexuality is constructed.

Despite the centrality of gender relations to the spread of HIV/AIDS, patriarchy goes unchallenged. Even HIV/AIDS activists refer to it in muted tones, suggesting a culture of fear that prevents open and frank discussion. The research findings confirm how gender inequality and poverty interface at structural and personal levels to aid the spread of HIV infection. Therefore, prevention strategies should take account of the gendered nature of the HIV/AIDS pandemic. We have yet to address class and gender inequalities at a structural level.

The culture of silence about sexuality prevents women from expressing their own sexual preferences. At both public and inter-personal levels there is a silence about sexual and reproductive rights. There is a need to increase awareness about these rights. Without this awareness women cannot begin to assert such rights.

Redressing gender inequalities should be central to HIV/AIDS prevention policies. HIV/AIDS policies and programmes integrate the biological, personal and structural level determinants of HIV spread. This should include measures that can transform gender power differentials.

Recommendations

HIV/AIDS information and education should be differentiated to target different segments of the population, for example:

- Mobile populations
- Women in stable unions who are vulnerable due to male promiscuity
- People who engage in transactional sex
- Youth
- High income men who become sugar daddies
- Men and women in polygamous sexual unions

Campaigns should address myths and misconceptions, gender equality, sexual rights, reproductive rights, promote voluntary testing and counselling and address stigmatisation.

Address the structural determinants of HIV spread by giving women access to independent livelihoods. Some of the structural-level interventions should provide:

- Access and ownership of land through land reform programmes both in commercial and communal areas
- Access to credit
- Access to education and skills development opportunities
- Access to technology
- Improved labour market participation through job creation and the enforcement of anti-discriminatory legislation
- Recognition for women's non-market productive labour like household food production as well as unpaid reproductive functions like child-bearing, child-raising and unpaid domestic labour by introducing a basic income grant
- Intensified rural and urban livelihood programmes for economically displaced women
- School feeding schemes to reduce pressure on single mothers to engage in transactional sex in order to feed their children

Personal level:

- Educate men and women about individual sexual and reproductive rights
- Educate men and women about the legal instruments that protect women's sexual and reproductive rights
- Provide women with safe sex options they can control, eg the female condom or microbicides
- Address the relationship between alcohol abuse and guide young people into alternative lifestyles and leisure time activities
- Introduce life skills programmes that increase women's assertiveness and negotiation skills

Care and support:

- Cross-sectoral co-operation and integration in programmes
- Include local leadership in decision-making to break down mistrust of HIV/AIDS programmes and service providers
- Consult communities prior to programme development and implementation to increase relevance and acceptance
- Link care, support and treatment to prevention strategies

Bio-medical:

- Introduction of maternal nutrition programmes to reduce susceptibility
- Introduction of referral services on sexual and reproductive health
- Increase contraception coverage including widespread distribution of male and female condoms
- More support for research into microbicides
- Safe motherhood services, ie pre-natal, obstetric and postnatal care
- Availability of safe and affordable abortions on the basis of socio-economic grounds and HIV status
- Treatment of complications from abortions
- Affordable drugs including drugs for Prevention of Mother-to-Child Transmission, Post-Exposure Prophylaxis and Anti-Retroviral Therapy

Voluntary Testing and Counselling (VTC):

- Leaders should show the way by publicly endorsing and promoting VTC programmes
- Extend VTC programmes
- Review confidentiality policy to empower the sexual partners of HIV positive persons to protect their sexual health.

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ENDNOTES

¹ Where there is a male preference for dry sex women will insert agents like bark, herbs or detergents into their vaginas. This increases the possibility of trauma.

² The ABC message has been the crux of most prevention campaigns as it has reaped success in Uganda and it was thought that this success could be replicated elsewhere.

³ Our study showed a 61 percent unemployment rate amongst women in our research population compared to 39 percent for men. The female unemployment rate in our research population is also very high compared to the 34,5 percent unemployment rate in the general population according to the National Labour Force Survey of 1997-2000. The National Population Census of 2001 classifies 41,3 of the economically inactive population as homemakers. Out of this 70 percent are women. This gives an indication of the amount of women who depend on others for their livelihood.

⁴ Male migration stories were generated through focus group discussions using the mobility map exercise carried out in Babylon/Okahandja Park by Immanuel Iita and Jackson Ndapopiwa.

⁵ Anna Erastus and Rebecca Mwaetako conducted focus group discussions in Greenwell Matonga and Okahandja Park.

⁶ Little academic research has been conducted on the use of the female condom in Namibia. For more information see: Ministry of Women's Affairs and Child Welfare (MWACW), 2001. "The Female Condom: A Pilot Study Report on the Introduction, Acceptability and Use of the Female Condom in Namibia". Windhoek: MWACW (now Ministry of Gender Equality and Child Welfare).

Chapter 15

The Economics of Sex Work: Implications for Sex Workers' HIV Risk-taking and Legal Alternatives for Namibia¹

Debie LeBeau²

Introduction

Public discussions about sex workers often centre on the 'immoral' nature of sex work or other social problems thought to be associated with it, such as drug use and violence against women.³ The general public is concerned that the immorality of sex work is 'rubbing off' on them (or their children). Feminists argue that sex work involves human trafficking, violence against women and is degrading to women, while sex workers' advocacy groups argue that criminalising sex work is a violation of sex workers' human rights and that sex work is an employment option and should provide the same protections as any other job. The first two points of view concern moral issues, while the later centres on improving the lives of sex workers, without moral prejudice. In this chapter I will explore the legal and social situation of sex workers internationally (from The Netherlands and New Zealand to Namibia) and examine the four most common governmental approaches to sex work. New Zealand's law reforms will be used as an example as the best way to address issues surrounding sex work.

Data for Namibia from sex workers, their clients and stakeholders (such as health care workers and condom distributors) show that disempowered sex workers know that they should protect themselves from HIV, but their illegal and impoverished situation means that they often do not turn away clients who refuse to use condoms because they need the money. This research also finds that sex workers in specific areas (such as Walvis Bay) who earn enough money to live on, are more likely to successfully negotiate condom use with their clients. However, in poorer areas (such as Rundu and Katima Mulilo) factors such as too many sex workers (high competition), extreme poverty and no other income-generating activities mean that sex workers are not able to demand that clients use condoms, placing them and their clients at risk of contracting HIV.

This chapter concludes that decriminalisation of sex work in Namibia could help sex workers improve their social and economic status, giving them more control over condom use and, thus, lowering their exposure to HIV. Such recognition in Namibia could lower HIV infection rates while protecting sex workers from abuse and violence. In addition, programmes need to focus on self-help and peer education through sex workers' organisations. At the same time, mass media campaigns for the general public should provide accurate information to end discrimination against sex workers.

International background on sex work

Historically, religious ideals have condemned sex work as immoral, leading governments to make sex work a crime. However, making sex work illegal does not stop it. Regardless of the types of laws passed and the way society views sex work, sex workers continue to be found around the world. The only impact that laws and social disapproval have is to push sex workers underground, placing them on the fringe of other illegal or socially unacceptable activities (OSI 2006: 1). Some countries such as in the Netherlands and New Zealand have realised the negative impact that working illegally has on sex workers and have begun to relax regulations or decriminalise sex work. This has produced positive results for both the sex workers and the society that they live within.

In 2005, Namibia held public hearings to solicit the opinions of community members and leaders. Hearings are open forums at community meeting places where members of the public give their point of view on an issue. The hearings to discuss 'prostitution' were convened by the National Council Standing Committee on Gender, Youth and Information from 31 October to 31 November 2005. This standing committee was tasked with investigating a range of 'social evils' such as: bottle stores and bars, violence, abuse of drugs

and alcohol, sex abuse against children and women, sex workers, pimps/brothels and Satanism (NC 2005: 1). Some of the testimony included:

- A representative of the Resident's Association of Swakopmund said sex workers are aggressive, and harass, stalk and rob tourists, which she said has negatively affected the city. However, she did suggest legalising sex work so they could be controlled.
- A 'concerned citizen' who claimed that women become sex workers because they were abused or "did not heed parental guidance". This 'concerned citizen' also used the 'blame the victim' approach by saying that sex workers bring violence upon themselves when they take clients' money and do not perform the promised services.
- A representative of the Woman and Children Protection Unit (WCPU) was worried that unless there is a law to empower police to act against sex workers, sex work would "change the image of the cities of Namibia".

Although several presenters agreed with decriminalising sex work, only the LAC spoke to statistics and known facts about sex work in Namibia, rather than from a moral or emotional perspective. Several people with religious backgrounds argued from a religious perspective, while others worried about rising social problems and deteriorating morals in Namibia. As has been found in other countries, an analysis of the proceedings from Namibia shows that in general religious personnel argue against decriminalisation, while human rights activists argue for decriminalisation.

There are four basic legal approaches used by governments to address sex work: prohibition, abolition, regulation and decriminalisation (Jordan 2005: 78). Most countries have used a prohibitionist approach or have regulatory laws that are so strict that they end up prohibiting sex work (LAC 2002: 152). Although this chapter briefly reviews each of these legal approaches, it focuses on decriminalisation as a proposed best practice to protect the human, economic and social rights of people who work in the sex industry.

Prohibition

Prohibition punishes everyone involved in sex work, including people living off money from sex work (such as pimps and madams), sex workers and clients. Under prohibition all activities relating to sex work are considered socially and legally unacceptable (OSI 2006: 1). Countries with prohibitionist laws and statues include South Africa, Zambia, Thailand, Namibia, Canada and England (LAC 2002: xxvi). Demaere (2005: 14) argues that prohibitionist

policies simply drive sex work underground, where sex workers are exposed to harassment and exploitation, their rights are often not recognised, and they are unlikely to report crimes or be taken seriously by the police when they seek help.

In Namibia, through the Combating of Immoral Practices Act of 1980, sex for reward is not specifically criminalised, rather it is a crime for sex workers to solicit clients in a public place; to commit an immoral act in public; to entice a female to a brothel or to knowingly live from the earnings of sex work; and to 'procure' a female for the purpose of 'unlawful sexual intercourse'. The Act discriminates on the basis of sex because it specifically identifies 'females' as sex workers but makes little provision for offences by clients – who are male (LAC 2002: 63, 9). However, Article 10 (2) of the Namibian constitution commits Namibia to the elimination of all discriminatory practices based upon, among other things: sex, colour and race (Ipinge and LeBeau 2005: 7). The current Act also discriminates against people on the basis of their profession (sex work), although Article 21(1)(j) of the Namibian constitution states that all persons have the right to practice any profession, or carry on any occupation, trade or business. Thus, although it has yet to be argued before a court, the Act prohibiting sex work in Namibia may be unconstitutional on the basis of discrimination based on sex and occupation (LAC 2002: 209).

Abolition

A controversial legal approach to sex work is abolition, which punishes third parties (people living off money from sex work) such as pimps, madams and traffickers, as well as clients. Sex workers are not directly criminalised because they are considered 'victims' – in need of being saved. Sweden, through its abolitionist approach, attempts to combine a moral disapproval of sex work with sympathy for the 'plight' of sex workers (Ekberg 2004: 1188). This law was enacted together with other statutes (such as those addressing violence against women) as part of a drive towards greater gender equality.

This approach has created a new model for sex work legislation, but it has not succeeded in stopping sex workers from practicing their profession. The first studies on the impact of this approach show that it has changed little in the sex industry (LAC 2002: 172). The law primarily affects street workers who previously operated openly, driving them underground, with street sex workers now using cell phones and the internet to contact clients. Conversely, the Swedish government alleges that this approach will encourage collaboration between the police and social services, resulting in more sensitive treatment of sex workers and greater reporting of crimes against them (LAC 2002: 173). However, research shows that it has had the opposite

effect, causing sex workers to fear the police and social services, thus reducing the likelihood of them reporting crimes or seeking help such as health care. In addition, this policy reinforces negative stereotypes of women as victims (weak and in need of rescue) rather than people who are practicing a chosen profession.

Regulation

Regulation is supposed to be a position of tolerance towards sex work which is controlled through regulations such as the registration and mandatory sexually transmitted infection (STI) testing of sex workers, licensing of brothels, or restriction of sex work to specific areas (outside of which sex work is illegal) (OSI 2006: 3). Regulation is sometimes referred to as 'legalisation' of sex work, although often the regulatory rules are so strict that they amount to prohibition. Countries that have regulations that are not restrictive are Germany, The Netherlands, and some areas in Nevada in the United States, while countries that have restrictive regulatory controls are England, Wales, Canada and Senegal (LAC 2002: 152).

Regulation creates a 'legal' class of sex workers who have complied with the regulations, while those not adhering to the rules are 'illegal' – a situation which could create a vulnerable underclass of sex workers (LAC 2002: xxvi). In general, the regulation approach reinforces social stigmatisation of sex workers by creating an 'us' (in need of protection) from 'them' mentality – and of course, it is 'us' who make the rules for 'them' (Jordan 2005: 2).

One of the most common forms of regulation is mandatory testing for STIs, including HIV, which reinforces the belief that sex workers are bearers of disease and need to be treated as unequal partners (children if you will) who cannot care for their own personal well-being (Jordan 2006: 3). For example, the state of Nevada in the United States has mandatory testing of sex workers for STIs, including HIV. Research does not support the belief that sex workers spread diseases. The US Center for Disease Control's surveys having found that sex workers are statistically no more likely to have HIV than the general population (Monet 2004: 29). There are several problems with mandatory testing of sex workers, including: the inability to enforce testing for illegal or informal sex workers; stigmatisation of sex workers as bearers of disease; pushing sex workers who do not want to be tested underground; a false sense of security with clients more likely to demand sex without a condom; and the 'window' period between contracting HIV and testing positive, which can result in false negative test results (Monet 2004: 29).

Decriminalisation

Demaere (2005: 14) defines decriminalisation as removing all laws that criminalise the sex industry and regulating its practice through standard business planning and industrial codes and laws. Thus, decriminalisation is different from legalisation given that the latter implies the need for a law to make sex work legal, whereas decriminalisation simply requires the removal of existing laws that make it illegal and treating sex work as a legitimate form of employment (Healy 2006).

The focus of this approach is combating violence and abuse of human rights (in this case the sex workers' rights), not on enforcing social morals. Decriminalisation is a contemporary approach to regulating sex work and has recently been adopted in New Zealand and some provinces of Australia such as New South Wales. Although this is the most liberal approach to the sex industry, many members of the general public say that the government should not condone practices they feel are immoral.

The case of New Zealand

New Zealand has one of the most progressive – albeit controversial – legal regimes regarding the sex industry in the world. Under New Zealand law, not only is sex work decriminalised, with few regulations, but sex workers are protected under existing labour and human rights laws, as well as being protected under the Prostitution Reform Act of 2003. Under this Act, there are no zones within which sex workers are restricted, there are no mandatory STI testing regulations, and sex workers may advertise (Healy 2006). Healy, the National Coordinator of the New Zealand Prostitutes' Collective (NZPC), explains that some of the most important steps leading to New Zealand's law reform include:

- Establishment of a sex workers' association which has given sex workers the ability to organise themselves, speak out on issues such as HIV infection rates and harassment by the police, as well as distribute condoms and health care information to sex workers;
- Research on Australia and elsewhere to determine which governmental approach was most likely to provide sex workers legal protection;
- Interest and support from the international community of sex workers' organisations; and
- Support from the media with non-judgemental reporting of issues surrounding sex workers such as harassment by the police or violence

perpetrated against them, which helped to sway public opinion in favour of protective law reforms.

Healy (2006) explains that when the NZPC began lobbying for decriminalisation of sex work, many politicians and community members feared that decriminalisation would lead to higher rates of child prostitution, HIV infection and an increase in the number of sex workers – none of which has come to pass.

Although sex work in New Zealand was only decriminalised in 2003, and thus it is too soon to have reliable data on the impact of decriminalisation, Healy (2006) explains that Ministry of Justice registration figures show a decrease in the number of sex workers, as well as in the number of public sites where sex work occurs. Healy argues that this drop is explained by sex workers who say that because they can now openly advertise, there is little need for a large number of ‘underground’ sex workers.⁴ She further explains that information from sex workers – supported by small independent research projects – show several positive outcomes of decriminalisation including:

- A clarification of the rights of youths and the need to protect them from exploitation. This has led to a few high profile court cases in which brothel owners and/or clients have been prosecuted;
- Sex workers are now more likely to call the police and lay criminal charges if they are victimised by clients who do not pay or who brutalise them. In addition, police who once harassed and intimidated them are now their protectors;
- Sex workers are now able to speak openly to clients about issues such as using condoms and the pricing of services;
- Sex workers are now more assertive about condom use with their clients because the Prostitution Reform Act of 2003 has the legal requirement that “sex workers and their clients must take all reasonable steps to ensure that safer sex practices are adopted” by using condoms or other appropriate barriers to reduce the risk of getting or passing on sexually transmitted infections (MoH 2003); and
- On a personal level, decriminalisation has given sex workers more confidence to speak out for their rights, meaning that they are now doing the speaking rather than being spoken about. Healy explains, one street worker told her, “We noticed a weight lifted, and we now have a voice.”

Thus, it appears that many of the fears expressed during the debate on decriminalisation were unfounded. However, there are still obstacles that

decriminalisation has yet to address, the greatest of which is continuing negative attitudes about sex work. Healy (2006) explains that some city councils have passed by-laws that are so restrictive that they effectively ban sex work from their areas. However, as of mid-2006, the NZPC has joined with other stakeholders to successfully challenge two cities by arguing that restrictive zoning by-laws are against the intention of the Prostitution Reform Act.

Methodology

Data on sex work in Namibia come from research conducted in the latter part of 2005 that was aimed at mobile labourers (such as truck drivers and fishermen) and associated groups (such as sex workers and vulnerable children) working and living in, and passing through the research sites. The objective of the study was to determine areas of HIV risk-taking versus areas for HIV help-seeking through mapping. People were asked to map places for HIV risk-taking such as bars and truck stops, as well as the location of HIV prevention materials such as the location of health care services where condoms are available or locations where sexual health information can be found. Other research methods included interviews with sex workers, their clients and stakeholders (such as from those organisations that distribute condoms).

Regional site selection was designed to make sure that a diversity of migration sites was covered. Therefore, sites were selected based on the following overall rationale:

- Katima Mulilo because it is a high HIV prevalence site (42,5%) and previously experienced high rates of migration with people passing through the town on their way to other countries;
- Walvis Bay because it is also a high HIV prevalence site (25%) and is a major destination for migrants looking for work in the fishing industry;
- Rundu because it is a moderate to high HIV prevalence site (22%) and has also previously had a high number of migrants passing through on their way to Katima Mulilo; and
- Oshikango because it is a moderate HIV prevalence site (18.6%) and an up-and-coming destination for people conducting business and passing through on their way to Angola.

Research findings on sex work in Namibia

Attributes of sex workers

In Namibia, sexual exchanges take two forms: the first is when one person has sex with another person who 'pays' with food, clothes and other household support (referred to as transactional sex or a transactional relationship) and the second is commercial sex work when a person openly solicits sex in exchange for money (UNDP 2001: 119). Although there are no statistics on the number of people involved in either transactional sex or commercial sex work, transactional sex is more common than commercial sex work in Namibia (LeBeau et al 1999: 132).

There have been only a few major studies on sex work in Namibia, but these studies have identified gaps in knowledge such as the number of sex workers and their HIV infection rates (cf LAC 2002; Hjorth 2005). Data from my study indicate that sex workers are almost always women between the ages of 16 and 30 years old. Many sex workers say they began having transactional relationships in their early teens, which later led to participation in commercial sex work. Sex workers are primarily the same ethnicity as the surrounding population: Nama, Damara, Coloured (in Walvis Bay), Owambo (in Oshikango), Lozi (in Katimo Mulilo) and Kavango (in Rundu).⁵ In some of the research sites, women from neighbouring countries cross into Namibia to participate in commercial sex work. Informants, especially in Katima Mulilo, explain that these women come to Namibia so they can operate without worrying that their own community members will learn of their sex work activities.

Research in the US and Australia found that sex workers are statistically no more likely to have HIV than the general population (Monet 2004: 29; Demaere 2005: 14). Thus, estimates that sex workers in Namibia have higher infection rates than the general population, although possible, can only be viewed as speculation. Commercial sex workers are not controlled by any individuals or organisations, such as pimps or madams. At our research sites there were no brothels or other places where groups of sex workers work, although in some areas sex workers live together to pool resources, as well as for protection and social support.

LeBeau et al (1999: 127) found that poverty is intimately linked to sexual risk-taking behaviour, especially for women. Women have fewer chances for formal sector employment and whether in the formal or informal sector, they are generally paid less than men (Ipinge and LeBeau 2005: 21). In addition, women are often left with the responsibility of caring for and supporting children with little or no child maintenance from the children's father (LeBeau and

Mufune 2004:339). Therefore, many women who participate in transactional sex or commercial sex work explain that poverty forces them to exchange sex for money or consumer goods so that they can feed themselves and their children. In Namibia, many young girls from poor households witness the relative economic prosperity of some of their classmates and are driven by poverty or a desire for economic advancement to participate in transactional sex or commercial sex work. Many of the sex workers interviewed for this research were teenagers when they began working in the sex industry. They explained that they had friends who always had nice clothes and introduced them to sex work so they could also get nice clothes. For other girls, being orphaned led to their becoming sex workers. Indeed, the majority of sex workers interviewed started their business activities before they were of legal age to consent (16 years old).

Transactional sex: A job or a way of living?

In commercial sex work, the sex worker sets the price and has some power to negotiate some rules (such as where sex is to take place). One client explains, “You negotiate and she can ask how much you have. And you say what you have and negotiate and she can give you hours. She is the one to determine the hours you have to spend with her.” In a transactional relationship, the man typically decides on the rules of exchange such as when (or if) he sleeps at the woman’s house and if condoms are used. Women within the transactional relationship do not have power and, thus, they do not have the ability to set rules for the exchange. They cannot demand condom use or monogamy from men who pay the bills and give them ‘gifts’. Therefore, items exchanged between women and men are typically of less value than remuneration for commercial sex work.

Informants in all of the research sites confirm that poverty is a contributing factor to HIV exposure for women involved in transactional relationships. In Rundu and Katima Mulilo – the two poorest research sites – some women exchange sex for small gifts of mealie meal or a bar of soap. One truck driver bragged that he could ‘buy’ a woman in Ruacana for the price of a beer. During this research, as with previous work, people – particularly those involved in such transactions – view this as a normal, if not mandatory part of a temporary relationship, not as a form of sex work (cf Webb 1997; LeBeau et al 1999). One stakeholder referred to the women involved as ‘traders’ – they are trading sex for goods. Another stakeholder made a clear distinction between transactional sex and commercial sex work by explaining that commercial sex work is a job, while the women who participate in transactional sex are “assisting sex”, not doing a job.

Often transactional sex and commercial sex work are thought of and described as two separate activities, as if individuals involved in one do not participate in the other. However, data from this research show that many women involved in transactional relationships also participate in commercial sex work if they are unable to secure a job or a partner who can sufficiently support them. There is a fine line which keeps some women from drifting between transactional sex and commercial sex work. Some sex workers encountered in Walvis Bay and Oshikango had boyfriends who supported them for some period of time; however, when the relationships ended the women returned to commercial sex work until they met the next 'boyfriend'.

Commercial sex workers express the view that what they do is temporary employment, and they would prefer to secure a steady relationship with a man – sometimes identified as one of their 'wealthier' clients – whom they hope will support them. Other sex workers say they would some day like to get married and have a more 'normal' lifestyle. One sex worker in Walvis Bay said, "I want to stop. I want to get somebody to love me to whom I get married and support me and my family." When a woman has a steady boyfriend, she may or may not stop doing commercial sex work, a decision which often depends on how secure the woman feels that the man will continue to support her as well as his attitude towards her sex work.

Attributes of the exchange

In all of the research sites commercial sex workers set their own prices but are usually prepared to negotiate. Prices vary greatly depending on different variables such as whether it is the middle of the month when clients have less money (and are, thus, charged less) or the end of the month when clients have been paid (and are, thus, charged more). Most sex workers charge white men more than others because they say white men have more money. Other variables include types of sexual positions desired, number of 'rounds' (times) per night, whether or not condoms are used, and if the sex worker is expected to stay with the client for the entire night.

There are also various pricing rates for the different research sites and the 'level' of the sex worker involved. Informants in most research sites explain that there are different levels or types of commercial sex workers. A professional sex worker is paid the most and is described as someone with vast sexual experience who has a cell phone and is contactable for appointments. A 'local' sex worker is lower paid and is a young girl who possibly failed school and operates from the bars. A street worker is the lowest paid sex worker and is picked up by clients from the streets. However, the criteria for inclusion into one group versus another group vary by research site and the women's social circumstances.

In general, sex workers in Walvis Bay charge the most, with professionals alleging they earn as much as N\$1 000 per night or N\$500 per round. In Oshikango, professional sex workers say that they make between N\$300 and N\$500 per round or about N\$800 per night. In Rundu and Katima Mulilo, an average price for a professional sex worker for the entire night is N\$500 and around N\$250 per round. However, in all of the research sites, the price declines as the 'level' of sex worker declines, with street workers earning the least – sometimes as little as N\$20 per round. One young girl (17 years old) from Rundu says she only gets N\$50 per round, but she does not work every day because there are so many sex workers that there is not enough business for all of them to work everyday.

Sex workers in Rundu and Katima Mulilo are the lowest paid, while sex workers in Walvis Bay and Oshikango bragged that they are becoming rich from the proceeds. One sex worker in Walvis Bay said that having worked for only two years, she had earned enough money for her own flat and a car. She exclaimed to the researcher, "You cannot believe how our house looks like and remember that I only came here 2003 ... and things that I got now, its unbelievable ... this is my own flat. I also have my own car; did you see it on the ground floor? There are two garages." While another sex worker in Oshikango refused to tell the researcher how much she earned because she said the researcher would stop her salaried job and become a sex worker.

Sex workers in specific sites earn enough money to enable them to demand condom use. In some of the research sites (such as Rundu and Katima Mulilo) there was substantial poverty, too many sex workers (high competition) and no alternatives for income generation. As with standard economics of supply and demand – these sites are a 'buyer's market' – with the buyers being clients. Thus, sex workers in these sites do not always have the economic ability to negotiate safer sex practices.

The economy of sex work from the male perspective

Raymond (2004: 1156) points out that researchers often fail to ask men why they purchase sex. Consequently, the very consumers who create the demand are usually omitted from discussions about how to best address those who are the most negatively impacted by sex work – poor women. Several clients who were interviewed gave various economic reasons for their preference for purchasing sex.

This study and other research, have found that cultural factors, such as the belief that men have the *right* to multiple sexual partners, leads to HIV risk-taking – although traditionally men could only have as many partners as they could afford to support (LeBeau et al 1999; Webb 1997). Sex workers'

clients indicate that because men cannot afford to support several women, they opt for sex with sex workers as an economic alternative. Thus, some men manipulate cultural norms, maintaining multiple sex partners they would not have had access to traditionally.

Many male interviewees cannot afford to have steady girlfriends in the towns where they work and wives or girlfriends back home. They explain that women are expensive to support whereas with sex workers they pay only the fee for sex and there are no 'hidden costs' or additional problems such as jealousy. A group of men discuss the economy of sex work:

"Sex workers are people which are able to help a man. Okay, you just go and pay and you get what you want. Why must we blame sex workers?"

"If I am with my girlfriend, I have to buy her chocolate, and I have to buy for her short dresses; I am actually paying for her," another man adds.

"I travel around this country, and if I come to a place, the first one I go for is a sex worker because I know I am going to buy a beer and, like you said, flowers and what, what. I just go pay the price [he claps his hands] and it's a done deal," a third man says. Then the men begin teasing the researchers, who are a couple. They say that Penduleni (the female researcher) is a beautiful lady who must be expensive to maintain with clothes, food, flowers, chocolates, etc (to which Phillip, the male researcher, shakes his head in agreement). Thus, they conclude that it would be cheaper for Phillip to pay a sex worker.

Similarly, a truck driver in Walvis Bay gave an economic justification for going to sex workers when he said, "The problem is if you find a girl that you are not going to pay, where will you put her? How will you stay with her if every time you are not in Walvis Bay? ... [and] To divide the money is a problem because if you give that one 200 dollar and the other one again at home, you will spend more. It's better to pick up a girl you meet instead of having a permanent one in Walvis Bay and your wife."

One divorced man noted that if he had simply paid for the services of a sex worker, it would have been cheaper than supporting his wife during their marriage and paying her half of the communal assets in the divorce.

Although this sort of 'rational choice' approach to sexual interaction and intimacy does not work in real life because people have a desire for family and love, this does show that men are sometimes making rational economic choices when purchasing sex.

Criminalisation and sexual risk-taking

The illegal nature of their work also places sex workers at risk of HIV infection because they have no legal recourse for clients who do not want to use condoms, or who violate their human rights. Sex workers complain

that when they have problems with clients, the police refuse to help them and that the police sometimes abuse them. One sex worker explains:

“There where you said about reporting to the police, one can’t run to them for help. Say you are beaten by someone they [police] will tell you those are prostitutes. It is very difficult to run to the police if someone refuses to pay you. They will tell you it’s your own problem. One day something happened to my friends at the beach and they came to the police to report. Then the police turned against them and beat them instead of helping them.”

One sex worker in Walvis Bay has her own (albeit illegal) method of keeping clients in line. She explains “I have a gun because some men try to refuse to pay. So I do protect myself with that gun. ... [before] I told the police that they refuse to pay my money. Nothing was done by the police.” In Rundu, one sex worker told the story of a client who beat and raped her because she had requested that he use a condom. When asked what she did, she said she kept it a secret because the police would do nothing to the man, although she did get the car’s registration number.

There are rarely ramifications to clients for using the services of a sex worker, while sex workers face harassment by police and abuse by clients. As has been found elsewhere, in Namibia police and clients (usually men) exert power and control over sex workers (usually women), thus, reinforcing gender inequality within society (Healy 2006). The illegal nature of their work also promotes negative stereotypes of sex workers, as well as encouraging discrimination by health and social service providers, which can severely affect their professional and personal lives (Demaere 2005: 14). Sex workers are less likely to seek health care due to the discrimination they experience, leading them to have illnesses (such as STIs) that go untreated (OSI 2006: 1).

Indeed, in Namibia several sex workers say that when they have gone for health care they have been treated badly and berated by health care providers who know that they are sex workers. Sex workers often dread going to health care facilities because of discrimination and the fear that their families will find out about their profession or their health status. The story below of one sex worker from Oshikango exemplifies the impact that their illegal and marginalised status has on their HIV help-seeking behaviour:

Dorothy is a 24-year-old sex worker. She has been treated for tuberculosis and complains of skin rashes. She had a baby boy in 2003 who was diagnosed with AIDS and died at nine months old. She is asked, “If the child was diagnosed with AIDS, then what about you?” She explains, “I’m not tested yet but I think I’m also HIV positive ... I want to be tested, to know my status, but I’m afraid. I don’t want to go with my family; ... [The reason] I did

not tell them is because I don't want them to know [about my HIV status]. ... I don't want people to hate me." Dorothy admits that she does not tell her clients that she suspects she is HIV positive, although she always insists on condoms use. She says, "I only use a condom, because I don't want to give people the disease. ... They used to say let us not use a condom, but I tell them if you don't want to use a condom you go."

Condom use and sexual risk-taking

All of the sex workers interviewed know about HIV and AIDS and have accurate knowledge about HIV transmission, know that it is not curable, and that they should use condoms to protect themselves and their partners from HIV infection. Sex workers indicate that they have a high desire to use condoms and actively encourage clients to use them. One sex worker explains, "I used to have unprotected sex. ... And then came this terrible disease and then ... I decided let me just put a change on this." Another sex worker explains that, "We are informed about HIV and AIDS. We go to meetings, many times. I know that I am at high risk. I have to use condoms because every day I have a new client." One stakeholder confirms that "commercial sex workers are actually up-to-date with all the HIV and condom use and they get regular training, also done with SMA [Social Marketing Association]". A stakeholder with Catholic AIDS Action also reports that sex workers are more likely to protect themselves than in the past.

Indeed, studies in other countries show that sex workers are more likely to consistently use condoms than the general population of the same age, race and sex (LAC 2002: 212). However, sex workers are disadvantaged when it comes to deciding about condom use – firstly, on the basis that they are women and men feel they have the right to make decisions about sexuality; and because clients (men) feel they have purchased the right to dictate the terms of the transaction. One client says, "There are some [sex workers] who say let us use a condom ... You gave her money and still you have to use a condom. No, you cannot enjoy sex with condoms."

Impoverished sex workers need money so desperately that they may concede to their clients' demands for sex without condoms. For example, a truck driver in Walvis Bay who drives to most of the other research sites, claims that he has never used a condom – either with a sex worker, casual sexual partners, or his rural wife. When asked why, he says he does not think he should have to use a condom when he is paying for sex and that he "... does not want to hear their [sex workers] stories" when they ask him to use a condom. He says that there are sex workers who will acquiesce to unprotected sex, while others insist on condom use. He explains, "Those girls, if you say you don't want to use a condom, their mind changes. [If

not] then you have to go get another one who will not use a condom.” One fisherman says that it is still primarily up to the man to initiate condom use. Stakeholders also say that sex workers often complain that they have trouble getting their clients to use condoms. It would appear that condom use is still a male prerogative, one that some men insist on not taking.

An additional economic factor for HIV exposure for sex workers is that clients are prepared to pay more for sex without a condom, again, a request that poor women find difficult to refuse. Several sex workers say they suspect or have tested positive for HIV, and although they continue to work and claim to use condoms, they do not tell their clients their HIV status. One sex worker in Katima Mulilo says that she knows what AIDS is because she is HIV positive and on antiretroviral treatment. She tries to convince her clients to use a condom but if they are insistent, she will have sex without a condom after negotiating a higher price. It is chilling to think that clients are willing to pay more for unprotected sex – in essence, they are paying more to get HIV.

However, sex workers who are economically stable say they refuse the additional money for unprotected sex. One sex worker from Katima Mulilo explains that when offered more money for having sex without a condom, she refused because she is not desperate for the money. She explains, “N\$1,000 will not make one surprised [if they want sex without a condom] ... It will not help to take N\$1,000 and get AIDS.” These data support the contention that sex workers who earn enough money to support themselves are less likely to participate in sexual risk-taking behaviour.

Conclusion and recommendations

For the general public and religious organisations, arguments against decriminalisation of sex work have centred on the perceived immorality of sex work, with some countries going so far as to label sex work a ‘social evil’ (Rushing 2004: 26). Other arguments have focused on the possibility that it will encourage other social problems such as the trafficking of women and children, sex tourism, child prostitution and drug or alcohol abuse. Based on these points of view, the most common approaches are to either criminalise sex work or regulate it so heavily that sex work is effectively banned. Some feminists believe that sex workers are victims of their own social and economic marginalisation by men and, thus, all sex workers are victims of the violence against women (Raymond 2004: 1156-1158). Raymond (2004: 1159) argues for an abolitionist approach which criminalises the clients’ activities without punishing the women (who are viewed as victims). Under this approach, all sex work is considered trafficking of women – regardless of whether or not the women voluntarily do sex work (Ekberg 2004: 1189).

However, sex workers' advocates point out that there are many advantages to a decriminalisation approach. Demaere (2005: 14) argues that when sex work is decriminalised, sex workers are no longer afraid of arrest so they are more likely to voluntarily access health and other social services, while Wolffers (2004: 1) argues that decriminalisation removes some of social stigma associated with sex work. Demaere (2005: 14-15) points out that decriminalisation empowers sex workers to negotiate condom use with clients and also allows them to legally organise to more easily provide members with services such as peer education about sexual health and distribute condoms. Decriminalisation would also facilitate more open public discussions to educate the wider community about sex workers. Decriminalisation also makes it easier to develop research and interventions that focus on the well-being of sex workers (Wolffers 2004: 1). Demaere (2005: 15) states that the "Scarlet Alliance [Australia] recognises decriminalisation as the best model of sex industry legislation because it supports the occupational health and safety, working conditions and human rights of sex workers."

In Namibia, poverty contributes to women participating in sex for economic exchanges. However, many of these women are not able to enforce condom use, placing themselves and their subsequent sexual partners at risk for HIV infection. Namibia's need to redress social inequalities is more urgent than in Western societies because of the significant threat HIV/AIDS poses to the population. In an ideal world there would be no HIV/AIDS and there would be economic opportunities for all Namibians. Given that it is not likely that Namibia will be able to reduce poverty to an extent that all women have other economic choices – and indeed, experience from Western countries show that sex work continues even when other economic alternatives exist – it does not seem that Namibia will be able to eradicate either sex work or HIV in the near future. Therefore, one option is to decriminalise sex work so that sex workers have a better likelihood of legal recourse when their human rights have been violated. Indeed, although the research by LAC 2002 and the IOM research of 2005 had different purposes and involved different sex worker groups, the conclusions of the two studies are strikingly similar: that decriminalisation of sex work in Namibia could help sex workers improve their social and economic status; give them more control over condom use; and protect sex workers from abuse and violence.

In general, HIV/AIDS Knowledge, Attitudes and Practices (KAPs) among sex workers is high, but due to social factors this knowledge is not always translated into lowering HIV risk-taking. Most sex workers indicate that they prefer to use condoms but that many of their clients pay more for unprotected sex. However, sex workers in specific areas earn enough money to enable them to demand condom use, while in other areas sex workers do not have the economic power to negotiate safer sex practices due to substantial poverty,

too many sex workers (high competition) and no other alternatives for income generation. These sites are “buyers’ markets” – with the buyers being clients. These areas need to be turned into “sellers’ markets” by empowering sex workers through:

- Decriminalisation of sex work by soliciting the Legal Assistance Centre (LAC) to argue for a repeal of the Combating of Immoral Practices Act and related laws. Since 2000, the LAC has been advocating decriminalisation of sex work. Their research and advocacy activities have included research on the socio-economic situation of sex workers in Namibia which resulted in public meetings, the publication of a comprehensive research report and a video documentary aired on the NBC entitled, *Not a Life you Ask For* (LAC 2002). The LAC – through its Gender Advocacy and Research Project – has presented pro-decriminalisation submissions, based on sound research findings, at national hearings convened by the National Council Standing Committee on Gender, Youth and Information, and has also been heavily involved in other behind-the-scenes lobbying and support activities for sex workers in Namibia. However, due to the contentious nature of the issue, they have not yet been able to secure funding for further advocacy on decriminalisation or information campaigns aimed at lowering sex workers’ HIV risk-taking behaviour;
- Legal controls that protect sex workers. One example could come from New Zealand where legislation places the responsibility for condom use on the sex worker and client. Although it is unlikely that a sex worker would actually lay a charge against a client who refuses to use a condom (although Healy reports that this has happened and the client was fined), they could use information handouts to inform clients of their responsibilities; and
- Organisations for sex workers would serve as a forum to develop awareness raising strategies; working in close collaboration with community level organisations to provide condoms and outreach services to sex workers. Such collaboration would encourage sex workers and advocates to work together to better sex workers’ economic and social circumstances and lobby for decriminalisation of their profession.

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ENDNOTES

- ¹ The research upon which this chapter is based was a collaborative effort by the Institute for Public Policy Research (IPPR), PO Box 86058, Eros, Windhoek, Namibia and International Organization for Migration (IOM), 826 Government Avenue, Pretoria 0001, South Africa. The IOM funded the research and writing project. Barabara Rijks from their South African office gave valuable insight and support, Debie LeBeau (with input by Christiaan Keulder) analysed the data and wrote the original research report. For full details of the research and findings, see LeBeau 2006.
- ² Dedicated to the memory of Ken Spence, whose passing led to my stay in New Zealand where I learnt about the decriminalisation of sex work and met the amazing and energetic Catherine Healy (NZPC), who works tirelessly for the advancement of sex workers' rights in New Zealand.
- ³ In this chapter the terms 'commercial sex workers' and 'sex workers' (previously called prostitutes) are used to refer to people who obtain money in exchange for the performance of sexual acts – a job referred to here as 'sex work'.
- ⁴ Here it should be noted that sex workers can advertise in the classified columns of newspapers and magazines, but not on television or through the radio. The most important aspect of this change is that brothels can now advertise for staff and call themselves brothels whereas previously the illegal nature of their business meant that they used terms such as 'massage parlours' or 'escort agencies'. This clarity in advertising reduces the likelihood of people entering the industry under false pretenses (Healy 2006).
- ⁵ Historically the term 'coloured' was used during the apartheid era to denote people of historically mixed race. This term is still in common use in Namibia today.



**Same-Sex
Sexuality:
Silence
and
Discrimination**

Chapter 16

Breaking a Public Health Silence: HIV Risk and Male-Male Sexual Practices in the Windhoek Urban Area

Robert Lorway

Introduction

“Most of the men I know who have girlfriends are saying that they prefer to have sex with us *moffies* [effeminate males] because they don’t want to catch STDs cheating on them, or HIV, or get someone pregnant. Most of them think they can even have sex with men without a condom because they think it is less risky than sex with a woman.” (Jason, 21-year-old male from Katutura)

Public health science has constructed “AIDS in Africa” as a Pattern II (heterosexual) epidemic, since the HIV sero-prevalence ratio of men to women is close to 1:1.¹ As a consequence, the possibility that HIV may also be transmitted through homosexual practices has remained under-explored (Phillips 2004).² This inattention exists in the face of a significant body of literature that documents the presence of African same-sex sexual expression (Murray and Roscoe 1998; Gevisser and Cameron 1995; Epprecht 2004). In this chapter, I focus on the HIV-vulnerability and sexual risk-taking practices of young

Namibian males involved in same-sex sexual behaviour to explore what is absent from public health science theory on AIDS and sexuality in southern Africa. My intention here is not to deny that heterosexual intercourse is a major route of transmission. Instead, I consider the exclusion of male-male sexual behaviour as unnecessarily limiting possibilities for HIV epidemic prevention.

The concern over the exclusion of the homosexual transmission of HIV surfaced in 2001 during my participation in a Fogarty Foundation-funded project which brought me in direct contact with Namibians working on AIDS research, policy and community health development. Igniting my concern were local media reports that described Namibian gay and lesbian protests against anti-homosexual rhetoric delivered by SWAPO government officials. In March 2001, President Sam Nujoma called for the arrest, imprisonment and deportation of gays and lesbians on the grounds that homosexuality was an imported European cultural practice that threatened national identity. This call was the culmination of many anti-homosexual pronouncements made by SWAPO since 1995 (IGLHRC 2003: 24-34). Such rhetoric raised two questions for me: How did the ongoing vilification of homosexuals by ruling politicians reinforce silences around the homosexual transmission of HIV? And how did anti-homosexual rhetoric affect the health and well-being of “gays and lesbians” living in Namibia? I therefore decided to initiate a qualitative ethnographic research project through Namibia’s national sexual minority rights organisation known as The Rainbow Project (trp).

Between 2001 and 2005, I conducted 20 months of ethnographic fieldwork with a community of youth involved in same-sex sexual practices living in the impoverished township of Katutura. Although many of the youth I spoke with attended HIV/AIDS information sessions and workshops offered by trp, they continued to encounter difficulties in practicing safer sex as a consequence of scarce economic resources, gender inequality and social stigma related to state-deployed anti-homosexual rhetoric.

In this chapter, I analyse how male youth living in the Windhoek urban area become susceptible to HIV infection by drawing attention to the inter-connections between sexual subjectivity, poverty and sexual risk-taking practices. Sexual subjectivity, in the case of my study, refers to how feelings of gender and sexual desire are experienced within the context of social inequality. For many of my male informants, the pursuit of a life that is socially and economically more “liberated” involves occupying multiple, partial and even contradictory gender/sexual subject positions. I specifically highlight some of the tensions, disturbances and insecurities in sexual subjectivity that forms against the backdrop of what scholars refer to as structural violence – the violence of poverty, unemployment, powerlessness and lack of education (Das et al 2000: 227; Farmer 2003: 29-50).

What emerges in my analyses is a picture of sexuality that *cannot* be viewed as a fixed set of predictable roles or behaviours that can be readily mapped onto the parameters of Western sexual identity categories of lesbian, gay, bisexual, transgender and heterosexual. Instead, sexuality appears as the uneven, ever-moving, erotic and strategic engagements of individuals and groups that take shape within “the cultural politics of everyday life” (Werbner 1996: 13). The flexible sexualities of my informants allowed them mobility across seemingly diverse cultural spaces marked by multiple languages, ethnicities, ages and economic statuses – from the urban life of discos and private parties with foreigners in the capital city, to active participation in the gay rights movement, to daily community life in outlying townships and rural villages. Moreover, the power relations that influence safer-sex negotiations frequently shifted for my male informants. By emphasising the complexities and ambiguities in sexual subjectivity, I argue that vulnerability to HIV infection for these males cannot be understood in monolithic terms; community-based health interventions must take into account the effects of the numerous shifts in power that occur as social actors navigate between different cultural worlds and contexts of risk.

Methodology

When I began preliminary research in Namibia in 2001, trp’s membership totalled 190 men and women. Most were young (in their late teens and early twenties) and many were unemployed and living in the Windhoek municipal township of Katutura. In 2002, trp staff facilitated the recruitment of informants by introducing me to members at their office, situated in the central business district of Windhoek. Members who expressed interest in participating in my research later agreed to introduce me to their peers, some of whom did not associate with trp (but who also lived in Katutura). Because my recruitment procedure drew upon the social networks of trp members, my study may not reflect the broader spectrum of experiences related to male-male sexuality in Katutura.

Within the first three months I established 93 contacts who contributed to the research process in varying degrees. I asked 62 of them (31 males and 31 females) to participate in formal, in-depth interviewing and ethnographic follow-ups. Due to time constraints, the remaining 31 persons were asked to participate in small focus groups, which, at the participants’ request, tended to become information delivery sessions on HIV and STIs. Though these groups generated less data on sexual subjectivity, they did provide a significant source of “knowledge and attitudes” surrounding the same-sex sexual transmission of HIV. I specifically refer to the findings concerning male participants.

Although I attempted to recruit informants from all ethnic communities, most informants identified with the Damara ethnic group, reflecting the disproportionate number of Damara youth who are members of trp. This does not suggest that same-sex sexual behaviour is practiced more widely by Damaras; instead this over-representation relates to how same-sex sexuality is regarded *in* Damara communities. In my fieldwork among Damara informants and their families, I commonly encountered “openness” around expressions of gender nonconformity. This is consistent with IKhaxas and Wieringa (2005: 123) findings of Damara women in same-sex relationships who “live their lives more openly than women of other communities in Namibia”.³ The tensions around homosexuality that did erupt in the families of Damara informants often related to SWAPO’s delivery of anti-homosexual rhetoric. By contrast, informants who identified with Ovambo and Herero ethnicities encountered more intense negative feedback in their communities.⁴

Open-ended structured interviews were conducted initially at the centre, but as I came to know participants better, interviews also took place in coffee shops, restaurants, parks and homes. The interview guides were pilot-tested with trp staff and volunteers. However, interviewing posed some difficulties. While informants provided rich accounts of their sexual/gender identity and attitudes toward political institutions, they were less likely to discuss the details of sexual risk behaviour and involvement in sex work. Once the tape recorder was shut off, some informants tended to talk more freely about these issues. As greater rapport developed outside the formal interview setting, participants explained sexual risk practices in greater detail. In most cases, ethnographic follow-up, participant observation and fieldnote writing yielded more significant findings. After several months, I was welcomed within my informants’ daily social lives. This allowed me to witness several factors that significantly contributed to HIV-risk such as alcohol and drug use, violence, stigma and gender inequality. Participants and contacts explained sexual risk taking practices in terms of these factors during informal conversations. I also spent considerable time observing interactions between participants and their friends and family at local discos in the capital city, and at *shebeens* (local drinking establishments), parties and funerals in Katutura. Tape-recorded qualitative interviews (which elicited life histories of ‘coming-out’ and sexual risk-taking) were conducted during the day, while participant observation and note-taking took place at night as I moved about the streets of Katutura and the capital city with participants, from house to house, *shebeen* to *shebeen*, disco to disco.

Findings: Sexual life histories

To present the findings from this research, I refer to excerpts from five sexual life histories drawn from my fieldnotes, interview transcripts, observations and informal conversations. I have chosen these five excerpts for two reasons: First, they provide contrasting accounts of sexual subjectivity; and second, they illuminate the broad spectrum of influences around sexual risk taking encountered by my informants.

Louami: Local struggles, nationalist strivings

I was introduced to Louami, who proudly identified as Herero and Damara, at an HIV/AIDS workshop organised by trp in 2002.⁵ In a later conversation, Louami described for me how glamorous she looked when she worked “on the streets” (as a sex worker) in Windhoek; she wore a bright foundation makeup a few shades lighter than her natural facial complexion and her hair was piled up into a regal-looking hive of dark waves that drew the eyes up to her statuesque six-foot-three figure. During my first interview with Louami she talked about her sexuality:

“At 6 years old I knew I was different than other boys. I was playing with the dolls and I was only playing the mother side in ‘mummie and daddies’ games and small boys were touching my buttocks. My mum talked to me ... as if I was a girl. They were telling me at the [trp] office that I am transgender but I will never have the operation! I like how I look.”

That same day, Louami showed me several photos that reminded her of meaningful life events. First she held out a photo of her local gay friends: three had died of AIDS and the remaining two were living with HIV. Then she showed me a picture of herself in a drag performance, during which she had stripped down to a thong-like bikini bottom before a cheering audience in a local shebeen. Next, Louami showed me a picture in which she was wearing a striking traditional Herero woman’s gown with distinctive head wrap. She had worn this dress in the human rights march in 2001 to protest SWAPO’s hate speech against gays and lesbians. Louami’s mother made the dress for her and had stayed up the entire night before the march sewing together the appropriate colours of SWAPO. Louami’s dress allowed her to express her deep disappointment, as she told me: “My father died fighting for SWAPO in the liberation army.” In early 2003, Louami’s mother died, leaving Louami to look after her younger siblings and their children and the house.

When I returned in 2004, I found Louami without makeup, wearing men's clothing. I glanced over at her bed in the centre of her room and the Bible was left open as though someone had been reading it. She explained to me that she had quit drinking and prostitution and was going to church regularly. It was then that she told me about how her friend who also worked on the streets had died from AIDS: "He would sometimes let German men take him without a condom because they usually offered more money for it." Louami was terrified because she had also done this: "I am too, too afraid to get tested. If I find out I am positive I will get sick faster." When I asked why she stopped wearing women's clothing she said, "I am thirty now and my sister's children ... I don't want them to grow up seeing ... their uncle dressing like a woman."

One day when Louami came from a funeral, I saw her dressed up in a suit and her hair cut short. She had received much praise from her fellow parishioners. They still knew that she had boyfriends, she told me, but they were quite pleased that she now looked the part of a man. "Inside I am a woman, still, but outside I am now like a man", she giggled. Louami told me that trip staff were giving her a tough time about her masculine appearance. She said, "They don't understand ... I can't find work if I am dressed like a woman and with my mother gone, I am the oldest, I have responsibilities." Now unemployed, Louami was looking for work cleaning houses or ironing clothing. And finding work was an urgent matter because the utilities on the house were piling up. She showed me the letter from the municipality – they were threatening to take the house if she did not make a large monthly payment that was far out of reach for Louami. Even if she did find work cleaning or ironing clothes it would not be nearly enough to pay for the utilities. I wondered how long it would be before she would have to return to sex work.

Winston: Shifting masculinities

When I first met 19-year-old Winston in 2002, his appearance was striking. He wore bright purple eye shadow, matching lipstick and nail polish, and a leopard print cowboy hat that looked as though it were out of a Madonna video. Winston, who identified as Ovambo, had come to live in Katutura to get away from pervasive homophobia in his village in northern Namibia in the wake of SWAPO's anti-homosexual pronouncements. In one of our many interviews, he recollected his first same-sex sexual relationship, which occurred before the "hate speeches":

"There was this guy at my place ... One time we were looking after the cattle (this is what the men must do). They [the other villagers] use to say that when I come to the house I must bring him some

Ongome – you make it in a pot with *Mahangu* [root crop] and put sugar and salt; it is what a woman brings to the man. One day he comes home and he was saying, ‘This one is my girlfriend.’ They were saying that I must bring the *ongome* to the man like a woman. When people used to want to beat me, he would say: ‘No, he is my girlfriend!’ because I looked like a girl.

One night he escorted me home ... I was 14 then ... we were just walking and we were next to the bush he was holding my hand ... I looked at his trouser and whoo! Wow, it was standing like this [he made a gesture with his hands to indicate the size of the penis] And then he started kissing me. I didn’t know why, I was just getting this idea, why is his penis standing like this now? Is something wrong? He started undressing me. ‘Oh my god! You are so [much] bigger than me.’ And he undressed me and we had sex and he didn’t use a condom. It was my first time.”

Because Winston’s family held strong ties to SWAPO the “hate speeches” incited acts of domestic violence. He described his tumultuous journey of fleeing his village in the north to take up residence in Katutura:

“My father was hating me, sometimes beating me. He is not supporting me [financially] anymore. My mother understands [my sexuality], but she cannot do anything because they are men [father and brothers]. My family, when they found out about me, they thought I had a mental illness. My father put me in the mental hospital for two months. I remember the psychologist was giving me a pill and injections every day But there was nothing wrong with me except that I was gay. I was locked in a room with only a toilet. I escaped from there and came to trp. That is where I learned that I was a gay. Sometimes I want to go to Ovamboland [northern Namibia] to visit my mother, but I cannot because of my father.”

In Windhoek, trp staff assisted Winston by finding him a place to live in Katutura Township. Attending sexuality workshops, he came to identify as “gay” and regularly stood to give his testimonial of “coming out in Namibia”, at public human rights forums organised by trp.

As I came to know Winston well, he mentioned that he had taken cocaine on several occasions and was supplied with it by two gay foreigners in exchange for sex. He mentioned that he also had sex on occasion with “butch lesbians”, as he called them. “They sometimes would fight over me when I am at the shebeen [he laughs loudly].” Winston maintained that

most of the time he used condoms whether he was with men or women. However, it was difficult sometimes to practice safer sex because of drugs and “how they made you feel”.

“Dagga [marijuana] and cocaine, make you want to do things ... cocaine is very expensive. Sometimes you get it from your partner, usually the rich gay people, especially the whites. Some of my friends work on the street. The rich people will take you home and they will give you cocaine and then you give them [the drugs] to your friends to try.”

When I returned to Namibia in 2004, Winston was no longer wearing partial drag or make-up. Instead he was wearing a tank top and a baseball hat. One of the “butch lesbians” who was a close friend to Winston commented: “He thinks that he is bisexual now ... he is dressing like a man.” Winston then smiled at me and said jokingly “I am good at pretending to be the man.”

Unemployed and financially cut off from his family, Winston began to date two white businessmen who were “women”, Winston maintained, because he penetrated them during sex. “Now I am dressed like a man but sometimes, if there is a [drag] competition I will do it still [dress up like a woman]. But [my boyfriends] don’t know about it.” Winston recounted how he met his boyfriends:

“ ... I was down the other side [of the bar] when he saw me ... I went to see his house in Klein Windhoek and he was showing me blue movies and he told me he liked me and wanted me to be his lover, and I said, ‘Okay.’ He didn’t do the sex, he was just sucking on me and I came in his mouth. When we went back to the club, we enjoyed drinks and then he gave me N\$50 and then he said he was going back home. Now we have been seeing each other for a while and he wants me to fuck him all the time.

With my other boyfriend ... he is from Europe but he lives here now. He owns a business and he was telling me what [sexual practices] he liked and disliked ... then he wanted me to go to his office and he showed me some pictures and asked if I wanted something to drink. I went back to see his house. He was also showing me the [blue] movies Then he asked if I wanted to spend the weekend at his place.

I wear condoms with both boyfriends all the time because I am like a boy with them [the one who penetrates] ... they are my girlfriends. I never sleep with them without a condom. But the

last time I was with the one ... he was wanting to do it [have sex] without a condom ... he gave me a tough, tough, tough time about not wearing a condom – Oh shit! The first time I wore it, the second time he wanted me to use the condom, but the third time he didn't want to use it ... but he had given me N\$600 the last time I went to the North [to visit my mother].”

Due to financial pressure, Winston eventually had unprotected sex at the request of one of his boyfriends.

When I met with Winston for another interview in 2004 he had recently returned from the North where he had visited with his family. His father had since passed away and the rest of his family had begun to accept that he slept with men. When I asked about how others in his community “up North” responded to his sexuality, he explained:

“A lot of boys when I go up North they want to sleep with me, especially the younger ones. Some of them are married men though. ...

I remember the last time I was in Oshakati, I was coming from the village and there was this policeman that I was attracted to. He loved me so much. I went to the guest house with this man ... he looked so straight to me ... when we come in the room he said, ‘Oh shit!’ He liked my penis ... and he wanted to test [be penetrated by] my penis ... I was very shocked! He said mine is better than his and that I must do it to him [laughs loudly].

Some of the straight men they use a condom because they say it is dirty. Sometimes they say *kuka* [faeces] may be inside. And some of them say, ‘How can a *moffie*, a gay man, get AIDS? You won't get AIDS from a man because when you go to the toilet, you *kuk* [expel] out the sperm, it goes out the body.’ They will say that it is very safe to sleep with a *moffie* because *moffies* don't sleep with women.”

Ron: Sugar daddies and “straight” men

While attending a trip-sponsored human rights event in 2001, I was introduced to 17-year-old Ron who was in the company of a much older and wealthier local man. When I later conducted an interview with Ron in 2002, he stated that he and his friends looked for “sugar daddies” who could “look after them”. This was not difficult for Ron because of his striking physical appearance. His feminine apparel, tight pants and short-cropped shirts, accentuating his tall slender physique, made him a very attractive figure in the commercial district of Windhoek. However, he recalled one negative experience he had with an older man:

“I was flirted [with] by this guy ... he was staying in town working with [names a company]. But I wasn’t interested. He was threatening me and I even went to the police but nothing was done. Then he threatened to kill me”

Because of Ron’s open displays of gender nonconformity he also received regular sexual harassment from young men living in his location, particularly from those who were part of gangs. He explained:

“Mostly the boys want to know where do we ‘do it [have sex]’ and how do we do it [have sex with men]. Normally we are telling them that we are using the anal part and doing oral sex and all the other things that the heterosexuals are doing ... They always ask these questions when they are in groups so you can’t say ‘go away’ or they will beat you. I was attacked a couple of time by these guys in a gang. The second time [I was attacked] there were four of them.”

In 2003 Ron told me he felt as though his sexuality and sense of gender were changing. When I met with him in a park in Katutura he explained, “I am feeling more butch these days ... that is why I am wearing these black boots.” Although he had attended the sexuality lessons at trp where precise notions of sexual identity were taught, for Ron, like many others, he understood his sexual desires in more flexible terms. He identified himself during an interview by saying:

“I am a man, a homosexual. I’m gay and I am sleeping with men and I am fucking men. I am fucked by men, also. In some cases, I am a *moffie*.”

For Ron, sexuality and gender were not limited to the singular parameters of ‘identity’, but felt and understood as a repertoire of relations that brought together numerous desires and sexual practices into ways of being.

Ron then continued by explaining the violence he frequently encountered in relationships with ‘straight’ men who lived in his location:

“I have a straight boyfriend in [Katutura]. He is very aggressive, very violent. I told him I don’t like to be fucked all the time and I said, ‘Sometimes I must do it [penetrate you],’ and he got so worked up at the club. He was beating me with brooms and champagne glasses. He would not go 50/50.”

“Sometimes straight guys, they won’t want to use the condom and you say no and you get a smack on the face When he hits me

... I think he loves me. I know that he loves me. I feel that someone cares for me. I don't get love at all, [or] affection in my family. My father is very violent. I didn't come out to him, but he knows from the start that I am a *moffie*. But if I came out to him he would beat me."

Fox: Gay for pay?

Although 21-year-old Fox lived with his girlfriend in Katutura, he sometimes tagged along with me during my visits to the homes of "gay" informants. He claimed to have no problem socialising with *moffies* and he was warmly greeted by two of my informants because he was one of the few straight men that did not harass them and wasn't afraid to socialise with them openly. Fox stated that he greatly enjoyed spending time "drinking and partying with them [*moffies*]". During the onslaught of hate speeches, Fox was greatly concerned for their well-being: "I was scared for my friends." But nationalist debates on "homosexuality" did not deter him from engaging in same-sex sexual behaviour; in fact, it supplied the fertile ground upon which Fox could imagine and access "sexual modernity" (Nguyen 2005). His participation in "sex tourism", like Winston's, stemmed from fantasies of Europe as a location of abundant pleasure as well as freedom from economic and political struggles. For instance, on the subject of marriage, he stated:

"If I get married to a woman I will probably still have sex with men. I don't want to have any more children though because they are so expensive, schools fees even 150 dollars a year! That is a lot for me. I already have one daughter. But I don't want to have any more. Maybe it's good if I travel to the Netherlands or Germany and get married to [a man] and just stay there. In those countries they don't have a problem with gays. I would never get married to a man *here*, only to a woman. If I went to Europe I would get married to a man, I wouldn't care even if I would be made fun of. *There* I would have a very nice life."

Fox recognised numerous possibilities for sexual pleasure and economic gain in same-sex relationships. Although he identified as a "straight man", he regularly had sex with "*moffies*", particularly when he was drinking at night. Nonetheless, he repeatedly maintained his sexual preference for women:

"The *moffies* try to pay the straight men. Most of us are sitting around and drinking and if they [*moffies*] just come and say '*oute i ta /gom* [I want to suck you]' they will say no, but if they pay, they will go

with them. It can be money or a drink – not a lot of money. That is why I am normally doing it with them ... because they are paying me. Most of the times we are at the *shebeen* and the clubs. I will go to his place. The others guys just know that I am leaving to go with them from the club because they are doing it too. My ex-girlfriend knew but it didn't bother her ... My girlfriend now asked if I was also doing those things and I said, 'No, we are just partying with those people.'

I asked Fox if his straight male friends knew that he had sex with *moffies*. He responded:

“Yes ... they are also having sex with *moffies* ... it happens a lot around here [smiles]. Not just my age but older men too. *Moffies* will suck [give oral sex] ... they do it better than the women. Most of the men will suck my dick but the women, if I asked them that, they would be shy.”

When I asked Fox if he also had sex with his straight friends, he quite adamantly exclaimed, “No, we are men ... I would not like to be fucked!”

During interviews, Fox demonstrated that he had detailed information about transmission and “infected body fluids” when it came to heterosexual sex; however, he maintained that

“Sex is safer with a *moffie* ... and a woman is more dangerous because other men have their eye on her, and she will run off with another man. The *moffies* make me wear condoms sometimes ... but some of my straight friends don't wear them. It is better to have sex with a *moffie* for a one-night stand.”

Dion: Taking risks for love

Dion was 26 years old when I first met him at a trp workshop in 2002. In our first interview he identified as being both Damara and Owambo. He also described how his social support circles began to dwindle after the series of announcements made by the president:

“I have been very close to Owambo guys. So they knew I was gay. But after the hate speeches I could see that they were starting to withdraw from me, moving away slowly but surely. Many are cousins to me, but they don't want to be seen with me and go out with me clubbing like they use to.”

During this interview, Dion was quite upset over the imminent break-up between him and his boyfriend. After being together for a year, his boyfriend's work contract was completed and he was therefore due to depart for his home in Europe. Dion told me that his partner was very handsome and made good money as a [names a profession]. He assured me, however, that his 'soon-to-be ex-boyfriend' would still help him out financially when he returned home. Although Dion worked in the hospitality industry, he made very low wages despite his long working hours. On his days off, he generally spent his time looking after his daughter and his sister's children. It was incredibly difficult for Dion to support his mother, sister and the children on his meagre wages. Furthermore, he explained that he had to act very "straight" when he was at work or he would risk losing his job. This he found to be exhausting.

Finding a loving relationship in Namibia was very difficult, Dion insisted. He then recounted his painful experience after he moved in with his first boyfriend from Katutura:

"We visited [my partner's] church. His brother-in-law was also a member of the church, but he did not greet us. In the middle of the ceremony, my lover decided to move up to the front to confess [his homosexuality]. The pastor put his hand on his head and started praying for him. I was still sitting there and I saw his brother-in-law stand up and move towards me. He asked me to get out of the church. I asked, 'Why?' And he said, 'Just get out of the church!' This is during the service! So I got up, I stood up, my lover is in the front confessing and on my way out [the brother-in-law] picked up a chair and hit me with the chair [breaking my collar bone]. I fell down and I got up again and ran out of the church. I went with my best friend down to the police station and the investigator later said, 'You know why he beat you?' I said, 'No.' [He said] 'Because you are a gay.' To this day the investigator did nothing."

On occasion Dion had sex in exchange for money with foreigners he met at private parties held in the more affluent districts of Windhoek. There, drugs and alcohol were made available, Dion explained. Although he had tried cocaine and 'poppers' [nitrite inhalant drugs] with some of his friends, he stated that when he went downtown, alcohol had the greatest influence on his ability to practice safe sex:

"When you are drunk ... you won't believe it. The condom is lying close to you ... very nearby, but you just don't go and take it. Maybe even in your pocket but you don't go for it! You just want to 'do it'

and that's it. You are that high when you pick up people at the club especially.”

In follow-up conversations, Dion discussed how one of his former “straight” boyfriends from Katutura had shown extreme physical violence toward him and had attempted to stab him when he tried to end their relationship. When they did finally break up, his boyfriend tested positive for HIV. Because Dion had had unprotected sex with this man, he was fearful of taking an HIV test:

“I hear they say ‘take the challenge, go for a test,’ but I have made mistakes.”

“Because I believe that if I am positive, every little sore will worry me, even if I have a normal headache. I believe that people often die from the worry. It just eats them up and eats them up until they are thin.”

Discussion: Violence and sexual subjectivity

What is perhaps most striking about these accounts is the recurrence of violence: threats, beatings and sexual coercion. Sexual relationships between males living in Katutura reconstitute the gender power imbalances that exist more widely between men and women in Namibian society.⁶ However, effeminate males (*moffies*) do not simply endure gender-power inequalities in the same way as Namibian women in heterosexual relationships. I commonly witnessed elder Damara women effectively “discipline” men by throwing them out of the house for not contributing to the household, for being intoxicated or being physically violent towards younger female relatives. Such familial mechanisms of support and protection are unavailable to *moffies* who are afraid to disclose their sexual lives to family. In general, the stigma surrounding homosexuality, heightened by SWAPO’s anti-homosexual pronouncements, left many of my informants isolated, making them easy targets for violence and sexual coercion. When effeminate males did report threats and assaults in their relationships to authorities, the police refused to provide protection or press charges. This sanctioning of sexual violence is further fortified by recent domestic violence legislation that exclusively affords protection to Namibians who are in “different sex” relationships.

Structural violence is a common thread that runs through the narratives of my informants. As in most African countries, the distribution of wealth in Namibia is marked by enormous disparity.⁷ Structural inequalities, grounded in the history of colonial apartheid, are sustained through the State’s imple-

mentation of neo-liberal economic policies that favour foreign investment over the interests of working class Namibians (Jauch 2002: 34). This reality is reflected in the most recent census report that calculates Katutura's unemployment rate at 37 percent (Central Bureau of Statistics 2005). Though many Namibians struggle with employment, poverty constitutes unique problems for many of my informants. "Coming out" to protest against state-sanctioned anti-homosexual rhetoric is often accompanied by anxiety over the potential loss of employment opportunities. To be "visible", "empowered" and "self-determined" in order to demand social justice may involve sacrificing access to already scarce economic resources. For example, one research participant who "came out" publicly during Nujoma's hate speeches stated to me with some regret, "Who would hire me now!" This statement highlights a conflict surrounding "sexuality" for many of my informants. Unemployed informants similarly echoed that they felt unlikely to be hired because of their sexuality and practices of gender nonconformity. Exchanging sex for money, therefore, provided one of the few options of survival for unemployed informants like Winston and Louami. Yet "sex work" was also practiced among informants who had part-time or even fulltime employment. Sex work augments the income of informants such as Dion, whose economic opportunities are limited by low wages, Namibia's lack of minimum wage regulations and inadequate access to higher education.⁸ Only 8 percent of the employed population and less than 2 percent of the unemployed population has completed any form of tertiary education (Central Bureau of Statistics 2005: 40-42).

Aggleton (1999) reminds us, however, that one cannot understand male "sex work" purely as formalised rational monetary exchanges. One must also look to other intersecting moral and intimate economies. Although the sexual relationships between local male youth and wealthier foreigners, as illustrated by the narratives of Winston, Ron and Fox, were heavily influenced by material resources, participants in most cases cited emotional security, love and eroticism as being significant to their desire to become involved in these uneven relationships. Thus, in addition to economic liberation, research participants also perceived these relationships as providing a route to social and sexual freedom.

Another prominent theme in the sexual life histories of my informants is the effect of drug and alcohol use on sexual risk taking. This is by no means peculiar to Namibians involved in same-sex sex practices (MOHSS 2002).⁹ However, there are key questions that researchers need to further explore in relation to Namibia's "gay and lesbian" community: Do "gays and lesbians" consume alcohol and drugs for the same reasons as other Namibians? Do disturbances in sexual subjectivity related to stigmatisation influence why and how an individual may come to abuse drugs and alcohol?

Conclusion: Is mainstreaming possible?

In 2005, trp invited me to present my findings on 1 September before selected NGO representatives and other individuals who publicly supported the human rights of gay and lesbian Namibians. Following my presentation, Elizabeth IKhaxas asked a crucial question: “How do we ‘mainstream’ LGBT (lesbian, gay, bisexual and transgender) issues related to HIV/AIDS?” Although the term “mainstreaming” has come to hold a multitude of meanings within the cultural milieu of gender and HIV/AIDS development work, I took this question to mean two things. First, how do those of us working in research and policy incorporate the HIV-vulnerability of people involved in same-sex sexual practices – as a significant concern – within the broader landscape of urgent public health problems facing Namibians? Second, how do we intervene in matters that affect LGBT health across various political, economic and societal spheres?

Before efforts toward “mainstreaming” can successfully proceed, there are critical questions that must first be considered, three of which I will discuss.

1. *How do sodomy laws affect prevention education initiatives targeting males involved in same sex sexual behaviour?* Establishing HIV prevention education policies that target male-male sexual practices within traditional, regional and national institutions may be greatly inhibited by the illegal status of sodomy. The long controversy in the prisons over condom distribution exemplifies this problem. In 2001, I was told by a leading prison health care practitioner that by distributing condoms in prisons, “We may as well give them [the prisoners] blow up dolls! They are in prison to be punished!” (Lorway 2005). More recently, Ignatius Mainga, a spokesperson for the Ministry of Safety and Security’s prison services, echoed these sentiments by saying: “By giving them [prisoners] a condom, you are telling them to go ahead and do it” (Tibinyane 2006). Without legal reform around sodomy, efforts to institute “LGBT” sexual health policies may be similarly excluded in other Namibian institutions.
2. *How will raising awareness around “homosexuality and HIV risk” feed into Namibia’s recent political history of sexuality and AIDS?* Although “AIDS in Africa” is framed as a heterosexual epidemic, SWAPO politicians have re-deployed the stigma of “AIDS and homosexuality” that emerged in the West to construct a narrative of blame for the global pandemic. In an informal address to farmers in Otavi in 2001, Nujoma made an explicit connection between the origins of AIDS, its spread

to Africa and homosexuality when he stated in xenophobic terms: “I know who produced HIV/AIDS – the Americans The United States created the killer virus and disease ... tested some of it on homosexuals, some of whom slept with women” (Menges 2001). The charge against homosexuals for the spread of HIV was further reiterated in the more recent declaration of Deputy Minister of Home Affairs and Immigration, Theopolina Mushelenga, who stated at a Hero’s Day memorial service in 2005 that homosexuals were responsible for starting the AIDS epidemic in Namibia. Within this political climate of blame, policy makers must carefully consider the consequences of sounding the public health alarm around the homosexual transmission of AIDS. I would caution that *raising public awareness* to protect the health and wellbeing of sexual minorities may have a contradictory effect; it may inadvertently serve to further discredit and marginalise gay and lesbian Namibians.

3. *How should “the LGBT community” be defined within prevention education initiatives?* Presently, trp’s HIV programming is conducted on an ongoing basis with youth throughout Namibia who are willing to have some level of association with a “queer rights” organisation. There are numerous males who practice same-sex sexual behaviour who do not identify with the labels of “gay, bisexual, or transgender”, who do not directly associate with trp, who are not interested in participating in a gay rights movement and who are unwilling to attend trp safer sex workshops. Indeed, including ‘straight’ men in intervention work poses a significant challenge for policymakers, given the secrecy that surrounds their sexual practices. There is, however, urgency here. ‘Straight’ men generally determine sexual practices in their relationships with effeminate males; moreover, because they generally perceive HIV as a heterosexual disease, they are unlikely to wear condoms (Lorway in press). Thus, trp’s HIV education work with youth may be greatly undermined by men who do not identify as part of Namibia’s LGBT community.

Campbell (2003: 185) suggests that: “It is vital that long-term measures [that] bring about sweeping social improvements in sexual health are accompanied by short-term measures.” The push by trp for the legalisation of sodomy and the wider recognition of gay and lesbian human rights is paramount to the mitigation of health-related problems in the rainbow community. However, to effectively address the *urgency* of the AIDS epidemic, more immediate community-based intervention measures must take place in order to inhibit the spread of HIV through male-male sexual transmission.

In the later stages of my fieldwork in Katutura, one participant volunteered a room in his house as a site for the distribution of information,

condoms and lubricants (supplied by trp) to men in his community. We held regular information sessions there, twice a week with small groups of men involved in same-sex sexual practices, many whom did not associate with trp. Each session drew a different group of men recruited by an HIV/AIDS working group. “Closeted” men felt comfortable coming to this site because it was discreet and the owner of the space was trusted to respect confidentiality. Until sodomy laws are reformed, I would recommend that setting up a network of similar “discreet distribution sites” throughout Namibia could serve as an effective “short-term measure”. In other words, organisations that strive to improve the health and well-being of sexual minorities must begin to explore how coordinated short-term community-level intervention strategies can move safer sex information through secretive social networks without risking public exposure.

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ENDNOTES

- ¹ For a fuller discussion of “the patterns of HIV transmission” drawn by epidemiologists, see Webb (1997:10-12). Patton (1997) questions the way epidemiologists interpret “AIDS in Africa” as a heterosexual epidemic.
- ² Teunis (2001), Niehaus (2002) and Lockhart (2002) are notable exceptions.
- ³ According to IKhaxas and Wieringa (2005: 123-12), this openness can be traced to pre-colonial subsistence, ownership and inheritance practices that were egalitarian.
- ⁴ See Isaacks and Morgan (2005: 89) for a rich discussion of women’s fears surrounding homosexuality in Ovambo communities.
- ⁵ I refer to Louami using feminine pronouns simply because she preferred that I (and others whom she trusted) address her as a woman. In our many conversations she reiterated that she was a woman “inside”, despite her anatomy and ability to pass as a man at times.
- ⁶ lipinge et al (2004) provide a broad sociological analysis of the relationship between gender power inequalities and HIV transmission in Namibia.
- ⁷ Although Namibia is classified as a “middle income country” and has seen annual GDP growth since apartheid, it is one of the world’s most unequal countries in terms of income distribution, according to World Bank statistics (2005).
- ⁸ My discussion of “sex work” parallels Preston-Whyte et al’s (2000: 165-167) rich analysis of “survival sex” in Durban.
- ⁹ According to the *Nationwide KAP Baseline Survey on Alcohol and Drug Use and Abuse in Namibia* (SIAPAC 2002), the highest percentages of alcohol and drug use among Namibians were reported in Windhoek.

Chapter 17

Same-Sex Sexuality among Damara Women

Elizabeth IKhaxas and Saskia Wieringa

Introduction

When our former president, Sam Nujoma, said that homosexuality is un-African and that people engaged in same-sex relations must be deported, one of my interviewees responded by saying:

“... It’s only people in Windhoek and parents of people here in Windhoek who see this thing as a big issue. But people like me who came from smaller towns, [we know] there are gay people. Parents with children like that accept that it is their children ... he was born that way, there is nothing I can do about it, I cannot re-create him, thus, the problem is only in the city.”

My research reveals that in Damara culture same-sex relations have existed for a long time. This chapter will examine the same-sex practices of Damara female-bodied persons and explores how Damara culture plays a role in the fact that many women in same-sex relationships among the Damara live their lives more openly than women of other ethnic groups in Namibia.

The most visible and consistent theme that appears throughout my interviews was female masculinity and the discourses on gender and sexuality arising around that subject. In this chapter, I will begin with a discussion about the gendered ways in which my respondents were raised. I will then discuss the community and religion, as both these institutions play such an important role in their lives. The next topic is ‘coming out’. I will then discuss in more detail the issues surrounding female masculinity and sexuality. The final sections will deal with parenting and the dynamics of relationships.

Methodology

For more than ten years I have been working within the women's rights, gay rights and human rights movements in Namibia. I am a Damara woman living in a same-sex relationship. At the time of the research, I was a consultant for the feminist organisation Sister Namibia, of which I am also a co-founder. Sister Namibia was the first organisation to address the issue of the human rights of lesbian women in Namibia and has built up strong credibility around women's human rights and gay and lesbian human rights. Most of the women in same-sex relations who are active in Sister Namibia and The Rainbow Project (trp), a group fighting for the rights of LGBT (lesbian, gay, bisexual and transgendered) people, are of Damara origin.

For this research, I interviewed four Damara lesbian persons. I chose women who are not members of a women's or gay and lesbian group to ensure that their voices are also heard. Although they knew me and I am from the same ethnic group, I had to make an effort to build enough trust for them to have their interviews taped. The respondents in this research have openly discussed issues of sexuality with me. This is due to the fact that there is some openness about discussing sexuality in Damara communities.

Presently all of the interviewees live in Katutura, a black neighbourhood in Windhoek. All of them dropped out of school and of the four, three were unemployed at the time of the interviews. All interviews were conducted in Damara. Throughout the chapter, I will also use gender neutral pronouns (hir/hirself) when appropriate.

Three of my respondents identify as men, two of whom use male names. This is why I have also given them male pseudonyms, Hans and Calvyn. Hans is also 35 years and was born in Swakopmund. Calvyn is 50 years of age and was born in Okombahe. It is very common for women who play the butch role in a same-sex relationship in Damara culture to take male names. In fact, of the more than 30 'lesbian men' (male-identified women who desire women) that I know, all of them have given themselves or been given male names. The male names are a symbol of a second baptism in which you consciously take up a masculine identity. Hans, for instance, got hir nickname at school. S/he was named after a male singer when it turned out s/he could sing exactly like him.

The third respondent does not use a male name for hirself, and that is why I have given hir a female pseudonym, Helen. S/he also identifies as male. Helen is 47 years old and was born in Okahandja. S/he is a committed Christian and is an active member of the Evangelical Lutheran Church in the Republic of Namibia (ELCRN). It is the second biggest church in Namibia and the one to which most Damara people belong. S/he has one daughter.

I chose one female-identified woman, Marianne. She is 35 years of age and was born in Outjo. She has a relationship with Mihes, a male-identified person. I call her a 'lesbian woman,' a female-identified person who desires women, including male-identified ones. My other three respondents are male-identified. They see themselves as men.

Historical background

The Damara, a hunter-gatherer society, held land communally. The arrival of German colonists forced many Damara to grow field crops and gardens. Whatever the women gathered belonged to them, and they had the right to give it to whomever they wanted. The products of their labour were not controlled by men. There was a strong sexual division of labour which was complementary, not hierarchical. Men would hunt and women would gather, cook and feed the members of their households. Women's work was valued as an important contribution to the survival of the household. This system is often called egalitarian. Yet, gender inequality was also ingrained in the system; men considered themselves superior to women and they claimed the right to beat their women.

The Damara, common to other hunter-gatherer societies, lived in small band units, rarely larger than ten houses. Therefore, they did not develop elaborate ruling structures; they had no kings, chiefs or captains.

The women built and owned the houses; men were merely visitors in their houses. This pattern is still prevalent today. The Damara had a matrilineal system in which the children resided with women. This is still the case in modern Namibia; many mothers remain single while many fathers do not pay maintenance and do not concern themselves about the welfare of their children.

Although men are supposed to show financial responsibility for their children, they often do not live up to this expectation. This diminishes the respect they can command from their children and from the female members of their households. Thus, the upbringing of children does not take place in a strict authoritarian patriarchal environment. This gives children the space to make choices and to participate in the affairs of their households and the community.

Inheritance is bilinear; women and men inherit equal portions. Thus, women have private ownership and control over their possessions, both their houses and other property. Compared to the other ethnic groups in Namibia, except for the San, Damara society was very democratic for all – women, children and men. As everywhere else, Damara children are brought up in gendered ways, but rules and roles are not strictly enforced. Marianne remembers her

childhood, “According to my understanding there was no distinction between girls and boys – that girls would have to do only this and boys only that. It’s not like because you are a girl, you have to wash the dishes”

The ruling ethnic group in Namibia, the Ovambo, live mainly in the northern part of the country. Though matrilineal, they have built up a hierarchical socio-economic system based on land ownership for agriculture, with strong imbalances, particularly along lines of gender and age. This patriarchal culture is in a certain sense imposed on the whole of Namibia, especially through the statements made by government leadership regarding sexuality.

Many of the egalitarian Damara values have changed over time due to the influence of colonisation, Christianity and apartheid. Damara people now live in sedentary ways, and in the rural areas they are mainly farmers of small livestock. But some remnants of these values have remained in the collective consciousness of the Damara people, and they continue to impact upon issues of gender, sex and sexuality.

Community

Damara culture may be more accepting than other communities in Namibia of people who do not conform to the accepted heterosexual patterns, yet this is not to imply that my respondents have had an easy time. Helen’s experiences were traumatic. She left her native town because of the social stigma attached to her way of living, and she also knew a young lesbian who committed suicide.

“My mother cried ... if I stayed on in our town I would die, I would commit suicide, so she said.

... there was a girl from Lüderitz ... and she could not take it any longer and wrote a letter, one to the pastor and the other one to the police and one for the parents that she cannot change the fact that she loves women ... and hanged herself ... (silence). The letter was read at her funeral and the parents while they could not change anything, regret what they have done.”

Hir own lover, Khoes, also has major problems at home. Neither her mother nor her grandmother accepts her relationship with Helen. During the first four years of their relationship Khoes and Helen stayed together in a little building behind the main house, but when hir grandmother found out about their relationship Helen rented a room elsewhere.

Marianne says there are good and bad sides about being in a relationship with women.

“One negative thing is men in the community are watching our kind of people, because you don’t want relationships with men and are together with a woman. They think I must rape that woman ... so I will get her so she will stop that thing.

The benefit is that I think that one is protected from diseases. ... When I look back in my life, I see that I have buried many school friends of mine. I believe that if I had continued to stay with them [men], I would also have died, without children. Young women died. I am lucky to be 35 now; many of them died before they became 30 years old. Some of them are now already dead for ten years.”

Religion

All of my respondents belong to the Lutheran church. While Helen fought for and received a rather positive response to her demand for respect for her lifestyle, others shied away from the church because of its negative attitude towards same-sex relations. Hans, for instance, only goes to church when there is a funeral. S/he “has been raised with the word of God”, but she only prays at home.

“Let me say the majority of churches or all the churches are against lesbians. Well, a man might as a human being understand that it is the creation of God. The doctrine of the church and the belief that is in the people is that our way of life is a sin according to them ... I do not see that as a sin, truly, it’s a feeling that God has created in you. It’s not that suddenly you get up and do something like you want it. You get people who are born with it, you get people who are mimicking other people [following the example of others].”

When Marianne began a relationship with Mihes, her mother, a religious person, had trouble accepting it. Marianne also internalised the teaching of the church and believes that her relationship with another woman is a sin. She is not ‘out’ at church and feels very guilty.

Of my four respondents, Helen has the most intensive relationship with the church s/he belongs to. S/he has a beautiful voice and is a choir leader. Although s/he too, like Marianne, feels guilty, hir sexual desires for women are so strong that even when s/he is trying to “pray them down”, they are going on. So s/he feels that as both the church and hir life with women are such important parts of hir existence, s/he had better make the pastors s/he is dealing with aware of it: “On the day we met. I said, “Pastor, do you know me?” and he said, “Yes.” [And I said] “Pastor, I, Helen, have relationships

with women" He said that maybe with my way I might bring someone to God and that he does not have any problem with me. Marianne went on to have some positive experiences in the church.

"[At a meeting] The pastor said, 'You know as you are sitting here that there are women who have relationships with married men; some of you have even stolen money from your madams and came to this conference with it ... but you sit here with the difficulty that lesbians have relationships with each other ... but those people have been created by God and must stay together with us who also have been created by God.' I went directly to Ousie Khoes' house and told her, 'They have put up a white flag for us.'"

'Coming out'

Although there are many women in the Damara community who have relationships with each other, most of them are not 'out'. They fear gossip and social stigma and prefer to live their lives with their woman partners away from the limelight. This liminality is made possible by the silence around same-sex relationships in the community – a silence that isolates them but also protects them. If they come out, they do so in stages. They may opt to come out to people with whom they hope for acceptance or with whom they are close, such as their mothers. Marianne, for instance, is not 'out' to the pastor and the father of her first child, for whom she says she has 'high respect'.

"So I tried to be respected by the community ... But at the end I told my mother ... we love each other and someone who does not like the way we stay together must avoid us because I will not separate from Mihes. So I let my mother understand in that way. It's difficult – parents do not accept this kind of thing easily – it's difficult."

To her other relatives she has kept quiet, though she realises they "must suspect", but as long as they don't ask about it, she won't tell them she loves Mihes. Yet, she visits them openly with Mihes and introduces her to them as her girlfriend.

Calvyn has a strong belief that only God should judge people's behaviour. S/he doesn't know whether hir family suspects something and prefers not to discuss it. Hans too feels it is not necessary to talk, as people respect hir. Most of the same-sex lovers she knows live secretive lives.

Female masculinity

The terms butch and femme are not known in Damara culture. They are only used by the new feminists and LGBT groups, such as Sister Namibia and The Rainbow Project. In fact, in Damara culture we have no name at all for same-sex relations. The only word we have is only used for animals – !hama. It refers to goats and other animals with both masculine and feminine genitals. As Helen says, “I also only know that word, but it is also used for people.” People say to us, “This !hama ... this !hama (laughter)”. Hans feels this is actually a derogatory term: “They use it for human beings to hurt you.”

One striking aspect of the lesbian men I interviewed is that they saw female masculinity as a very bodily thing. While they were all aware of their female bodies, they still felt they had physical masculine characteristics. Wasn't there maybe something like a penis in them? Couldn't they also shoot? Didn't their girlfriends get pregnant? The girlfriends of these lesbian men fully accepted and even stimulated this behaviour. Marianne fell in love fully knowing that Mihes was a woman, and yet she was pleased that Mihes played the male role.

“She [Mihes] only wants to do man-like things like cleaning the yard, repairing cars. When the two of us are alone at home she will not help with washing the dishes or the clothes. When I asked her why she is not helping, she said people will say that I am a *moffie* [man who acts like women].”

Helen locates hir masculinity in the way s/he takes up responsibility at main social events like funerals, and in the household in general:

“When my sister died ... I bought the coffin. The other male family members only came on Friday and my aunt said, ‘You guys take off your trousers and give them to Helen, because Helen, who I thought was a woman, is more of a man, and you who have been males are now women; at each death Helen is buying the coffin and you don't do anything.’”

For Hans, masculinity expresses itself in hir sense of being in control. One of hir first lovers treated hir with the respect due to a man, which pleased hir:

“At her own place in Windhoek she had her own room, so we had privacy, my clothes were cleaned and I could eat on time [from] a man's plate with handles on the side and a lid [a big metal bowl]

in which men are usually served]. (Laughter from both of us.) So I was treated very well.”

The lesbian men carry a lot of responsibility for family members, particularly financial responsibility for girlfriends and their families. They see it as an integral part of their masculinity and, in fact, scorn biological men who do not live up to their obligations. To take responsibility for others increases social acceptance of their lifestyle. Another reason why so many tasks are loaded on them may be that as lesbian men and not officially married, many problems of the family are automatically diverted to them.

From an early age Hans shouldered many responsibilities. To help his mother, who was bringing up seven children on her own, s/he left school to take up a job. S/he, as the man in the house, had to help bring up his sisters, who because of that still “look up to me”. Later in life things became more complicated when s/he had to support his girlfriend too:

“When I got paid, then I gave my girlfriend all the money and then we would decide what to give to my mother and her mother and what we have to save and what to do with the money.”

Dress codes

Dress codes in Namibian society are strictly gendered. The lesbian men in this research had to negotiate carefully how to dress. On the one hand, they would want to show respect to the church and to the wishes of parents, particularly mothers, and to conform to expectations on how to dress as a person with a female body on solemn occasions such as a funeral. On the other hand, from an early age they detested women’s clothes and wanted to demonstrate their male persona to the outside world. Girlfriends also expected that their men be dressed as proper men. Marianne comments:

“I said [to Mihes] you act like a man, why do you wear dresses? ... I saw that she did not change her shoes yet ... but as from last year December the shoes also changed and she is buying only men’s shoes. For watches, she has to put on the big watches, men’s watches. And for underclothes, I have seen that from the time when we have met, she does not wear panties, she wears men’s underwear and so on.”

During the time that Hans, the oldest respondent, went to school, girls were not allowed to wear trousers. Reluctantly, s/he wore a skirt at school

and after school s/he immediately changed to pants. Calvyn, too, refused to wear dresses as a child and particularly hated petticoats. As a young child, Helen would wear hir brother's clothes. As soon as s/he got hir own money to buy clothes, s/he bought trousers. Hir lovers only know her wearing men's underwear. Even hir pastor accepts her dressing as a man.

“As long as I can remember [I wear men's underwear]. How can I wear a panty ... while women are wearing panties? Last year Father's Day, the pastor was giving gifts, and we were opening gift boxes there. He said, 'The bishop's box cannot be opened here – the people of this congregation call me bishop – he is an older man and this should be opened at home.' ... When I got home there were six men's briefs and a tie in the box”

Drinking and violence as expression of masculinity

Drinking is very common among Damara men. Lesbian men engage heavily in this activity as well. Very rarely will you find a lesbian man who is not drinking. By consuming large quantities of alcohol, lesbian men live up to a certain image of aggressive, violent manhood. They also conform to a gender ideology in which male violence is accepted. As a consequence bravado, violence and jealousy characterise their relationships. Marianne explains, “... if you are acting like a man you have to do one thing – either drinking or smoking – so Mihes is saying. So she drinks.”

One reason why there is excessive violence in lesbian relationships is because the lesbian men construct their partners as inferior, in line with the prevailing gender ideology in Namibia. As Hans says, “My thing is I always have to take care of my girlfriend, because I'm her superior.” Drinking and the violence that follows from it also played a big role in hir life. S/he used to drink heavily and become very violent until s/he finally managed to stop.

“My girlfriend then said that she does not want me to drink because when I am drunk we always quarrelled. She said, ‘... I have put my sister's boyfriend's tablets that stop [people from] drinking. I put them in the Oros.’ I said, ‘Okay, I would stop drinking, throw away that [Oros] and make me another Oros.’ When Friday came I was drunk and then I became very difficult. I said it was Windhoek's witchcraft ... that she wanted to kill me. So I grabbed her around the neck. I used a wire hanger and made a shape that fit around her neck and I said, ‘Do you see that tree? ... I am going to hang

you up there” ... I stopped drinking because I felt that we would just kill each other.”

Lesbian men can also be violent without drinking. Calvin confessed to having been aggressively violent towards his lovers:

“I beat women ... but I have stopped now. I am getting old now.”

Q: “Did you beat women because men beat women?”

C: “Yes, she must listen to what I am saying and she must do what I say”

Femme strength

The partners of lesbian men don't take all this swagger, bravado and violence of their lesbian men lying down, so to speak. In many ways they see themselves, and are seen by their partners, as in possession of a strength of different dimensions. Femme strength may involve physical violence. Hans was bitten so severely by his lover that s/he ended up in hospital for three months, after the wound became infected. Marianne considers herself a better fighter than Mihes, who was wounded by a woman. Helen was seduced by Ousie Khoes, his present lover, although Helen quickly turned the situation around to make it seem s/he was in control (which was probably the intention of Khoes all along). Similarly, it was Calvin's Ovambo lover who had started the relationship. Once when they quarrelled and Calvin wanted to end the relationship, his lover refused and told Calvin that it was she who ended the relationship, and not Calvin. Hans recognises that it is the desire of women to be respected for their womanly power which makes them desire lesbian men. Heterosexual men do not always know how to appreciate this:

“... guys always hurt women and only eat the pockets of the women [abuse the girlfriend's money] and not let them feel that they are the women or wives. That is the reason why women sometimes get into this thing [lesbian relationship].”

The body

Female masculinity in Damara culture is not only related to social practices, responsibility, a division of labour and masculine ways. My male-identified respondents strongly feel that it is something inside them; that they are

born with it. Hans says, “I was born like that ... It’s not something that I am learning now. It’s something that is in my blood and so I have to suffer.” Helen agrees, “This thing is inside you coming from somewhere.” The belief that homosexuality is in the blood is reinforced by the fact that in many cases there is more than one sibling in a family that is homosexual. Three out of the four people I interviewed had brothers or close relatives who are also homosexual. But what is inside the body or in the blood is not at all clear to my respondents. There is a suggestion that it may have to do with either hormones, or maybe with having both male and female genitals – hermaphroditism. Helen is aware that there are persons who are hermaphrodites or born intersexed and who are later operated on. S/he explains, “Some of us ... have only one thing ... while other people have already been made with two things.”

Helen’s experiences with doctors were not very enlightening. She once stayed in the hospital for three months for what originally seemed to be an infection of the ovaries. After many tests and psychological inquiries, it was suggested that s/he have a sex change operation:

“... the doctors said that male hormones are strongly in my body and when I asked why it is like that they said that in some people, male hormones are strong in a woman and an examination shows whether it can be changed or not ... When I was to be operated [on], I was supposed to leave Namibia and go and stay in a country in which the people don’t know me ... I said, ‘Leave it and let me die if necessary ... I have relationships with women and I don’t have a problem.’”

Calvyn struggled with his aggression and asked a doctor about that but the doctor spoke in riddles:

“On the day that we [me and my second child] had to be discharged she came to me and said, ‘Madam I want to share something with you.’ Then she asked, ‘How is it with you? Do you have one man or boyfriend? How do you get children?’ She said she saw my genitals and that is the reason why she is asking these questions. ‘Do you need any help? Do you know about it?’ I said I suspect something but not fully. She told me a few things that she could see on my genitals. She saw how my genitals were built ... There is a little difference”

Q: “That it looks like there was a penis ... ?”

C: “Yes, like that.”

Hans would have liked to emerge out of this gender liminality:

“I would have liked to change the way I am created ... When I was young, long ago, I read in the *Huisgenoot* about Erica, who became Eric, about her. I was so interested, while I was still at primary school, in the seventies ... if there was money then I would have undergone a gender change or genital change.”

It is not surprising then that with so much masculinity involved, there is also talk of pregnancy. All the pregnancies they believe to have produced by them ended in miscarriages. Calvyn accepted the full consequences of his girlfriend's miscarriage and paid the hospital bill. Hans is positive that certain styles of lovemaking, like *koekstamp*, can result in a pregnancy. *Koekstamp* is a very popular method; this is a sexual practice where two vaginas press to each other. Hans explains, “You also lie next to each other like scissors, your leg into the other woman and her leg into yours ... it's like in a scissors position. Then things also go very well. It's a very dangerous moment because all the things (laughing) are together nicely.”

Sexual experiences

The first sexual experiences of female and male-identified lesbians differ substantially. All three lesbian men had girlfriends at an early age. Marianne had her first woman lover when she was already involved with a boyfriend. She met her at a wake and to her own ‘great amazement’ fell for her.

“She was playing keyboard at this wake ... and I thought what beautiful woman is this? Unexpectedly that feeling came inside me. I fell in love with her ... So we got to know each other this way, and I got her address ... but nothing happened ... and the next year she came to Khorixas ... And that night something happened [sex took place], I was in clouds. I was so surprised that such a thing is possible.”

Hans, in contrast, realised very early on that s/he had strong feelings for other girls. At primary school, in standard two s/he wrote love letters to girls. In high school she had hir first lovers. While at school, s/he was seduced by an older woman who taught hir “as a young chap” all s/he needed to know. Calvyn was in hir early teens when s/he realised that s/he did not want to be seduced by boys but wanted to touch girls himself. Yet s/he remained shy for some time. Eventually s/he became involved with two women, the elder of whom taught hir what to do:

“Then a sister from the Bible school got interested in me. She told me about caressing and kissing and she told me that she felt that she was my girlfriend and that I was her man ... When I got home I thought, ‘To do this in the yard of the Bible school, I have done a big sin.’ ... She showed me how women make love.”

All my respondents also had had relationships with men, and they all had children. Marianne’s experiences with men are very mixed. She was raped at a very young age.

“In 1981 ... when I was in grade 3 ... my aunt sent me to the shop where her husband worked ... I walked in the path and crossed the highway and then I met three men. I greeted them and the following moment they chased me, each one with a knife open in their hands. I had to decide to rescue my soul or my life that day, instead of them stabbing me or beating me or killing me, let them rape me ... (silence) maybe all those things might also have caused that when I got my mind [when I grew up] I developed *afsin* [Afrikaans for dislike], a dislike of men”

Helen has slept with many women and three men. In her early youth s/he felt that “it was impossible to love women” so she attempted to date two boys, but she soon left them for that was ‘impossible’ too. S/he remained friends with men and much to hir surprise s/he had a child with one of them.

“I don’t know what happened that I slept with him and became pregnant. I still don’t fathom the reason ... he also says the same: ‘I don’t know how we slept together that you got this girl and that girl is not mine,’ and it was finished then. ‘How can one man sleep with another man?’ he said, and then I also left it like that.”

Hans got hir first child in a similar casual way, because s/he was drinking heavily at the time. But s/he also had a wish to have children. Hir second child, with the same man, was more carefully planned. All along s/he also had relationships with women.

“I was still using my belt and wearing my jeans when I gave birth to my child. When I was admitted to the hospital the nurses said, ‘Are men also giving birth now?’ (Laughter from both of us.) The father was looking for us all the time but I did not want him to trace us. I told him it’s my child; that I made her myself (laughter). When I was about 29-30 years old then I thought that if children

are raised alone then they are a problem. This girl must get a sibling. If they are two, then it's enough. I wanted a boy."

Calvyn has five children with an old man who she stayed with for a long time. The old man never knew she had relationships with women

"I was 18 years old. He was old, 60 or 62 ... I lost my control and the first child was born. He was married and we only saw each other occasionally ... With that man I got five children. He is 82 years old now ... so I got the first child, the second child, twins two boys, and the last one. We stayed together for fourteen years, but while we were together I still walked my paths [continued relationships with women]." (Laughter)

For my respondents the relationships they had with women were more satisfactory than their relationships with men. Marianne explains, "Men don't care whatever they do ... And so when I look back I don't see any happy relationship that I had with a man. I am happy in this lesbian relation." Of the lesbian men I interviewed, Calvyn had the longest relationship with a man but, "The old man would always say that our sex is weak, that I am not enjoying it ... But if it comes to a woman than I am number one, full of fire."

The lesbian men and their partners use a broad range of sexual techniques. Calvyn soon discovered exciting new things with his new lover:

"Many ways of doing sex came to me ... So I asked her whether I could bring my tongue there and she said it was okay. So I started that way with her (laughter). This was something new for me ... "

Marianne's lovemaking has evolved over time:

"When we met in the beginning, I only knew that [fingering] and only did that but when I realised that through *koekstamp* I can reach my orgasm then I ... only want to do that."

Dildos and vibrators are known sex toys but the lesbian men I interviewed said that they do not use them. As Calvyn says, "What will that rubber do to somebody and what feelings does that give? ... Let them separate from me but I will not." They believe that dildos and vibrators make the lovers of lesbian women ill. As Hans explains, "I did not use vibrators ... I cannot make a woman who I say I love ill, because those things can easily cause cancer because these things are made from rubber and this person is a living human being."

Although the three lesbian men I have interviewed have children and so must have been penetrated by the fathers of those children, most lesbian men that I know refuse to be touched on their genitals. To be touched is seen as not respecting the man. It also has to do with the fact that men are the ones who penetrate; they are not penetrated. This, however, does not prevent them from having orgasms. As Hans says, "I am not touched. I am her master ... the women that I have been with would not put their hands on my private parts. They might reach my buttocks but would not touch my private parts. They have respect for that"

My respondents are aware of the presence of HIV/AIDS, and they are careful. Marianne counted it as a plus that "with all these diseases around", she was no longer going out with men. Hans only practices oral sex if s/he can trust the women s/he is making love to. S/he gave up having sex with a woman who was in a relationship with a man who would often get drunk: "When he becomes so drunk he might bring something else [AIDS] to her."

Most Damara lesbian men I know have relationships with other Damaras, although inter-ethnic affairs also take place. Calvyn had a relationship with an Ovambo woman, and at primary school Hans had a relationship with a white girl, the daughter of the family her aunt worked for:

"When I was growing up and I was in standard two, I used to go with my aunt to her work and there I was in a relationship with the daughter of the white people ... She made me so weak in my knees, you know, it was *kalwerliefde*, [puppy love], with long hair, she was a white girl." (Laughter from both of us)

Damara men are known to be promiscuous. It is part of their manly pride to have multiple relationships. Many lesbian men I know lead promiscuous lives, and this may lead to complications. But some give up that way of living after some time. Helen, who used to have notoriety as a choirboy, is no longer in this promiscuous stage of her life because she is happy with Ousie Khoes. Hans also confessed to having been "greedy" from an early age onwards. Later, with adulthood, s/he feels the "greediness of youth" passed. So s/he felt it would be better to stay with one lover at a time. Presently, s/he is in a relationship with two women at the same time, but feels that this might not have happened if his first [major] lover had not been killed:

"It was our 14th year together, she was 40 years old then ... She was on my insurance together with my children ... That death ... it nearly made me mad. I was half a person. I did not know sleep, food. I lived only on water ... she was my mother, my wife ... she was my everything ... If I was still with her, then I would not have

these difficulties with these women, they even gave me high blood pressure.” (Laughter)

Managing relationships and children

Marianne is very much in love with Mihes, but their relationship has its problems. Their relationship started slowly, as at first Mihes only felt sisterly love for Marianne. Mihes also had a relationship with another woman at the time, but Marianne dexterously manoeuvred herself in such a way that their relationship started and Mihes broke with the other woman. The sex was excellent, and Marianne was very happy: “I got all the good things from Mihes.”

For Hans, who often had to juggle multiple relationships, it was very important that the various women in his life did not grab each other’s throats. S/he was very pleased with the adult behaviour of two of his women:

“They knew about each other but did not show it. You know, grown women, even if they know their husbands also have children with another woman and also have girlfriends, even if they know, the women hide it and so my girlfriends hid that and handled things in a grown-up way.”

Calvyn also has two girlfriends:

“How do I manage two women? How can I say? ... You can stay with one at a time but while the two of you are together and then she starts to act badly towards you ... Then it feels like you are built in by walls around you and you look for relief but you don’t get it. But if you have two then you can go there ... when the one leaves you, then you have something else to defend yourself with ...”

Children are important in Damara society. For Marianne, with all her love for Mihes, they are her first priority. She sees them, rather than her lover, as her future. Lesbian men are mothers of their own biological children, and fathers to those same children and to those of their lovers. As we have seen above, motherhood came to them often by surprise. In one case it was associated with shame – how can a man be pregnant? In another case the lesbian man wanted children of his own. None of them wanted the father of their children to be involved in their lives. They all took the financial responsibility of their children upon themselves.

Hans is in a complicated relationship with a teacher who has children from her marriage, yet often stays with Hans. Hans also has two children of his own.

“All that the husband knows is that we are good friends and so he has to stay that way. I have raised that little boy together with my children. ... I give money for the boy when I can. If I put something on lay-by, then I do it for all our children. I have included that boy in my insurance. When he [the partner’s child] was born, I also opened a savings account for him, as I have done for my two children.”

Conclusion

The Damara community harbours many women who are in same-sex relations. The present repressive political climate makes life hard for these lesbian men and their partners. They do not want to be chased out of their country. They would like to live openly and have the possibility to marry their partners. The Lutheran church to which many Damaras belong has a mixed record on its attitudes towards same-sex relations. Some pastors accept these relationships, while others consider them to be a sin. Damara culture still has remnants of traditional values such as egalitarianism and peace. Yet, alcohol and violence are major problems which negatively impact women’s relationships. Sister Namibia and other groups fighting for the rights of LGBT people will continue to support lesbian women like Marianne and the lesbian men and their partners who so courageously shared their life histories with us.



**Gender,
Sexuality
and
Power**

Chapter 18

Emotional Abuse and the Dynamics of Control within Intimate Partner Relationships

Hetty Rose-Junius

Introduction

During the past three and a half decades a surge of interest has been sparked, to a large degree by feminists, towards public acknowledgement of the “battered women” syndrome. Over this period, research has produced a wealth of information and diverse theories about the degree, extent and dynamics of inter-partner violence and possible contributing factors to such violence. It also addressed issues like the social, political and cultural perspectives on the relationship between violence and male domination over their intimate female partners.

This paper seeks to draw briefly from research on aspects of emotional abuse, women’s experiences of emotional abuse, and the balance of power and control within intimate relationships. It also draws from information gathered during interviews of 15 women in abusive relationships, seeking to establish their experience of the “web of abuse, and the personal and external resources from which they can draw to shift the balance of control within such relationships” (Kirkwood 1995: 86). Fifteen women from four residential areas in Windhoek, drawn from the files of the researcher, were interviewed. All of them were previous respondents in the World Health Organisation (WHO) multi-country study (MoHSS 2004). This study did not focus much on emotional abuse in inter-partner violent relationships. These respondents, however, expressed the need to be given an opportunity to

talk about their emotional trauma and suffering. Some of them were proud of their efforts to retaliate and to break the cycle of violence.

An unstructured interview schedule was used during the personal interviews with the women. In this way, they were free to elaborate and tell their histories in their own words, focusing on those areas where they suffered intense emotional trauma. All the names used for self-identified abused women in this paper are fictitious.

Towards a definition of emotional abuse

Unlike physical violence and physical injuries, emotional abuse and injuries which result from such abuse cannot be easily categorised and quantified. One may, however, identify components of the victim's subjective experiences which tend to be strikingly common to women suffering emotional abuse from an intimate partner. In the early 1980's McCarthy (1986: 285) contributed to the attempt to define emotional abuse when writing:

“We were searching for ways to delineate it from the ordinary irritability and occasional name-calling that most couples engage in from time-to-time. In fact, much of that behaviour is abusive, but it may not be permanently damaging until it reaches the level of a campaigning to reduce the partners' sense of self-worth and to maintain control.”

More recently the definition used by the WHO to describe intimate partner violence, embraces various aspects of abuse, including emotional abuse within relationships. For the purposes of the multi-country research on violence against women in 2003-2004, the following definition was used:

“Any act or omission by a current or former intimate partner which negatively affects the well-being, physical or psychological integrity, freedom or right to full development of a woman.” (MoHSS 2004: 2)

Closer to home, the legal definition of emotional abuse is detailed in the Combating of Domestic Violence Act 4 of 2003 as: “... a pattern of seriously 'degrading' or 'humiliating' behaviour towards the complainant, a family member, or a dependant of the complainant”. This may include repeated insults or causing emotional pain with words or actions, and repeatedly and seriously exhibiting obsessive jealousy or possessiveness towards the complainant or his/her family or dependants (LAC 2004: 12).

Kirkwood (1995), in her book on women who decide to leave abusive partners, uses the image of a spider's web to convey the fact that emotional abuse as a whole is a network of interrelated behaviours and emotions. The sense of entrapment, the threat of emotional and physical destruction, and the inter-connectedness of the destructive components of emotional abuse were described by a woman explaining the basic nature of her experience of this web:

“It would be as if when a spider weaves a web; you don't see it so clearly. It's when it's on two trees and the sun is shining through it, and there's dew on it, that you can really, really *see* that outline. ... if you could take a can of spray paint and spray it so that you could see all the linking things that make it manipulative, and what it undermines, what it's attached to, and what string it pulls.” (Kirkwood 1995: 61)

Looking at this image of a web to describe the whole of the experience of emotional abuse, one needs to focus on the impact of such abuse on women.

Women's subjective experiences of emotional abuse: A bird's-eye view

Drawn from research, both international and local, and personal research with women in abusive relationships, it is clear that abuse, whether physical, sexual, or verbal, has an impact at an emotional level which women experience as deeply injurious. In the following sections a few major components of women's subjective experiences of being abused are identified and then made applicable to specific testimonies of women interviewed.

Feelings of degradation

Degradation refers to a feeling that one is markedly less important or less valued as a person, and that one is not very acceptable to other people as part of their group or social standing. Degradation causes feelings of agonising pain and shame about oneself and one's appearance. It erodes an abused woman's sense of self-value to the point where she does not believe her own or other people's assessment of her value as a person but only accepts the values expressed by her partner, defining her as a loser, ugly, sexually inadequate, a worthless mother, stupid, or even a whore.

Women describe the methods used by abusers to degrade them in two ways: they either use vulnerabilities that already exist in the victim, or they exploit the vulnerable emotions and low self-evaluation triggered by the abuse. Two self-identified abused women expressed their experiences of degradation in relation to the above-mentioned situations.

Enid related how she would be aware of her growing body, swollen legs, dark pigmentation of her skin and almost constant vomiting when she was pregnant. Her husband would focus his verbal attacks on these areas, which already affected her self-confidence, and would afflict acute degradation with his sarcastic and caustic criticism of her looks.

Julia explained how her partner's negative evaluation and constant verbal attacks had a powerful and painful impact on her. "He broke me down with his words, looks, anger and aggression, sexual humiliation, that I felt inherently dirty and beyond redemption. Even my own children looked down on me with contempt." She said that the worst suffering she ever experienced was when, repeating his father's words, her 6-year-old son asked, "Mom, are you a whore?"

"Traumatic bonding"

This term refers to the "strong emotional ties that develop between two people when one person intermittently harasses beats, threatens, abuses, or intimidates the other" (Painter and Dutton, cited in Harway 1993: 32). These researchers noted the similarities between partner abuse and other situations where strong emotional ties are developed with abusers. They referred to hostages developing strong feelings for their captors, and severely ill-treated children who strongly bond with their abusive parents.

In the early 1980s, other authors also referred to this phenomenon and described the bond between captor and hostage as the Stockholm syndrome (Follingstad et al 1988; Ockberg 1980). These researchers pointed out that over time, power imbalances tend to increase, leading to psychopathology in the two parties involved. The person in the lower power position (the victim) is shown as "becoming more negative in self-appraisal, less capable of existing independently, and more needy of the higher-position person" (Harway 1993: 32). They also maintain that the higher-position person tends to develop a need to hold on to the connection with the victim, and in this way the mutually-interlocking "trauma bonding" may be prolonged for a long time.

Results from the WHO Multi-Country Study on Women's Health and Domestic Violence showed that 75 women in Windhoek who severed the abusive relationship with their intimate partners returned to that relationship for various reasons, mostly connected to a form of bonding with, or dependency on, the abuser, or the abuser's need for the victim to return to him. The

report states: “The most frequent reasons cited for returning home after leaving an abusive relationship fall in the category of feelings for and expectations of husbands/partners to change their behaviour. While 48 percent were asked by the partner to return, 33 percent returned “because I love him”, 32 percent forgave him, and 13 percent believed that he would change” (MoHSS 2004: 43).

A “surge of power”

During the interviews with self-identified emotionally abused women, Asnath said:

“I am ashamed to admit that after an incident of severe physical and emotional violence perpetrated by my partner, I would usually experience this ‘surge of power’. I felt physical and emotional pain, yes, but I also felt that I was in the power seat here. He was guilt-ridden, ashamed of and confused by his lack of control, devastated that he caused his beloved such suffering, squirming and begging for forgiveness and to get another chance, tearfully promising that it would never happen again. I was in the powerful position to prolong his agony, to choose whether I would forgive and forget, or whether I would walk out and left him with his misery. Today, in retrospect, I wonder if I was becoming as sick as he was.”

What is significant about this specific woman is that she managed to break the cycle of violence. She left the abusive relationship and never returned. She created a new, independent life for herself and excelled in her career – something which she is sure would never have been possible had she remained in that relationship.

This case and others differ from the third phase in Walker’s (1984) description of the cycle of abuse. She explained how the battered woman is physically and emotionally violated by the repetitive nature of the cycle of violence. She described the three phases: (1) the tension-building phase, (2) the acute battering phase and (3) the loving, contrite phase.

While Walker (1984) found that this last phase seems to provide reinforcement for the cycle, convincing the victim that things will change and leaving her with feelings of self-blame, depression and helplessness, Asnath’s experience was exactly the opposite. She felt strong, in control and not in the least vulnerable and dependent. She did not allow her partner to reduce the aversive arousal that his violent behaviour and emotional degradation had created, and she did not allow the partner’s loving behaviour and contrition to trap her into remaining in the relationship. She walked away permanently.

During the interviews with abused women at least two other respondents expressed this same experience of the feeling of power, and acted in exactly the same way, permanently leaving the abusive partner. Both of them are living independent and fulfilled lives. This clearly shows that some women manage to retain a certain amount of inner strength while suffering intimate partner violence, and they even manage to escape the entrapment which is generally experienced by women in such relationships.

Deprivation

Kirkwood (1995: 50-51) states: “Deprivation occurs when the behaviour of abusers indicates to women that they are viewed as objects with no inner energy, resources, needs and desires.” The three types of objectification explained by Kirkwood included: (1) the abuser’s demands that his partner alter her appearance to meet his needs and desires; (2) reducing her level of functioning by coercing her to use of alcohol or drugs, even to the point of becoming dependent on such substances to facilitate his manipulation of her behaviour; and (3) the expression of acute possessiveness. In this way he severely restricts her social contacts and invades her space even outside the relationship, such as at her place of work. In all these ways, women are treated as objects owned by their intimate partners and unworthy of respect, privacy and self-expression as human-beings.

All the women interviewed were subjected to some form of objectification by their intimate partners. An attractive woman, well-built and neatly dressed, obviously felt out of place and dissatisfied with her appearance. She said:

“He does not allow me to cut my hair. I look forty years older with this ancient hairstyle. He buys my clothes. I know you think I wear expensive clothes. It is his choice, not mine. It does not suit my personality, or my taste, but he says I want to entice men with my taste of clothes. This beautiful house is just for show. I am treated like a floor cloth in here. I must walk softly, talk in a whisper; do the dishes without as much as a sound of water splashing or something scraping. He will shout that I am angry that I have to do the housework, or I want to ruin him by breaking his crockery. I am nothing – just an object.”

Objectification clearly deprives this woman of a sense of self-worth and manifests her husband’s desire to wield complete control over her. Rose-Junius et al (1988: 78) note: “While the abuser expresses his ‘ownership’ by a show of possessiveness and extreme jealousy, he also shows no tolerance for her

possible resistance to his controlling measures.” In this way he continuously reinforces his control.

Other common critical factors associated with emotionally abused women are fear, disassociation to cope with trauma, learned helplessness, rationalisation of the perpetrator’s behaviour, and self-blame. There is also an ongoing debate around the hypothesis that some abused women may be masochistic and emotionally deviant, seeking out violent partners in order to fulfil their own distorted psychological needs (Kirkwood 1995).

The dynamics of control within the intimate partner relationship

In the previous section, based on general research and on the experiences of 15 self-identified victims of abuse, some of the recognised critical factors associated with emotional abuse in the intimate partner relationship and its impact on the victim were addressed. The three aspects that will be dealt with in the next section include: (1) the role played by the web of emotional abuse in the dynamics of control; (2) how women manage to break out of this situation; and (3) how some women manage to leave their abusive partners.

Power and control: Towards a basic understanding

Coercive control is something that occurs when a victim and a perpetrator are locked in a prolonged relationship, such as a marriage or another form of long-term intimate relationship. Within this context, a special type of relationship is formed, where the perpetrator is the most powerful person in the life of the victim. Over time, the psychology of the victim is shaped by the beliefs, perspectives and actions of the perpetrator.

In the experiences of the 15 self-identified abused women who were interviewed, the expression of power and control by their intimate partners happened at both an emotional and a physical level. Under the weight of emotional control, women said they begin to lose touch with their own reality, are unable to feel, and fail to express their own needs, desires, perceptions or beliefs, and value systems. One woman angrily expressed her experience, saying that she felt like a robot that reacted automatically on the demands and expectations of her husband, silently and dutifully accepting the judgments of this more powerful partner.

Physical control happened, for example, when women were unable to prevent attacks, were slowed down by tranquillisers, or were confined to their homes when their partners locked the doors or prevented them from leaving. Maria, one of the interviewees who spent 30 years with her

emotionally abusive husband, said, “To keep the peace, to avoid any further arguments, just to keep sane, I just conform to his ideas, no matter how stupid they are. I keep quiet. I agree. I wish I can just once in my life make my own choice and tell him ... tell him to go to hell!” This constant manipulation of women’s options by another person occurs in such a way that the only option to save her sanity is for her to conform. Such submission to his commands is sure evidence of his emotional and mental control over her.

Six of the women interviewed mentioned that their partners have higher cultural status than they do. They also recognised the cultural legacy of men’s right to control and even punish their female partners into submission. Most of these women also mentioned the fact that their male partners have greater access to external resources like money and better paid jobs, acting as manager of the family income, driving the car, and having higher status in the eyes of the children and society. Supported by all these boosters, the male partner is able to extend his control to economic deprivation, social isolation, and breaking down of his partner’s self-image and self-confidence, rendering her more vulnerable to his total power and control over her life.

Renzetti (1992) stated that the power dynamics in lesbian relationships may also inhibit a woman’s ability to escape from the “male” partner’s power and control. The fear of exposing the weaker partner’s lesbian status may contribute to effectively silencing and subduing her in an abusive same-sex relationship.

The question of victim blame was mentioned by Rose-Junius et al (1998). When abusive partners were questioned on their claim that their partners were to blame for their abuse, they gave the following reasons: the victim deliberately provokes the perpetrator; she keeps on nagging; she derives sexual pleasure from the abuse; and she fails to report abuse, which indicates acceptance to the abuser. If she reports it, she withdraws the case without much influence and she often protects the abuser by lying about her injuries.

The circular nature of power and control within the abusive relationship

The circular nature of the dynamics of power and control between women and their abusive partners has been described by Chaplin (1988). This phenomenon is supported by the interviewed women’s expressions of their own experiences. An inward spiral signifies a woman’s descent into feelings of helplessness and hopelessness and her loss of contact with reality, all of which increase abuser control. The feminist movement works towards emotional empowerment and healing of victims in abusive relationships, thus activating an outward spiral. This increases the victim’s power and control over her own life, while effectively decreasing that of the abuser

(Chaplin: 1988). The women's life histories support Chaplin's explanation of aspects of healing which empower them to move outward in the spiral.

Martha explained how she came to realise that: "I have a right to live, but I have lost my sense of self-value. I do not care for my own health anymore, and I let my body go until I look and feel like an elephant." She acknowledged her state of mind and her physical neglect of herself, and during a life skills training session she wrote, "I am today taking the first step, and I will take it step-by-step, but I will break out and grow and take control of my own life."

The WHO multi-country study report revealed the following factors which strengthened women's outward movement within the cycle of violence (MoHSS 2004):

- **Suffering beyond endurance:** "When questioned about reasons for leaving an abusive relationship the last time, the majority of women (54 percent) said they left because they had reached their limit enduring violence at the hands of their intimate partner" (MoHSS 2004: 43).
- **Alcohol abuse:** The abusive partner's alcohol abuse was mentioned by 49 percent of women experiencing violent behaviour and many of these women identified this circumstance as prompting their decision to break away and save themselves and their children.
- **The severity of the violent behaviour:** Twenty-five percent of women, answered: "I left because I was badly injured." Others reported regular visits to medical services because of their injuries such as a broken limb or nose, internal injuries, and specifically because they were kicked in the abdomen while pregnant with the abuser's child.
- **Change in their energy levels:** Earlier in this paper it was mentioned that one woman said she experienced a "surge of power", and a few others also referred to such energy using phrases like: "My raging anger when he humiliated me over and over again gave me the strength to break out of that marriage."
- **Need for self-preservation and the protection of their children.** Thirteen percent of respondents stated: "I left because he threatened to kill me", and ten percent of the same group said they left because they contemplated murdering the abusive partner, and they did not want to become a murderer. Fear for the children suffering or being threatened by their father accounted for 17 percent of the women leaving abusive relationships.

It was determined during the interviews that at the same time women experienced outward movement, other aspects of the relationship may

experience inward movement with negative consequences for their gaining control over their own lives. Examples from women's stories which confirm this precarious road to shift power and control within intimate partner relationships include an outward spiral relating to better education and higher income. At the same time, the woman is being forced into an inward spiral by a partner who controls that very income, ridicules that very education, demands submissiveness at home, and overburdens her with household duties and with one-sided efforts to maintain the relationship.

Women may move inward and outward along the spiral for a long time, even for decades, unless they generate an internal source of energy, supported and maintained by external support systems, to balance the scale towards reclaiming power and control within their relationships.

The WHO multi-country study on violence against women (MoHSS 2004) revealed that women often find no help at all from outside sources. In this study, 20 percent of the respondents said that they received no help, although their plight was known. The idea that intimate partner violence is a private and family affair, which inhibits outside interference by those who become aware of such situations, probably accounts for such lack of support.

For those abused women who mentioned at least one person who tried to help, 38 percent said it was friends, 21 percent said it was parents, and 21 percent said it was siblings or uncles and aunts. While 12 percent shared the problem with the abusive partner's family, only seven percent in this category reported any positive response from such family members.

TABLE 1: Characteristics of partner violence

Among women with children (N=345)	#	%
<i>Children present at violent incidents</i>		
Never	201	58.3%
1 – 2 times	73	21.2%
3 – 5 times	38	11.0%
> 5 times	32	9.3%
Women who reported physical violence (N=417)		
<i>Sex after violence</i>		
Never	337	80.8%
1 – 2 times	41	9.8%
3 – 5 times	23	5.5%
> 5 times	16	3.8%

Source: MoHSS; *An assessment of the nature and consequences of intimate male-partner violence in Windhoek, Namibia*; 2004: 38

This table summarises the extent to which women reported that their children were present during violent incidents and whether they had ever been forced to have sexual intercourse after a physical beating by the partner. Both these experiences may have a severe impact on the trauma suffered by an abused woman. While 42 percent of the respondents reported the presence of children during the violent incident, 32 women said their children had witnessed their mother being beaten by their father more than five times.

Almost 20 percent of the women reported that their husbands/partners demanded conjugal rights immediately after physically beating the wife/partner. Women who did encounter this type of treatment said that they suffered excessive trauma, especially when they were in pain, bleeding from wounds inflicted during the violence, or when they were severely emotionally traumatised because of the violent event.

Reclaiming personal control within the relationship: Moving outward in the web of abuse

The dynamics of power and control, moving on an inward and outward spiral as explained, may also be visualised as moving within a web of abuse. The inner core of the spider's web clearly has more tightly woven strands, with less space between the binding strands of the web and less chance of avoiding contact with all these strands. Thus, a woman moving inward, experiencing more constant and serious exposure to the impact of abusive actions has less chance of escaping from the power and control of the abuser. This inner core of the web is symbolic of the frightening network of abusive control constructed by the male partner to keep the female partner entrapped in the relationship.

Moving outward in the spider's web, the strands become increasingly less sticky, with more space between strands and less constraining power on the movements of the spider. Using this image, it is clear that a woman struggling to free herself from the web of abuse may also still experience the danger of being drawn towards the centre and caught tightly in the web of abuse. At the same time, drawing from deliberate utilisation of inner and external strengths and forces, she has the ability to free herself from the dynamics of power and control and reclaim her own life.

Goodman and Fallon (1995: 175) offer constructive advice but also caution women who have moved outward, from victim to survivor:

“The first step in decision-making is to change the focus from the abusive situation and the wishes of others to the short- and long-term goals you have defined for yourself. Emphasis should be on

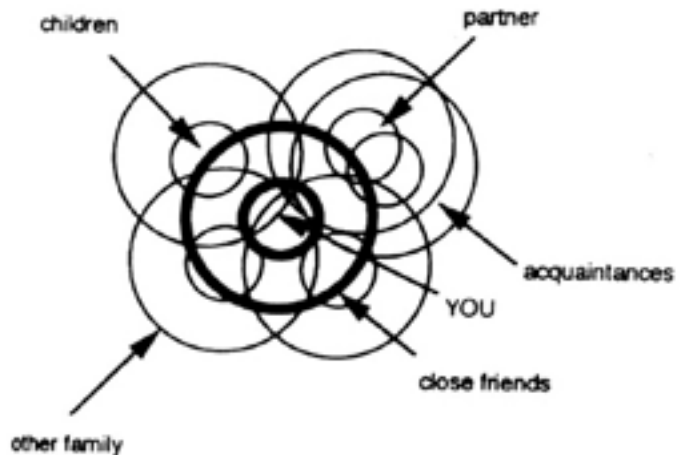
your own inner growth and on knowing that with each decision you make, you are increasing your understanding of yourself, your growth toward completeness in yourself, and your self-empowerment.”

They proceed to caution a victim of partner abuse that an important factor in addition to physical safety is one’s emotional wellbeing and the need for considerable support from outsiders, like family, friends and professionals.

In support of this caution, Goodman and Fallon (1995) suggested a practical model of boundary setting using assertiveness skills. They maintained that for a woman to set off and move forward with the process of gaining control over her own life, she also needs a changed way of communication within an abusive relationship. She has to learn about, and deliberately pursue, boundary setting and use assertiveness skills to enforce these boundaries. Three assertiveness skills have proved to be essential in an abusive situation: (1) making a request; (2) refusing a request; and (3) dealing with authority figures (Goodman and Fallon 1995).

Assisting women to set boundaries in their own lives will require new beliefs and patterns for their role in their families. They need to believe, understand and accept that they have basic human rights. They must know what these rights are and have to be convinced that nobody has a right to violate them emotionally, physically, sexually, or otherwise. They need to remember that the abuser, and the abuser alone, chooses to be abusive, and he is responsible for his own choices and actions. The victims must also constantly remind themselves that they are people who are created with intrinsic value and endowed with inner strength and power which they have to nurture and strengthen to keep or regain control over their own lives. Goodman and Fallon (1995: 73-74) present two figures to illustrate an unhealthy lack of boundaries and healthy boundaries in relationships.

FIGURE 1:
**Unhealthy
lack of
boundaries**

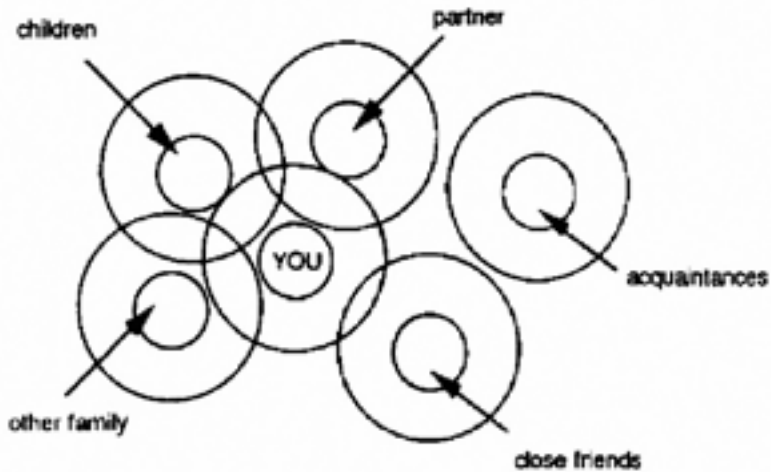


Source: Goodman, MS and Fallon, BC *Pattern Changing for Abused Women.*

Figure 1 indicates how relationships with a lack of boundaries look and how the person who suffers the abuse is captured in the centre with absolutely no moving space. The abused woman in this situation may find herself in a chaotic, exhausting and paralysing life fraught with all the emotional experiences mentioned earlier.

The good news is that this situation can be changed into a picture of healthy boundaries “... with their accompanying feelings of space, independence and comfortable involvement with others whose boundaries you are careful to respect” (Goodman and Fallon 1995: 73).

FIGURE 2:
**Healthy
Boundaries**



Source:
Goodman, MS
and Fallon, BC
*Pattern Changing
for Abused
Women.*

The authors suggest six steps for developing these boundaries to protect one against all invasive situations:

- Step 1:** Understand your rights;
- Step 2:** With small daily steps, work to love and appreciate yourself;
- Step 3:** Give yourself gifts;
- Step 4:** Be in touch with your own feelings and needs. Needs may be basic and non-negotiable, such as food, shelter, clothing and medical care. They may be less basic, but of primary importance to you, such as living near your family, going back to school, etc;
- Step 5:** Decide, on the basis of your own rights and needs, where you want to set your boundaries; and
- Step 6:** Develop assertiveness techniques to permit you to maintain your boundaries and demand what is rightfully yours.

The first four steps specifically focus on the development of one's core of dignity, self-respect, feelings of self worth and a sense of identity, while the last two steps allow for the gradual drawing of appropriate boundaries around one's core.

Conclusion

Becoming aware of personal and external strengths, of inward and outward movements on the spiral, of positive changes within oneself or one's children over time, is a gradual process. The intensity of the relationship, the measure of power and control exercised by the abuser, and the severity of the inward spiral in the victim's experience are factors that keep the victim focused on the abuser and away from external resources which may strengthen her efforts to move outward within the web of abuse.

This effectively contributes to slowing down the process of moving outward in the web of abuse, from a state of learned helplessness and all the negative experiences which abused women described earlier, to a response which shows that women are not passive victims of abuse. They are not without will and inner strengths to change from victim to survivor. They are not helpless and hopeless victims of their own masochistic needs. Instead, it seems that abused women are recurrently testing out new ways of moving outward on the spiral, of gaining control over their own lives and that of their children, but treading carefully to balance their movements in order to preserve their own and their children's safety. This balance is recognised as vital within abusive situations where over time the abuser has achieved immense power and control over the intimate partner.

I have focused on the power dynamics within abusive intimate partner relationships, yet acknowledge that the aspects discussed by no means exhaust all the aspects of the phenomenon. I have merely touched on some of these factors, specifically those issues emphasised by the women interviewed. It also needs to be noted that shifting the power dynamics within an abusive situation and gaining control over their own lives is only the first step in escaping from the web of abuse. There still remain endless emotional, social and material obstacles to overcome, regardless of their final decision to remain in or to leave an abusive intimate partner relationship.

Suggested areas for ongoing research

- The entrapment process, common in all types of family violence, needs more attention. This entrapment is connected to the unequal power balance in most abusive situations, the lack of social support systems

available for victims, the grey area surrounding the abuser's behaviour motivation and society's potent ideology of interfamilial dependency. These and other dynamics of the entrapment process need to be studied and adequately explained for future efforts to address this phenomenon.

- The creation of a single case research design to comprehensively study the intricate dynamics of power and control within the intimate partner relationship, and evaluation of the efforts of the research units in terms of helping the victim become a survivor.
- A comprehensive study to assess the emotional experiences of abused women (some were mentioned in this paper) and retaliation strategies of women, looking at concepts like mutual combat, self-defence, setting boundaries, developing assertiveness skills, utilising inner strengths and social support systems in various other ways.
- The intergenerational transmission of abuse. From previous research in this area, there is not unanimity that abusive husbands/parents were indeed abused as children. Researchers need to challenge the view that previous abuse may be the primary determinant of abusive behaviour in later life. It would be wise to assess the contributions of various factors in intergenerational transmission of abuse.

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Chapter 19

The Male ‘Powersexual’: An Exploratory Study of Manhood, Power and Sexual Behaviour among Elite Afrikaner and Owambo Men in Windhoek

Sheila J Wise

Introduction

Dare I, as a researcher, start yet another discussion on male gender identity with the pervasive question: What does it mean to a man? Many researchers have posed and grappled with this question.¹ Other researchers focus on male sexuality, mainly through the lens of HIV/AIDS, and ask: Can African men’s sexual behaviour change?² The objective of such enquiries has been to gain an understanding of manhood and sexuality. As a researcher, I posed the above two questions to elite Afrikaner and Owambo men based in Windhoek and below are some of the men’s responses.

On manhood:

“Manhood is maybe more of what you achieve. I wonder if it’s not the natural way we grew up, that men are the leaders and they’re supposed to be the leaders ... I’m trying to take a lead in whatever

I do or trying to be first or compete or don't take nonsense or whatever or if I say something must happen, it MUST happen ... It's what you do, what you achieve, what you get right, what you have on your shoulders. You know that makes you a man." (Afrikaner man, age 40)

On sexual behaviour change:

"There are some things that have not changed since the stone age and, unfortunately, that's one of them and I don't see that change being in our lifetime or beyond. I don't see how it's going to change because it's like in the genes ... It's IN THERE! It's INBORN!" (Owambo man, age 42)

The men's responses above are fairly straightforward but the real question is why they responded the way they did. What factors could have contributed to their sense of manhood and sexuality? This chapter explores critical aspects such as race, ethnicity, class and history, to see how they foster the men's perceptions of manhood, power and male sexual behaviour. This research targets an understudied male population, elite men, within the discourse of gender and sexuality.³ In doing so it offers a contextualised framework for understanding Afrikaner and Owambo men's perceptions of manhood and power and the basis for their sexual behaviour. By highlighting and combining the major components of this study, namely manhood, power and sexuality, the men are referred to as male 'powersexuals'.

Background information

In order to understand the development of the male 'powersexual' in Windhoek, historical factors such as colonialism and apartheid must be considered. The advent of colonialism and apartheid created a clear line between those perceived as superior and those perceived as inferior, the oppressor and the oppressed, the powerful and the powerless.⁴ The divisions created through the systems of colonialism and apartheid established, maintained and reinforced men's ideas about manhood, power, race, ethnic identity, class and sexuality.⁵ In a post-colonial and post-apartheid era, the manifestations of these differences are still present in how men think and articulate their manhood and power. Similarly, the historical residue of colonialism and apartheid shapes, to some degree, the choices they make in terms of their sexual behaviour.

Methodology

The research presented here should be viewed as exploratory. The purpose was to gain insight from an understudied population, ie elite white and black men regarding their attitudes and perceptions about manhood, power and sexual behaviour. The findings are based on a mix of observations, interviews and creative exercises with the men. The purpose of this approach is to listen to what men say and then watch what they do. The cultural variations related to these topics reflect two distinct ethnic groups in Windhoek, Afrikaners and Owambos. The similarities and differences between Afrikaners and Owambos are outlined by topic.

Through networking and sharing an overview of the research (men, power and sexual behaviour) with Afrikaans-speaking and Owambo-speaking people, the researcher was referred to men who generally met the criteria for participation in the study. Over time, the male participants then referred the researcher to other men, a process known as snowballing. Given that the research was in-depth and primarily qualitative, Afrikaners (5) and Owambo (16) men were sampled. The numbers of men sampled reflects the racial and ethnic differences in the Namibian population. Blacks are the majority in terms of race and Owambos as an ethnic group also maintain majority status, whereas whites generally, and Afrikaners specifically, are considered the minority. The demographic profile of the participants includes both married and single men between the ages of 35-54.

The term elite was defined, in conjunction with the men, as the attainment of a certain level of education and income, as well as maintaining a social and professional position within Windhoek. Additionally, the men added 'exposure,' ie travel and experience outside of Namibia, as a key characteristic of their elite status. The men represented in this study are university-educated, with many holding post-graduate degrees from universities in South Africa, Europe and the United States. The average household incomes are N\$2 million (US\$285 000) per annum for Afrikaners and N\$500 000 (US\$71 000) for Owambos. Their professional backgrounds are predominantly in the business sector, including ownership and entrepreneurial endeavours, with only a few in the political or government sector.

An ethnographic approach was employed in order to understand the lived experience of the men. Informal and semi-structured interviews were conducted on the above-mentioned topics in both public and private settings. Additionally, requests were made by the researcher to be immersed in *their world* by observing/shadowing where they live, work and *play*. This approach enabled the researcher to *see* Windhoek and other parts of the country through the eyes of the men. Upon gaining permission, the researcher was

exposed to a variety of settings: from boardrooms to bars, from the office and to the home, from dinner parties to the gym and golf course, and from business colleagues to friends and family.

Secondary data, including current publications, historical reference material and relevant statistical information were collected. The combination of these techniques was employed to gain a contextualised and comprehensive understanding of the men's perceptions, attitudes and experiences regarding manhood, power and sexual behaviour. An indigenous understanding of these concepts is critical if behaviour change is to become a reality.

Findings

Power

Similarities

The most striking similarity among the Afrikaner and Owambo men interviewed was their acknowledgement and respect for the *power of the past*. The past represents, for all of the men, colonialism, apartheid and experiences pre- and post-independence. The power lies in their direct and indirect participation – for and against – independence and their subsequent position within Namibian society today. An interesting facet related to the age of the men is the fact that each was either passively or actively engaged for or against Namibia's struggle for independence. Thus, all the men's perceptions of power have historical underpinnings. Both groups of men acknowledge the importance of power; the difference lies in how they define, understand and apply it. Interestingly, many of the men expressed their love/hate relationship with South Africa that seemingly reflected a *power struggle*. As Namibians, most of the men acknowledged the role of South Africa as a “big brother” in the political, historical and business realms. However, the men are passionate about challenging the perceived power that South Africa projects. Some of them mentioned that they like to “play in the back yard” of South Africa's business sector and solidify a win. As Namibian men, it gives them a sense of power to be able to “thumb their noses” at their big brother. Some men also expressed that Namibia has more “opportunity” and is “less bureaucratic” than South Africa. There was a sense of superiority in how the men talked about Namibia's development as an independent country. They clearly articulated how Namibia had to first “struggle for independence,” secondly, “divest from a country” and thirdly, “get our systems in place,” whereas South Africa was already independent and had to simply “change governments”.

Afrikaner power

The majority of Afrikaner men in the study seem to fully embrace and own their power. When asked generally how he felt about power as a concept, an Afrikaner man responded, "Without it I would be nothing." Some men equated money with power and power with money, more directly "the more money I have the more power I have". Most of the Afrikaner men had no real interest in the political realm; therefore, they focused on business as a way of generating economic power. Simply stated, *power is business* and business generates wealth. Power for most Afrikaner men is seen as the ability *to do*. The ability to do is based on the economic resources available to them. More succinctly power is the power of doing and the success of the business is "my doing". Although they acknowledged different types of power, the one persistent theme was that *power is pervasive*. Many of the Afrikaner men noted power exists within a variety of contexts such as work, home and community. Each context gives the men an opportunity to reinforce their power as men. In order to increase your level of power, particularly within the broader society, the *power of reputation* becomes key. Outsiders can increase or decrease your level of power and a "collective reputation" allows you to build a "power base" and the subsequent "tax benefits" contributes to the "asset base". The desire and need to "win" is integral to some of the men's perception of power, *power in winning* and it means, "out-classing your opponent".

Owambo power

As the largest black ethnic group within Namibia these men have *power by association*. Owambos were the majority ethnic group that fought, as part of SWAPO, for independence. Subsequently, most of the parliament and high-ranking positions within government are occupied by Owambos. Given the new dispensation, many Owambo men have *political capital*. They seemingly finagle their political capital, ie SWAPO membership, their "inxile" (those who stayed) or exile experiences, toward economic ends. Given these circumstances, many of the men are able to wield their influence and connections to make things happen. Most of the Owambo men felt they did not have power, but rather had influence. Many of the men renounced any sense of power. Instead, they preferred to focus and discuss their level of *influence*. In an interview with an Owambo man, I questioned, "What does power mean to you"? He quickly responded, "Nothing." He followed up his response with, "... power is perception, I inspire influence ... I want to be able to have influence over the person who has THAT power." The men's emphasis on influence allows them to manoeuvre "on the ground", to see and be seen, to know the right people and to be known by the right people, to literally

“move and shake” all under the guise of creating change for themselves, other Namibians and post-independent Namibia. Through observations and interviews, it became apparent that for some Owambo men *power is land*. Acquiring real estate in select areas within Windhoek or purchasing farmland was seen by many as an effective way to increase their capital as well as their status. All of the black men received a higher education outside of Namibia and with that educational experience came the *power of exposure*. Most of the men talked about their experiences of living in Europe or the United States. On some level, sharing their experiences was a sort of cachet in terms of their level of understanding of the personal and the political, the local and the global.

Manhood

Similarities

Generally speaking, Afrikaner and Owambo men viewed being questioned about a definition of manhood as somehow diminishing their status as men, “I never thought about what it means to be a man because I am a man ... we’re used to doing, not thinking about doing” or “If you start to force your point that you’re a man, you’re almost losing the point as well”. Their point implies that *manhood is about being* [a man] *not saying* [you are a man]. The more you talk about manhood, the more likely you are to be seen as not a man. They use words such as “leadership”, “competition” and “achievement” to express qualities associated with manhood. The men associated *work* with manhood. Work was seen as a vehicle to fulfil their role as a man and more specifically as a provider.

Afrikaner manhood

Risk-taking, in relation to being a man, was another key characteristic expressed by the men. The idea of risk-taking is as much a mental act as it is physical. The men, in direct relation to women, expressed ideas such as *freedom* and *privilege*. The men felt that, as men, they were accorded more benefits by simply being men. This feeling was rooted in the physical bodily differences between men and women, as well as professional opportunities within the workforce. In terms of defining masculinity, most of the men made immediate reference to gayness and in so doing implied, *being gay is not being masculine*. This type of response implies a dichotomous relationship between themselves, as men, and anyone who they perceived as unmanly or not masculine. All of the men used *sport* analogies to articulate ideas of manhood. Rugby, soccer and squash were not only physical games that they play, they also integrate the

strategies of the sports into their personal and professional lives as men. Some Afrikaner men perceived their military service as an “honour” NOT a “duty”. Reaching the status ranking of a “maroon beret” was an outward symbol of Afrikaner manhood. Ethnicity was discussed in relation to manhood and the men clearly acknowledge, but no longer subscribe, to all things Afrikaner. Some of the men acknowledged, yet disassociated themselves to some extent, from their Afrikaner history of apartheid. Instead, they created and claimed new ethnic identities for themselves that are “unapologetic about the past” and in terms of business, considered it “a level playing field” given the new political dispensation in Namibia. Terms such as “New Afrikaner” and “New Age South African” were used to describe their more contemporary attitudes and identities. Many of the men resisted the stereotype that they were a by-product of the Afrikaner system intimating that “old Afrikaners” were racists and separatist. However, observations of the men, particularly as it related to their social circles, revealed a sort of *dual manhood*, where men outwardly embraced their whiteness as well as their Afrikaner-ness by socialising primarily with other white Afrikaners. The only instances when the situation seemed different were when such interactions were perceived as “good for business”.

Owambo manhood

Most of the Owambo men used words such as “leadership”, “strength,” and “protect” to describe their manhood. An Owambo man stated the following as a response to the question on manhood: “As a man, there [are] things in life that when they come you are ready to face them. You take [a] position, you are clear that position may not be accepted by others.” Such wording was used by many of the men and suggested a sort of *combat manhood*. Their manhood seems very much attached to their pre-independence experiences. Even though Namibia is in its post-independence phase, as Owambo men, they should not let their guard down. Even in social settings they refer to each other affectionately as “comrade” and given that the majority of these men socialise primarily with other Owambo men, a sense of camaraderie is present. The majority of the men support one another in business and in pursuits of pleasure. Even with the ascribed status that comes along with gaining exposure by being geographically positioned outside of Namibia and the experience of living in different cultures, many of the men said, “It’s good to be *home*.” Given the context of the conversation on manhood, some of the men implied that being a man abroad brings forth a different set of challenges, ie their African-ness and being considered ‘other’. Alternatively, being back home in Namibia allows the men to operate in known territory. The challenges and expectations are understood and ultimately provide a level of comfort. The

consistent themes that emerged throughout my interviews and observations with Owambo men were *pressure* and *responsibility*. Clearly the two are linked. Without a doubt, *marriage is a marker of manhood* for most of the men; culturally and socially it is expected. The following statement reiterates this point: "... for us manhood starts when you get married." The men assume the responsibility for both their personal and extended family, along with the roles of being fathers and husbands, yet they feel the pressure that those responsibilities create. Socialising with other Owambo men and flirting with women is a temporary release from the pressures and responsibilities that many of the men endure.

Sexuality

Similarities

Across the board, Afrikaner and Owambo men stated that due to the conservative nature of their homes and families, sex was not discussed. Simply put, "we didn't talk about sex". Many of the men said they learned about sex from their peers. Interestingly, most of the men relate their sexual prowess to being African. In some ways they have bought into the notion that as African men there is an assumption that they are well-endowed. Remarks such as "You know what they say about African men" illuminate a sort of African sexual pride. Another similarity between Afrikaner and Owambo men was the consistent use of the analogy "men are hunters". They use this analogy as a way of expressing their sexual desires, sexual pursuits and sexual conquests. *Circumcision* among some of the Afrikaner and Owambo men was a touchy subject. Given that Afrikaners and Owambos do not practice circumcision, most of the men almost immediately defended and justified their uncircumcised penis by attesting to the fact that they are "more sensitive" and that it's "still the same" once erect. *Masturbation* was seen by many of the men as something they occasionally did and was primarily driven by the immediate "physical need" to "relieve" oneself. Most of the men had difficulty admitting that they did, in fact, masturbate. When they did share their experiences, they did so in a very hushed almost shameful or embarrassed manner.

Afrikaner sexuality

The persistent theme among the Afrikaner men interviewed is that their sexual behaviour appears to be *sexually selective*. Historically, Afrikaners were settlers and set upon maintaining their cultural values even within a new environment. Generally speaking, they did not encourage or promote

sex outside of their Afrikaner community. The following reflection from an Afrikaner man reiterates this point: “I think that goes back because generally white people do not go across racial lines ... until the other day it was an offence. You could go to jail.” Their selectiveness was manifested by their adamant ideas about “not paying for sex”. Their disinterest in sex workers was more about being “reserved” and maintaining a “mature” approach to sex and less about the ability to “afford” them. Some of the men made clear their economic power by stating that they could “afford all the whores in Windhoek”. However, for these men, given their high profile positions, it was important to say no to their sexual desire for fear of tarnishing their reputation and status. The idea of selectiveness also comes into play when the men talked about *sexual attraction*. Many of the Afrikaner men stated that they are primarily attracted to Afrikaner women. Mention of attraction to German and British women was made by some of the men but the point is that their attraction is focused toward white women. Within the discussion of sexuality, many of the Afrikaner men maintained that they would “never cheat” on their wives or committed partners. Their reported behaviour suggests a kind of serial monogamy that is based on some sort of moral code. Most men maintained that they would only involve themselves with one sexual partner at a time. Their commitment toward one partner however seems driven more by fear of tarnishing their reputation than by sexual morality. Selectiveness is also integrated into the perceptions about STDs and HIV/AIDS and has racial connotations. Given real and hypothetical scenarios of having sex with a white woman, most men admitted that they “would not and had not used a condom”. However, given the same scenario with a black woman they would “definitely use a condom”. Interestingly, even if the black woman were elite, the men still said they would use a condom. This reiterates the general perception of HIV/AIDS as a “black disease” and that race more than class is a key factor in the sexual behaviour of Afrikaner men. In terms of *sexual health*, most of the Afrikaner men viewed the concept as “open communication” with your partner about sex.

Owambo sexuality

Most of the Owambo men’s sexual approach could be interpreted as *sexually explicit*. They clearly and directly say what they want from a woman in terms of sex. This may be due to the fact that Owambos are the black majority in Namibia, and there is a certain power that comes along with that. In a sense, they can say or be as direct as they feel necessary. The men’s high-level and highly visible positions gives them a perceived level of power, thus, many do not have to “play games” when sexually attracted to a woman. Based on observations and interviews, their powerful positions and

tribal backing seemingly allows and encourages married and single men's *desire for difference* in potential sex partners. As one man succinctly stated, "Men are hunters and sometimes you need different meat." An interesting observation was the way in which some of the men talked about their desire for difference. The following is one such example: "Sometimes you get tired of *pap and vleis* (your wife) and you need some *kamboroto*" (a piece of bread – meaning woman – on the side)." Many of the men talked about having *sex outside of marriage* or committed relationship. Some did so in a paternalistic manner. The following quote reiterates this point:

"Our society has always been we must take care of those who don't have ... Who will take care of them? Who will satisfy their desires? We must PROVIDE. It's my duty. If I don't somebody else will."

With an equal amount confidence and certainty many of the men felt that this type of behaviour would not change. One man passionately expressed, "I will NEVER advocate for men to abandon multiple partners. I will NEVER!" The majority of the men expressed that the main challenge in continuing this practice is "not to get caught". In terms of *sexual health*, most of the Owambo men viewed the concept with "disease", specifically HIV/AIDS. Generally speaking, the men were well-versed when it came to the subject of HIV/AIDS in terms of how it is contracted and how to lessen the risk. Condoms were mentioned as the main form of protection: "A soldier must ALWAYS be prepared." Others employ more subtle strategies for safe sex including: inquiries as to whether a potential sex partner has a "life insurance policy"; and asking if she knows her "blood type" and if she is a "blood donor".

Summary of findings

In summary, as scientists conducting research, our process needs to be reflexive. We need to continually ask ourselves why we study what we study. Furthermore, when we say we are doing research on gender and sexuality it is important to ask: which gender are we talking about men or women, or women in relation to men? What race and ethnicity do they identify with? What is their socio-economic class? What experiences have they had and how have those experiences shaped who they are? As researchers, we should not assume, as much of the literature on gender seems to suggest, that men are perpetrators of only negative acts toward women. My hope is that the incorporation of a reflexive approach will bring forth a new framework for how we do research, and how we understand gender and sexuality. Following are some of the key findings from this research that begin to answer these questions:

Power:

1. An interesting facet related to the age of the men is the fact that each was either passively or actively engaged (for or against) Namibia's struggle for independence. The most striking similarity among the men interviewed was their acknowledgement of the power of the past. The past represents, for all of the men, colonialism, apartheid and Namibia's struggle for independence. The power lies in their direct and indirect participation for independence and their subsequent position within Namibian society today.
2. For most Afrikaner men, power is money and money is power. Business, or more specifically, economic capital is a key vehicle for acquiring wealth and maintaining power.
3. For Owambo men, influence is more important than power. As the majority black ethnic group and dominant power in SWAPO, they navigate their "political capital" toward personal and public ends.

Manhood:

1. For both Afrikaner and Owambo men, manhood is an achieved state; it is about being and not saying.
2. Based primarily on observations, it appears that the men generally socialise within their own ethnic group.
3. Some of the core characteristics of an Afrikaner manhood include freedom, privilege and risk-taking. Alternatively, aspects of Owambo manhood are expressed as pressure, responsibility and camaraderie. The historical undertones of these expressly different perceptions of manhood are clear.

Sexuality:

1. There are differences between Afrikaners and Owambos in terms of their sexual approach toward women. Some Afrikaners tend to be *sexually selective* whereas some Owambo men are *sexually explicit*. There seems to be a historical underpinning for both of these approaches to sex.
2. Most of the Owambo men reported that they have had sex with other women outside a committed relationship. These men clearly stated that their sexual behaviour, in this regard, would not change. The idea of these men "getting caught" by their wives or girlfriends was perceived as the main threat. Alternatively, most of the Afrikaner men stated that they

would “not cheat” on their wife or partner. Their primary reason for not having multiple sex partners is based on fear of public recrimination and possible loss of reputation. Some Afrikaner men alluded to multiple sex partners as being in some ways less “mature” behaviour; and

3. There appear to be different perceptions of sexual health based on race. Generally speaking, black men tend to think of sexual health in terms of “disease” or issues regarding “impotency,” and “stamina” during sexual intercourse; white men think of it as “open communication about sex with your partner”.

Discussion

Firstly, the research findings suggest that attention should be given to understanding the sexual behaviour of men in positions of power. Secondly, even though Namibia is embracing a “one nation, one Namibia” philosophy, the research suggests that in reality ethnicity as well as race still matters. Any policy formulation should consider this important finding. Thirdly, some educated, informed, mature, elite men engage in unsafe sex. Serious attention should be given to this finding in terms of general attitudes and perceptions regarding male sexual behaviour. Finally, these findings suggest that a broad, top-down approach cannot and should be used to understand gender and sexuality in Namibia. The experiences and articulations of – and by – the men indicate that ethnicity, race and class are key to how they perceive their manhood, power and sexual behaviour. Any policy would need to take these factors into consideration.

This research contributes most directly to our knowledge of gender, power and sexual behaviour by exploring an under-studied population – men. It goes one step further by examining gender and sexual behaviour in terms of race (black and white), ethnicity (Afrikaners and Owambos) and class (upper), all of which add a different dimension to our understanding. Furthermore, the findings from adults provide an alternative point of view from the youth-focused research often conducted in Namibia. In addition to seeking to understand male ideas and perceptions – as articulated by men – about manhood, power and sexual behaviour, this research provides an indigenous perspective that certainly adds to our understanding of gender and sexuality.

Conclusion

In conclusion, this research on the male ‘powersexual’ was truly a journey into unknown territory. Very little has been written about elite male Africans in general and even less about comparisons between ethnic groups within Namibia. Theoretically speaking, patriarchy and hegemony are associated with domination, power and control. An in-depth analysis that examines these paradigms across race and ethnicity are hard to find. That being said, this topic is certainly worthy of further research and the current research should be considered a beginning, not an end.

Recommendations

Firstly, research designs on gender and sexual behaviours should include approaches that seek to understand these concepts from the targeted population’s perspective. This is essential information that should be seriously considered in terms of any new policy formulation. Secondly, more researchers need to employ a “study up” approach. Current research focuses too much on the poor and disenfranchised. Real opportunities to create a comprehensive understanding of gender and sexuality are being missed when the focal point remains only on economically marginalised people. Are we suggesting that nothing can be learned from the well-to-do? Thirdly, within the research literature, there is what could be called a “presumption of blackness” in terms of whom we study. In doing so, such research reinforces ideas about blacks being poor and disempowered and reaffirms the perception that HIV/AIDS is a “black disease”. That being said, more research needs to be conducted across race and ethnicity. Lastly, more research needs to be done on men in relation to gender and sexuality. The current literature on gender is heavily slanted toward women. Similarly, current research on male sexuality tends to focus more on homosexuality than heterosexuality. Needless to say, such research is important but in focusing on the specialised aspects of gender and sexual behaviour, we seem to be missing opportunities to query and understand the related fundamental elements.

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ENDNOTES

¹ See Baylies 2000; Becker 2001; Brown et al, 2005; Connell 1995; and Morrell 1998.

² See LeBeau et al, 1999; Talavera 2002; and Tersbol 2002.

³ The research presented here is a part of a larger exploratory study that includes elite men who are racially and ethnically diverse.

⁴ See Du Pisani 1987; Kandirikirira 2002; and Katjavivi 1988.

⁵ See Fumanti 2002; Sylvain 2001; and Tapscott 1995.

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The wide-ranging, insightful and provocative collection of chapters in this volume makes academic research available to any reader interested in the dynamics of gender and sexuality in Namibia today. Nineteen essays by prominent academics and analysts seek to unravel the misconceptions, stereotypes and taboos surrounding the concepts of gender equality, sexuality and sexual rights in Namibia.



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